

ANALYSIS

SIDE BY SIDE COMPARISON OF 1998 PERKINS ACT AND 2006 PERKINS ACT

Topics

1998 Perkins Act

2006 Perkins Act

Title

Carl D. Perkins Vocational and Technical Education Act of 1998 *[Section 1]*

Carl D. Perkins Career and Technical Education Act of 2006 *[Section 1]*

Throughout the Act, references to “vocational and technical” education are replaced with “career and technical education.” If this is the only change in a section, it will be referenced below with “Same as previous law.”

Purpose

The purpose is to develop more fully the academic, vocational and technical skills of secondary and postsecondary students who elect to enroll in vocational and technical education programs by—

- Building on the efforts of states and localities to develop challenging academic standards.
- Promoting the development of services and activities that integrate academic, vocational and technical instruction, and that link secondary and postsecondary education for participating students.
- Increasing state and local flexibility in providing services and activities designed to develop, implement and improve vocational and technical education, including Tech Prep education.
- Disseminating national research, and providing professional development and technical assistance, that will improve vocational and technical education programs, services and activities. *[Section 2]*

Same as previous law.

- Building on the efforts of states and localities to develop challenging academic and technical standards, and to assist students in meeting the standards, including preparation for high-skill, high-wage or high-demand occupations in current or emerging professions.
- Promoting the development of services and activities that integrate rigorous and challenging academic and career and technical instruction, and that link secondary and postsecondary education for participating CTE students.
- Same as previous law.
- Conducting and disseminating national research and disseminating information on best practices that improve CTE programs, services and activities.
- Providing technical assistance that—

- » Promotes leadership, initial preparation, and professional development at the state and local levels; and
- » Improves the quality of CTE teachers, faculty, administrators and counselors.
- Supporting partnerships among secondary schools, postsecondary institutions, baccalaureate degree granting institutions, area CTE schools, local workforce investment boards, business and industry, and intermediaries.
- Providing individuals with opportunities throughout their lifetimes to develop, in conjunction with other education and training programs, the knowledge and skills needed to keep the U.S. competitive. *[Section 2]*

“All aspects of industry” is expanded to include information as described in Section 118, which is occupational and employment information. *[Section 3(2)]*

The definition of an “articulation agreement” is moved from Section 202 to Section 3. “Articulation agreement” means a written commitment that is agreed upon at the state level or approved annually by the lead administrators of a secondary institution and a postsecondary institution, or a baccalaureate degree granting postsecondary institution and a baccalaureate degree granting institution; to a program that is designed to provide students with a nonduplicative sequence of progressive achievement leading to technical skill proficiency, a credential, a certificate or a degree and is linked through credit transfer agreements between the two institutions. *[Section 3(4)]*

Definitions

Thirty words and phrases used in the Act are defined. Definitions are listed below for comparison with changes made in the 2006 Act, where applicable. All definitions not listed remain essentially the same, and can be found in the text of the Act. *[Section 3]*

“All aspects of an industry” means strong experience in, and comprehensive understanding of, the industry that the individual is preparing to enter. *[Section 3(2)]*

“Articulation agreement” means a written commitment to a program designed to provide students with a nonduplicative sequence of progressive achievement leading to degrees or certificates in a Tech Prep program. *[Section 202(a)(1)]*

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Definitions, (cont'd)

“Career guidance and academic counseling” means providing access to information regarding career awareness and planning with respect to an individual’s occupational and academic future that shall involve guidance and counseling with respect to career options, financial aid, and postsecondary options. [Section 3(4)]

“Eligible institution” means an institution of higher education, a local educational agency providing education at the postsecondary level, an area vocational and technical education school providing education at the postsecondary level, a postsecondary educational institution controlled by the Bureau of Indian Affairs (BIA) or operated by or on behalf of any Indian tribe that is eligible to contract with the Secretary of the Interior for the administration of programs under the Indian Self-Determination Act or the Act of April 16, 1934, an educational service agency, or a consortium of 2 or more of the above. [Section 3(10)]

“Eligible recipient” means a local educational agency, an area vocational and technical education school, an educational service agency, or a consortium, eligible to receive assistance under Section 131; or an eligible institution or consortium of eligible institutions eligible to receive assistance under Section 132. [Section 3(11)]

“Nontraditional training and employment” means occupations of fields of work, including careers in computer science, technology, and other emerging high-skill occupations, for which individuals from one gender comprise less than 25 percent of the individuals employed in each such occupation or field of work. [Section 3(17)]

“Outlying area” means the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau. [Section 3(18)]

“Special populations” means—

- Individuals with disabilities;

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Career guidance and academic counseling now specifies that students, and parents when appropriate, should be the recipients of information, and specifies baccalaureate degree programs as an option about which students are counseled. [Section 3(7)]

Institutions of higher education must be public or non-profit private to qualify as “eligible institutions,” and offer CTE courses that lead to technical skill proficiency, an industry-recognized credential, a certificate or a degree. [Section 3(13)(A)]

The definition of an “eligible recipient” specifies that public charter schools operated as local educational agencies are included. [Section 3(14)]

The term “training and employment” is replaced with “fields” in the term and definition, and in all future references to the term. [Section 3(20), et. al.]

The Republic of the Marshall Islands and the Federated States of Micronesia are eliminated from the definition of “outlying area.” [Section 3(21)]

“Individuals with other barriers to educational achievement” are eliminated from this definition. [Section 3(29)]

- Individuals from economically disadvantaged families, including foster children;
- Individuals preparing for nontraditional training and employment;
- Single parents, including single pregnant women;
- Displaced homemakers; and
- Individuals with other barriers to educational achievement, including individuals with limited English proficiency.

[Section 3(23)]

A “Tech Prep program” is a program of study that—

- Combines at a minimum 2 years of secondary education (as determined under state law) with a minimum of 2 years of postsecondary education in a nonduplicative, sequential course of study
- Integrates academic, and vocational and technical, instruction, and utilizes work-based and worksite learning where appropriate and available
- Provides technical preparation in a career field such as engineering technology, applied science, a mechanical, industrial, or practical art or trade, agriculture, health occupations, business, or applied economics
- Builds student competence in mathematics, science, reading, writing, communications, economics and workplace skills through applied, contextual academics, and integrated instruction, in a coherent sequence of courses
- Leads to an associate or a baccalaureate degree or a postsecondary certificate in a specific career field
- Leads to placement in appropriate employment or to further education

[Section 202(a)(3)]

The specific definition of a Tech Prep program is eliminated, and instead, a “Tech Prep program” means a Tech Prep program described in Section 203(c). The content of the definition is incorporated into that section. [Section 3(32)]

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Definitions, (cont'd)

“Vocational and technical education” means organized educational activities that offer a sequence of courses that provides individuals with the academic and technical knowledge and skills they need to prepare for further education and for careers (other than careers requiring a baccalaureate, master’s, or doctoral degree) in current or emerging employment sectors; and 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, and occupation-specific skills, of an individual. *[Section 3(29)]*

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“Career and technical education” means organized educational activities that offer a sequence of courses that provides individuals with coherent and rigorous content aligned with challenging academic standards and relevant technical knowledge and skills needed to prepare for further education and careers in current or emerging professions, provides technical skill proficiency, an industry-recognized credential, a certificate, or an associate degree, may include prerequisite courses (other than a remedial course) that meet other requirements; and 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, including entrepreneurship, of an individual. *[Section 3(5)]*

NEW DEFINITIONS:

“Postsecondary education Tech Prep student” means a student who has completed the secondary education component of a Tech Prep program, and has enrolled in the postsecondary education component of a Tech Prep program at an institution of higher education. *[Section 3(23)]*

“Scientifically based research” means research that is carried out using scientifically based research standards, as defined in Section 102 of the Education Sciences Reform Act of 2002 (see *Appendix C*). *[Section 3(25)]*

“Secondary education Tech Prep student” means a secondary education student who has enrolled in two courses in the secondary component of a Tech Prep program. *[Section 3(26)]*

Transition Provisions

The Secretary shall take steps to provide for the orderly transition from the previous version of the Perkins Act to the new one. *[Section 4]*

Same as previous law, but also includes the provision that state eligible agencies will have the opportunity to submit a transition plan for the first fiscal year following the enactment of the 2006 Perkins Act. *[Section 4]*

Limitation

All of the funds made available under Perkins shall be used in accordance with the requirements of this Act. No funds may be used to provide funding under the School-to-Work Opportunities Act of 1994 or to carry out, through programs funded under the Perkins Act, activities that were funded under the School-to-Work Opportunities Act of 1994, unless the programs funded under Perkins serve only those participants eligible to participate in programs under the Perkins Act. *[Section 6]*

All of the funds made available under this Act shall be used in accordance with the requirements of this Act. *[Section 6]*

Prohibitions

Not included in 1998 Perkins Act.

Nothing in the Act shall authorize an officer or employee of the federal government to mandate, direct or control a state, local educational agency, or school's curriculum, program of instruction, or allocation of state or local resources, or mandate a state or any subdivision thereof to spend any funds or incur any costs not paid for under the Act (except matching and maintenance of effort funds). *[Section 8(a)]*

Any state that declines to submit an application to the Secretary for assistance under this Act shall not be precluded from applying for assistance under any other program administered by the Secretary. *[Section 8(b)]*

Notwithstanding any other provision of federal law, no state shall be required to have academic and career and technical content or student academic and career and technical achievement standards approved or certified by the federal government in order to receive assistance. *[Section 8(c)]*

Prohibitions shall not affect the Act's accountability requirements in Section 113. *[Section 8(d)]*

"Coherent and rigorous content" shall be determined by the state consistent with the Elementary and Secondary Education Act (see *Appendix A*). *[Section 8(e)]*

Basic State Grant Authorizations and Reservation

Such sums are authorized for Fiscal Year 1999 through Fiscal Year 2003 for the Basic State Grant. *[Section 8]*
1.25% is reserved for Native American programs.

"Such sums as may be necessary" for each of fiscal years 2007 through 2012 is authorized for the Basic State Grant. *[Section 9]*
Same as previous law.

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Basic State Grant Authorizations and Reservation, (cont'd)

0.25% is reserved for Native Hawaiian programs.

0.2% is reserved for the outlying areas.

In FYs 2000 – 2003, 0.54% of the appropriation is reserved for incentive grants.

[Section 111(a)(1)]

Same as previous law.

0.13% is reserved for the outlying areas.

Incentive grant reservation and program are eliminated.

[Section 111(a)(1)]

State Allotment

50%—population aged 15 to 19

20%—population aged 20 to 24

15%—population aged 25 to 65

15%—population aged 15 to 65

[Section 111(a)(2)]

No state shall receive, less than ½ of 1 percent of the amount appropriated but not reserved by the Secretary. Amounts necessary for increasing such payments to states to comply with this allotment shall be obtained by ratably reducing the amounts paid to other states. No state shall receive more than 150 percent of the amount the state received for the preceding fiscal year, or more than 150 percent of the national per pupil payment of Perkins funds multiplied by the number of individuals counted in the state's Perkins formula. [Section 111(a)(3)]

Same as previous law.

This paragraph applies for years with no additional funding (above FY 2006). [Section 111(a)(3)]

For years with additional federal funds, of any new money that is appropriated over the FY 2006 funding levels, small states would receive 1/3 of the new money until they reach the small state minimum (going first to those states that are farthest away from getting their ½ a percent). The remaining 2/3 of new money would be allotted by the formula. [Section 111(a)(4)]

No state shall receive an allotment for a fiscal year that is less than the allotment the state received under part A of Title I of the 1990 Carl D. Perkins Vocational and Applied Technology Education Act for fiscal year 1998. If for any fiscal year the amount appropriated for allotments is insufficient to satisfy the hold harmless requirement, the payments to all states shall be ratably reduced. *[Section 111(a)(4)]*

Same as previous law.

Within-State Allotment

Not less than 85 percent distributed to local programs, of which:

States may reserve not more than 10 percent for distribution to local programs in rural areas, areas with high numbers or percentages of vocational students, and areas negatively impacted by changes in within-state formulas. Each state utilizing the reserve fund shall use the grant to serve at least two of the categories of recipients listed above. *[Section 112(a)(1), (c)]*

Not more than 10 percent may be reserved for state leadership activities, of which:

- An amount equal to not more than 1 percent of the state allotment shall be available to serve individuals in state institutions
- Not less than \$60,000 and not more than \$150,000 of state leadership funds shall be available for services that prepare individuals for nontraditional employment

[Section 112(a)(2)]

Not more than 5 percent (or \$250,000, whichever is greater) may be reserved for state administration, which may be used for developing the state plan, reviewing local plans, monitoring and evaluating program effectiveness, assuring compliance with federal laws, and providing technical assistance. *[Section 112(a)(3)]*

States must match, from non-federal sources, funds spent on administrative activities. *[Section 112(b)]*

Same as previous law.

