

117TH CONGRESS  
2D SESSION

# H. R. 8567

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

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IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2022

Mr. KHANNA 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 2022”.

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.), as  
10          of the date of enactment of this Act, and is in com-  
11          pliance with the regulations promulgated to carry  
12          out the Act of August 16, 1937, under part 29 of  
13          title 29, Code of Federal Regulations, as in effect on  
14          the date of enactment of this Act.

15               “(2) POSTSECONDARY APPRENTICESHIP PRO-  
16          GRAM.—The term ‘postsecondary apprenticeship  
17          program’ means an apprenticeship program—

18                       “(A) that meets the requirements of a rec-  
19                       ognized postsecondary credential conferred by  
20                       an institution of higher education; and

21                       “(B) established by the relevant State  
22                       agency in the State where the program is deliv-  
23                       ered.

24               “(3) RECOGNIZED POSTSECONDARY CREDEN-  
25          TIAL.—The term ‘recognized postsecondary creden-  
26          tial’ means—

1           “(A) a credential consisting of an industry-  
2 recognized certificate that is credit-bearing to-  
3 ward a postsecondary degree at the institution  
4 of higher education from which it is conferred;

5           “(B) an associate degree; or

6           “(C) a baccalaureate degree.

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

9           “(A) enrolled or accepted for enrollment at  
10 an institution of higher education for the pur-  
11 pose of obtaining a recognized postsecondary  
12 credential offered by that institution and is a  
13 participant in a postsecondary apprenticeship  
14 program; and

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

1           “(5) WORKFORCE INTERMEDIARY.—The term  
2           ‘workforce intermediary’—

3           “(A) means an entity, which may be part  
4           of an industry or sector partnership, that dem-  
5           onstrates expertise in building, connecting, sus-  
6           taining, and measuring the performance of  
7           partnerships in order for the entity to broker  
8           services, resources, and supports for develop-  
9           ment, delivery, expansion, or improvement of  
10          postsecondary apprenticeship programs, and of  
11          the organizations and systems that are designed  
12          to serve covered student apprentices and em-  
13          ployer partners, including—

14                 “(i) connecting employers to appren-  
15                 ticeship opportunities;

16                 “(ii) assisting in the design and imple-  
17                 mentation of postsecondary apprenticeship  
18                 programs, including curriculum develop-  
19                 ment and delivery for related instruction;

20                 “(iii) supporting entities, and spon-  
21                 sors or program administrators, in meeting  
22                 the registration and reporting require-  
23                 ments;

1                   “(iv) providing professional develop-  
2                   ment activities such as training to men-  
3                   tors;

4                   “(v) connecting students or workers to  
5                   apprenticeship opportunities; and

6                   “(vi) developing and providing person-  
7                   alized covered apprentice supports, includ-  
8                   ing supportive services and financial advis-  
9                   ing; and

10                  “(B) includes a State workforce develop-  
11                  ment board or local workforce development  
12                  board, as established under title I of the Work-  
13                  force Innovation and Opportunity Act, or State  
14                  workforce agency.

15                  “(b) GRANT PROGRAM.—

16                  “(1) IN GENERAL.—The Secretary, in collabo-  
17                  ration with the Secretary of Labor, shall award  
18                  grants to eligible partnerships to enable the partner-  
19                  ships to develop and implement a postsecondary ap-  
20                  prenticeship program.

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

23                  “(3) ELIGIBLE PARTNERSHIP.—

1           “(A) IN GENERAL.—In this section, the  
2 term ‘eligible partnership’ means a partnership  
3 that—

4           “(i) shall include—

5               “(I) an institution of higher edu-  
6 cation or a consortium of such institu-  
7 tions;

8               “(II) an individual employer or  
9 consortium of employers; and

10              “(III) a workforce intermediary,  
11 unless waived by the Secretary be-  
12 cause the partnership demonstrates  
13 that a high-quality program is in  
14 place or it would be a hardship to in-  
15 clude a workforce intermediary; and

16           “(ii) may include—

17               “(I) a State agency responsible  
18 for the administration of career and  
19 technical education in the State or for  
20 the supervision of the administration  
21 of career and technical education in  
22 the State;

23               “(II) a labor organization;

24               “(III) an economic development  
25 agency or organization, such as a

1 chamber of commerce, business alli-  
2 ance, or industry association;

3 “(IV) a community-based organi-  
4 zation;

5 “(V) a State educational agency;  
6 or

7 “(VI) a local educational agency.

