

a School-to-Work Opportunities program under an approved State plan, that certifies that a student has mastered skills at levels that are at least as challenging as skill standards endorsed by the National Skill Standards Board established under the National Skill Standards Act of 1994 [20 U.S.C. 5931 et seq.], except that until such skill standards are developed, the term “skill certificate” means a credential issued under a process described in the approved State plan.

(23) State

The term “State” means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the Virgin Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

(24) State educational agency

The term “State educational agency” means the officer or agency primarily responsible for the State supervision of public elementary and secondary schools.

(25) Workplace mentor

The term “workplace mentor” means an employee or other individual, approved by the employer at a workplace, who possesses the skills and knowledge to be mastered by a student, and who instructs the student, critiques the performance of the student, challenges the student to perform well, and works in consultation with classroom teachers and the employer of the student.

(Pub. L. 103-239, § 4, May 4, 1994, 108 Stat. 572; Pub. L. 103-382, title III, § 394(j)(1), Oct. 20, 1994, 108 Stat. 4029; Pub. L. 105-244, title I, § 102(c)(1), Oct. 7, 1998, 112 Stat. 1622.)

REFERENCES IN TEXT

The Goals 2000: Educate America Act, referred to in par. (3), is Pub. L. 103-227, Mar. 31, 1994, 108 Stat. 125 (except titles V and IX), as amended, which is classified principally to chapter 68 (§ 5801 et seq.) of this title (except subchapters V (§ 5931 et seq.) and IX (§ 6001 et seq.)). For complete classification of this Act to the Code, see Short Title note set out under section 5801 of this title and Tables.

The Higher Education Act of 1965, referred to in pars. (11)(B)(viii) and (12), is Pub. L. 89-329, Nov. 8, 1965, 79 Stat. 1219, as amended. Title IV of the Act is classified generally to subchapter IV (§ 1070 et seq.) of chapter 28 of this title and part C (§ 2751 et seq.) of subchapter I of chapter 34 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 1001 of this title and Tables.

The Alaska Native Claims Settlement Act, referred to in par. (11)(B)(xiv), is Pub. L. 92-203, Dec. 18, 1971, 85 Stat. 688, as amended, which is classified generally to chapter 33 (§ 1601 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1601 of Title 43 and Tables.

Section 1401(a)(17) of this title, referred to in par. (15), was in the original a reference to section 602(a)(17) of the Individuals with Disabilities Education Act, Pub. L. 91-230, title VI. Section 602 of Pub. L. 91-230 was omitted in the general amendment of subchapter I of chapter 33 of this title by Pub. L. 105-17, title I, § 101, June 4, 1997, 111 Stat. 37. Pub. L. 105-17 enacted a new

section 602 of Pub. L. 91-230, which is classified to section 1401 of this title, and which contains provisions defining “related services”.

The Job Training Partnership Act, referred to in pars. (6), (11)(B)(xiii), and (20)(B), is Pub. L. 97-300, Oct. 13, 1982, 96 Stat. 1322, as amended, which was repealed by Pub. L. 105-220, title I, § 199(b)(2), (c)(2)(B), Aug. 7, 1998, 112 Stat. 1059, effective July 1, 2000. Part B of title IV of the Act was classified generally to part B (§ 1691 et seq.) of subchapter IV of chapter 19 of Title 29, Labor, and sections 4 and 102 of the Act were classified to sections 1503 and 1512, respectively, of Title 29. Pursuant to section 2940(b) of Title 29, references to a provision of the Job Training Partnership Act, effective Aug. 7, 1998, are deemed to refer to that provision or the corresponding provision of the Workforce Investment Act of 1998, Pub. L. 105-220, Aug. 7, 1998, 112 Stat. 936, and effective July 1, 2000, are deemed to refer to the corresponding provision of the Workforce Investment Act of 1998. For complete classification of the Job Training Partnership Act to the Code, see Tables. For complete classification of the Workforce Investment Act of 1998 to the Code, see Short Title note set out under section 9201 of this title and Tables.

The National Skill Standards Act of 1994, referred to in par. (22), is title V of Pub. L. 103-227, Mar. 31, 1994, 108 Stat. 191, which is classified generally to subchapter V (§ 5931 et seq.) of chapter 68 of this title. For complete classification of this Act to the Code, see section 5931 of this title and Tables.

AMENDMENTS

1998—Par. (11)(B)(viii). Pub. L. 105-244, § 102(c)(1)(A), substituted “section 102(b)” for “section 481(b)”.

Par. (12). Pub. L. 105-244, § 102(c)(1)(B), substituted “section 102” for “section 481”.

1994—Par. (15). Pub. L. 103-382 substituted “section 1401(a)(17)” for “section 1401(17)”.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-244 effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105-244, see section 3 of Pub. L. 105-244, set out as a note under section 1001 of this title.

§ 6104. Federal administration

(a) Joint administration

(1) In general

Notwithstanding the Department of Education Organization Act (20 U.S.C. 3401 et seq.), the General Education Provisions Act (20 U.S.C. 1221 et seq.), the Act entitled “An Act To Create a Department of Labor”, approved March 4, 1913 (29 U.S.C. 551 et seq.), and section 166 of the Job Training Partnership Act (29 U.S.C. 1576),¹ the Secretaries shall jointly provide for, and shall exercise final authority over, the administration of this chapter, and shall have final authority to jointly issue whatever procedures, guidelines, and regulations, in accordance with section 553 of title 5, the Secretaries consider necessary and appropriate to administer and enforce the provisions of this chapter.