“Areas negatively impacted by changes in within-state formulas” is deleted as an option for reserve funds (because there were no changes in the formula during this reauthorization). Likewise, the requirement to spend reserve funds on at least two of the specified categories is deleted. *[Section 112(c)]*

Same as previous law.

One new allowable activity, “Supporting and developing state data systems relevant to the provisions of this Act” is added to state administrative activities. *[Section 112(a)(3)(F)]*

Same as previous law.

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**Accountability—
Core Indicators of
Performance**

States, with input from local recipients, shall establish and identify in the state plan core indicators of performance that include, at a minimum, measures of the following:

- Student attainment of challenging state established academic and vocational/technical skill proficiencies.
- Student attainment of secondary diploma or its recognized equivalent, proficiency credential in conjunction with a secondary diploma, or a postsecondary degree or credential.
- Placement in, retention in, and completion of postsecondary education or advanced training, placement in military service, or placement or retention in employment.
- Student participation in and completion of vocational and technical education programs that lead to nontraditional training and employment.

[Section 113(b)(2)(A), (D)]

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States, with input from local recipients, shall establish and identify in the state plan core indicators of performance for secondary and postsecondary CTE students, that are valid and reliable, and that include, at a minimum, measures of the following:

Core indicators for secondary students shall include:

- Student attainment of challenging academic content and achievement standards, as adopted by the state under ESEA and measured by the state determined proficient levels on the academic assessments under ESEA.
- Student attainment of CTE skill proficiencies, including student achievement on technical assessments, that are aligned with industry-recognized standards, if available and appropriate.
- Student rates of attainment of each of the following:
 - » a secondary school diploma,
 - » a GED, or other state-recognized equivalent (including recognized alternate standards for individuals with disabilities),
 - » a proficiency credential in conjunction with a secondary diploma (if such credential is offered by the state).
- Student graduation rates as described in ESEA.
- Student placement in postsecondary education or advanced training, in military service, or in employment.
- Student participation in and completion of CTE programs that lead to nontraditional fields.

[Section 113(b)(2)(A)]

Core indicators of performance for postsecondary students shall include:

- Student attainment of challenging career and technical skill proficiencies, including student achievement on technical assessments, that are aligned with industry-recognized standards, if available and appropriate.
- Student attainment of an industry-recognized credential, a certificate, or a degree.
- Student retention in postsecondary education or transfer to a baccalaureate degree program.
- Student placement in military service or apprenticeship programs or placement or retention in employment, including placement in high-skill, high-wage or high-demand occupations or professions.
- Student participation in and completion of CTE programs in nontraditional fields.

[Section 113(b)(2)(B)]

Same as previous law, except the “attainment of self-sufficiency” is offered as an example. *[Section 113(b)(2)(C)]*

Same as previous law.

In developing core indicators of performance, a state shall, to the greatest extent possible, align the indicators with other federal and state programs so that similar information can be gathered. *[Section 113(b)(2)(F)]*

Same as previous law.

A state may identify additional performance indicators in its state plan. *[Section 113(b)(2)(B)]*

Currently identified state performance measures that meet the requirements of the Act may be used. *[Section 113(b)(2)(C)]*

**Accountability—
Levels of Performance**

States, with input from local recipients, shall identify levels of performance for each of the core indicators. Levels of performance shall be expressed in a percentage or numerical form so as to be objective, quantifiable and measurable, and require the state to continually make progress toward improving the performance of vocational and technical education students. *[Section 113(b)(3)(A)(i)]*

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**Accountability—
Levels of Performance,
(cont'd)**

The Secretary and the state shall reach agreement on the final levels of performance that shall be incorporated in the state plan for the first two program years. The agreement shall take into account how the levels of performance identified by the state compare with other states, characteristics of participants, services and instruction provided, and the extent to which the levels of performance promote continuous improvement. *[Section 113(b)(3)(A)(iii),(vi)]*

Prior to the third program year, the state and the Secretary shall reach agreement on performance levels for the third, fourth, and fifth program years covered by the state plan. *[Section 113(b)(3)(A)(v)]*

State may request changes in agreed upon performance levels due to “unanticipated circumstances.” Secretary shall issue objective criteria and methods for making revisions. *[Section 113(b)(3)(A)(viii)]*

The role of the Secretary is limited to reaching agreement on the percentage or number of students who attain the adjusted level of performance. The Secretary may disapprove a state plan if he/she determines that the state’s levels of performance are not sufficiently rigorous to meet the purposes of the Act. *[Section 113(b)(3)(A)(iv), Section 122(e)(1)(B)]*

Same as previous law.

Prior to the third program year, performance levels must be agreed upon for the third and fourth years, and prior to the fifth program year, performance levels must be agreed upon for the fifth and sixth years. *[Section 113(b)(3)(A)(v)]*

Same as previous law.

Same as previous law.

Local accountability of eligible recipients is required in addition to state-level accountability. *[Section 113(a)]*

Each local program must agree to accept the state adjusted levels of performance or negotiate their own unique levels of performance for the appropriate set of core indicators. Local levels of performance are negotiated in a substantively identical manner to state levels of performance, with the eligible agency taking the supervisory role of the Secretary and the eligible recipient the role of the eligible agency. *[Section 113(b)(4)]*

Accountability— Reporting

A state shall report annually to the Secretary regarding its progress in meeting the agreed upon levels of performance. The report shall include a quantifiable description of the progress of special populations in meeting the state performance levels. [Section 113(c)]

The Secretary shall make state reports available to the public and Congress and shall disseminate state-by-state comparisons of information. [Section 113(c)(3)]

Same as previous law, but the state report shall also include data disaggregated for each of the indicators of performance by the categories of students identified in ESEA and the categories of students defined as “special populations” that are served, and shall identify and quantify any gaps or disparities in performance between any such category and all students served by the state. A quantifiable description of the progress each category of students served has made in meeting the levels of performance must be included. This disaggregation should avoid duplication in the categories of students and need not be done where the number of students in a category is insufficient to yield statistically reliable information or where the results would reveal personally identifiable information about an individual student. [Section 113(c)]

Same as previous law, except that reports must be made available in a variety of formats, including electronically through the Internet. [Section 113(c)(5)]

Local programs are now required to submit annual reports as well, in essentially the same manner as state reports are submitted. Each eligible recipient shall publicly report, on an annual basis, its progress in achieving its levels of performance on the core indicators of performance. [Section 113(b)(4)(C)(ii)]

Each eligible recipient shall disaggregate data for each of the performance indicators by the categories of students identified in ESEA and the categories of students defined as “special populations” that are served (consistent with state disaggregation to avoid duplication), and quantify any gaps or disparities in performance between any categories of students and all students served by the local program under Perkins. [Section 113(b)(4)(C)(iii), (iii)]

Disaggregation need not be done where the number of students in a category is insufficient to yield statistically reliable information or where the results would reveal personally identifiable information about an individual student. [Section 113(b)(4)(C)(iv)]

The local report must be made publicly available in a variety of formats, including electronically or through the Internet. [Section 113(b)(4)(C)(v)]

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National Activities— General

The Secretary shall collect performance information about and report on the condition of CTE and its effectiveness in aggregate annually to Congress. *[Section 114(a)(1)]*

Same as previous law.

The National Center for Education Statistics (NCES) shall collect and report information on vocational and technical education for a nationally representative sample of students as a regular part of its assessments. *[Section 114(a)(3)]*

Same as previous law.

The Secretary may, directly or through grants, contracts, or cooperative agreements, carry out research, development, dissemination, evaluation and assessment, capacity building, and technical assistance. The Secretary shall develop a single plan that shall identify the specific activities to this regard that the Secretary will carry out and describe how the Secretary will evaluate such activities. *[Section 114(c)(1)]*

Same as previous law.

The Secretary may collect and disseminate information from the states regarding state efforts to meet adjusted levels of performance and submit a report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate. *[Section 114(c)(4)]*

Same as previous law, except Committee language is updated.

The Secretary may carry out demonstration vocational and technical education programs to replicate model programs, to disseminate best practices information, and to provide technical assistance upon request of a state. *[Section 114(c)(6)(A)]*

Same as previous law.

The Secretary shall carry out a demonstration partnership project involving a four-year, accredited postsecondary institution in cooperation with local public education organizations, volunteer groups, and private sector business participants to provide program support and facilities for education, training, tutoring, counseling, employment preparation, specific skills training in emerging and established professions, and for retraining of military medical personnel, individuals displaced by corporate or military restructuring, migrant workers, and others who otherwise do not have access to such services, through multisite, multistate distance learning technologies. The project may be carried out directly or through grants, contracts, cooperative agreements, or through the national center(s). *[Section 114(c)(6)(B)]*

This provision is eliminated.

**National Activities—
NAVE**

The Secretary shall appoint an independent advisory panel, consisting of vocational and technical education administrators, educators, researchers and representatives of labor organizations, businesses, parents, guidance and counseling professionals, and other relevant groups, to advise the Secretary on implementation of the assessment, including the issues to be addressed, the methodology of the studies involved, and the findings and recommendations resulting from the assessment. The panel shall submit to the Committee on Education and the Workforce of the House of Representatives, the Committee on Labor and Human Resources of the Senate, and the Secretary, an independent analysis of the findings and recommendations resulting from the assessment. *[Section 114(c)(2)]*

The independent advisory panel shall be appointed by the Secretary and shall advise on the implementation of the national assessment, including the issues to be addressed and the methodology of the studies, to ensure that it adheres to the highest standards of quality. The panel shall submit to the Secretary, relevant committees of Congress, and the Library of Congress an independent analysis of the findings and recommendations from the assessment. Members of the advisory panel shall consist of:

- educators, administrators, state directors of CTE, and chief executives, including those with expertise in the integration of academic and career and technical education;
- experts in evaluation, research and assessment;
- representatives of labor organizations and businesses, including small businesses, economic development entities and workforce investment entities;
- parents;
- career guidance and academic counseling professionals; and

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National Activities— NAVE, (cont'd)

The Secretary shall provide for the conduct of an independent evaluation and assessment of vocational and technical education programs under this Act through studies and analyses conducted independently through competitive grants, contracts, and cooperative agreements. *[Section 114(c)(3)(A)]*

The Secretary shall submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate an interim report regarding the assessment on or before January 1, 2002, and a final report on or before July 1, 2002. *[Section 114(c)(3)(C)]*

The assessment must include descriptions and evaluations of—

- The extent to which state, local and tribal entities have developed, implemented or improved state and local vocational and technical education programs and the programs' effect on development, implementation or improvement, including the capacity of state, tribal and local vocational and technical education systems to achieve the purpose of this Act.
- The extent to which expenditures at the federal, state, tribal and local levels address program improvement in vocational and technical education, including the impact of federal allocation requirements on the delivery of services.
- The preparation and qualifications of teachers of vocational and technical and academic curricula in vocational and technical education programs, as well as shortages of such teachers.
- Participation of students in vocational and technical education programs.

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- other individuals and intermediaries with relevant expertise.

[Section 114(d)(1)]

Same as previous law, except specifies that the study should also consider the "implementation" of the 2006 Perkins Act, to the extent practicable. *[Section 114(d)(2)(A)]*

The Secretary shall submit to Congress an interim report on or before January 1, 2010, and a final report on or before July 1, 2011. *[Section 114(d)(2)(C)]*

- The extent to which state, local and tribal entities have developed, implemented or improved state and local CTE programs assisted under the Perkins Act.
- Eliminated.
- The preparation and qualifications of teachers and faculty of CTE (such as meeting state established teacher certification or licensing requirements), as well as shortages of such teachers and faculty.
- Same as previous law.

- Academic and employment outcomes of vocational and technical education, including analyses of—
 - » the number of vocational and technical education and Tech Prep students who meet state adjusted levels of performance
 - » the extent and success of integration of academic and vocational and technical education for students participating in vocational and technical education programs
 - » the extent to which vocational and technical education programs prepare students for subsequent employment in high-wage, high-skill careers or participation in postsecondary education.
- Employer involvement in, and satisfaction with, vocational and technical education programs.
- The use and impact of educational technology and distance learning with respect to vocational and technical education and Tech Prep programs.
- The effect of state adjusted levels of performance and state levels of performance on the delivery of vocational and technical education services.