8 “(B) FISCAL AGENT.—The lead fiscal  
9 agent of an eligible partnership shall be any of  
10 the following:

11 “(i) An institution of higher edu-  
12 cation.

13 “(ii) An industry association.

14 “(iii) A workforce intermediary that is  
15 an entity that is described in section  
16 501(c)(3) of the Internal Revenue Code of  
17 1986 and exempt from taxation under sec-  
18 tion 501(a) of such Code.

19 “(4) APPLICATION.—

20 “(A) IN GENERAL.—An eligible partner-  
21 ship that desires to receive a grant under this  
22 section shall submit an application to the Sec-  
23 retary at such time, in such manner, and ac-  
24 companied by such information as the Secretary  
25 may require.

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

3                   “(i) a plan to recruit and retain a  
4                   high number or high percentage of partici-  
5                   pants who are from nontraditional appren-  
6                   ticeship populations, including women, mi-  
7                   norities, individuals with disabilities, vet-  
8                   erans, and individuals with barriers to em-  
9                   ployment, such as opportunity youth, low-  
10                  income youth and adults, young adults and  
11                  adults of color, and individuals who have  
12                  been impacted by the criminal justice sys-  
13                  tem;

14                  “(ii) letters of support and a labor  
15                  market analysis that demonstrate that the  
16                  occupation for which the program prepares  
17                  participants—

18                           “(I) is feasible and in demand;

19                           “(II) is a high-growth, high-wage  
20                           occupation; or

21                           “(III) is a response to in-demand  
22                           industry sectors or occupations as de-  
23                           termined by the State or local work-  
24                           force boards;



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

3 “(iv) a plan for ensuring that the  
4 partnership has the capacity to access data  
5 to measure desired outcomes and the out-  
6 comes described in clause (v); and

7 “(v) a plan for—

8 “(I) increasing associate or bac-  
9 calaureate degree and credential at-  
10 tainment;

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

14 “(III) including a provider of  
15 support or specialized services, such  
16 as financial counseling.

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

1           “(i) shall include not less than 2000  
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, successful  
13 demonstration of acquired skills and  
14 knowledge as part of an approved com-  
15 petency-based program, instruction pro-  
16 vided through electronic media, or other  
17 instruction approved by the registration  
18 agency;

19           “(iii) shall be provided by one or more  
20 qualified instructors who—

21           “(I)(aa) meet the career technical  
22 education instructor requirements of  
23 the applicable education agency of the  
24 State of registration; or

1           “(bb) are subject matter experts,  
2           defined for purposes of this subpara-  
3           graph as individuals (including  
4           journeyworkers) recognized within an  
5           industry as having expertise in a spe-  
6           cific occupation; and

7           “(II) have training in teaching  
8           techniques and learning styles or will  
9           obtain such training before an in-  
10          structor begins providing the related  
11          technical instruction; and

12          “(iv) shall, to the maximum extent  
13          practicable, be aligned to a career pathway,  
14          as defined in section 3 of the Workforce  
15          Innovation and Opportunity Act.

16          “(5) SELECTION.—The Secretary shall, in se-  
17          lecting eligible partnerships to receive grants under  
18          this section—

19                  “(A) consider the equitable geographic dis-  
20                  tribution of grants among rural and urban  
21                  areas; and

22                  “(B) leverage significant State, local, insti-  
23                  tutional, or private resources, including in-kind  
24                  contributions, to support the activities assisted  
25                  under this section.

1           “(6) USE OF GRANT FUNDS.—

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

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

13                   “(i) Program design and implementa-  
14                  tion costs, including—

15                           “(I) development of curricula and  
16                           standards;

17                           “(II) development of a com-  
18                           petency-based approach to awarding  
19                           credits; and

20                           “(III) use of subject matter ex-  
21                           perts in instructional delivery or cur-  
22                           riculum design.

23                   “(ii) Development of on-the-job learn-  
24                  ing, mentoring, and additional supervision

1 structures and professional development  
2 for mentors and supervisors.

3 “(iii) Tuition for the related instruc-  
4 tion of the apprenticeship.

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

9 “(v) Assessment of prior learning for  
10 the purpose of awarding credit.

11 “(vi) Certifying examinations.

