

## CHAPTER FIVE

### STATE POLICIES ON THE ADMINISTRATION AND USE OF THE PERKINS IV FUNDS

This chapter provides established policies for the administration and use of the Perkins IV funds at the state and local levels. The policies have been approved by the Joint Advisory Committee on Career Technical Education (JACCTE) and adopted by the Board of Governors of the California Community Colleges and the California State Board of Education.

The policies have two primary purposes: to clarify the state's position on critical Perkins IV administration and use of funds issues, and to ensure that the state and local agencies are maximizing the potential benefit of these limited but critical funds.

Some of the policies are applicable to all secondary, adult, and community college agencies receiving Perkins IV funds. Others, as noted, are applicable to only selected levels. Requests for exemptions of individual policies will be considered in those instances in which an eligible recipient of the funds can provide, in writing, compelling evidence that a policy does not apply to its particular administration or use of funds, and can provide an approvable alternative.

Exemption requests will be reviewed and approved or denied by the California Department of Education (CDE) or California Community Colleges Chancellor's Office (CCCCO) based on established criteria. Local agencies choosing to appeal the denial of an exemption may submit to the appropriate agency (CDE or CCCCCO) a written request that the decision be forwarded for review by the JACCTE. The decision of the JACCTE will be final.

#### *Policies Related to State Administration*

##### **1. Division of the Title I, Part C (Local Assistance) Funds Between Secondary and Postsecondary Programs**

**Policy.** The formula for dividing the Title I, Part C funds between secondary (Section 131) and postsecondary (Section 132) programs will be determined annually by the JACCTE. The distribution of funds formula approved for the 2000–2004 State Plan and 2007–2008 State Transition Plan was approved by the JACCTE for the 2008–2009 program year. A representative field committee will be convened by the CDE and the CCCCCO in the Spring of 2008 to identify and examine alternative options for distributing these funds in subsequent years.

**Explanation.** Please refer to State Distribution of the Perkins IV Funds in Appendix F for a complete description of the division of funds criteria and process.

## 2. Alternative Formula for Distributing the Title I, Part C, Section 132 (postsecondary) Funds

**Policy.** A waiver request submitted to the USDE, if approved, will authorize the state to continue to use an alternate formula for distributing the Section 132 (postsecondary) funds. The alternate formula, which was approved for the Perkins II and III funds, is based on the number of economically disadvantaged adults enrolled in CTE programs during the last completed year, as opposed to the formula prescribed in the Act that would distribute the funds based on Pell Grant recipients and students receiving Bureau of Indian Affairs assistance.

**Explanation.** As evidenced by a comparison of the results of distributing the funds based on the formula prescribed in the Act and the alternative formula, the alternative formula provides for a more equitable distribution of the funds among economically disadvantaged adults. The alternative formula also enables the state to recognize and serve economically disadvantaged adults enrolled in CTE programs conducted by adult school agencies and regional occupational centers and programs in addition to those enrolled in programs conducted by the community colleges. A complete description of the Section 132 waiver request is provided in Appendix G. A comparison of the results of distributing the funds based on the prescribed and alternative formulas is provided in Appendix H.

## 3. Accountability System Framework (Not applicable to community college districts)

**Policy.** Each local educational agency (LEA) receiving Perkins funds must, as a condition of receiving these funds, accept the state's agreed-upon annual statewide performance levels for the core indicators established in the Act, or negotiate with the state to reach agreement on annual performance levels that are based upon prior year performance and performance targets that demonstrate an agreed upon annual improvement rate. LEAs falling below 90 percent on any agreed upon performance level will be considered *Needs Improvement Agencies* and will be required to submit a program improvement plan that identifies the planned strategies and activities the agency will employ during the upcoming year to bring its level(s) to the 90 percent compliance rate. LEAs falling below 90 percent on three or more agreed upon annual performance levels *or* below 60 percent on any agreed upon annual performance level will be considered *Priority Improvement Agencies* and will be required to submit a detailed action plan that describes the

strategies to be implemented for bringing the agency to the 90 percent performance level within two years. LEAs scoring in the lowest percentage of overall performance as determined by a composite ranking of all measures will be considered *Monitored Agencies* and will be subject to Perkins Program Monitoring as specified annually by the JACCTE. Ultimately, LEAs that fail to submit the required program improvement plans and/or fail to make the required improvements are subject to sanctions that could result in the loss of a portion or all of their allocated funds.

