

Conference Priorities

Carl D. Perkins Vocational and Technical Education Act H.R. 366, S. 250

1. Maintain state administrative funding.

Conference Position: Accept language from S. 250 for Section 112, subsections (a) and (b), not only to maintain State level funding, but also to increase flexibility in the use of State level dollars.

Rationale: The reduction in state administrative funds from 5% to 2% in H.R. 366 would result in a 60% loss of funds for the critical activities of developing the State plan, reviewing local plans, monitoring and evaluating program effectiveness, assuring compliance with all federal laws, and providing technical assistance to local programs. If Congress is serious about closing achievement gaps, cutting the funds with which the states have to assist locals by 60% is not only counterproductive, but seriously undermines the positive changes H.R. 366 and S. 250 make that significantly increase the responsibility (both administrative and programmatic) of state eligible agencies. Both bills propose to strengthen accountability provisions and require performance negotiations with all local recipients. This is a significant new administrative responsibility that must be done fairly and effectively to have the intended impact.

The latest NAVE report purported that simply allocating more money to the local level does not guarantee good outcomes, and indeed that implementation of some of the 1998 Perkins reforms were often ad hoc. The report called for increased funding for state-level activities to ensure that reforms are carried out across the country. While not only maintaining the possibility of up to 5% being spent at the State level on ensuring that the reauthorized Perkins is properly implemented, S. 250 would go a step further and give States the flexibility to decide where to target the limited resources available to them under the Perkins Act.

2. Maintain Tech Prep's separate funding stream while increasing coordination with the Basic State Grant.

Conference Position: Maintain Tech Prep as a separate funding stream as in S. 250, and amend Sections 122 and 141(c) to require a joint plan for the Basic State Grant and Tech Prep.

Rationale: ACTE's and NASDCTEc's original Perkins reauthorization principles concentrated on increasing coordination between Tech Prep and the Basic State Grant and on providing innovation to move the field forward. We feel that the coordination language in S. 250 does this most adequately, paired with new language **requiring** a joint plan for the Basic State Grant and Tech Prep. S. 250 also preserves the separate funding stream for Tech Prep,

a major priority to protect against the potential loss of funding that could occur if the funding streams are combined. Further, we strongly encourage report language that promotes a state's option of distributing Tech Prep funds competitively, as most states currently distribute these funds via formula. Distribution of these funds in this manner would ensure that Tech Prep funds are used to innovate, as opposed to supporting a separate track or silo within the career technical education system.

3. Transition away from “vocational education” language to a form of “career and technical education.”

Conference Position: Accept the title from S. 250, the “Carl D. Perkins Career and Technical Education Improvement Act of 2005” and the “career and technical education” language used throughout S. 250.

Rationale: Only three states continue to use the term “vocational” when referring to education programs funded under the current Perkins Act, and 42 have switched to some iteration of “career and technical education.” The switch to the use of “career and technical education” represents not only a name change, but also a fundamental shift in what is defined by the term. Career and technical education (CTE) embraces a broader, more rigorous and durable set of skill preparation that creates myriad options for participants. Further, CTE prepares individuals in the careers that comprise our global economy, not only subbaccalaureate careers, and prepares individuals for both college and careers. A disconnect between the term used at the federal level and in states and local school districts around the country causes both practical concerns as the law is implemented, and political concerns as the field attempts to move away from the use of the term “vocational.”

4. Ensure that revisions to accountability system are realistic and consistent.

Conference Position: Support strong accountability measures and systems, including separate secondary and postsecondary performance measures, appropriate support for improvement, and the inclusion of a definition for a “career and technical education student” for the purposes of federal legislation.

Definition of CTE student: We support S. 250's inclusion of a definition of a CTE student in Section 3(6) and would further recommend that the final law clarify that this definition is to be used by all states for the purposes of federal accountability. This definition will help states move toward consistent measurement, which is important to ensure comparable data for the purposes of federal accountability.

