Equity and Access in Perkins V

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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
Influences

- Business community interest
  - Skills gap
- Alignment with WIOA and ESSA
- House pressure
- White House pressure
- Mid-term election strategy
What We Avoided...

- Competitive grants
- Mandatory consortia
- Vouchers/turning it into an individual benefit program
- Allowing non-accredited institutions to get Perkins funding
- Merger into ESSA or WIOA
What We Got...

• Lots of new definitions, defined processes, more reporting
• Primary issue – Not CTE program improvement, but Secretarial authority
• Republicans:
  – new prohibitions on federal role, regulations, etc.
  – no negotiations between states with USDE on performance targets
• Democrats:
  – Expanded focus on subgroups and special populations
  – Process and prescription to create guardrails for states and locals to be held accountable to the public/stakeholders
Themes

- Building on current success
- Requiring data-driven decision-making
- Reducing secretarial authority
- Increasing stakeholder involvement
- Revising accountability indicators
- Enhancing efforts to serve special populations
- Encouraging innovation
Timeline
Transition plan

July 2019 -
June 2020

4-year state plan

PY1: July 1, 2020 - June 30, 2021
PY2: July 2021 - June 2022
PY3: July 2022 - June 2023
PY4: July 2023 - June 2024

Second 4-year state plan or annual revisions after June 2024
New Purpose

• The purpose of this Act is to develop more fully the academic knowledge and technical and employability skills.....
  – 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.
Definition of Special Populations

<table>
<thead>
<tr>
<th>2006</th>
<th>2018</th>
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</thead>
<tbody>
<tr>
<td>(A) individuals with disabilities</td>
<td>(A) individuals with disabilities</td>
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<tr>
<td>(B) individuals from economically disadvantaged families, including foster children</td>
<td>(B) individuals from economically disadvantaged families, including low-income youth and adults</td>
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<tr>
<td>(C) individuals preparing for non-traditional fields</td>
<td>(C) individuals preparing for non-traditional fields</td>
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<td>(D) single parents, including single pregnant women</td>
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<tr>
<td>(E) displaced homemakers</td>
<td>(E) out-of-workforce individuals</td>
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Out-of-workforce Individuals

(36) Out-of-workforce individual.—The term ‘out-of-workforce individual’ means—

(A) an individual who is a displaced homemaker, as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102); or

(B) an individual who—

(i) (I) has worked primarily without remuneration to care for a home and family, and for that reason has diminished marketable skills; or

(II) is a parent whose youngest dependent child will become ineligible to receive assistance under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) not later than 2 years after the date on which the parent applies for assistance under such title; and

(ii) is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.
### Definition of Special Populations

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>(F) individuals with limited English proficiency</td>
<td>(F) English learners</td>
</tr>
<tr>
<td>(G) homeless individuals described in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);</td>
<td>(H) youth who are in, or have aged out of, the foster care system</td>
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<td>(I) youth with a parent who—</td>
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<td>(i) is a member of the armed forces (as such term is defined in section 101(a)(4) of title 10, United States Code); and</td>
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<td>(ii) is on active duty (as such term is defined in section 101(d) (1) of such title)</td>
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</tbody>
</table>
State Leadership Set-asides (Sec. 112)

(2) not more than 10 percent to carry out State leadership activities described in section 124, of which—

(A) an amount equal to not more than 2 percent of the amount allotted to the State under section 111 for the fiscal year shall be made available to serve individuals in State institutions, such as State correctional institutions, juvenile justice facilities, and educational institutions that serve individuals with disabilities;

(B) not less than $60,000 and not more than $150,000 shall be available for services that prepare individuals for non-traditional fields; and

(C) an amount shall be made available for the recruitment of special populations to enroll in career and technical education programs, which shall be not less than the lesser of—

(i) an amount equal to 0.1 percent; or
(ii) $50,000;
Reserve Fund (Sec. 112)

(c) Reserve.—From amounts made available under subsection (a)(1) to carry out this subsection, an eligible agency may award grants to eligible recipients for career and technical education activities described in section 135—

(1) in—

(A) rural areas;
(B) areas with high percentages of CTE concentrators or CTE participants;
(C) areas with high numbers of CTE concentrators or CTE participants; and
(D) areas with disparities or gaps in performance as described in section 113(b)(3)(C)(ii)(II); and

(2) in order to—

(A) foster innovation through the identification and promotion of promising and proven career and technical education programs, practices, and strategies, which may include programs, practices, and strategies that prepare individuals for nontraditional fields; or
(B) promote the development, implementation, and adoption of programs of study or career pathways aligned with State-identified high-skill, high-wage, or in-demand occupations or industries.
Non-trad Accountability Indicators (Sec. 113)

2006:
Student participation in and completion of career and technical education programs that lead to non-traditional fields.