**Explanation.** A complete description of the Accountability System Framework is provided in Appendix K.

### *Policies Related to Local Administration and Use of Funds by All Eligible Recipients of Perkins IV Funds Other Than the Community College Districts*

#### **1. Required Local Educational Agency Use of Section 131 and 132 Funds**

**Policy.** No less than 85 percent of the LEA's Section 131 or 132 allocation must be expended to improve or expand CTE programs and courses approved in the local plan and annual application for funds. Appropriate expenditures of these funds include:

- » Costs incurred in program-related planning, development, validation, and accountability activities
- » Curriculum development activities
- » Professional development activities, including industry internships for teachers
- » Instructional equipment and material purchases
- » Providing programs for special populations
- » Providing mentoring and student support services
- » Providing resources designed to strengthen and support academic and technical skill attainment
- » Providing professional development activities that address the integration of academic and CTE
- » Providing activities to support entrepreneurship education and training
- » Providing support for the consumer and family studies program (as delineated in the California CTE Model Curriculum Standards and Framework and the Family Studies Standards Implementation Resource Guide, Grades Seven Through Twelve)

- » Additional instructor costs incurred by the expansion of existing programs or addition of new programs (3-year limitation on these costs)
- » Staff and other necessary operational costs incurred in providing for state and nationally recognized career technical education student organizations (CTSOs) and work-based learning experiences
- » Other instructional activities and services that are directly related to the improvement and expansion of the local agency's approved CTE programs

Up to 5 percent of the allocation may be charged to direct or indirect costs for expenditures incurred in activities required to administer the grant.

Up to 10 percent of the allocation may be expended to support other CTE activities that are consistent with the purpose of the Act. These activities include, but are not limited to the following:

- » Involving parents, businesses, and labor organizations as appropriate, in the design, implementation, and evaluation of the CTE programs assisted with the funds
- » Providing career guidance and academic counseling for students participating in CTE programs
- » Developing and expanding program offerings for adults at times and in formats that are accessible for students, including working students
- » Developing and supporting small, personalized, career-themed learning communities
- » Providing CTE programs for adults and school dropouts to complete secondary education, or update the technical skills of the adults and school dropouts
- » Providing CTE program completers and leavers with placement assistance in jobs and advanced education and training
- » Supporting training and activities such as mentoring and outreach in nontraditional fields

**Explanation.** This local use of funds policy is consistent with the General Authority for local uses of Section 131 and 132 funds, as cited in Section 135(a) of Perkins IV, which states, "Each eligible recipient that receives funds under this part shall use such funds to improve CTE programs"; with Section 135(d), which limits to 5 percent the amount of Section 131 and 132 funds local agencies may use for administrative costs; and with Section 135(c), which lists the permissive uses of the funds. The policy is also critical to the development of the high-quality programs envisioned in Chapter Three.

## 2. Requirements of Local Educational Agency CTE Programs Assisted with Section 131 and 132 Funds

**Policy.** Each CTE program assisted with Section 131 or 132 funds must incorporate the nine requirements established in Section 135(b) of Perkins IV, including a sequence of courses that provides students with coherent and rigorous content aligned with challenging academic standards and relevant technical knowledge and skills, and the following planning, organization, and instructional elements determined by the state to be critical to high-quality CTE programs:

- » Be staffed by qualified CTE teachers, meaning teachers who 1) possess a standard secondary, single-subject or designated-subject credential which authorizes the teaching of the CTE course(s) to which assigned, and 2) can document employment experience, outside of education, in the career pathway addressed by the program or other evidence of equivalent proficiency. The minimum qualifications for community college CTE teachers are established in Title 5 of the CA Administrative Code.
- » Focus on current or emerging high skill, high wage or high demand occupations.
- » Be aligned with the state's CTE Model Curriculum Standards and Framework.
- » Have extensive business and industry involvement, as evidenced by not less than one annual business and industry advisory committee meeting and planned business and industry involvement in program activities as described in the Guidelines for the 2008–2012 Local Plan for Career Technical Education and instructions for the annual application for funds.
- » Provide for certification of students who achieve industry-recognized skill and knowledge requirements.
- » Be aligned with applicable feeder and advanced-level instruction in the same career pathway.
- » Integrate the development of CTE and academic skills in order to prepare students for immediate employment upon graduation and for further education or training.
- » Provide practical applications and experiences through actual or simulated work-based learning assignments.
- » Provide for equitable access and needed support services of all students, including special populations and those preparing for nontraditional occupations.
- » Include planned career awareness and exploration experiences.
- » Provide for the development of student leadership skills through an established career technical student organization or an alternate strategy that incorporates this instruction in all of the courses that make up the sequence.

- » Use annual evaluation results, including achieved core indicator performance levels, to determine needed program improvements, modifications, and professional development activities for staff.
- » Have a systematic plan for promoting the program to all concerned groups, including, but not limited to, students, parents, counselors, site and district administrators, and postsecondary educational agencies.

