



# SECTION BY SECTION

House Committee on Education and Labor

Chairman Robert C. "Bobby" Scott

## ***Opening Doors for Youth Act (H.R. 4403)***

### **Section 1 – Short Title**

This Act may be cited as the “*Opening Doors for Youth Act of 2021.*”

### **Section 2 – Authorization of Appropriations**

This section authorizes to be appropriated \$6.75 billion to the Secretary of Labor (Secretary) over 6 years as follows:

1. \$1,000,000,000 for fiscal year 2022;
2. \$1,050,000,000 for fiscal year 2023;
3. \$1,100,000,000 for fiscal year 2024;
4. \$1,150,000,000 for fiscal year 2025;
5. \$1,200,000,000 for fiscal year 2026; and
6. \$1,250,000,000 for fiscal year 2027.

### **Section 3 – Availability of Funds**

*Subsection (a)* allows the Secretary to reserve a maximum five percent of funds under each of the three programs authorized under this Act (summer employment, year round employment, and competitive grants) for the costs of innovation and learning activities and for federal administration and a maximum two percent of funds under each of the three programs authorized under this Act for program evaluations to be carried out by the Secretary.

*Subsection (b)* requires the Secretary to use 30 percent of funds for the Summer Employment Opportunities for Youth program (section 4), 35 percent of funds for the Year-Round Employment for Opportunity Youth (section 5), and 35 percent for the Connecting for Opportunities Competitive Grant Program (section 7).

### **Section 4 – Summer Employment Opportunities for Youth**

This section establishes the Summer Employment Opportunities for Youth program, targeting “in-school” and “out-of-school youth”, as defined under the Workforce Innovation and Opportunity Act (WIOA).

*Subsection (a)* requires that, of unreserved appropriated funds, not more than one-quarter of one percent shall be reserved for outlying areas and not less than one and one-half percent shall be reserved for tribes. Remaining funds shall be allocated to states according to the existing WIOA youth formulas.

*Subsection (b)* requires Governors to allocate funds to local areas according to the WIOA youth formula. Funds must supplement, not supplant, other State or local funds expended on summer youth employment programs and unused funds may be reallocated among local areas. A maximum of ten percent of funds allocated to a local

area may be reserved for administrative costs, and a minimum of 5 percent must be reserved for emergency grants to participants.

*Subsection (c)* requires local areas to develop and submit to their Governor a 4-year plan for summer employment programs consistent with the local plan submitted under WIOA and, to the extent practicable, to the Carl D. Perkins Career and Technical Education Act of 2006. Plans may be combined with plans for year-round youth employment programs.

*Subsection (d)* sets out parameters for local use of funds.

- **Development Activities.** Local areas without summer youth employment programs, or with programs that do not have all program elements described in this subsection, shall use allocated funds to plan, develop, and carry out these program elements and conduct outreach to youth participants and employers, and engage or establish industry or sector partnerships. At the local area's discretion, it may use funds to develop technology infrastructure to support program activities and, using no more than 25 percent of allocated funds, subsidize up to 75 percent of the wages of each youth participant.
- **Expansion Activities.** Local areas with summer youth employment programs with all the program elements described in this section shall use allocated funds to increase the number of subsidized and unsubsidized employment opportunities, conduct outreach to youth participants and employers, and subsidize up to 50 percent of the wages of each youth participant. At the local area's discretion, it may use funds to enhance activities described under program elements.
- **Program Design.** Programs must match each youth participant with an appropriate, high-quality summer employment opportunity that is a minimum of four weeks and pays at least the highest of the federal, state, or local minimum wage.
- **Program Elements.** Program elements include:
  - Work-readiness training and educational programs, including digital literacy and online work readiness, and support for obtaining documentation for employment;
  - Coaching and mentoring services for youth;
  - Coaching and mentoring services for employers on successfully employing youth, with emphasis on safe and diverse work environments;
  - Career exploration, counseling, and planning services;
  - High-quality financial literacy education;
  - Supportive services;
  - Follow-up services for no less than one-year after program completion;
  - Integration of program services with existing year-round youth programs or services;
  - Referral of youth participants from or to other WIOA services or state or federally funded skills training programs;
  - Rigorous program evaluation; and
  - Commitment and support from mayors or county executives towards the execution of this program and referral to other youth services provided through WIOA.
- **Priority for jobs in high-skill, high-wage, or in-demand sectors and occupations.** Priority shall be given to summer employment opportunities in existing or emerging in-demand industry sectors or employment that meets community needs in the public, private, or nonprofit sector.
- **In-School Priority.** No less than 75 percent of funding allotted to local areas shall be used to provide summer employment opportunity for in-school youth.