[Section 114(c)(3)(B)]

- Academic and CTE achievement and employment outcomes of CTE, including analyses of—
 - » the extent and success of the integration of rigorous and challenging academic and career and technical education for students participating in CTE programs, including a review of the effect of such integration on the academic and technical achievement of students (including the number of students receiving a secondary school diploma); and
 - » the extent to which CTE programs prepare students, including special populations, for subsequent employment in high-skill, high-wage occupations (including those in which math and science skills are critical), or for participation in postsecondary education.
- Employer involvement in, and satisfaction with, CTE programs and CTE students' preparation for employment.
- "Impact" is eliminated.
- The effect of state and local adjusted levels of performance and state and local levels of performance on the delivery of CTE services, including the percentage of CTE and Tech Prep students meeting the adjusted levels of performance.

[Section 114(d)(2)(B)]

**National Activities—
Research and
Dissemination**

- The Secretary shall award competitive grants, contracts or cooperative agreements to an institution of higher education, a public or private nonprofit organization or agency, or a consortium of thereof, to establish a national research center or centers to carry out research—
- For developing, improving and identifying the most successful methods for addressing the education, employment and training needs of participants in vocational and technical education programs, including in research and evaluation in such activities—

- Same as previous law, except there can only be one "center", and it must carry out "scientifically based research and evaluation."
- Same as previous law, but specifically mentions including "special populations."

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National Activities— Research and Dissemination, (cont'd)

- » integration of vocational and technical instruction and academic, secondary and postsecondary instruction;
 - » effective education technology and distance learning approaches and strategies;
 - » state adjusted levels of performance and state levels of performance that serve to improve vocational and technical education programs and student achievement; and
 - » academic knowledge and vocational and technical skills required for employment or postsecondary education.
- To increase the effectiveness and improve the implementation of vocational and technical education programs, including conducting research and development and studies providing longitudinal information or formative evaluation.
 - That can be used to improve teacher training and learning in the vocational and technical education classroom, including
 - » effective inservice and preservice teacher education systems
 - » dissemination and training activities related to applied research and demonstration activities, which may also include a repository for information on vocational and technical skills, state academic standards, and related materials

- Same as previous law.
- » Preparation for occupations in high-skill, high-wage or high-demand business and industry, including examination of collaboration between CTE programs and business and industry; and academic and technical skills required for a regional or sectoral workforce, including small business.
- References CTE programs that are integrated with coherent and rigorous content aligned with challenging academic standards.
- Same as previous law, except research should address the integration of teacher education programs with academic standards and coordinating technical education with industry-recognized certification requirements; and recruitment and retention of CTE professionals.

<ul style="list-style-type: none"> • That the Secretary deems appropriate to assist states and local programs. <i>[Section 114(c)(5)(A)]</i> <p>The research center(s) shall annually prepare a report of key research findings and submit copies to the Secretary, the Committee on Education and the Workforce of the House of Representatives, the Committee on Labor and Human Resources of the Senate, the Library of Congress, and each state. <i>[Section 114(c)(5)(B)]</i></p> <p>The center(s) shall conduct dissemination and training activities based upon the research they conduct. <i>[Section 114(c)(5)(C)]</i></p>	<ul style="list-style-type: none"> • Additional research must be consistent with the purposes of the Act. <i>[Section 114 (d)(4)(A)]</i> <p>Same as previous law, except Committee language is updated.</p> <p>Same as previous law.</p>
<p>National Activities— Authorization</p> <p>“Such sums as necessary” for FY 1999 and each of the four succeeding fiscal years are authorized. <i>[Section 114(c)(8)]</i></p>	<p>“Such sums as necessary” for each of fiscal years 2007–2012 are authorized for all activities. <i>[Section 114(e)]</i></p>
<p>Assistance to Outlying Areas</p> <p>Secretary shall reserve 0.2 percent of the total federal appropriation for grants to outlying areas. <i>[Section 111(a)(1)(A)]</i></p> <p>From these funds, the Secretary shall:</p> <ul style="list-style-type: none"> • Make a \$500,000 grant to Guam • Make a \$190,000 grant each to American Samoa and the Northern Mariana Islands <p><i>[Section 115(a)]</i></p> <p>The remainder shall be allocated to the Pacific Region Educational Laboratory to make grants for vocational education and training in Guam, American Samoa, Palau, Northern Mariana Islands, Micronesia, and Marshall Islands. <i>[Section 115(b)]</i></p>	<p>Secretary shall reserve 0.13 percent of the total federal appropriation for grants to outlying areas. <i>[Section 111(a)(1)(A)]</i></p> <p>From these funds, the Secretary shall:</p> <ul style="list-style-type: none"> • Make a \$660,000 grant to Guam • Make a \$350,000 grant each to American Samoa and the Northern Mariana Islands • Make a \$160,000 grant to Palau <p><i>[Section 115(a)]</i></p> <p>Same as previous law for first fiscal year, except that Micronesia and the Marshall Islands are no longer eligible. After that, grants will be made in equal proportion directly to Guam, American Samoa, and the Northern Mariana Islands. <i>[Section 115(b)]</i></p>

Topics

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Assistance to Outlying Areas, (cont'd)

Grants are to be used to provide direct vocational and technical educational services, including teacher and counselor training and retraining, curriculum development, and improving vocational and technical education and training programs in secondary schools and institutions of higher education, or improving cooperative education programs at the secondary and postsecondary levels. *[Section 115(b)]*

The Pacific Region Educational Laboratory may not use more than 5 percent of grant funds for administrative costs. *[Section 115(c)]*

No funds may be provided to the Marshall Islands, Micronesia, and Palau in FY 2002 and subsequent fiscal years. *[Section 115(d)]*

Same as previous law.

Same as previous law.

The Republic of Palau shall cease to be eligible to receive funding upon entering into an agreement for extension of U.S. educational assistance under the Compact of Free Association. *[Section 115(d)]*

Native American Programs

Secretary shall reserve 1.25 percent of the federal appropriation for Native American vocational and technical education programs. *[Section 111(a)(1)(B)]*

Secretary may make grants to, or enter into contracts with:

- Any Indian tribe or tribal organization eligible under the Indian Self-Determination Act or the Johnson-O'Malley Act
- Any Alaska Native entity eligible under the Alaska Native Claims Settlement Act

[Section 116(b)(1)]

No grants or contracts may be awarded to secondary school programs in BIA-funded schools. Such programs may receive assistance from an Indian tribe or tribal organization or Alaska Native entity that receives a grant or contract. *[Section 116(b)(1)]*

Any regulations relating to the application of the Indian Self-Determination Act and the Johnson-O'Malley Act to grants and contracts shall be promulgated through negotiated rule-making. *[Section 116(b)(5)(b)]*

This entire section remains the same as in previous law.

If sufficient funding is available, BIA shall expend for vocational education an amount equal to the amount made available under Perkins for Indian programs. In each fiscal year, BIA must expend not less than 100 percent of what it expended in the previous fiscal year to support vocational education, except that such funding may not be provided from accounts that support other Indian education programs. *[Section 116(b)(4)]*

The Secretary and Assistant Secretary of the Interior for Indian Affairs shall jointly prepare a plan for the expenditure of funds and evaluation of assisted programs. Program is administered by the Secretary of Education with assistance from BIA. *[Section 116(b)(4)]*

Those desiring grants under this section may apply individually or as part of a consortium. The organization, tribe or entity shall submit an application to the Secretary assuring compliance with grant requirements. *[Section 116(b)(6)]*

Grant funds may be used to provide reasonable stipends to students who are enrolled in vocational and technical education programs and who have acute economic needs that cannot be met through work-study programs. *[Section 116(c)(2)]*

The Secretary shall ensure that the grants and contracts awarded will improve vocational and technical education programs, and shall give special consideration to programs that involve or encourage tribal economic development plans, and applications from tribally controlled colleges or universities that are accredited or seeking accreditation, or that have accredited programs and issue certificates for completion of programs. *[Section 116(e)]*

Secretary may not impose any additional restrictions relating to programs or outcomes beyond those imposed on states under the Basic State Grant program. *[Section 116(e)]*

Recipients of funds may consolidate funds with funds received from related programs in accordance with the Indian Employment, Training, and Related Services Demonstration Act. *[Section 116(f)]*

Topics 1998 Perkins Act

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Native American Programs, (cont'd)

These grants shall not limit the eligibility of a tribe, organization, or entity to participate in activities offered under the Basic State Grant or to preclude or discourage agreements between organizations, tribes, or entities and states or other local programs receiving Perkins funding. *[Section 116(g)]*

Hawaiian Native Program

The Secretary shall reserve 0.25 percent of the federal appropriation to award grants to, or enter into contracts with, organizations primarily serving and representing Hawaiian Natives, which are recognized by the Governor of Hawaii. These grants can be used to plan, conduct and administer vocational and technical education programs consistent with the provisions or the Native American Programs section. *[Section 116(h)]*

The Secretary shall reserve 0.25 percent of the federal appropriation to award grants to, or enter into contracts with, community-based organizations primarily serving and representing Native Hawaiians, to plan, conduct and administer programs consistent with provisions of the Native American Programs section. *[Section 116(h)]*

Tribally Controlled Postsecondary Career and Technical Institutions—Authorization

Authorizes \$4 million for grants to tribally controlled postsecondary vocational and technical institutions in FY 99 and each of the four succeeding years to provide basic support for the education and training of Indian students. *[Section 117(a) and Section 117(i)]*

Authorizes appropriations for FY 2007–2012 to provide basic support for the education and training of Indian students in tribally controlled postsecondary CTE institutions. Institutions that receive assistance under the Tribally Controlled College or University Assistance Act or the Navajo Community College Act are not eligible for funds. *[Section 117(a) and (i)]*

Tribally Controlled Postsecondary Career and Technical Institutions—Eligibility

To be eligible for funds, an institution must be:

- Formally controlled, sanctioned or chartered by the governing body of an Indian tribe or tribes and offer technical degrees or certificate granting programs
- Governed by board of directors/trustees, a majority of whom are Indians
- Demonstrate adherence to goals, philosophy or plan of operation which fosters individual Indian economic and self-sufficiency opportunity, including programs which are appropriate to tribal goals of developing individual entrepreneurship and self-sustaining economic infrastructures on reservations

Same as previous law.

- In operation at least three years
- Accredited or candidate for accreditation
- Enroll 100 FTE, majority of whom are Indians
- Institution must be an institution of higher education as defined by Section 101 of HEA (excluding paragraph (2) of that Section)

[Section 3(28)]

Eligibility for assistance under this program shall not preclude an institution from receiving assistance under the Higher Education Act or any other program that benefits institutions of higher education or vocational education. [Section 117(f)(1)]

Funds must be used for vocational and technical education. [Section 117(b)]

Same as previous law, except as otherwise specified in subsection (a).

Funds must be used for CTE programs for Indian students and for the institutional support costs of the grant. [Section 117(b)]

**Tribally Controlled
Postsecondary
Career and Technical
Institutions—
Distribution of Funds**

Any institution desiring a grant under this section must submit an application to the Secretary at the time and manner specified by the Secretary. [Section 117(d)]

Same as previous law.

For each institution with an approved application, the Secretary shall provide an amount necessary to pay expenses associated with:

Same as previous law, except “institutional support of CTE” is added. [Section 117(e)(1)(D)]

- Maintenance and operation of the program, including costs of development, basic and special instruction, materials, boarding, transportation, student services, day care and family support programs for students and their families (including contributions to the costs of education for dependents); student costs and stipends; and administrative expenses
- Capital expenditures, including operations and maintenance and minor improvements and repair, and physical plant maintenance costs

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Tribally Controlled Postsecondary Career and Technical Institutions—Distribution of Funds, (cont'd)

- Repair, upkeep, replacement and upgrading of instructional equipment

[Section 117(e)(1)]

If federal appropriations are insufficient to pay the full amount to which all approved applicants are eligible to receive, the grant amount will be determined on the basis of each institution's Indian student count and prior grant amounts. [Section 117(c)]

The grant amount for currently funded applicants shall be equal to per capita payment received during previous year multiplied by Indian student count, plus an increase to the per capita payment resulting from inflationary costs beyond institution's control. [Section 117(c)]

Indian student count is the number of Indian students enrolled as of October 1. Credits toward a certificate earned during a summer term are included in student count in the succeeding fall term. Credits earned toward secondary/GED degree may not be counted. Continuing education credit hours shall be included in the student count. [Section 117(h)(2)]

Each institution receiving a grant shall provide an annual report to the Secretary detailing the institution's operating and maintenance expenses. [Section 117(e)(2)]

Tribally Controlled Postsecondary Career and Technical Institutions—Needs Assessment

The Secretary is required to prepare an actual budget needs estimate for all eligible institutions and submit the estimate to Congress to be considered during the appropriations process. [Section 117(g)(1)]

Same as previous law.