### 3. Requirements of Sequences of Courses for CTE Programs

**Policy.** Sequences of courses for CTE programs assisted with Perkins IV funds must:

- » Consist of not less than two full-year CTE courses with a combined duration of not less than 300 hours; or a single, multiple-hour course which provides sequential units of instruction and has a duration of not less than 300 hours.
- » Be coherent, meaning that the sequence may only include those CTE courses with objectives and content that have a clear and direct relationship to the occupation(s) or career targeted by the program.
- » Include sufficient introductory and concentration CTE courses to provide students with the instruction necessary to develop the skill and knowledge levels required for employment and postsecondary education or training.

### 4. Requirements of Courses Assisted with Perkins IV Funds

**Policy.** Courses assisted with Perkins IV funds must:

- » Be integral to an approved CTE sequence of courses.
- » Be explicitly designed to prepare students with career skills that lead to employment. (Employment could be at the completion of high school, community college, apprenticeship, or 4-year college or university.)
- » Have no less than 50 percent of course curriculum and content directly related to the development of career knowledge and skills. (The California CTE Model Curriculum Standards and Framework can be useful tools in ensuring and validating that there is sufficient CTE content (embedded in the curriculum).)
- » Have business and industry involvement in the development and validation of the curriculum.
- » Be taught by a teacher who meets the CTE teacher credential and occupational experience qualifications.

## 5. Program of Study Requirement

**Policy.** As mandated by Section 122(c)(1)(A) of Perkins IV, each LEA receiving Section 131 or 132 funds must provide at least one program of study that incorporates secondary and postsecondary elements; includes coherent and rigorous content aligned with challenging academic standards and relevant CTE in a coordinated, non-duplicative progression of courses that align secondary education with postsecondary education to adequately prepare students to succeed in postsecondary education; and leads to an industry-recognized credential or certificate at the postsecondary level, or an associate or baccalaureate degree. In addition, programs of study must also satisfy the organization and operation requirements specified in policies 2, 3, and 4. Programs of study developed by districts receiving Section 131 funds must include not less than one district-funded course.

**Explanation.** Section 134(b)(3)(A) of Perkins IV requires each recipient of the Section 131 and 132 funds to provide not less than one CTE program of study as described in Section 122(c)(1)(A). As described in Chapter Three of this state plan, improved alignment and articulation of secondary and postsecondary courses and programs, increased integration of academic and CTE instruction, and improved academic and career guidance are among the major actions needed to improve California's CTE system. Because programs of study provide a unique and effective medium for incorporating these elements, LEAs are encouraged to develop and implement as many programs of study as is practical. The CDE is examining funding alternatives to support this effort.

## 6. Middle School Participation in the Perkins IV Funds

**Policy.** Middle school (grades 7 and 8) CTE courses may be assisted with Section 131 funds only if integral to approved sequences of courses conducted by a high school.

**Explanation.** Though Section 315 of Perkins IV allows the use of Section 131 funds to assist CTE instruction in grades 7 and 8, Section 131(d)(1) restricts the allocation of these funds to LEAs who serve secondary school students, (i.e., unified and union high school districts and county offices of education). As a consequence, middle school participation in the funds is dependent on two factors: the alignment of the "introductory" CTE instruction provided in grades 7 and 8 with a sequence of high school district (including ROCP) CTE courses approved for the use of the funds, and the high school district's acknowledgement of the alignment as evidenced by the commitment of a portion of its allocated funds to the middle school instruction.

## 7. Regional Occupational Center and Program Participation in the Perkins IV Section 131 Funds

**Policy (a).** ROCPs may receive funds directed to county offices of education. Beginning with the 2008–09 program year, each county office of education will receive a Section 131 allocation to improve its CTE programs:

- » 30 percent of the allocation will be based on the county office's proportional share of the state's total K–12 enrollment, as reported in the annual October report;
- » 70 percent of the allocation will be based on the county office's proportional share of the state's total K–12 enrollment, as reported in the annual October report, whose families are economically disadvantaged, as evidenced by free and reduced lunch data.

**Note:** This is the formula established in the Act for distributing the Section 131 funds.

Because the use of these funds is limited to the improvement of CTE programs, it is assumed that some or all of the county offices of education's allocation will be directed to the ROCP. It is also assumed that the ROCP will collaborate with the county's court and community school programs to ensure that these students are served, to the extent possible, in programs assisted with the funds.