Performance Measures: States took seriously the charge to develop quality performance measures and accountability systems as required under Perkins III. The new legislation should build on these performance measures, while helping states and local recipients continue to improve the quality, reliability, and validity of the measures. For that reason, we support a combination of H.R. 366 and S. 250's performance measures:

Secondary measures (Section 113(b)(2)(A)):

- (i) Student attainment of challenging academic content and achievement standards, as established by the State under NCLB. (H.R. 366)
- (ii) Student achievement on technical assessments and attainment of career and technical skill proficiencies that are aligned with nationally recognized industry standards, if available and appropriate. (S. 250)
- (iii) Student attainment of a secondary school diploma, GED, other state-recognized equivalent, or a proficiency credential in conjunction with a secondary school diploma. (H.R. 366)
- (iv) Placement in postsecondary education, advanced training, the military, or employment. (Both H.R. 366 and S. 250)
- (v) Student participation in and completion of vocational and technical education programs that lead to nontraditional fields. (H.R. 366)

Postsecondary measures (Section 113(b)(2)(B)):

- (i) Student achievement on technical assessments and attainment of career and technical skill proficiencies that are aligned with nationally recognized industry standards, if available and appropriate. (S. 250)
- (ii) Student retention in postsecondary education, attainment of an associate degree or postsecondary credential, an industry-recognized credential, or transfer to a baccalaureate degree. (Both H.R. 366 and S. 250)
- (iii) Placement in military service or placement or retention in employment. (Both H.R. 366 and S. 250).
- (iv) Student participation in and completion of vocational and technical education programs in nontraditional fields. (H.R. 366)

Earnings measure: While we are in agreement with the inclusion of an **optional** earnings postsecondary performance measure, we believe clarification is needed to ensure that it is the state, not the federal government, that elects to have earnings be a measure. Collecting earnings data is very expensive and labor intensive if a state does not have a sophisticated wage record matching system. To achieve our requested clarification, we recommend that earnings be moved under the ‘other measures’ heading and be listed as a recommended measure, as self sufficiency is listed in S. 250 Section 113(b)(2)(C).

Use of existing measures and alignment of measures with other programs: We support both H.R. 366 and S.250’s inclusion of language in Section 113(b)(2)(D) that allows a state to use existing measures to meet the requirements of this Act. Further we support S. 250’s language in Section 113(b)(2)(F) that allow promotes cross-program alignment of measures. To encourage cross-program collaboration and ensure non-duplication, as well as the recognition that student is often impacted by multiple programs, we support the use of existing measures and alignment of measures as a more efficient and effective federal accountability tool.

State improvement plans: As was raised during the legislative process, we want it to be clear that a state is not put in double jeopardy, losing both its Perkins and NCLB funding, if it does not meet its state NCLB measures. In many cases, CTE programs have no ability

to impact students' scores on NCLB assessments, as the high school test is often given before a student would enroll in a concentration of CTE courses. To ensure that this "double jeopardy" is not the case, we prefer a combination of H.R. 366 and S. 250 language to define when an improvement plan is required. Our recommended language is:

Section 123(a)(3)(A):

IN GENERAL - If an eligible agency fails to meet the State adjusted levels of performance and the purposes of this Act, has not implemented an improvement plan as described in paragraph (1), has shown no improvement within 1 year after implementing an improvement plan as described in paragraph (1), or has failed to meet more than 1 of the State adjusted levels of performance and the purposes of this Act for 2 or more consecutive years, the Secretary may, after notice and opportunity for a hearing, withhold from the eligible agency all, or a portion of, the eligible agency's allotment under this title.

Local Improvement Plans: We prefer S. 250's local improvement plan language, with the language mentioned above for the State Improvement Plan included in the local section as well (Section 123(b)(4)(A)).

Negotiations with locals: We support the movement to strengthen the Perkins accountability provisions by requiring negotiated performance levels with each local eligible recipient. However, this can only happen effectively if, as mentioned in our first point, states have the administrative resources to do so. Further, we support S.250's language in Section 113(b)(4)(A)(i) that allows for local programs to agree to accept state performance levels, rather requiring unique negotiations with each local eligible recipient.

5. Clarify State and local role in developing and implementing model sequences of courses/career pathways.

Conference Position: Support H.R. 366's state role (in the state plan Section 122(c)(1)(A), (F) and uses of funds Section 135(b)(1), (c)(12)) for developing and approving model sequences of courses/career pathways.