2018:
The percentage of CTE concentrators in career and technical education programs and programs of study that lead to non-traditional fields.
Performance Level Requirements (Sec. 113)

• States must determine their own performance levels that meet key requirements:
  – require the State to continually make meaningful progress toward improving the performance of all career and technical education students, including the subgroups of students described in section 1111(h)(1)(C)(ii) of the Elementary and Secondary Education Act of 1965, and special populations, as described in section 3(48); and
• Public comment period must address how the state has met this goal
• Local levels must also take into account this requirement
Data Disaggregation (Sec. 113)

State and local reports must:

• Include the actual levels of performance for all CTE concentrators, and for each of the subgroups of students, as described in section 1111(h)(1)(C)(ii) of the Elementary and Secondary Education Act of 1965, and special populations, as described in section 3(48)

• Identify and quantify any disparities or gaps in performance between any such subgroup or special population and the performance of all CTE concentrators served by the eligible agency under this Act (at the state level a requirement to also identify progress being made)
Data Disaggregation Categories

- Gender
- Race/ethnicity
- Individuals with Disabilities
- Individuals from Economically Disadvantaged Families
- Individuals Preparing for Non-traditional Fields
- Single Parents
- Out of Workforce Individuals
- English Learners
- Homeless Individuals
- Youth In Foster Care
- Youth with Parent in Active Military
- Migrant Students (only secondary)
State Plan (Sec. 122)

• Expanded consultation, including:
  – Representatives of minority-serving institutions, HBCUs and tribally controlled colleges or universities
  – Members and representative of special populations
  – Representatives of agencies serving out-of-school youth, homeless children and youth, and at-risk youth
  – Representatives of Indian Tribes and Tribal organizations
  – Individuals with disabilities
State Plan (Sec. 122)

- Several equity-related items:
  - the State’s strategic vision and set of goals for preparing an educated and skilled workforce (including special populations) and for meeting the skilled workforce needs of employers, including in existing and emerging in-demand industry sectors and occupations as identified by the State, and how the State’s career and technical education programs will help to meet these goals
  - Description of the process and criteria for ensuring local applications expand access to career and technical education for special populations
State Plan (Sec. 122)

- how the eligible agency will make information on approved programs of study and career pathways (including career exploration, work-based learning opportunities, early college high schools, and dual or concurrent enrollment program opportunities) and guidance and advisement resources, available to students (and parents, as appropriate), representatives of secondary and postsecondary education, and special populations, and to the extent practicable, provide that information and those resources in a language students, parents, and educators can understand

- how the eligible agency will ensure equal access to approved career and technical education programs of study and activities assisted under this Act for special populations
State Plan (Sec. 122)

• how the eligible agency will improve outcomes and reduce performance gaps for CTE concentrators, including those who are members of special populations
• a description of how the eligible agency will support the recruitment and preparation of teachers, including special education teachers, faculty, school principals, administrators, specialized instructional support personnel, and paraprofessionals to provide career and technical education instruction, leadership, and support, including professional development that provides the knowledge and skills needed to work with and improve instruction for special populations
State Plan (Sec. 122)

• a description of the eligible agency’s program strategies for special populations, including a description of how individuals who are members of the special populations—
  – will be provided with equal access to activities assisted under this Act;
  – will not be discriminated against on the basis of status as a member of a special population;
  – will be provided with programs designed to enable individuals who are members of special populations to meet or exceed State determined levels of performance described in section 113, and prepare special populations for further learning and for high-skill, high-wage, or in-demand industry sectors or occupations;
  – will be provided with appropriate accommodations; and
  – will be provided instruction and work-based learning opportunities in integrated settings that support competitive, integrated employment;

• how the eligible agency will address disparities or gaps in performance, as described in section 113(b)(3)(C)(ii)(II), in each of the plan years, and if no meaningful progress has been achieved prior to the third program year, a description of the additional actions the eligible agency will take to eliminate these disparities or gaps;
Required State Leadership Activities (Sec. 124)

• 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

• Individuals in State institutions, such as State correctional institutions, including juvenile justice facilities, and educational institutions that serve individuals with disabilities
State Leadership Activities (Sec. 124)

• Professional development that prepares educators to provide appropriate accommodations for students who are members of special populations, including through the use of principles of universal design for learning, multi-tier systems of supports, and positive behavioral interventions and support