**Explanation.** Section 131 allocations to county offices of education will no longer be restricted to court and community school use. Since the mid-seventies, many of the county offices of education have received Perkins Act funds to assist CTE programs conducted by their court and community schools. Most have since discontinued their pursuit of these funds because of low funding levels, problems related to required consortium participation, and changes initiated in the last two Acts that have increased the requirements for programs to be assisted with the funds and the accountability and reporting requirements. This action is not expected to alter the conditions that have reduced court and community school eligibility for the funds. It should provide the county offices with a slight increase in their annual allocations and an opportunity to use some or all of the allocation for ROCP program improvements, which could include the design of programs for court and community school students.

**Policy (b).** Districts may choose to direct their allocated funds to a consortium which has an ROCP as the fiscal agent. An ROCP may also become an eligible recipient of Section 131 funds in any instance in which one or more districts served by the ROCP determines that its allocation is insufficient to warrant the required administrative activities, or is not providing at least one district-funded CTE course, and chooses to transfer these funds to the ROCP. In these instances, as authorized by Section 131(e)(1) and (2) of the Act, the ROCP may form a consortium with the effected district(s) for the purpose of receiving the sum of the transferred Section 131 funds. The consortium's memorandum

of understanding (MOU) must list the participating districts and provide the appropriate administrative signatures, identify the ROCP as the fiscal agent, describe the consortium's organization and operation as a single entity, and include agreed upon actions for administering and using the funds.

**Explanation.** This option is particularly advantageous to smaller districts, many of which are already in consortia because they have allocations of less than \$15,000. These districts could expect to benefit from the CTE leadership provided by the ROCP and almost complete relief from the required Perkins planning, application, claim, and accountability reports.

**Policy (c).** ROCP courses that are integral to coherent sequences of courses conducted by eligible recipients of Section 131 funds (unified and union high school districts) may be assisted with the funds allocated to their member districts.

**Explanation.** Permitting a district to use its allocated Section 131 and 132 funds to assist all of the (district and ROCP) courses in programs that serve its students should enhance the quality of the program and the alignment of the instruction between the two providers. It is important to note that as the eligible recipients of the funds, the districts have the prerogative of deciding if and what ROCP courses will be assisted.

## 8. Local Funds Required in District Programs Assisted with Section 131 Funds

**Policy.** As a condition of receiving Section 131 funds, unified and union high school districts must be actively involved in the delivery of CTE programs, meaning that the districts must provide at least one CTE sequence of courses that includes at least one district-funded course. Additionally, the districts must provide at least one course in each industry sector assisted with the funds. The course may be introductory or advanced, and though not necessarily integral to the sequence of courses being assisted with the funds, must be clearly integral to one or more of the sequences of courses offered in the industry sector. While it is expected that most districts will be able to comply with these requirements in the 2008–2009 program year, full implementation of the requirement will be delayed until the 2009–2010 program year to provide districts with the additional time needed to add additional courses or revise existing courses.

**Explanation.** This policy is consistent with the Perkins IV definition of CTE; the intent of these funds to improve CTE programs, as defined in Section 135. It is also consistent with the Section 135(8) requirement that assisted programs provide services and activities that are of sufficient size, scope, and quality.

## 9. Allocations to Section 131 and 132 Consortia May Not be Redistributed to Individual Members for Purposes or Programs that Benefit Only One Member

**Policy.** In accordance with Sections 131(f)(2) and 132(a)(3)(B) of Perkins IV, funds allocated to a consortium formed to meet the minimum allocation requirement may be used only for purposes and programs that are mutually beneficial to all members of the consortium. These funds may not be reallocated to individual members of the consortium for purposes or programs benefiting only one member of the consortium.

## 10. Use of Allocated Section 131 and 132 Funds to Support Work Experience Education

**Policy.** Exploratory and Vocational Work Experience Education activities may be assisted with Section 131 and 132 funds if they are a planned and listed component of a CTE program, are integral to one or more of the approved sequences of courses in the LEA's local plan and annual application for funds, and comply with applicable State and federal regulations. Section 131 and 132 funds may not be used to assist General Work Experience Education.

**Explanation.** As noted in Policy #3, Section 135(b) of Perkins IV requires a coherent sequence of courses for each CTE program assisted with the funds. Though General Work Experience Education provides students with valuable and practical work-related skills, knowledge, habits, and attitudes, it lacks the specific occupation or career preparation focus required of the courses that comprise approvable CTE program sequences.

## 11. Local Board Approval of Applications for Perkins IV Funds

**Policy.** Local Board approval, as evidenced by a current year approval date, is required on all Section 112, 131, and 132 applications, other than those submitted by county offices of education and signed by the county superintendent of schools.

**Explanation.** Local Board approval of the Section 112, 131, and 132 applications evidences the local governing board's awareness of the level, intent, and requirements of the funds, as well as the commitment being made by the LEA in its receipt of the funds.