Same as previous law, except that restricted indirect costs rates are not required for grants. [Section 117(c)(3)]

Indian student count is determined by enrollments in the third week of the fall or summer term, and by dividing the total number of credits earned by 12. Credits earned in the summer term shall be counted in the succeeding fall term. Continuing education credit hours shall be included in student count, but credits earned toward a secondary education degree shall not be included. [Section 117(h)(2)(b)]

Same as previous law.

A complaint resolution procedure must be established by the Secretary in consultation with tribally controlled postsecondary CTE institutions for grant determinations and calculations. [Section 117(g)]

Needs estimate and report on facilities, training and housing needs is eliminated.

<p>A detailed study of housing, training equipment, and immediate facilities needs of each eligible institution must be conducted by the Secretary by July 1, 2000, and reported to Congress. <i>[Section 117(g)(2)]</i></p> <p>A long-term study of facilities, equipment and housing needs with five-year projections must also be conducted by the Secretary and reported to Congress 18 months after the law is enacted. <i>[Section 117(g)(3)]</i></p>	<p>Authorization is for such sums as necessary for each of years FY 2007 through FY 2012. <i>[Section 118(f)]</i></p>
<p>Occupational and Employment Information—National Authorization</p> <p>Funding for this program is provided through a separate authorization. Authorization is such sums as may be necessary for FY 1999 – FY 2003. <i>[Section 118(f)]</i></p> <p>In consultation with appropriate federal agencies, the Secretary is authorized to provide assistance to an entity to:</p> <ul style="list-style-type: none"> • Provide technical assistance to states to enable them to carry out activities under this section • Disseminate information that promotes the replication of high-quality practices • Develop and disseminate products and services • Award grants to states to carry out activities authorized under this section <p><i>[Section 118(a)]</i></p> <p>No more than 15 percent of the federal appropriation can be used to carry out these activities. <i>[Section 118(d)(1)]</i></p> <p>The Secretary shall report annually to Congress on assisted activities and functions. <i>[Section 118(e)]</i></p>	<p>Same as previous law.</p>
<p>Occupational and Employment Information—State Activities</p> <p>To receive a grant, the eligible agency and the Governor of a state shall jointly designate a state entity to carry out state level activities. <i>[Section 118(b)]</i></p>	<p>Same as previous law.</p>

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Topics

Occupational
and Employment
Information—State
Activities, (cont'd)

The jointly designated state agency shall submit an application to the Secretary at the same time the state submits its plan for Basic State Grant activities. At a minimum, the application should describe how the jointly designated entity will provide information based on trends provided pursuant to Section 15 of the Wagner-Peyser Act to inform program development, and may require other information as reasonably determined by the Secretary. *[Section 118(b)]*

State Level Activities:

Provide support for a career guidance and academic counseling program designed to promote improved career and education decision-making by individuals, especially in areas of career information delivery and use. *[Section 118(b)(1)]*

Provide support for career guidance and academic counseling programs designed to promote improved career and education decision-making by students (and parents, as appropriate) regarding education (including postsecondary education) and training options and preparations for high-skill, high-wage or high-demand occupations, and nontraditional fields. *[Section 118(c)(1)]*

Make available to students, parents, teachers, administrators and counselors, and to improve accessibility with respect to information and planning resources that relate educational preparation to career goals and expectations. *[Section 118(b)(2)]*

Make available to students, parents, teachers, administrators, faculty and career guidance and academic counselors, and to improve accessibility to information and planning resources that relate academic and career and technical educational preparation to career goals and expectations. *[Section 118(c)(2)]*

Equip teachers, administrators and counselors with the knowledge and skills needed to assist students and parents with career exploration, educational opportunities, and education financing. *[Section 118(b)(3)]*

Provide academic and CTE teachers, faculty, administrators and career guidance and academic counselors with the knowledge, skills and occupational information needed to assist parents and students, especially special populations, with career exploration, educational opportunities, education financing, and exposure to high-skill, high-wage or high-demand occupations and nontraditional fields, including occupations and fields requiring a baccalaureate degree. *[Section 118(c)(3)]*

Assist appropriate state entities in tailoring career-related educational resources and training for use by such entities. *[Section 118(b)(4)]*

Assist appropriate state entities in tailoring career-related educational resources and training for use by such entities, including information on high-skill, high-wage or high-demand occupations in current or emerging professions and on career ladder information. *[Section 118(c)(4)]*

<p>Improve coordination in use of program and employment data among Perkins and employment service program administrators at federal, state, and local levels to ensure nonduplication of efforts and the appropriate use of shared information and data. <i>[Section 118(b)(5)]</i></p> <p>Provide ongoing means for customers, such as students and parents, to provide comments and feedback on products and services and to update resources, as appropriate, to better meet customer requirements. <i>[Section 118(b)(6)]</i></p>	<p>Same as previous law.</p> <p>Same as previous law.</p> <p>Provide readily available occupational information such as information relative to employment sectors, information on occupation supply and demand, and other information provided pursuant to Section 15 of the Wagner-Peyser Act as is considered relevant. <i>[Section 118(c)(7)]</i></p> <p>Same as previous law.</p> <p>Same as previous law.</p>
<p>At least 85 percent of the federal allocation must be distributed to designated state entities for these activities. <i>[Section 118(d)(2)]</i></p> <p>The state entity may use funds to supplement Wagner-Peyser Section 15 activities only to the extent that such activities do not duplicate activities assisted under Section 15. None of the assisted functions and activities may duplicate functions and activities assisted under the Workforce Investment Act. <i>[Section 118(c)]</i></p>	<p>Same as previous law.</p> <p>Same as previous law.</p>
<p>Eligible State Agency</p> <p>“Eligible agency” means a state board designated or created consistent with state law as the sole state agency responsible for the administration or supervision of the administration of the state vocational and technical education program. <i>[Section 3(10)]</i></p>	<p>Same as previous law.</p>
<p>Role of State Agency</p> <p>The eligible agency develops and implements the state plan; evaluates activities; consults with interested parties on the planning, administration and evaluation of programs; distributes funds; and coordinates activities with the state workforce development board. <i>[Section 121(a)]</i></p>	<p>Same as previous law.</p>

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**State Plan—
Duration and Date of
Submission**

Five-year plan, with annual revisions as necessary. After second year of plan, state shall review activities assisted under Part B and submit any necessary revisions to the plan. The date of submission is determined by the Secretary. *[Section 122(a)]*

A six-year plan must be submitted, except that a transition plan may be submitted during the first fiscal year after the law's enactment. *[Section 122(a)(1)]*

**State Plan—
Development**

In developing the state plan, the state is required to conduct public hearings to permit members of the public and interested groups, including employers, labor organizations, and parents, to present their views and make recommendations on the state plan. A summary of recommendations and the board's response must be included in state plan. *[Section 122(a)(3)]*

Charter school authorizers and organizers, students and community organizations are added to the groups that should be included in public hearings. *[Section 122(a)(3)]*

The state shall develop its plan in consultation with teachers, eligible recipients, parents, students, interested community members, representatives of special populations, representatives of business and industry, representatives of labor organizations in the state, and the state's Governor. *[Section 122(b)(1)]*

The state plan shall be developed in consultation with academic and CTE teachers, faculty and administrators; career guidance and academic counselors; eligible recipients; charter school authorizers and organizers; parents and students; institutions of higher education; the state Tech Prep coordinator and representatives of Tech Prep consortia (if applicable); entities participating in state workforce investment boards; interested community members (including parent and community organizations); representatives of special populations; representatives of business and industry (including small business); representatives of labor organizations in the state, and the state's Governor. *[Section 122(b)(1)]*

The state must develop "effective activities and procedures" to enable these publics to participate in state and local decision-making related to plan. *[Section 122(b)(2)]*

Same as previous law.

The eligible agency shall consult with the state agency responsible for community colleges and the state agency responsible for secondary education on the development of the plan. Any agency objections and comments, as well as board response, must be included in the state plan. *[Section 122(e)(3)]*

Same as previous law.

State Plan Contents

The state plan shall include information that:

The state plan shall include information that:

Describes the vocational and technical education activities to be assisted under Perkins that are designed to meet or exceed the state adjusted levels of performance, including a description of—

- Secondary and postsecondary programs to be carried out, including programs to develop, improve and expand access to quality, state-of-the-art technology in vocational and technical education programs. *[Section 122(c)(1)(A)]*
- The criteria used in approving applications for funds from eligible recipients. *[Section 122(c)(1)(B)]*
- How programs will prepare students for postsecondary education opportunities or entry into high-skill, high-wage jobs in current and emerging occupations. *[Section 122(c)(1)(C)]*
- How funds will be used to improve or develop new courses. *[Section 122(c)(1)(D)]*

Describes the CTE activities to be assisted under Perkins that are designed to meet or exceed the state adjusted levels of performance, including a description of—

- The career and technical programs of study, which may be adopted by local educational agencies and postsecondary institutions to be offered as an option to students (and their parents as appropriate) when planning for and completing future coursework, for career and technical content areas that—
 - » Incorporate secondary education and postsecondary education elements;
 - » Include coherent and rigorous content aligned with challenging academic standards and relevant career and technical content in a coordinated, nonduplicative progression of courses that align secondary and postsecondary education to adequately prepare students to succeed in postsecondary education;
 - » May include the opportunity for secondary students to participate in dual or concurrent enrollment programs or acquire postsecondary credit in other ways;
 - » Lead to an industry-recognized credential or certificate at the postsecondary level, or an associate or baccalaureate degree.

[Section 122(c)(1)(A)]

- How the eligible agency, in consultation with eligible recipients, will develop and implement the career and technical programs of study. *[Section 122(c)(1)(B)]*
- How the eligible agency will support eligible recipients in developing and implementing articulation agreements between secondary and postsecondary education institutions. *[Section 122(c)(1)(C)]*

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Topics

State Plan Contents, (cont'd)

- How the eligible agency will make available information about career and technical programs of study offered by eligible recipients. *[Section 122(c)(1)(D)]*
- Secondary and postsecondary programs to be carried out, including programs to develop, improve and expand access to appropriate technology in CTE programs. *[Section 122(c)(1)(E)]*
- The criteria used in approving applications for funds from eligible recipients, including criteria to assess the extent to which the local plan will promote continuous improvement in academic achievement and technical skill attainment and address current or emerging occupational opportunities. *[Section 122(c)(1)(F)]*
- How secondary programs will prepare CTE students, including special populations, to graduate with a diploma. *[Section 122(c)(1)(G)]*
- How programs will prepare students, including special populations, academically and technically, for postsecondary education opportunities or entry into high-skill, high-wage or high-demand occupations in current and emerging occupations, and how participating students will be made aware of such opportunities *[Section 122(c)(1)(H)]*
- How funds will be used to improve or develop new CTE courses at the secondary level that are aligned with rigorous and challenging academic content and achievement standards, at the postsecondary level that are relevant and challenging, and that lead to employment in high-skill, high-wage or high-demand occupations. *[Section 122(c)(1)(I)]*
- How the communication of best practices will be facilitated and coordinated among successful Tech Prep programs and eligible recipients to improve program quality and student achievement. *[Section 122(c)(1)(J)]*

- How funds will be used to link secondary and postsecondary academic and career and technical education in a way that increases achievement. *[Section 122(c)(1)(K)]*
- How the state will report the integration of coherent and rigorous content aligned with challenging academic standards in CTE programs in order to adequately evaluate the extent of such integration. *[Section 122(c)(1)(L)]*

Describes how comprehensive professional development (including initial teacher preparation) for vocational and technical, academic, guidance and administrative personnel will be provided. *[Section 122(c)(2)]*

Describes how comprehensive professional development (including initial teacher preparation and activities that support recruitment) for CTE teachers, faculty, administrators, and career guidance and academic counselors will be provided, especially that:

- Promotes integration of coherent and rigorous academic content standards and CTE curricula, including through opportunities for the appropriate academic and CTE teachers to jointly develop and implement curricula and pedagogical strategies, as appropriate. *[Section 122(c)(2)(A)]*
- Increases the percentage of teachers that meet teacher certification or licensing requirements. *[Section 122(c)(2)(B)]*
- Is high quality, sustained, intensive and focused on instruction, and increases the academic knowledge and understanding of industry standards, as appropriate, of CTE teachers. *[Section 122(c)(2)(C)]*
- Encourages applied learning that contributes to academic and career and technical knowledge of the student. *[Section 122(c)(2)(D)]*
- Provides the knowledge and skills needed to work with and improve instruction for special populations. *[Section 122(c)(2)(E)]*
- Assists in accessing and utilizing data, including occupational and employment information, and student achievement and assessment data. *[Section 122(c)(2)(F)]*
- Promotes integration with activities that the state carries out under Title II of ESEA and Title II of HEA. *[Section 122(c)(1)(G)]*