*Subsection (e)* sets out program performance indicators: percentage of participants achieving a measurable skill, percentage of participants in education or training activities or in unsubsidized employment after program completion, percentage of youth completing the program, and percentage of youth who participated in work-based learning.

*Subsection (f)* requires that any funds used from this program shall supplement and not supplant any other state or local public funds expended for summer youth programs.

*Subsection (g)* requires each local area to submit a report with levels of performance and youth participant characteristics to the Secretary and Governor.

*Subsection (h)* defines the program's participant eligibility as an out-of-school youth or in-school youth as defined in WIOA.

### **Section 5 –Year-Round Employment for Youth**

This section establishes the Year-Round Employment for Youth program targeting “out-of-school youth”, as defined under WIOA.

*Subsection (a)* requires that, of unreserved appropriated funds, not more than one-quarter of one percent shall be reserved for outlying areas and not less than one and one-half percent shall be reserved for tribes. Remaining funds shall be allocated to states according to the WIOA youth formulas.

*Subsection (b)* requires Governors to allocate funds to local areas according to the WIOA youth formula. Funds must supplement, not supplant, other State or local funds expended on year-round youth employment programs and unused funds may be reallocated among local areas. A maximum of seven ten percent of funds allocated to a local area may be reserved for administrative costs, and a minimum of 5 percent must be reserved for emergency grants

*Subsection (c)* requires local areas to develop and submit to their Governor a 4-year plan year-round employment program consistent with the local plan submitted under WIOA. Plans may be combined with plans for summer employment programs.

*Subsection (d)* sets out parameters for local use of funds.

- **Development Activities:** Local areas without year-round youth employment programs or with programs that do not have all program elements described in this subsection shall use allocated funds to plan, develop, and carry out these program elements and conduct outreach to youth participants and employers, and engage or establish industry or sector partnerships. At the local area's discretion, it may use funds to develop technology infrastructure to support program activities and, using no more than 50 percent of allocated funds, subsidize wages of each youth participant.
- **Expansion Activities:** Local areas with year-round youth employment programs with all program elements described in this subsection shall use allocated funds to increase the number of subsidized and unsubsidized employment opportunities, conduct outreach to youth participants and employers, and subsidize wages of each youth participant. At the local area's discretion, it may use funds to enhance activities described under program elements.
- **Program Design:** Programs must match each youth participant with an appropriate, high-quality year-round employment opportunity that is no less than 180 days and no longer than a year, employs the youth a minimum of 20 hours a week, and pays at least the highest of the federal, state, or local minimum wage.

Employers must pay at least 25 percent of the wages of each youth participant, except this requirement may be waived for no more than 10 percent of youth participants with significant barriers to employment.

- Program Elements: Program elements include:
  - Work-readiness training and educational programs, including digital literacy and online work readiness, and support for obtaining documentation for employment;
  - Coaching and mentoring services for youth;
  - Coaching and mentoring services for employers on successfully employing youth, with emphasis on safe and diverse work environment;
  - Career exploration, counseling, and planning services;
  - Financial literacy education;
  - Supportive services;
  - Follow-up services for at least one year after program completion;
  - Integration of program services with existing youth programs or services;
  - Referral of youth participants from or to other WIOA services or state or federally funded skills training programs;
  - Rigorous program evaluation; and
  - Commitment and support from mayors or county executives towards the execution of this program; and
  - Referral to other youth services.
- Priority shall be given to year-round employment opportunities in existing or emerging high-skill, high-wage or in-demand industry sectors or occupations that meets community needs in the public, private, or nonprofit sector.

*Subsection (e)* sets out program performance indicators, including post-program median, unsubsidized wages for participants; the percentage of participants achieving a measurable skill; the percentage of participants in education, training or unsubsidized employment after program completion; percentage of youth completing the program, and percentage of youth who participated in work-based learning.

*Subsection (f)* requires that any funds used from this program shall supplement and not supplant any other state or local public funds expended for summer youth programs.

*Subsection (g)* requires each local area to submit a report with levels of performance, disaggregated by youth participant characteristics, to the Secretary and Governor.

*Subsection (h)* defines the program's participant eligibility as an out-of-school youth as defined in WIOA.

## **Section 6 – Connecting for Opportunities Competitive Grant Program**

This section establishes a new competitive grant program, Connecting for Opportunities, to be available to local community partnerships for improving high school graduation and youth employment rates.

*Subsections (a)* requires the Secretary, in consultation with the Secretary of Education, to award grants on a competitive basis to local community partnerships.