12 “(vii) Recruitment of student appren-  
13 tices or students participating in concu-  
14 rent postsecondary programs while in high  
15 school.

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) WAGES.—An eligible partnership that  
4           receives a grant under this section—

5           “(i) may not use any of the grant  
6           funds directly to pay wages to a student  
7           apprentice; and

8           “(ii) shall ensure that any wages paid  
9           to a student apprentice under the postsec-  
10          ondary apprenticeship program are not less  
11          than \$15 an hour.

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

16          “(A) With respect to interim outcomes—

17               “(i) the number of student appren-  
18               tices in the program;

19               “(ii) the percentage of participants  
20               who are from nontraditional apprenticeship  
21               populations, including women, historically  
22               underrepresented groups, individuals with  
23               disabilities, veterans, and individuals with  
24               barriers to employment;

1           “(iii) outcomes for the participants  
2 described in clause (ii);

3           “(iv) the accumulation of postsec-  
4 ondary credit;

5           “(v) the attainment of a recognized  
6 postsecondary credential; and

7           “(vi) wage increases realized during  
8 the course of the apprenticeship.

9           “(B) Completions—

10           “(i) that are on time, disaggregated  
11 by credit, credential, or degree received;  
12 and

13           “(ii) that are within 150 percent of  
14 the expected time of completion,  
15 disaggregated by credit, credential, or de-  
16 gree received.

17           “(C) With respect to end-of-program out-  
18 comes for both participants who complete the  
19 program and participants who do not complete  
20 the program each of the following:

21           “(i) The accumulation of postsec-  
22 ondary credit toward a degree reported not  
23 later than one year after the end of the  
24 grant period.

1           “(ii) The share of enrolled students  
2 who attain a postsecondary degree re-  
3 ported not later than one year after the  
4 end of the grant period.

5           “(iii) The share of enrolled students  
6 who attain a recognized postsecondary cre-  
7 dential reported not later than one year  
8 after the end of the grant period.

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

11           “(v) Whether the place of employment  
12 for participants aligns with area of study  
13 disaggregated by students who completed  
14 the program and students who did not  
15 complete the program reported not later  
16 than one year after the end of the grant  
17 period. Such data may be collected through  
18 a survey.

19           “(vi) Unsubsidized employment rate  
20 after the second quarter after exit from the  
21 program.

22           “(vii) Unsubsidized employment rate  
23 after the fourth quarter after exit from the  
24 program.



1                   “(viii) Median earnings after the sec-  
2                   ond and fourth quarters after exit from the  
3                   program.

4           “(c) AUTHORIZATION OF APPROPRIATIONS.—There  
5 are authorized to be appropriated to carry out this section  
6 such sums as may be necessary for fiscal year 2023 and  
7 each of the 5 succeeding fiscal years.”.

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

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

12           “(f) FUNDING FOR STUDENT APPRENTICES.—

13                   “(1) IN GENERAL.—Notwithstanding any other  
14                   provision of this part—

15                           “(A) the postsecondary apprenticeship pro-  
16                           gram of a student apprentice (as defined in sec-  
17                           tion 791) shall qualify as a work-study program  
18                           that is eligible for assistance under this part;  
19                           and

20                           “(B) funds appropriated to carry out this  
21                           part may be used by the Secretary to pay the  
22                           tuition of such student apprentices except that  
23                           Federal work study should not supplant the  
24                           wages of student apprentices.

1           “(2) PELL GRANT ELIGIBILITY.—A student ap-  
2           prentice who is a participant in a postsecondary ap-  
3           prenticeship program that qualifies as a work-study  
4           program under this part and is otherwise eligible to  
5           receive a Federal Pell Grant under subpart 1 of part  
6           A may receive a Federal Pell Grant for enrollment  
7           at the institution of higher education that awards  
8           the recognized postsecondary credential that is a  
9           part of such postsecondary apprenticeship program.

10           “(3) CREDIT FOR APPRENTICES.—A student  
11           apprentice who is a participant in a postsecondary  
12           apprenticeship program that qualifies as a work-  
13           study program under this part shall receive credit  
14           toward a postsecondary degree for such participa-  
15           tion.

16           “(4) COMPENSATION.—A student apprentice  
17           who is a participant in a postsecondary apprentice-  
18           ship program that qualifies as a work-study program  
19           under this part shall receive pay for work in the  
20           postsecondary apprenticeship program that is not  
21           less than \$15 an hour.”.

○