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**State Plan Contents,
(cont'd)**

Describes how the state will actively involve parents, teachers, businesses and labor organizations in planning, development, implementation and evaluation of local programs. *[Section 122(c)(3)]*

Describes how funds will be allocated among secondary, postsecondary and adult programs, and consortia among secondary schools and postsecondary institutions, including the rationale for such allocations. *[Section 122(c)(4)]*

Describes how the state will:

- Improve the academic and technical skills of participating students, including through integration of academic and vocational education, and provide students with strong experience in, and understanding of, all aspects of an industry. *[Section 122(c)(5)(A)]*
- Ensure that participating students are taught to the same challenging academic proficiencies as other students. *[Section 122(c)(5)(B)]*

Describes how the state will annually evaluate the effectiveness of local programs and how, to the extent practicable, the state is coordinating local programs with other federal programs to ensure nonduplication. *[Section 122(c)(6)]*

Describes program strategies for special populations. *[Section 122(c)(7)]*

Describes how special populations will be provided with equal access to Perkins activities, not discriminated against, and provided with programs designed to enable attainment of state performance levels and prepare for further learning and high-skill, high-wage careers. *[Section 122(c)(8)]*

Describes how the state will actively involve parents, academic and CTE teachers, administrators, faculty, career guidance and academic counselors, business, and labor organizations in planning, development, implementation and evaluation of local programs. *[Section 122(c)(5)]*

Same as previous law.

Describes how the state will:

- Improve the academic and technical skills of participating students, including through integration of academic with CTE to ensure learning in the core academic subjects and CTE subjects. *[Section 122(c)(7)(A)]*
- Provide students with strong experience in, and understanding of, all aspects of an industry. *[Section 122(c)(7)(B)]*
- Ensure that participating students are taught to the same challenging academic proficiencies as other students. *[Section 122(c)(7)(C)]*

Same as previous law.

Eliminated and incorporated into other elements.

Describes program strategies for special populations, including a description of how special populations—

- Will be provided with equal access to activities. *[Section 122(c)(9)(A)]*
- Will not be discriminated against. *[Section 122(c)(9)(B)]*

- Will be provided with programs designed to enable them to meet or exceed state performance levels, and prepare for further learning and for high-skill, high-wage or high-demand occupations. *[Section 122(c)(9)(C)]*

Describes—

- The state's efforts to ensure eligible recipients are given an opportunity to provide input in determining the state adjusted levels of performance. *[Section 122(c)(10)(A)]*
- How the state, in consultation with eligible recipients, will develop a process for the negotiation of local adjusted levels of performance. *[Section 122(c)(10)(B)]*

Same as previous law.

Same as previous law.

Same as previous law, also adds content from previous law Section 122(c)(20).

Same as previous law.

Same as previous law.

Same as previous law.

Same as previous law.

Describes steps the state will take to involve representatives of local programs in the development of state adjusted levels of performance. *[Section 122(c)(9)]*

Assures the state will comply with requirements of the Title and the provisions of the state plan, including an audit of funds received (which may be included as part of audit of other federal or state programs). *[Section 122(c)(10)]*

Assures that no funds will be used to acquire equipment/software that results in direct financial benefit to any organization representing the interests of the purchasing entity or its employees or affiliates. *[Section 122(c)(11)]*

Describes how the state will report data relating to students participating in vocational and technical education in order to adequately measure student progress, including special populations. *[Section 122(c)(12)]*

Describes how the state will adequately address the needs of students in alternative education programs, if appropriate. *[Section 122(c)(13)]*

Describes how the state will provide local programs with technical assistance. *[Section 122(c)(14)]*

Describes how vocational and technical education relates to state and regional occupational opportunities. *[Section 122(c)(15)]*

Describes methods proposed for joint planning and coordination with other federal education programs. *[Section 122(c)(16)]*

Topics

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State Plan Contents, (cont'd)

Describes how funds will be used to promote preparation for nontraditional training employment. *[Section 122(c)(17)]*

Describes how funds will be used to serve individuals in state correctional institutions. *[Section 122(c)(18)]*

Describes how funds will be used to effectively link secondary and postsecondary education. *[Section 122(c)(19)]*

Describes how the state will ensure locally-reported data and data reported to the Secretary are complete, accurate and reliable. *[Section 122(c)(20)]*

Describes the involvement of students in postsecondary institutions and school dropout programs in the Workforce Investment Act one-stop delivery system. *[Section 122(c)(21)]*

Describes how funds will be used to promote preparation for high-skill, high-wage or high-demand occupations and non-traditional fields. *[Section 122(c)(18)]*

Same as previous law.

Incorporated earlier as Section 122(c)(1)(K).

Incorporated earlier into Section 122(c)(13).

Same as previous law.

New Content Requirements:

Describe efforts to improve the recruitment and retention of CTE teachers, faculty, and career guidance and academic counselors, including underrepresented groups, and the transition to teaching from business and industry, including small business. *[Section 122(c)(3)]*

Describe effort to facilitate the transition of subbaccalaureate CTE students into baccalaureate degree programs. *[Section 122(c)(4)]*

Plan Submission

The state may submit a unified plan under Section 501 of the Workforce Investment Act in lieu of a separate Perkins state plan. Contents of the unified plan relating to the Perkins Act must meet all of the requirements of the Act. *[Section 122(d), Workforce Investment Act Section 501]*

Same as previous law.

A state that does not choose to consolidate Tech Prep and Basic State Grant funds under Section 202 must submit a single state plan for Tech Prep and Basic State Grant activities. In such case, the state may allow local recipients to submit a single local plan. *[Section 122(d)(1)]*

**Accountability—
State Program
Improvement and
Sanctions**

If a state fails to meet agreed upon levels of performance, the state shall develop and implement a program improvement plan in consultation with various groups for the first program year succeeding the program year in which the state failed to meet the levels of performance. [Section 123(a)]

The Secretary will work with the states to implement improvement activities. [Section 123(d)(1)]

After providing notice and an opportunity for a hearing, the Secretary may withhold all or a portion of the state's allotment if:

- The state fails to meet the agreed upon levels of performance and has not implemented an improvement plan or has shown no improvement within one year of implementing an improvement plan

OR

- The state has failed to meet the agreed upon levels of performance for two or more consecutive years

[Section 123(d)(2)]

Sanctions may be waived due to exceptional or uncontrollable circumstances. [Section 123(d)(2)]

The Secretary shall use withheld funds to support services and activities within the state through alternative arrangements. If the Secretary cannot satisfactorily use withheld funds, funds may be redistributed by formula to other states. [Section 123(d)(3)]

**Accountability—
Local Performance
Evaluation and Program
Improvement**

The state shall annually evaluate the performance of each local recipient of funds in meeting the agreed upon state levels of performance. [Section 123(b)]

If a state fails to meet at least 90 percent of an agreed upon state adjusted level of performance for any of the core indicators, the state shall develop and implement a program improvement plan in consultation with various groups (with special consideration to performance gaps between sub-groups) during the first program year succeeding the program year for which the state failed to meet the performance level. [Section 123(a)(1)]

Same as previous law.

After providing notice and opportunity for a hearing, the Secretary may withhold all or a portion of the state's administrative and leadership funds if:

- The state fails to implement an improvement plan.
- The state fails to make any improvement in meeting performance levels within the first program year of implementation of the improvement plan.
- The state fails to meet at least 90 percent of an agreed upon state adjusted level of performance for three consecutive years.

[Section 123(a)(3)(A)]

Same as previous law.

The Secretary shall use withheld funds to provide the state with technical assistance, to assist in the development of an improved state improvement plan, or for other improvement activities consistent with Perkins requirements. [Section 123(a)(4)]

Same as previous law, except eligible agencies shall use the local adjusted performance levels instead of state adjusted levels to evaluate performance. [Section 123(b)(1)]

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**Accountability—
Local Performance
Evaluation and
Program Improvement,
(cont'd)**

If the state determines the local recipient of funds is not making substantial progress in achieving the state levels of performance, the state shall:

- Conduct an assessment of the educational needs that the recipient shall address to overcome performance deficiencies. *[Section 123(c)(1)(A)]*
- Enter into an improvement plan that includes instructional and other programmatic innovations of demonstrated effectiveness, and where necessary, strategies for appropriate staffing and staff development. *[Section 123(c)(1)(B)]*
- Conduct regular evaluations of the recipient's progress toward reaching state performance levels. *[Section 123(c)(1)(C)]*

The state shall conduct these activities in consultation with teachers, parents, other school staff, appropriate agencies, and other individuals and organizations. *[Section 123(c)(2)]*

A new subsection is added establishing sanctions for local programs.

If a local recipient fails to meet at least 90 percent of an agreed upon local adjusted level of performance for any of the core indicators, the local recipient shall develop and implement a program improvement plan in consultation with various groups (with special consideration to performance gaps between subgroups) during the first program year succeeding the program year for which the local recipient failed to meet the performance level. *[Section 123(b)(2)]*

The state will work with the local recipient to implement improvement activities. *[Section 123(b)(3)]*

After providing notice and opportunity for a hearing, the state may withhold all or a portion of a local recipient's funding if:

- The recipient fails to implement an improvement plan.
- The recipient fails to make any improvement in meeting performance levels within the first program year of implementation of the improvement plan.
- The recipient fails to meet at least 90 percent of an agreed upon state adjusted level of performance for three consecutive years.

[Section 123(b)(4)(A)]

Sanctions may be waived due to exceptional or uncontrollable circumstances, or based on the impact of the small size of CTE programs offered by the local recipient. *[Section 123(b)(4)(B)]*

The state shall use withheld funds to provide (through alternative arrangements) services and activities to students within the area served by the local recipient in order to meet the purposes of the Act. *[Section 123(b)(5)]*

**State Uses of Funds—
Required State
Leadership Activities**

Each eligible agency must conduct the following leadership activities:

An assessment of the vocational and technical education programs carried out with funds under this title that includes an assessment of how the needs of special populations are being met and how such programs are designed to enable special populations to meet state adjusted levels of performance and prepare for further learning or for high-skill, high-wage careers. *[Section 124(b)(1)]*

Developing, improving or expanding the use of technology in vocational and technical education that may include—

- Training of vocational and technical education personnel to use state-of-the-art technology, including distance learning.
- Providing vocational and technical education students with the academic and vocational and technical skills that lead to entry into the high technology and telecommunications fields.
- Encouraging schools to work with high technology industries to offer voluntary internships and mentoring programs.

[Section 124(b)(2)]

Professional development programs, including providing comprehensive professional development (including initial teacher preparation) for vocational and technical, academic, guidance and administrative personnel, that—

- Will provide inservice and preservice training in state-of-the-art vocational and technical education programs and techniques; effective teaching skills based on research, and effective practices to improve parental and community involvement

Each eligible agency must conduct the following leadership activities:

An assessment of the CTE programs carried out with funds under this title that includes an assessment of how the needs of special populations are being met and how CTE programs are designed to enable special populations to meet state adjusted levels of performance and prepare for further education, further training, or for high-skill, high-wage or high-demand occupations. *[Section 124(b)(1)]*

Developing, improving or expanding the use of technology in career and technical education that may include—

- Training of CTE teachers, faculty, career guidance and academic counselors, and administrators to use technology, including distance learning.
- Providing CTE students with the academic and career and technical skills (including the mathematics and science knowledge that provides a strong basis for such skills) that lead to entry into technology fields, including nontraditional fields.
- Encouraging schools to collaborate with technology industries to offer voluntary internships and mentoring programs.

