



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF VOCATIONAL AND ADULT EDUCATION

THE ASSISTANT SECRETARY

MAR 12 2007

**PROGRAM MEMORANDUM**

TO: State Directors of Career and Technical Education

FROM: Troy R. Justesen, Ed.D. *Troy Justesen*

SUBJECT: Transmittal of the Carl D. Perkins Career and Technical Education Act of 2006 State Plan Guide (OMB Approval Number: 1830-0029)

I am pleased to transmit the enclosed OMB-approved State plan guide for the newly authorized Carl D. Perkins Career and Technical Education Act of 2006 (Act or Perkins Act), 20 U.S.C. 2301 *et seq.* as amended by P.L. 109-270, on behalf of the Office of Vocational and Adult Education (OVAE). This guide provides the required narrative and forms to be included in your State's submission of its new State plan to implement the Act, beginning program year (PY) 2007 (July 1, 2007 – June 30, 2008).

The framework for the guide is based on the requirements in the Act and a renewed vision of career and technical education programs for the 21<sup>st</sup> century. The Act envisions that all students will achieve challenging academic and technical standards and be prepared for high-skill, high-wage, or high-demand occupations in current or emerging professions. The Act provides an increased focus on the academic achievement of career and technical education students, improves State and local accountability, and strengthens the connections between secondary and postsecondary education.

Signed into law on August 12, 2006, the Act represents nearly three years of work on the part of Congress and the U.S. Department of Education (Department), in cooperation with other Federal agencies and the State and local agencies affected by its provisions, to provide continuing Federal support for rigorous career and technical programs that prepare students for today's competitive workforce. Summarized below are some of the most significant new provisions in the Act.

***Focusing on Academics and Building More Rigorous Programs***

Section 122(c) of the Act requires a State to describe in its State plan how it will ensure that students who participate in career and technical education programs are taught to the same challenging academic proficiencies as are taught to all other students. Section 122(c) of the Act also requires a State to describe its career and technical education "programs of study," which must incorporate secondary and postsecondary elements and include coherent and rigorous content aligned with challenging academic standards and relevant career and technical content in a coordinated, non-duplicative progression of courses. These programs of study also

must lead to an industry-recognized credential or certificate at the postsecondary level, or an associate or baccalaureate degree.

### ***Improving State Accountability***

The Act strengthens the State accountability provisions. Section 113(b)(2) of the Act requires States to develop valid and reliable core indicators of performance, and to reach agreement with the Department on adjusted performance levels for each of the core indicators. The Act also includes the following requirements for the measures that a State must use for some of the core indicators.

First, section 113(b)(2)(A)(i) requires a State to measure career and technical education students' attainment of the "challenging academic content standards" and "student academic achievement standards" that the State adopted pursuant to section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 (ESEA). The Act further requires a State to use its academic assessments implemented under section 1111(b)(3) of the ESEA to measure career and technical education students' attainment of these State standards. Second, section 113(b)(2)(A)(iv) of the Act requires a State to identify a core indicator to measure "student graduation rates" (as described in section 1111(b)(2)(C)(vi) of the [ESEA]), for career and technical education students at the secondary level."

Section 123(a) of the Perkins Act further requires that, if a State does not meet at least 90 percent of each of its adjusted performance levels each year, the State must develop and implement a program improvement plan to address deficiencies in performance. If a State does not implement an improvement plan, does not make improvement in meeting any of the State adjusted levels of performance within the first program year of implementation of its improvement plan, or does not meet at least 90 percent of an agreed upon State adjusted level of performance for the same core indicator of performance for three consecutive years, the Department may impose financial sanctions under section 123(a)(3) of the Act.

### ***Building Local Accountability***

Section 113(b)(4) of the Act requires that, for the first time, a State and its eligible recipients reach agreement on local adjusted performance levels for each of the core indicators of performance. An eligible recipient may accept the State's performance levels or reach agreement on other levels; however, the State must ensure that the established performance levels will require the eligible recipient to continually make progress toward improving the performance of career and technical education students under section 113(b)(4)(A)(i)(II) of the Act. Section 123(b) of the Act further requires that, if an eligible recipient does not meet at least 90 percent of each of its performance levels each year, it must develop and implement an improvement plan to address deficiencies in performance. If an eligible recipient does not implement an improvement plan, does not make improvement in meeting any of the local adjusted levels of performance within the

financial sanctions under section 123(b)(4) of the Act. At the same time, section 124(c)(10) of the Act permits a State to award incentive grants to its eligible recipients for exemplary performance in meeting local adjusted levels of performance.