*Subsection (b)* sets out the composition of a local community partnership.

- A local community partnership must include a unit of general local government, a local educational agency, an institution of higher education, a local workforce development board, a community-based organization, public agency serving youth involved in the juvenile or criminal justice system, a state or local child welfare

agency, and an agency administering programs under the Temporary Assistance for Needy Families (TANF) block grant; and to the extent practicable, an industry or sector partnership or a labor organization.

- A local community partnership may include American Job Centers; employers or employer associations; representatives of labor organizations; programs that receive funding under the Juvenile Justice and Delinquency Prevention Act (JJDP); public agencies or community-based organizations with expertise in providing evidence-based trauma support services, counseling services, or mental health care to youth, including trauma-informed and gender-responsive counseling; public housing agencies or public agencies assisting homeless individuals or foster youth, and other appropriate state and local agencies.

*Subsection (c)* requires that a local community partnership submitting an application under this section demonstrates sufficient need compared to neighboring areas, have capacity to carry out program elements, and submits a plan consistent with WIOA local plans, local Perkins Career and Technical Education plans, and state Temporary Assistance for Needy Family plans. This local community partnership must also adhere to labor standards in section 8.

*Subsection (d)* requires a local community partnership to:

- Target individuals ages 14 to 24, prioritizing individuals with barriers to employment;
- Make appropriate use of existing data systems to help the partnership identify target youth;
- Develop comprehensive pathways to higher education and employment, including:
  - Using a minimum 50 percent of grant funds to help youth participants earn a high school diploma or its recognized equivalent;
  - Creating career pathways focused on paid work-based learning;
  - Providing access to career navigators to provide youth with pre-employment and employment counseling services and assistance in finding and securing work-based learning opportunities or training programs;
  - Linking targeted youth with WIOA youth service providers;
  - Ensuring that youth transition into pre-apprenticeship and registered apprenticeship programs or other programs that lead to recognized postsecondary credentials in in-demand industry sectors or occupations;
- Provide a comprehensive system to prevent youth from disconnecting from, and reconnect them to, education, training, and employment by providing:
  - School-based dropout prevention and community-based dropout recovery services, including establishing or improving school district early warning systems;
  - Access to re-engagement services for training programs and employment opportunities and using providers of WIOA youth services to conduct intake and referrals to appropriate re-engagement services; and
- Provide a comprehensive system of support for targeted youth, including case management and counseling services, goal development assistance, and supportive services.

*Subsection (e)* requires the Secretary to prioritize applications submitted by a local community partnership that will serve communities with high poverty, high school dropout, and youth unemployment rates and allow participants to earn academic credit through various means.

*Subsection (f)* requires the Secretary to consider geographic distribution (rural and urban) in the awarding of competitive grants.

*Subsection (g)* sets out program performance indicators, including post-program median, unsubsidized wages for participants; the percentage of participants achieving a measurable skill; the percentage of participants in education, training or unsubsidized employment after program completion; the percentage of participants who obtained postsecondary or secondary school credentials; and local high school graduation and GED completion rates.

*Subsection (h)* requires each local community partnership that administers a program under this section to submit a report with levels of performance and youth participant characteristics to the Secretary.

### **Section 7 – Labor Standards**

This section establishes labor standards for each of the three programs administered under the act, including prohibitions against displacement of workers, interference in collective bargaining agreements, and nondiscrimination. Youth participants must be provided working conditions and benefits at the same level and extent as comparable workers or trainees.

### **Section 8 – Privacy**

This section maintains General Education Provisions Act privacy protections for student and parents and prohibits the development of a national database of personally identifiable information about individuals receiving services under this act, and the disaggregation of data should not reveal personally identifiable information.

### **Section 9 – Innovation and Learning**

This section requires the Secretary to create regional and national opportunities for in-person peer learning and provide, on a competitive basis, sub-grants to States and local areas to conduct pilots and demonstrations that represent best practices and pursue models for youth employment programs.

### **Section 10 – Evaluation and Reports**

This section requires the Secretary to conduct a rigorous evaluation of the programs administered under the Act beginning at least one year after the first program year, and annually thereafter submit a publicly available report on the results of the evaluations to the House Committee on Education and Labor and the Senate Health, Education, Labor, and Pensions (HELP) Committee, including a final report at the end of the grant program.

### **Section 11 – Definitions**

This section establishes definitions for terms used in the bill based on existing federal definitions in the Workforce Innovation and Opportunity Act (WIOA), the Elementary and Secondary Education Act of 1965 (ESEA), the Higher Education Act of 1966(HEA), and the Perkins Career and Technical Education Act of 2006.