Rationale: In order to ensure consistent quality programs, we believe it is important for the state to have a significant leadership role in developing, approving and implementing model sequences of courses/career pathways. Based on experience with other reform initiatives and the early career clusters' implementation, we know that allowing for too much flexibility diminishes consistent quality and rigor in programs. Further, given that we believe model sequences of courses/career pathways are a key initiative to promote expanded statewide articulation and whole school reform, it is essential that high expectations be established for integration, articulation, program content, and alignment with industry or other national technical and academic standards, as well as course sequencing. H.R. 366 provides the state with the authority to establish or approve local developed model sequences of courses. While we do believe that it is important for local programs to be able to submit suggested sequences/pathways for state approval, we think the language in H.R. 366 provides a clearer delineation of the state role for this important reform.

6. Develop a definition of “career and technical education” that accurately describes the system and maintains the targeting of resources under the Act.

Conference Positions: Include the following definition of “career and technical education” in Section 3, a combination of language in H.R. 366 and S. 250:

CAREER AND TECHNICAL EDUCATION.—The term ‘career and technical education’ means organized educational activities that –

- (A) offer a sequences of courses (which may include work-based learning experiences) that –
 - (i) provides individuals with the rigorous and challenging academic and technical knowledge and skills the individuals need to prepare for further education and for careers in emerging and established professions; and
 - (ii) may include the provision of skills or courses necessary to enroll in a sequence of courses that meet the requirements of this subparagraph; and
 - (iii) provides, at the postsecondary level, for a certificate, an associate degree, or industry recognized credential; and
- (B) include competency-based applied learning that contributes to the academic knowledge, higher-order reasoning and problem-solving skills, work attitudes, general employability skills, technical skills, occupation-specific skills, and knowledge of all aspects of an industry, of an individual.

Rationale: This definition highlights the most positive aspects from both the House and Senate bills, removing arbitrary ending points for students involved in CTE programs while maintaining the focus of federal funding on programs at the postsecondary level that culminate in a certificate, associate degree, or industry recognized credential.

7. Include new language related to teacher recruitment and retention, and maintain strong professional development elements.

Conference Positions: Include new language from S. 250 (Sections 2(5), 122(c)(3), 122(c)(4), 124(c)(15), and 134(b)(12)) allowing funding for the recruitment and retention of CTE teachers, faculty, counselors, principals, and administrators. Ensure that professional development requirements reflect academic and technical skills needed by CTE teachers and faculty, and do not include arbitrary restrictions on the length or location of professional development activities.

Rationale: The issue of teacher quality, encompassing both preparation and professional development, has been brought to the forefront in recent federal legislation. Issues of certification, content knowledge, and ensuring all teachers are “highly qualified” must be balanced with growing teacher shortages, especially in high-need areas. Recruiting and retaining qualified teachers is of particular concern to those in the CTE community. There is currently a nationwide shortage of CTE teachers, and the number of CTE teacher education programs has been declining, reducing their capacity to fill positions. While much of the discussion around teacher recruitment and retention has been tied to “core academic” teachers as discussed in NCLB, it is also critical to have high quality traditional teacher preparation and alternative certification programs available for CTE teachers, and high quality professional development available to those already in the teaching profession.

8. Continue a reserve fund that allows for both local and state level innovation.

Conference Position: Support S. 250's reserve fund language and approach in Section 112(c).

Rationale: S. 250 allows the state, with input from the broad CTE community, to reserve a portion of funds to distribute to or be dedicated to activities that directly benefit local programs. Of special note is the allowance for the state to reserve funds for the development of technical assessments. As we move to meet the demands of the current and future economies, technical skill requirements are rapidly changing. Part of this change is reflected in the grassroots career clusters movement. As we work to increase the rigor of CTE programs, we already have the academic assessments necessary to measure our progress. What is lacking is a consistent and comprehensive set of technical assessments that measure CTE's impact on closing the skills gap. S. 250 allows states to set aside a portion of the reserve funds to support the development of technical assessments. This is critical to ensuring quality CTE with curriculum aligned to standards and assessments.

S. 250 also provides the state the option, after input from local programs, to set aside a portion of the reserve fund for innovative statewide activities that directly benefit local programs. We believe this is an important new legislative component. With the federal role seeking to promote access and equity, allowing states funds to dedicate to innovative and/or time-sensitive needs increases the ability of the state to quickly respond to labor market needs and to improve program elements statewide. For example, states might use these funds to develop new statewide programs that address a specific worker shortage (e.g. health care or manufacturing), or to develop an innovative new teacher mentoring program. This new flexibility in the reserve fund is critical to ensuring states can quickly and adequately respond to the labor market and global economy.