• Supporting eligible recipients in eliminating inequities in student access to high-quality programs of study that provide skill development; and effective educators

• Awarding incentive grants for eligible recipients’ progress in closing achievement gaps among subpopulations who participate in programs of study

• Support for career and technical education programs for adults and out-of-school youth concurrent with their completion of their secondary school education in a school or other educational setting

• Support for programs and activities that increase access, student engagement, and success in science, technology, engineering, and mathematics fields (including computer science, coding, and architecture), support for the integration of arts and design skills, and support for hands-on learning, particularly for students who are members of groups underrepresented in such subject fields, such as female students, minority students, and students who are members of special populations

• Support for career and technical student organizations, especially with respect to efforts to increase the participation of students in nontraditional fields and students who are members of special populations
 Needs Assessment

• At the beginning of the law and updated at least once every two years
• Key areas
  – Student performance (including subpopulations)
  – Labor market alignment
  – Size, scope and quality of programs
  – Programs/Programs of study implementation progress
  – Improving educator recruitment, retention and training
  – Strategies for equal access and special populations
Local Consultation

1. representatives of career and technical education programs in a local educational agency or educational service agency, including teachers, career guidance and academic counselors, principals and other school leaders, administrators, and specialized instructional support personnel and paraprofessionals
2. representatives of career and technical education programs at postsecondary educational institutions, including faculty and administrators
3. representatives of the State board or local workforce development boards and a range of local or regional businesses or industries
4. parents and students
5. representatives of special populations
6. representatives of regional or local agencies serving out-of-school youth, homeless children and youth, and at-risk youth (as defined in section 1432 of the Elementary and Secondary Education Act of 1965)
7. representatives of Indian Tribes and Tribal organizations in the State, where applicable
8. any other stakeholders that the eligible agency may require the eligible recipient to consult
Local Application

- a description of the results of the comprehensive needs assessment
- how students, including students who are members of special populations, will learn about their school’s career and technical education course offerings and whether each course is part of a career and technical education program of study
- a description of how the eligible recipient will address disparities or gaps in performance as described in section 113(b)(3)(C)(ii)(II) in each of the plan years, and if no meaningful progress has been achieved prior to the third program year, a description of the additional actions such recipient will take to eliminate those disparities or gaps
Local Application

• a description of how the eligible recipient will—
  (A) provide activities to prepare special populations for high-skill, high-wage, or in-demand industry sectors or occupations that will lead to self-sufficiency;
  (B) prepare CTE participants for non-traditional fields;
  (C) provide equal access for special populations to career and technical education courses, programs, and programs of study; and
  (D) ensure that members of special populations will not be discriminated against on the basis of their status as members of 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
Local Uses of Funds Options

• introductory courses or activities focused on career exploration and career awareness, including non-traditional fields;
• any other activity that advances knowledge of career opportunities and assists students in making informed decisions about future education and employment goals, including non-traditional fields;
• supporting the implementation of strategies to improve student achievement and close gaps in student participation and performance in career and technical education programs;
• support to reduce or eliminate out-of-pocket expenses for special populations participating in career and technical education, including those participating in dual or concurrent enrollment programs or early college high school programs, and supporting the costs associated with fees, transportation, child care, or mobility challenges for those special populations.
Local Uses of Funds Options

• training teachers, faculty, school leaders, administrators, specialized instructional support personnel, career guidance and academic counselors, or paraprofessionals, as appropriate, to provide appropriate accommodations for individuals with disabilities, and students with disabilities who are provided accommodations under the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) or the Individuals with Disabilities Education Act

• training teachers, faculty, specialized instructional support personnel, career guidance and academic counselors, and paraprofessionals in frameworks to effectively teach students, including a particular focus on students with disabilities and English learners, which may include universal design for learning, multi-tier systems of supports, and positive behavioral interventions and support
Local Uses of Funds Options

• coordination with other education and workforce development programs and initiatives, including career pathways and sector partnerships developed under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.) and other Federal laws and initiatives that provide students with transition-related services, including the Individuals with Disabilities Education Act
• supporting programs and activities that increase access, student engagement, and success in science, technology, engineering, and mathematics fields (including computer science and architecture) for students who are members of groups underrepresented in such subject fields
• providing career and technical education, in a school or other educational setting, for adults or out-of-school youth to complete secondary school education or upgrade technical skills
Initial Action Steps

- Begin thinking about how to collect data for local needs assessment
- Begin thinking about how to involve stakeholders to involve
- Look for opportunities to get involved in state plan development...public hearings, comments, etc
Questions?

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