### *Increasing State Flexibility*

Section 202 of the Act allows a State to consolidate all or part of its Title II tech prep funds into its Title I basic grant. This provision enables a State to determine how best to use its Federal resources to support its secondary and postsecondary career and technical education programs.

A State may submit a one-year transitional plan (Fiscal Year 2007 – FY 2008), or a six-year full plan (Fiscal Years 2007-2012). A State may submit a plan that consolidates all or a portion of its Title II tech prep funds into its Title I basic grant. Finally, a State may submit all or the postsecondary portion of its State plan as part of a unified plan under the Workforce Investment Act (WIA), except that prior State legislature approval is required for inclusion of the secondary portion of the State plan as part of a unified plan (see section 501(b)(1) of the Workforce Investment Act of 1998). A State that wishes to submit a unified plan must follow any instructions and submission requirements provided by the Employment and Training Administration, U.S. Department of Labor. For further information, please contact Janet Sten, the Federal Coordinator for Plan Review and Approval, at [sten.janet@dol.gov](mailto:sten.janet@dol.gov), or Robin Fernkas at [fernkas.robin@dol.gov](mailto:fernkas.robin@dol.gov). Both can be reached by calling (202) 693-3054.

The Department acknowledges that many States will need time to develop and implement valid and reliable measures and to change their State and local data systems. In recognition of this challenge, the Department will require each State that submits a one-year transition plan, and its eligible recipients, to submit baseline data and to reach agreement on performance levels for the first two program years (July 1, 2007 – July 1, 2008 and July 1, 2008 – June 30, 2009) only for the core indicators in section 113(b) of the Act as provided below, except that, for the indicators for which your State must use your State's standards, assessment, and graduation rates adopted under Title I of the ESEA, if your State chooses to use its AMOs and targets under the ESEA, you will not need to submit baseline data.

Indicators		Transition Plan	Six-Year Plan
<b>Secondary Level – 8 Indicators</b>			
1S1	Academic Attainment – Reading/Language Arts	X	X
1S2	Academic Attainment – Mathematics	X	X
2S1	Technical Skill Attainment	Not required	X
3S1	Secondary School Completion	Not required	X
4S1	Student Graduation Rates	X	X
5S1	Secondary Placement	Not required	X
6S1	Nontraditional Participation	Not required	X
6S2	Nontraditional Completion	Not required	X
<b>Postsecondary/Adult Level – 6 Indicators</b>			
1P1	Technical Skill Attainment	Not required	X
2P1	Credential, Certificate, or Degree	Not required	X
3P1	Student Retention or Transfer	Not required	X
4P1	Student Placement	Not required	X
5P1	Nontraditional Participation	Not required	X
5P2	Nontraditional Completion	Not required	X

***State plans are due no later than Monday, May 7, 2007.*** Each State that submits a one-year transition plan must submit a five-year plan prior to the second program year. At that time, the Department will reach agreement on performance levels for program year two (July 1, 2008 – June 30, 2009) for the indicators that were not initially required. Accordingly, each State that submits a transition plan, along with their eligible recipients, will not be subject to sanctions under section 123 of the Act for the first program year for the core indicators that are not required as described above. The Department will issue further guidance to States prior to the required submission of the five-year plan.

The timeline for State’s submission of their new State plans and the Department’s issuance of grant awards for the first program year (July 1, 2007 – June 30, 2008) is provided below.

Timeline	Actions
March 12, 2007	Department issues the final Carl D. Perkins Career and Technical Education Act of 2006: Guide for the Submission of State Plans
March 2007	Department issues State's FY 2007 Title I and Title II estimated allocations
March 19, 2007 to April 30, 2007	OVAE's Regional Accountability Specialists hold technical assistance calls to discuss State's definitions, measurement approaches, and performance levels for the core indicators of performance
May 7, 2007	States submit their new State plans to the Department
May 14 - June 12, 2007	Department reviews State plan submissions and reaches agreement with States on performance levels for the core indicators of performance
July 1, 2007	Department issues 1 <sup>st</sup> installment of grant award funds for program year one (July 1, 2007 – June 30, 2008) to States via e-mail, fax, and hard copy mailing
October 1, 2007	Department issues supplemental (and final) installment of grant award funds for program year one to States via e-mail, fax, and hard copy mailing

We look forward to working with you as you implement the Act during this school year. Should you have any questions regarding the submission of your State plan, please contact your OVAE State Liaison or Regional Accountability Specialist.

Enclosure