9. Support a focus on high skill, high wage, or high demand careers.

Conference position: Support S. 250's inclusion of "high demand" throughout the legislation as a determinant of program and resource focus and allocation.

Rationale: Too often, programs exist in public schools because there is a teacher who teaches that class or series of classes rather than there being a demand for the skills being taught in that class. The inclusion of high demand as a key determinant of what programs should be funded or how to prioritize funding is critical to moving the CTE system into the 21st century. The only way we will be able to close the skills gap is if we educate and train individuals with the knowledge and skills needed to succeed and continue to adapt to the changing labor market. To get off to the right start, students exiting CTE programs should be prepared for career areas where they can earn a livable wage and where there is a labor market demand, as well as a viable career ladder or pathway beyond the entry level position.

10. Ensure the integrity of national research, dissemination, and evaluation programs.

Conference Position: Include stronger language in Section 114 to provide for independent governing boards with true authority over research, dissemination, and evaluation activities.

Rationale: Some of the most important roles for the federal government within the CTE system are to conduct research, disseminate best practices and emerging ideas, and provide a comprehensive evaluation of CTE programs. Under the current legislation, the activities of the National Research and Dissemination Centers have been extremely valuable and have produced numerous important products. Likewise, the information in the National Assessment of Vocational Education (NAVE) provides critical information on the direction and impact of CTE programs. However, it is imperative that these activities remain focused specifically on improving CTE programs and that significant resources to carry them out remain available.

Independent governing boards, including representatives from the field of CTE, with appropriate authority to direct and manage these activities are critical to maintaining the integrity and practicality of research and dissemination efforts. These boards should have the full authority to oversee the activities of any National Centers and NAVÉ. While the National Center's board should ensure that its activities are coordinated with other federal research activities, it should also be free to establish programmatic research and development, disseminate research-based information, and provide professional and leadership development programs based on the expertise of the board's members. To be effective, the national research and dissemination efforts must be responsive to the needs of the CTE community, as they are intended to support the advancement of research-based, successful strategies and programs. With recent changes at the Department of Education and a growing shift away from a focus on technical skills, strong legislative language is critical to ensuring that the National Programs authorized under Perkins are carried out effectively.

11. Increase small state minimum.

Conference position: Support S. 250's small state minimum allotment and state hold harmless language (Section 111(3) and (4)).

Rationale: While Perkins has continued to evolve and add new state and local responsibilities and requirements, current law creates significant barriers for states receiving the minimal allotment to receive an increase in funding. Restricting access to increased funding while adding new responsibilities essentially ties the hands of these states from being able to successfully implement the federal law. S. 250 modifies this language to ensure that the states receiving the minimal allotment receive a proportionate increase in funding, should overall federal funding increase. This new language will ensure that the minimal allotment states are not unfairly disadvantaged from receiving a proportionate increase in funding.

12. Provide adequate time for transition from 1998 Carl D. Perkins Act to a reauthorized law.

Conference position: Support a full fiscal year of transition as provided for both in H.R. 366 and S. 250. (Section 4 in both H.R. 366 and S. 250)

Rationale: We strongly support this strengthened transition language that will provide states and local recipients with a full fiscal year for effective planning and transition to the new law. A new law brings with it many administrative responsibilities such as: modifying data systems, establishing procedures for the development and implementation of model sequences or courses/career pathways, gathering and reflecting stakeholder input in the development of new state and local plans, establishing procedures for effective and efficient accountability negotiations between state and local eligible recipients, as well as guidelines for local applications. These responsibilities must be appropriately managed as they establish the ground rules for the implementation of the new law.

However, a new law also creates the opportunity for states, in partnership with stakeholder groups, to discuss its larger vision for the state career technical education system and the appropriate role for the federal investment. These discussions move beyond what states have to do to what states should be doing with the federal investment. This transition year offers states the opportunity to have these thoughtful discussions, rather than rushing through a series of bureaucratic plan development processes. We believe allowing for this full year of transition will provide the necessary time for states and their local partners to thoughtfully plan for the maximum utilization and success of the federal funds.

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