

Perkins V: *Strengthening Career and Technical Education for the 21st Century Act*

On July 31, 2018, the president signed the Strengthening Career and Technical Education for the 21st Century Act (Perkins V) into law. This Act, which became Public Law 115-224, reauthorizes the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV). It was approved unanimously by both chambers of Congress, reflecting broad bipartisan support for career and technical education (CTE) programs. Perkins V is largely based on the structure and content of current law, but makes some key changes that will impact the implementation of CTE programs and administrative processes around the country. As the new law was making its way through the reauthorization process, a key area of debate was “Secretarial authority” or the role of the U.S. Secretary of Education (Secretary) in the process of state and local planning and accountability. In Perkins V, we see evidence of the compromise on this issue, with enhanced prohibition language that limits the Secretary’s role and the elimination of the negotiation process between the Secretary and states on performance measure targets. In turn, we also see more specific requirements for setting these targets, including additional stakeholder engagement and expanded definitions.

The new law will go into effect on July 1, 2019, and the first year of implementation will be considered a “transition year.” Eligible agencies will be able to submit a one-year transition plan in spring 2019. Full four-year state and local plans, covering all the requirements of the Act, will then be submitted in spring 2020 (encompassing program years July 1, 2020-June 30, 2024).

Major Tenets of Perkins V

Perkins V maintains a focus on CTE program improvement, flexibility, and data and accountability. The new law:

- maintains a commitment to driving improvement through programs of study and includes a robust, formal definition of that term
- retains the state governance structure of current law, as well as formulas for local funding flowing to public or nonprofit educational institutions
- updates the federal-to-state formula to ensure states receive no less than their Fiscal Year 2018 funding levels as long as funding is not cut overall (and then providing for equal, ratable reductions for all states)
- increases the allowable reserve fund to 15 percent to spur local innovation and implement programs of study
- introduces a comprehensive local needs assessment that requires data-driven decision-making on local spending, involves significant stakeholder consultation and must be updated at least once every two years
- creates a new competitive grant program within national activities focused on innovation and modernization
- lifts the restriction on spending funds below grade 7 and allows support for career exploration in the “middle grades” (which includes grades 5-8)
- defines who is included in the accountability system by including a formal “CTE concentrator” definition, instead of leaving this definition up to states
- significantly changes the process for setting performance targets by eliminating the negotiations with the Secretary and replacing these negotiations with a new list of requirements for developing targets and including those targets in state and local plans
- shifts the accountability indicators; the most significant changes are the consolidation of the two non-traditional measures into one, and the elimination of the technical skill attainment measure, which is replaced with a “program quality” measure at the secondary level that requires states to choose to report on work-based learning, postsecondary credit attainment or credential attainment during high school
- focuses on disaggregation of data by maintaining the required disaggregation by student populations, requiring additional disaggregation for each core indicator by CTE program or Career Cluster, and referencing attention to this disaggregation and identified performance gaps throughout the Act
- increases the focus on serving special populations with a new purpose of the Act, expanded definition, new required use of state leadership funds, additional consultation and stakeholder involvement, and new GAO study