[Section 124(b)(2)]

Professional development programs, including providing comprehensive professional development (including initial teacher preparation) for CTE teachers, faculty, administrators, and career guidance and academic counselors at the secondary and postsecondary levels, that support activities described in the state plan and—

- Provide inservice and preservice training in CTE programs
 - » on effective integration and use of challenging academic and career and technical education provided jointly with academic teachers to the extent practicable;

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State Uses of Funds— Required State Leadership Activities, (cont'd)

- Will help teachers and personnel to assist students in meeting the state adjusted levels of performance established under Section 113 (Accountability)
- Will support education programs for vocational and technical education teachers in public schools and other public school personnel who are involved in the direct delivery of educational services to vocational and technical students to ensure that such teachers stay current with the needs, expectations and methods of industry
- Is integrated with the professional development activities that the state carries out under Title II of ESEA

[Section 124(b)(3)]

2006 Perkins Act

- » on effective teaching skills based on research that includes promising practices;
- » on effective practices to improve parental and community involvement; and
- » on effective use of scientifically based research and data to improve instruction.
- Are high quality, sustained, intensive, and classroom focused in order to have a positive and lasting impact on classroom instruction and the teachers performance in the classroom, and are not one-day or short-term workshops or conferences.
- Will help teachers and personnel improve student achievement in order to meet the state adjusted levels of performance.
- Will support education programs for CTE teachers and other public school personnel who are involved in the direct delivery of educational services to CTE students to ensure that teachers and personnel—
 - » stay current with the needs, expectations and methods of industry;
 - » can effectively develop rigorous and challenging integrated academic and CTE curriculum jointly with academic teachers, to the extent practicable;
 - » develop a higher level of academic and industry knowledge and skills in CTE; and
 - » effectively use applied learning that contributes to the academic and career and technical knowledge of the student.

- Are coordinated with the teacher certification or licensing and professional development activities that the state carries out under Title II of ESEA and Title II of HEA.

[Section 124(b)(3)]

Same as previous law, but emphasizes coherent and relevant content aligned with challenging academic standards and defines core academic subjects as in ESEA. [Section 124(b)(4)]

Providing preparation for nontraditional fields in current and emerging professions, and other activities that expose students, including special populations, to high-skill, high-wage occupations. [Section 124(b)(5)]

Supported partnerships must also enable students to complete career and technical programs of study. [Section 124(b)(6)]

Same as previous law.

Support for programs for special populations that lead to high-skill, high-wage or high-demand occupations. [Section 124(b)(8)]

Technical assistance for eligible recipients is added as a required use of state funds (rather than a permissible use as in previous law.) [Section 124(b)(9)]

Leadership activities may include:

Technical assistance is made a required use of funds.

Support for vocational and technical education programs that improve the academic, and vocational and technical skills of students participating in the programs by strengthening the academic and vocational and technical components of such programs through the integration of academics with vocational and technical education to ensure learning in the core academic and vocational and technical subjects. [Section 124(b)(4)]

Providing preparation for nontraditional training and employment. [Section 124(b)(5)]

Supporting partnerships among LEA's, institutions of higher education, adult education providers, and, as appropriate, other entities such as employers, labor organizations, parents, and local partnerships, to enable students to achieve state academic standards and vocational and technical skills. [Section 124(b)(6)]

Serving individuals in state institutions, such as state correctional institutions and those that serve individuals with disabilities. [Section 124(b)(7)]

Support for programs for special populations that lead to high-skill, high-wage careers [Section 124(b)(8)]

Leadership activities may include:

Technical assistance for eligible recipients. [Section 124(c)(1)]

**State Uses of Funds—
Permissible Uses**

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**State Uses of Funds—
Permissible Uses,
(cont'd)**

Improvement of career guidance and academic counseling programs that assist students in making informed academic and vocational and technical education decisions. *[Section 124(c)(2)]*

Establishment of agreements between secondary and postsecondary vocational and technical education programs in order to provide postsecondary education and training opportunities for students participating in vocational and technical education programs, such as Tech Prep programs. *[Section 124(c)(3)]*

Support for cooperative education. *[Section 124(c)(4)]*

Support for VSOs, especially with respect to efforts to increase the participation of students who are members of special populations. *[Section 124(c)(5)]*

Support for public charter schools operating secondary vocational and technical education programs. *[Section 124(c)(6)]*

Support for vocational and technical education programs that offer experience in, and understanding of, all aspects of an industry for which students are preparing to enter. *[Section 124(c)(7)]*

Support for family and consumer sciences programs. *[Section 124(c)(8)]*

Support for education and business partnerships. *[Section 124(c)(9)]*

Support to improve or develop new vocational and technical education courses. *[Section 124(c)(10)]*

Same as previous law, but adds that programs should encourage secondary and postsecondary students to graduate with a diploma or degree, and expose students to high-skill, high-wage occupations and nontraditional fields. *[Section 124(c)(1)]*

Same as previous law, but specifically mentions “articulation agreements” as an example. *[Section 124(c)(2)]*

Incorporated into Section 124(c)(8).

Same as previous law.

Same as previous law.

Same as previous law.

Same as previous law.

Support for partnerships between education and business or intermediaries, including cooperative education and adjunct faculty arrangements at the secondary and postsecondary levels. *[Section 124(c)(8)]*

Support to improve or develop new CTE courses and initiatives, including career clusters, career academies, and distance education, that prepare individuals academically and technically for high-skill, high-wage or high-demand occupations. *[Section 124(c)(9)]*

Providing vocational and technical education programs for adults and school dropouts to complete their secondary school education. *[Section 124(c)(11)]*

Providing assistance to students who have participated in services and activities under this Title in finding an appropriate job and continuing their education. *[Section 124(c)(12)]*

Same as previous law, but specifies that the assistance should be coordinated, to the extent practicable, with activities under the Adult Education and Family Literacy Act. *[Section 124(c)(12)]*

Same as previous law, and provides the example of referring students to the one-stop system established under the Workforce Investment Act. *[Section 124(c)(13)]*

NEW PERMISSIBLE USES OF FUNDS:

Support for initiatives to facilitate the transition of subbaccalaureate CTE students into baccalaureate degree programs, including—

- Statewide articulation agreements between subbaccalaureate degree granting career and technical postsecondary educational institutions and baccalaureate degree granting institutions
- Postsecondary dual and concurrent enrollment programs;
- Academic and financial aid counseling; and
- Other initiatives to overcome barriers to participation in baccalaureate degree programs, including geographic and other barriers affecting rural students and special populations.

[Section 124(c)(3)]

Awarding incentive grants to local recipients for exemplary performance in carrying out programs under this Act, which awards shall be based on—

- Exceeding the local adjusted levels of performance in a manner that reflects sustained or significant improvement.
- Effectively developing connections between secondary and postsecondary education and training.
- Adoption and integration of coherent and rigorous content aligned with challenging academic standards and technical coursework.

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Topics

**State Uses of Funds—
Permissible Uses,
(cont'd)**

- An eligible recipient's progress in having special populations participating in CTE programs meet local adjusted performance levels.
 - Other performance factors as the state determines appropriate.
- Or, if a local recipient elects to use funds as permitted under Section 135(c)(19), pooling for innovative programs.

[Section 124(c)(10)]

Providing for activities to support entrepreneurship education and training. *[Section 124(c)(11)]*

Developing valid and reliable assessments of technical skills. *[Section 124(c)(14)]*

Developing and enhancing data systems to collect and analyze data on secondary and postsecondary academic and employment outcomes. *[Section 124(c)(15)]*

Improving the recruitment and retention of CTE teachers, faculty, administrators, and career guidance and academic counselors, including individuals in groups underrepresented in the teaching profession; and the transition to teaching from business and industry, including small business. *[Section 124(c)(16)]*

Support for occupational and employment information resources, such as those described in Section 118. *[Section 124(c)(17)]*

**Within-State Formula—
Allocation Between
Secondary/
Postsecondary**

State determines allocation of basic grant funds between LEAs and postsecondary institutions. *[Section 112(a)(1), Section 122(c)(4)(A)]*

Same as previous law

**Within-State Secondary
Formula**

In FY 99, secondary funds are distributed by the state based on Title I (70 percent), IDEA (20 percent), and the number of students enrolled in LEAs and adults enrolled in training programs (10 percent). *[Section 131(a)]*

Provision is no longer needed.

In FY 2000 and each of the succeeding FYs, secondary funds are distributed by the state based on youth population (ages 15 through 19) within the LEA (30 percent) and low-income youth population within the LEA (70 percent). *[Section 131(b)]*

Under the 1998 Perkins Act, data was never available for the 15- to 19-year-old population. Therefore states received a waiver to distribute funds based on the 5- to 17-year-old population. The 2006 Act updates the language in statute to require funds to be distributed based on 5- to 17-year-olds. This population must be determined by the Census report determining eligibility under Title I of ESEA, or from student membership data collected by the National Center for Education Statistics. Data on the number of these youth in families below the poverty line should be obtained from Section 1124(c)(1)(A) of ESEA. Data shall be adjusted to reflect any change in school district boundaries that occurred since the data were collected, and to include LEAs without geographic boundaries, such as charter schools and BIA funded schools. *[Section 131(a)]*

The state may allocate funds using an alternative formula that more effectively targets funds on the basis of poverty, if waiver is approved by the Secretary. *[Section 131(c)]*

Same as previous law.

Minimum award of \$15,000. LEAs may enter into consortia for the purposes of meeting the minimum allocation. The state shall waive the minimum allocation rule if the LEA:

Same as previous law.

- Is located in a rural, sparsely-populated area; OR
- Is a public charter school that operates a secondary vocational and technical education program

AND

- Demonstrates it is unable to enter into a consortium

[Section 131(d)]

**Within-State Formula—
Area CTE Schools and
Intermediate Agencies**

Area vocational schools and intermediate educational agencies shall be eligible to receive secondary school funds if the school or agency has entered into a consortium or cooperative agreement with the LEA concerned. *[Section 131(f)]*

Same as previous law.

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Within-State Formula— Area CTE Schools and Intermediate Agencies

Funding allocation is based on each school's/agency's relative share of students who are attending vocational and technical education programs (based on average three-year enrollment). *[Section 131(ff)]*

Same as previous law.

Within-State Formula— Postsecondary

Postsecondary funds are distributed by the state to eligible institutions or consortia based on the number of Pell Grant and BIA-assistance recipients enrolled in vocational and technical education programs. *[Section 135(a)]*

Same as previous law.

If approved by the Secretary, an alternative formula is allowed by waiver if the specified formula does not adequately target resources to areas with the highest numbers of economically disadvantaged individuals, and the alternative will result in such a distribution. *[Section 132(b)]*

Same as previous law.

Minimum grant award of \$50,000 to institutions or consortia of institutions. *[Section 132(c)]*

Same as previous law.

Contents of Local Plan

Each local plan shall:

Each local plan shall:

Describe how the required vocational and technical program elements will be carried out with Perkins funds. *[Section 134(b)(1)]*

Same as previous law.

Describe how programs will be carried out with respect to meeting state adjusted levels of performance. *[Section 134(b)(2)]*

Same as previous law, except meeting local performance levels is added. *[Section 134(b)(2)]*

Describe how the eligible recipient will:

Describe how the eligible recipient will:

- Offer the appropriate courses of not less than one of the career and technical programs of study described in the state plan.

- Improve academic and technical skills of students in vocational and technical education by integrating academics with vocational and technical education programs through a coherent sequence of courses to ensure learning in core academic and vocational and technical subjects.
- Provide students with strong experience in, and understanding of, all aspects of an industry.
- Ensure students participating in vocational and technical education are taught to the same challenging academic proficiencies as all other students.

[Section 134(b)(3)]

Describe how parents, students, teachers, representatives of business and industry, labor organizations, representatives of special populations, and other interested individuals are involved in development, implementation and evaluation of Perkins programs, and how such individuals and entities are informed about and assisted in understanding the requirements of Perkins. [Section 134(b)(4)]

Assure that the program is such size, scope and quality to improve the quality of vocational and technical education. [Section 134(b)(5)]

Describe the process that will be used to independently evaluate and improve local program performance. [Section 134(b)(6)]

- Improve academic and technical skills of CTE students by integrating coherent and rigorous content aligned with challenging academic standards and relevant CTE programs to ensure learning in core academic subjects (as defined by ESEA) and CTE subjects.
- Provide students with strong experience in, and understanding of, all aspects of an industry.
- Ensure students participating in CTE are taught to the same coherent and rigorous content aligned with challenging academic standards as all other students.
- Encourage CTE students at the secondary level to enroll in rigorous and challenging courses in core academic subjects (as defined by ESEA).

[Section 134(b)(3)]

Describe how parents, students, academic and CTE teachers, faculty, administrators, career guidance and academic counselors, representatives of Tech Prep consortia (if applicable), representatives of entities participating in state workforce investment boards (if applicable), representatives of business (including small business) and industry, labor organizations, representatives of special populations, and other interested individuals are involved in development, implementation and evaluation of programs supported by Perkins, and how such individuals and entities are informed about and assisted in understanding the requirements of Perkins, including career and technical programs of study. [Section 134(b)(5)]

Same as previous law.

