

August 2, 2018



***Strengthening Career and
Technical Education for
the 21st Century Act
Public Law 115-224***

Connecting Education and Careers

Background

- 6/22/17: House passed H.R. 2353
- Long stall in Senate due to debate over Secretarial authority, negotiations restarted late spring and eventually moved quickly
- 6/20/18: Senate released draft bill, was later numbered S. 3217
- 7/23/18: Senate passed text of S. 3217 as amendment to H.R. 2353
- 7/25/18: H.R. 2353 repassed the House in its new form
- 7/31/18: Bill signed into law as Public Law 115-224

Structure

- Current Title II and Section 118 eliminated
- Three funding streams remain:
 - Title I – Basic State Grant
 - Section 114 – National Activities
 - Section 117 – Tribally Controlled Postsecondary CTE Institutions
- Title III become Title II and includes administration provisions
- Amendments to Wagner-Peyser Act, WIOA and ESSA are included in Title III
- Effective Date: July 1, 2019
- Transition Year: July 1, 2019-June 30, 2020

Purpose

- One new purpose added:
 - increasing the employment opportunities for populations who are chronically unemployed or underemployed, including individuals with disabilities, individuals from economically disadvantaged families, out-of-workforce individuals, youth who are in, or have aged out of, the foster care system, and homeless individuals
- Reference to “employability” skills also added in addition to academic and technical skills

Definitions

- A total of 28 new definitions (total of 55)
- New definitions linked to WIOA:
 - Career pathways
 - In-demand industry sector or occupation
 - Industry or sector partnership
 - Local workforce development board
 - Out-of-school youth
 - Recognized postsecondary credential

Definitions

- New definitions linked to ESSA:
 - Dual or concurrent enrollment
 - Early College High School
 - English learner (for secondary)
 - Evidence-based
 - High school
 - Paraprofessional
 - Specialized instructional support personnel
 - Specialized instructional support services
 - Universal design for learning

Definitions

- Other new definitions:
 - Credit transfer agreement
 - CTE concentrator
 - CTE participant
 - Director
 - Eligible entity (for purposes of Sec. 114 innovation fund)
 - Indian; Indian Tribe
 - Out-of-workforce individual
 - Pay-for-success initiative
 - Professional development
 - Program of Study
 - Qualified intermediary
 - Tribal organization
 - Work-based learning

Definitions

- Eliminated definitions:
 - Displaced homemaker
 - Individual with limited English proficiency
 - Postsecondary education Tech Prep student
 - Secondary education Tech Prep student
 - Tech Prep program
 - School dropout
 - Scientifically based research

Definitions

- Significantly changed definitions:
 - Area CTE center
 - CTE
 - Career guidance and academic counseling
 - Eligible institution/recipient
 - Special populations

Prohibitions

- The most controversial new prohibitions were not included
- New references to prohibiting requirements around Common Core or other common standards
- New requirements for congressional review of regulations

Authorization Levels

- Bill provides for a 6-year authorization
 - \$1,229,568,538 for FY 2019
 - \$1,246,782,498 for FY 2020
 - \$1,264,237,452 for FY 2021
 - \$1,281,936,777 for FY 2022
 - \$1,299,883,892 for FY 2023
 - \$1,318,082,266 for FY 2024
- Increase is about 10.5% over the course of the Act above current funding level of \$1.192 billion

State Allocation

- Hold harmless in fed-to-state formula updated to FY 2018 and represented by “foundational grant”
- Additional funds over FY 2018 distributed by current law formula
- Within state allocation changes:
 - Up to 2% (instead of 1%) can be spent by the state on individuals in state institutions
 - New requirements for funds to be spent on the recruitment of special populations (lesser of 0.1% or \$50,000)
 - Reserve fund is increased from 10% to 15% of local funds and may now also be spent on areas with disparities or gaps in performance among population groups, must be targeted to innovation or programs of study/career pathways aligned to high-skill, high-wage, or in-demand occupations or industries

Accountability

- All measures are linked to “concentrators”
- Definition:
 - A. at the secondary school level, a student served by an eligible recipient who has completed at least 2 courses in a single career and technical education program or program of study; and
 - B. at the postsecondary level, a student enrolled in an eligible recipient who has—
 - i. earned at least 12 credits within a career and technical education program or program of study; or
 - ii. completed such a program if the program encompasses fewer than 12 credits or the equivalent in total.

Accountability

- Secondary indicators:
 - Four-year adjusted cohort graduation (with an option to include extended year rate) for concentrators
 - CTE concentrator proficiency of challenging state academic standards as measured by ESSA assessments (English, math, science)
 - Percentage of CTE concentrators who, in the second quarter after exiting from secondary education, are in postsecondary education or advanced training, military service, a service program, the Peace Corps, or are employed.
 - Percentage of CTE concentrators in programs that lead to non-traditional fields
 - At least one indicator of program quality:
 - Attainment of recognized postsecondary credentials
 - Attainment of postsecondary credit in the CTE program
 - Participation in work-based learning
 - May include any other measure that is statewide, valid, reliable, and comparable

Accountability

- Postsecondary indicators:
 - Percentage of CTE concentrators in education, advanced training, the military, a service program, the Peace Corps, or employment during the second quarter after program completion
 - Percentage of CTE concentrators receiving a recognized postsecondary credential
 - Percentage of CTE concentrators in programs that lead to non-traditional fields