(2) Submission of plan

Not later than 120 days after May 4, 1994, the Secretaries shall prepare a plan for the joint administration of this chapter and submit such plan to Congress for review and comment.

(b) Acceptance of gifts

The Secretaries are authorized, in carrying out this chapter, to accept, purchase, or lease in

¹ See References in Text note below.

the name of the Department of Labor or the Department of Education, and employ or dispose of in furtherance of the purposes of this chapter, any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise.

(c) Use of voluntary and uncompensated services

Notwithstanding section 1342 of title 31, the Secretaries are authorized to accept voluntary and uncompensated services in furtherance of the purposes of this chapter.

(Pub. L. 103-239, § 5, May 4, 1994, 108 Stat. 575.)

REFERENCES IN TEXT

The Department of Education Organization Act, referred to in subsec. (a)(1), is Pub. L. 96-88, Oct. 17, 1979, 93 Stat. 668, which is classified principally to chapter 48 (§3401 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 3401 of this title and Tables.

The General Education Provisions Act, referred to in subsec. (a)(1), is title IV of Pub. L. 90-247, Jan. 2, 1968, 81 Stat. 814, as amended, which is classified generally to chapter 31 (§1221 et seq.) of this title. For complete classification of this Act to the Code, see section 1221 of this title and Tables.

The Act entitled “An Act To Create a Department of Labor”, approved March 4, 1913, referred to in subsec. (a)(1), is act Mar. 4, 1913, ch. 141, 37 Stat. 736, as amended, which is classified principally to sections 2, 551, and 555 to 562 of Title 29, Labor. For complete classification of this Act to the Code, see Tables.

Section 166 of the Job Training Partnership Act, referred to in subsec. (a)(1), which was classified to section 1576 of Title 29, Labor, was repealed by Pub. L. 105-220, title I, §199(b)(2), (c)(2)(B), Aug. 7, 1998, 112 Stat. 1059, effective July 1, 2000. Pursuant to section 2940(b) of Title 29, references to a provision of the Job Training Partnership Act, effective Aug. 7, 1998, are deemed to refer to that provision or the corresponding provision of the Workforce Investment Act of 1998, Pub. L. 105-220, Aug. 7, 1998, 112 Stat. 936, and effective July 1, 2000, are deemed to refer to the corresponding provision of the Workforce Investment Act of 1998. For complete classification of the Workforce Investment Act of 1998 to the Code, see Short Title note set out under section 9201 of this title and Tables.

SUBCHAPTER I—SCHOOL-TO-WORK OPPORTUNITIES BASIC PROGRAM COMPONENTS

SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in sections 6126, 6192 of this title.

§ 6111. General program requirements

A School-to-Work Opportunities program under this chapter shall—

- (1) integrate school-based learning and work-based learning, as provided for in sections 6112 and 6113 of this title, integrate academic and occupational learning, and establish effective linkages between secondary and postsecondary education;
- (2) provide participating students with the opportunity to complete career majors;
- (3) incorporate the program components provided in sections 6112 through 6114 of this title;
- (4) provide participating students, to the extent practicable, with strong experience in and understanding of all aspects of the industry the students are preparing to enter; and
- (5) provide all students with equal access to the full range of such program components

(including both school-based and work-based learning components) and related activities, such as recruitment, enrollment, and placement activities, except that nothing in this chapter shall be construed to provide any individual with an entitlement to services under this chapter.

(Pub. L. 103-239, title I, §101, May 4, 1994, 108 Stat. 576.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 103-239, May 4, 1994, 108 Stat. 568, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 6101 of this title and Tables.

§ 6112. School-based learning component

The school-based learning component of a School-to-Work Opportunities program shall include—

(1) career awareness and career exploration and counseling (beginning at the earliest possible age, but not later than the 7th grade) in order to help students who may be interested to identify, and select or reconsider, their interests, goals, and career majors, including those options that may not be traditional for their gender, race, or ethnicity;

(2) initial selection by interested students of a career major not later than the beginning of the 11th grade;

(3) a program of study designed to meet the same academic content standards the State has established for all students, including, where applicable, standards established under the Goals 2000: Educate America Act [20 U.S.C. 5801 et seq.], and to meet the requirements necessary to prepare a student for postsecondary education and the requirements necessary for a student to earn a skill certificate;

(4) a program of instruction and curriculum that integrates academic and vocational learning (including applied methodologies and team-teaching strategies), and incorporates instruction, to the extent practicable, in all aspects of an industry, appropriately tied to the career major of a participant;

(5) regularly scheduled evaluations involving ongoing consultation and problem solving with students and school dropouts to identify their academic strengths and weaknesses, academic progress, workplace knowledge, goals, and the need for additional learning opportunities to master core academic and vocational skills; and

(6) procedures to facilitate the entry of students participating in a School-to-Work Opportunities program into additional training or postsecondary education programs, as well as to facilitate the transfer of the students between education and training programs.

(Pub. L. 103-239, title I, §102, May 4, 1994, 108 Stat. 576.)

REFERENCES IN TEXT

The Goals 2000: Educate America Act, referred to in par. (3), is Pub. L. 103-227, Mar. 31, 1994, 108 Stat. 125 (except titles V and IX), as amended, which is classified principally to chapter 68 (§5801 et seq.) of this title (ex-