Same as previous law, except evaluation no longer has to be independent. [Section 134(b)(7)]

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Topics

Contents of Local Plan, (cont'd)

Describe the process for reviewing programs and identifying and adopting strategies to overcome barriers that lower special populations' rates of access to, or success in, vocational and technical education programs; and how programs will be provided that are designed to enable special populations to meet state performance levels. *[Section 134(b)(7)]*

Describe how special populations will not be discriminated against. *[Section 134(b)(8)]*

Describe how funds will be used to promote preparation for nontraditional training and employment. *[Section 134(b)(9)]*

Describe how comprehensive professional development (including initial teacher preparation) for vocational, academic, guidance and administrative personnel will be provided. *[Section 134(b)(10)]*

Same as previous law, but adds that the plan must describe how activities will be provided that prepare special populations, including single parents and displaced homemakers, for high-skill, high-wage or high-demand occupations that will lead to self-sufficiency. *[Section 134(b)(8)]*

Same as previous law.

Same as previous law.

Describe how comprehensive professional development (including initial teacher preparation) for CTE, academic, guidance and administrative personnel will be provided that promotes the integration of coherent and rigorous content aligned with challenging academic standards and relevant CTE (including curriculum development). *[Section 134(b)(4)]*

NEW LOCAL PLAN REQUIREMENTS:

Describe how career guidance and academic counseling will be provided to CTE students, including linkages to future education and training opportunities. *[Section 134(b)(11)]*

Describe efforts to improve the recruitment and retention of CTE teachers, faculty, and counselors, including individuals in groups underrepresented in the teaching profession, and the transition to teaching from business and industry. *[Section 134(b)(12)]*

Local Uses of Funds— Required

Strengthen the academic and vocational and technical skills of students in vocational and technical education through the integration of academics with vocational and technical education programs through a coherent sequence of courses to ensure learning in the core academic and vocational and technical subjects. *[Section 135(b)(1)]*

Strengthen the academic and career and technical skills of CTE students through the integration of academics with CTE programs through a coherent sequence of courses, such as career and technical programs of study described in the state plan, to ensure learning in the core academic subjects as defined by ESEA, and CTE subjects. *[Section 135(b)(1)]*

Provide students with strong experience in and understanding of all aspects of an industry. *[Section 135(b)(2)]*

Develop, improve or expand the use of technology in vocational and technical education, which may include:

- Training of vocational and technical education personnel to use state-of-the-art technology, which may include distance learning
- Providing vocational and technical education students with the academic and vocational and technical skills that lead to entry into the high technology and telecommunications fields
- Encouraging schools to work with high technology industries to offer voluntary internships and mentoring programs

[Section 135(b)(3)]

Provide professional development programs to teachers, counselors and administrators, including:

- Inservice and preservice training in state-of-the-art vocational and technical education programs and techniques, in effective teaching skills based on research, and in effective practices to improve parental and community involvement

Same as previous law, except adds that this may include work-based learning experiences. *[Section 135(b)(3)]*

Develop, improve or expand the use of technology in career and technical education, which may include:

- Training of CTE teachers, faculty and administrators to use technology, which may include distance learning.
- Providing CTE students with the academic and career and technical skills (including the math and science knowledge that provides a strong basis for such skills) that lead to entry into the technology fields.
- Encouraging schools to collaborate with technology industries to offer voluntary internships and mentoring programs, including programs that improve the math and science knowledge of students.

[Section 135(b)(4)]

Provide professional development programs consistent with the state plan to secondary and postsecondary teachers, faculty, administrators, and career guidance and academic counselors who are involved in integrated CTE programs, including:

- Inservice and preservice training on—
 - » effective integration and use of challenging academic and career and technical education provided jointly with academic teachers to the extent practicable;
 - » effective teaching skills based on research that includes promising practices;
 - » effective practices to improve parental and community involvement; and
 - » effective use of scientifically based research and data to improve instruction.

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**Local Uses of Funds—
Required, (cont'd)**

- Support education programs for teachers and other public school personnel who are involved with the direct delivery of education to vocational and technical education students, to ensure that such personnel stay current with all aspects of an industry.

Internship programs that provide business experience to teachers

- Programs designed to train teachers in the use and application of technology

[Section 135(b)(4)]

Develop and implement evaluations of vocational and technical education programs being carried out with Perkins funds, including an assessment of how the needs of special populations are being met. *[Section 135(b)(5)]*

Initiate, improve, expand and modernize quality vocational and technical education programs. *[Section 135(b)(6)]*

Provide services and activities that are of sufficient size, scope and quality to be effective. *[Section 135(b)(7)]*

Link secondary and postsecondary vocational and technical education, including implementing Tech Prep programs. *[Section 135(b)(8)]*

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- Support of education programs for CTE teachers and other public school personnel who are involved in the direct delivery of educational services to CTE students, to ensure that such teachers and personnel stay current with all aspects of industry.
- Internship programs that provide relevant business experience.
- Programs designed to train teachers in the effective use and application of technology to improve instruction.

[Section 135(b)(5)]

Same as previous law.

Same as previous law, except adds, "including relevant technology." *[Section 135(b)(7)]*

Same as previous law.

Link secondary and postsecondary CTE programs, including by offering the relevant elements of not less than one career and technical program of study described in the state plan. *[Section 135(b)(2)]*

NEW REQUIRED USE OF FUNDS:

Provide activities to prepare special populations, including single parents and displaced homemakers who are enrolled in CTE programs, for high-skill, high-wage or high-demand occupations that will lead to self-sufficiency. *[Section 135(b)(9)]*

**Local Uses of Funds—
Permissive**

Involving parents, businesses and labor organizations in the design, implementation and evaluation of programs. [Section 135(c)(1)]

Providing career guidance and academic counseling to students participating in vocational and technical education. [Section 135(c)(2)]

Providing work-related experiences, such as internships, cooperative education, school-based enterprises, entrepreneurship, and job shadowing that are related to vocational and technical education programs. [Section 135(c)(3)]

Providing programs for special populations. [Section 135(c)(4)]

Local education and business partnerships. [Section 135(c)(5)]

Assisting vocational and technical student organizations. [Section 135(c)(6)]

Providing mentoring and support services. [Section 135(c)(7)]

Same as previous law.

Providing career guidance and academic counseling, which may include information described in Section 118, for students participating in CTE programs, that—

- Improves graduation rates and provides information on postsecondary and career options, including baccalaureate degree programs, for secondary students, which may include the use of graduation and career plans.
- Provides assistance for postsecondary students, including for adult students who are changing careers or updating skills.

[Section 135(c)(2)]

Local education and business (including small business) partnerships, including for—

- Work-related experiences for students, such as internships, cooperative education, school-based enterprises, entrepreneurship, and job shadowing that are related to CTE programs.
- Adjunct faculty arrangements for qualified industry professionals.
- Industry experience for teachers and faculty.

[Section 135(c)(3)]

Same as previous law.

Incorporated into Section 135(c)(3).

Same as previous law.

Same as previous law.

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**Local Uses of Funds—
Permissive, (cont'd)**

Leasing, purchasing, upgrading, or adapting equipment, including instructional aides. *[Section 135(c)(8)]*

Leasing, purchasing, upgrading or adapting equipment, including instructional aids and publications (including support for library resources) designed to strengthen and support academic and technical skill achievement. *[Section 135(c)(7)]*

Providing teacher preparation programs that assist individuals (including those with experience in business and industry) who are interested in becoming vocational and technical education instructors. *[Section 135(c)(9)]*

Same as previous law, but teacher preparation programs must address integration of academic and career and technical education. *[Section 135(c)(9)]*

Improving or developing new vocational and technical education courses. *[Section 135(c)(10)]*

Improving or developing new CTE courses, including development of new proposed career and technical programs of study for state approval and courses that prepare individuals academically and technically for high-skill, high-wage or high-demand occupations and dual or concurrent enrollment opportunities by which CTE students at the secondary level could obtain postsecondary credit to count toward an associate or baccalaureate degree. *[Section 135(c)(12)]*

Supporting family and consumer sciences programs. *[Section 135(c)(11)]*

Same as previous law.

Providing vocational and technical education programs for adults and school dropouts to complete their secondary education. *[Section 135(c)(12)]*

Same as previous law, except adds a focus on upgrading technical skills. *[Section 135(c)(15)]*

Assisting participating students in finding employment and continuing their education. *[Section 135(c)(13)]*

Same as previous law, but provides the example of referring students to the one-stop system established under the Workforce Investment Act. *[Section 135(c)(16)]*

Supporting nontraditional training and employment activities. *[Section 135(c)(14)]*

Supporting training and activities (such as mentoring and outreach) in nontraditional fields. *[Section 135(c)(17)]*

To support other vocational and technical education activities that are consistent with the purpose of the Act. *[Section 135(c)(15)]*

Same as previous law.

NEW PERMISSIVE USES OF FUNDS:

Developing and expanding postsecondary program offerings at times and in formats that are accessible for students, including working students, including through the use of distance education. *[Section 135(c)(9)]*

Developing initiatives that facilitate the transition of subbaccalaureate CTE students into baccalaureate degree programs, including—

- Articulation agreements between subbaccalaureate degree granting CTE postsecondary educational institutions and baccalaureate degree granting institutions.
- Postsecondary dual and concurrent enrollment programs.
- Academic and financial aid counseling for subbaccalaureate CTE students that inform the students of the opportunities for pursuing a baccalaureate degree and advise the students on how to meet any transfer requirements.
- Other initiatives to encourage the pursuit of a baccalaureate degree and to overcome barriers to enrollment in and completion of baccalaureate degree programs, including geographic and other barriers affecting rural students and special populations.

[Section 135(c)(10)]

Providing activities to support entrepreneurship education and training. *[Section 135(c)(11)]*

Developing and supporting small, personalized career-themed learning communities. *[Section 135(c)(13)]*

Providing support for training programs in automotive technologies. *[Section 135(c)(18)]*

Pooling a portion of such funds with a portion of funds available to not less than one other eligible recipient for innovative initiatives, which may include—

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Topics

**Local Uses of Funds—
Permissive, (cont'd)**

- Improving the initial preparation and professional development of CTE teachers, faculty, administrators, and counselors.
- Establishing, enhancing or supporting systems for accountability data collection or reporting under Perkins.
- Implementing CTE programs of study described in the state plan.
- Implementing technical assessments.

[Section 135(c)(19)]

**Local Uses of Funds—
Administration**

Local programs may use not more than 5 percent of grant funds for administrative costs. [Section 135(d)]

Same as previous law.

**Tech Prep—
Title**

Title II of the Carl D. Perkins Vocational and Technical Education Act of 1998 is titled the "Tech Prep Education Act." [Section 201]

While the title is not specifically included in Section 201, the title remains "Tech Prep Education."

**Tech Prep—
Authorization**

The authorization for Tech Prep is "such sums as may be necessary for fiscal year 1999 and each of the four succeeding fiscal years." [Section 208]

The authorization for Tech Prep is "such sums as may be necessary for fiscal year 2007 and each of the five succeeding fiscal years." [Section 206]

**Tech Prep—
Allotment**

Funds are allotted to states on the same formula basis as the Basic State Grant. [Section 203(a)]

Same as previous law.

**Tech Prep—
State Application**

Each eligible agency desiring Tech Prep funds shall submit an application to the Secretary of Education at the time and manner the Secretary requires. After the approval of the state application, the Secretary will award funds to the state's eligible agency. [Section 203(b),(c)]

Each eligible agency desiring Tech Prep funds shall submit an application as part of its state plan under Section 122. The application should describe how Tech Prep activities will be coordinated, to the extent practicable, with activities under the Basic State Grant, and contain such other information as the Secretary requires. After the approval of the state application, the Secretary will award funds to the state's eligible agency. [Section 201(b), (c)]

	<p>A state may choose to combine all, or a portion, of its Tech Prep allotment with funds received under the Basic State Grant. A state that chooses this consolidation option shall notify the Secretary in the state plan, and funds consolidated shall be considered as funds allocated under Section 111 and shall be distributed in accordance with Section 112.</p>
<p>Tech Prep— State Report</p>	<p>Each state that receives a grant must submit an annual report to the Secretary on the effectiveness of the Tech Prep programs in the state, including a description of how grants were awarded. <i>[Section 206]</i></p>
<p>Tech Prep— Distribution of Funds to Local Programs</p>	<p>States award sub-grants to local consortia for Tech Prep education programs either competitively or by a formula determined by the state. <i>[Section 204(a)(1)]</i></p> <p>Each consortium desiring a Tech Prep grant shall submit an application to the state at the time and manner specified by the state. <i>[Section 205(a)]</i></p> <p>The application shall contain a five-year plan for the development and implementation of Tech Prep programs. The plan shall be reviewed after the second year of the program. <i>[Section 205(b)]</i></p> <p>The state shall approve applications based on the potential of the activities described to create effective Tech Prep programs. <i>[Section 205(c)]</i></p> <p>In awarding grants, the state shall give special consideration to applications which:</p> <ul style="list-style-type: none"> • Provide for effective employment placement activities or the transfer of students to baccalaureate degree programs. • Are developed in consultation with business, industry, institutions of higher education, and labor organizations. • Address effectively the issues of school dropout prevention and re-entry and the needs of special populations.