Accountability

- States no longer negotiate performance levels with the feds; instead, include in state plan for all four years of plan
- Secretary still has authority to approve performance levels as part of the state plan review
- Specific requirements for levels, including that States must “continually make meaningful progress toward improving the performance of all career and technical education students” including subpopulations
- Extensive stakeholder review and comment process—60 days before plan submission
- Adjustments can be made prior to third year and in the case of unanticipated circumstances, but not during improvement plan
- Data disaggregation and reporting requirements remain – disaggregation by program of study/cluster is added
- Ability of feds and states to withhold funds for missed targets is effectively the same—2 years after improvement plan

National Programs

- IES Director is given significant role
- “National assessment” significantly revised
- No specific “national research center” required
- Department must still conduct and disseminate research through grants
- New competitive innovation and modernization fund grant

State Plan

- 4-year period instead of 6-year period; a new plan may be submitted after 4 years
- More expanded consultation language with specific groups, and new 30-day public comment period
- Governor consultation and sign-off expanded
- Combined plan option with WIOA highlighted
- 14 plan elements instead of 20, but many are extensive

State Plan

1. Summary of workforce development activities in the state, and CTE alignment with employer needs
2. The state's strategic vision and goals for preparing an educated and skilled workforce and meeting employer needs, and CTE's role
3. Strategy for any joint planning, alignment, coordination, and leveraging of funds between the state's CTE programs and the state's workforce development system, as well as with other federal programs
4. Description of CTE programs/programs of study that will be supported
5. Criteria and process for how the state will approve eligible recipients for funds

State Plan

6. How the state will support the recruitment and preparation of educators
7. How the state will use state leadership funds
8. How funds will be distributed between secondary/postsecondary
9. Description of the state's program strategies for special populations
10. Procedures state will adopt for determining levels of performance
11. Process for how the state will address disparities or gaps in performance
12. How the state will involve numerous stakeholders
13. Assurances
14. A description of the public comment process

State Leadership - Required

1. Support for preparation for non-traditional fields in current and emerging professions, programs for special populations, and other activities that expose students, including special populations, to high-skill, high-wage, and in-demand occupations
2. Support for individuals in State institutions, such as State correctional institutions, including juvenile justice facilities, and educational institutions that serve individuals with disabilities
3. Support for recruiting, preparing, or retaining CTE teachers, faculty, specialized instructional support personnel, or paraprofessionals, such as preservice, professional development, or leadership development programs
4. Support for technical assistance for eligible recipients
5. Report on the effectiveness of such use of funds in achieving the goals described in the state plan and the state levels of performance, and reducing disparities or performance gaps among subpopulations

State Leadership - Permissive

- A very long list with 25 items
- Notable activities include programs of study, articulation agreements, industry partnerships, CTSOs, career guidance and counseling, employability skills, work-based learning, dual enrollment, etc.
- Ends with “other State leadership activities that improve career and technical education”

Local Application

- Results of the needs assessment
- Courses and activities to be supported by Perkins, including at least 1 state-approved program of study
- Description of career exploration/career guidance and counseling to be provided in collaboration with workforce agencies and other partners
- Description of academic/CTE integration activities
- Description of activities for special populations
- Description of work-based learning opportunities

Local Application

- Description of how students will be provided an opportunity to gain postsecondary credit while still in high school
- Description of how the eligible recipient will coordinate with the state and higher ed institutions to support the recruitment, preparation, retention, and training, including professional development, of educators
- Description of how the eligible recipient will address disparities or gaps in performance among subpopulations (process to be used—not actual strategies)

Needs Assessment

- At least once every two years
- List of groups to consult with regularly
- Key areas
 - Student performance (including subpopulations)
 - Size, scope and quality of programs
 - Labor market alignment
 - Programs/Programs of study implementation progress
 - Improving educator recruitment, retention and training
 - Strategies for equal access and special populations

Local Required Uses of Funds

- Each eligible recipient that receives funds under this part shall use such funds to develop, coordinate, implement, or improve CTE programs to meet the needs identified in the comprehensive needs assessment
- Funds made available to eligible recipients under this part shall be used to support CTE programs that are of sufficient size, scope, and quality to be effective, and that...

Local Required Uses of Funds

1. Provide career exploration and career development activities
2. Provide professional development for educators
3. Provide the skills necessary to pursue high skill, high wage or in-demand occupations or sectors
4. Support the integration of academics into CTE
5. Support implementation of program elements resulting in increased student achievement (20 permissive activities)
6. Evaluation activities

Title IV/II

- Maintenance of Effort tweaks
 - Allows states to “reset” baseline to 95%
 - Adds more exemptions
 - Waivers allowed
- Below 7th grade restriction lifted – replaced with “middle grades”
- New GAO Study on Programs of Study aligned to high-skill, high-wage occupations
- Amendments to Wagner Peyser

Questions?

- Tweet questions using [#AskPerkinsV](https://twitter.com/AskPerkinsV) at our new Twitter account ([@AskPerkinsV](https://twitter.com/AskPerkinsV))
- Email questions to publicpolicy@acteonline.org with the subject line “Perkins V Question”
- More resources:
www.acteonline.org/perkins-implementation/