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**Tech Prep—
Distribution of Funds
to Local Programs,
(cont'd)**

- Provide education and training in areas or skills in which there are significant workforce shortages, including the information technology industry.
- Demonstrate how Tech Prep programs will help students meet high academic and employability competencies.

[Section 205(d)]

The state shall ensure an equitable distribution of grants between urban and rural area consortia. [Section 205(e)]

**Tech Prep—
Eligible Consortia**

Eligible entities are consortia of:

- An LEA, intermediate educational agency, area vocational school, or BIA-funded secondary school

AND

- A nonprofit institution of higher education that offers a two-year associate degree or two-year certificate program and meets the requirements of Section 102 of the Higher Education Act, including tribally controlled postsecondary institutions; or that offers a two-year apprenticeship program

OR

- A proprietary institution of higher education that offers a two-year associate degree program and meets the requirements of Section 102 of the Higher Education Act, if such institution is not subject to a default management plan.

[Section 204(a)(1)]

- Provide education and training in an area or skill, including an emerging technology, in which there is a significant workforce shortage based on the data provided by the entity in the state under Section 118.
- Demonstrate how Tech Prep programs will help students meet high academic and employability competencies.
- Demonstrate success in, or provide assurances of, coordination and integration with local recipients of the Basic State Grant.

[Section 204(d)]

Same as previous law.

- Same as previous law, except adds "educational service agency."

- Same as previous law.

- Same as previous law.

Consortia may also include institutions of higher education that award baccalaureate degrees, and employer and labor organizations. *[Section 204(a)(2)]*

Small businesses and business intermediaries are added. *[Section 203(a)(2)]*

Tech Prep—Program Elements

Each consortium receiving a grant shall develop and operate a four- or six-year Tech Prep program which shall:

- Be carried out under an articulation agreement among consortia participants.
- Consist of at least two years of secondary school preceding graduation and two or more years of higher education or an apprenticeship program of at least two years after secondary school.
- Have a common core of required proficiency in math, science, reading, writing, communications and technologies.
- Be designed to lead to an associate degree or a postsecondary certificate in a specific career field.
- Include the development of program elements for both secondary and postsecondary participants that meet academic standards developed by the state and link secondary schools and two-year postsecondary institutions and, if possible and practicable, four-year institutions of higher education through nonduplicative sequences of courses in career fields, including the investigation of opportunities for Tech Prep secondary students to enroll concurrently in secondary and postsecondary coursework.
- Use, if appropriate and available, work-based or worksite learning in conjunction with business and all aspects of an industry.
- Use educational technology and distance learning, as appropriate.
- Include inservice training for teachers that—
 - » is designed to train vocational and technical education teachers to effectively implement Tech Prep programs

Each consortium receiving a grant shall develop and operate a four- or six-year Tech Prep program which shall:

- Be carried out under an articulation agreement between the participants in a consortium.
- Consist of a program of study that—
 - » combines a minimum of two years of secondary education with a minimum of two years of postsecondary education in a nonduplicative, sequential course of study, or an apprenticeship program of at least two years following secondary instruction;
 - » integrates academic and CTE instruction, and utilizes work-based and worksite learning experience where appropriate and available;
 - » provides technical preparation in a career field, including high-skill, high-wage or high-demand occupations;
 - » builds student competence in technical skills and in core academic subjects (as defined by ESEA) as appropriate, through applied, contextual and integrated instruction, in a coherent sequence of courses;
 - » leads to technical skill proficiency, an industry-recognized credential, a certificate, or a degree, in a specific career field;
 - » leads to placement in high-skill or high-wage employment, or to further education; and
 - » utilizes career and technical programs of study, to the extent practicable.
- Include the development of Tech Prep programs for secondary and postsecondary education that—

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Tech Prep—Program Elements, (cont'd)

- » provides for joint training for teachers in the consortia
- » is designed to ensure that teachers and administrators stay current with the needs, expectations and methods of business and all aspects of an industry
- » focuses on training postsecondary faculty in use of contextual and applied curricula and instruction
- » provides training in the use of technology.
- Include training programs designed to enable counselors to more effectively—
 - » provide information to students on Tech Prep programs and related employment opportunities
 - » support student progress in completing programs
 - » ensure that students are placed in appropriate employment
 - » stay current with the needs, expectations and methods of business and all aspects of an industry
 - » provide equal access to special populations.
- Provide equal access to the full range of technical preparation programs to special populations, including the development of program elements to meet the needs of special populations.
- Provide for preparatory services that assist program participants.

[Section 204(c)]

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- » meet academic standards developed by the state;
- » link secondary schools and two-year postsecondary institutions, and if possible, four-year institutions of higher education, through nonduplicative sequences of courses in career fields, the use of articulation agreements, and opportunities for concurrent enrollment;
- » use, if appropriate and available, work-based or work-site learning experiences in conjunction with business and all aspects of an industry; and
- » use educational technology and distance learning, as appropriate, to involve all the consortium partners more fully in the development and operation of programs.
- Include inservice professional development for teachers, faculty and administrators that—
 - » supports effective implementation of Tech Prep programs;
 - » supports joint training in the consortia;
 - » supports the needs, expectations and methods of business and all aspects of an industry;
 - » supports the use of contextual and applied curricula, instruction and assessment;
 - » supports the use and application of technology; and
 - » assists in accessing and utilizing data, information available pursuant to Section 118, and information on student achievement, including assessments.
- Include professional development programs for counselors designed to enable them to more effectively—
 - » provide information to students regarding Tech Prep programs;

- » support student progress in completing programs, which may include the use of graduation and career plans;
 - » provide information on related employment opportunities;
 - » ensure that students are placed in appropriate employment or further education opportunities;
 - » stay current with the needs, expectations and methods of business and all aspects of an industry; and
 - » provide comprehensive career guidance and academic counseling to participating students, including special populations.
- Provide equal access to the full range of technical preparation programs (including pre-apprenticeship programs) to special populations, including the development of Tech Prep program services appropriate to the needs of special populations.
 - Provide for preparatory services that assist participants.
 - Coordinate with activities conducted under Title I of the Perkins Act.

[Section 203(c)]

Same as previous law, plus the addition of the following:

- Improvement of career guidance and academic counseling for participating students through the development and implementation of graduation and career plans.
- Development of curriculum that supports effective transitions between secondary and postsecondary CTE programs.

[Section 203(d)]

Additional authorized activities:

- Acquisition of Tech Prep program equipment.
- Acquisition of technical assistance from entities that have designed and operated Tech Prep programs that have effectively used educational technology and distance learning.
- Establishment of articulation agreements with institutions of higher education, labor organizations, or businesses, especially with regard to using distance learning.

[Section 204(d)]

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Tech Prep Accountability

No similar provisions.

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Each consortium shall establish and report to the eligible agency indicators of performance for each Tech Prep program. The indicators of performance shall include the following:

- The number of secondary education Tech Prep students and postsecondary education Tech Prep students served.
- The number and percent of secondary education Tech Prep students enrolled in the program who—
 - » enroll in postsecondary education;
 - » enroll in postsecondary education in the same field or major as the students were enrolled in at the secondary level;
 - » complete a state or industry-recognized certification or licensure;
 - » successfully complete, as a secondary student, courses that award postsecondary credit; and
 - » enroll in remedial mathematics, writing or reading courses upon entering postsecondary education.
- The number and percent of postsecondary education Tech Prep students who—
 - » are placed in a related field of employment not later than 12 months after graduation from the Tech Prep program;
 - » complete a state or industry-recognized certification or licensure;
 - » complete a two-year degree or certificate program within the normal time for completion of such program; and
 - » complete a baccalaureate degree program within the normal time for completion of such program.

[Section 203(e)(1)]

Each consortium must enter into an agreement with the eligible agency to meet a minimum level of performance for each of the above performance indicators and the indicators in Section 113(b). [Section 204(e)(1)]

An eligible agency shall require consortia that do not meet the agreed upon performance levels for three consecutive years to resubmit an application for a Tech Prep program grant; and may choose to terminate the funding for the Tech Prep program that does not meet the performance levels for three consecutive years, including when the grants are made on the basis of a formula. [Section 204(e)(2)]

Tech Prep Demonstration Program

Authorizes \$25 million in FY 1999 and each of the four succeeding fiscal years for competitive federal grants to support Tech Prep programs that involve the location of a secondary school on the campus of a community college. [Section 207(e)]

Consortia desiring demonstration grants must submit an application to the Secretary of Education at the time, in the manner, and accompanied by such information as specified by the Secretary. [Section 207(c)]

Consortium eligibility requirements are the same as those for the Tech Prep program. [Section 207(d)(1)]

Required program elements are the same as those for the Tech Prep program, except that linkages with four-year institutions of higher education are not specifically encouraged. In addition, consortia must include business as a participant, and programs may offer summer internships at a business for students or teachers. Participation of students in the program shall be voluntary. [Section 207(d)(2), Section 207(b)]

In awarding grants, the Secretary shall give special consideration to applications that—

- Provide for effective employment placement activities
- Address effectively the issues of school dropout prevention and re-entry and the needs of special populations

The Tech Prep Demonstration program is eliminated.

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Tech Prep Demonstration Program, (cont'd)

- Provide education and training in areas or skills in which there are significant workforce shortages, including the information technology industry
- Demonstrate how Tech Prep programs will help students meet high academic and employability competencies

[Section 207(d)(3)]

Supplement Not Supplant

Perkins funds shall supplement, and not supplant, non-federal funds expended for vocational and technical education, including Tech Prep activities. *[Section 311(a)]*

Same as previous law.

Maintenance of Effort

No payments may be made under the Perkins Act for vocational and technical education programs or Tech Prep programs to a state unless its non-federal expenditures for vocational and technical education during the fiscal or program year prior to the grant year were equal to or greater than its non-federal expenditures during the second year prior to the grant year. Maintenance of effort may be calculated on a per student or total expenditure basis. *[Section 311(b)(1)(A)]*

Same as previous law.

Capital expenditures, special one-time project costs, and the costs of pilot programs shall be excluded from the computation of maintenance of effort. *[Section 311(b)(1)(B)]*

In any fiscal year in which appropriations for the Act are less than appropriations made during the preceding fiscal year, the required maintenance of effort for a state shall be reduced by the same percentage by which appropriations were reduced. *[Section 311(b)(1)(C)]*

The Secretary may waive requirement for up to 5 percent of expenditures for one year if the reduction in expenditures was due to "exceptional or uncontrollable circumstances."

[Section 311(b)]

Participation of Private School Personnel and Children

An eligible agency or local recipient that uses funds under this Act for inservice and preservice vocational and technical education professional development programs for vocational and technical teachers, administrators, and other personnel may, upon request, permit the participation in such programs of vocational and technical education teachers, administrators and other personnel in nonprofit private schools offering vocational and technical education programs that are located in the geographical area served by such agency or recipient. *[Section 318]*

An eligible agency or eligible recipient that uses funds under this Act for inservice and preservice CTE professional development programs for CTE teachers, administrators and other personnel shall, to the extent practicable, upon written request, permit the participation in such programs of CTE secondary school teachers, administrators and other personnel in nonprofit private schools offering CTE programs, located in the geographical area served by such eligible agency or eligible recipient. *[Section 317(a)]*

Except as prohibited by state or local law, an eligible recipient may, upon written request, use funds made available under this Act to provide for the meaningful participation, in CTE programs and activities receiving funding under this Act, of secondary school students attending nonprofit private schools who reside in the geographical area served by the eligible recipient. *[Section 317(b)(1)]*

An eligible recipient shall consult, upon written request, in a timely and meaningful manner with representatives of nonprofit private schools in the geographical area served by the eligible recipient regarding the meaningful participation, in CTE programs and activities receiving funding under this Act, of secondary school students attending nonprofit private schools. *[Section 317(b)(2)]*