

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 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 waivers 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.

Policies Related to State Administration

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

Proposed State Policy. The annual Title I, Part C funds will be divided between the secondary and postsecondary program levels based on a comparison of the CTE enrollments at the two levels in the previous program year.

Explanation. Please refer to “A Criteria–Based Formula for the Distribution of the Perkins IV Funds” in Appendix ____ for a complete description of the division criteria and process.

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

Proposed State Policy. A waiver request submitted to the USDE, if approved, will authorize the State to continue to utilize 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 which would distribute the funds based on Pell Grant recipients and 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 indicates, 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. Please refer to Appendix ____ for a complete description of the Section 132 waiver request. Also see Appendix ____ for a comparison of the results of distributing the funds based on the prescribed and alternative formulas.

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

Proposed State 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 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 lower 30 percent of overall performance as determined by a composite ranking of all measures will be considered as *Monitored Agencies* and will be subject to Perkins Program Monitoring. Ultimately, LEAs that fail to submit the required program improvement plans and/or fail to make the required improvements are subject to sanctions which 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 _____.

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

Proposed State Policy. No less than 85 percent of the local educational agency's Section 131 or 132 allocation must be directed to the improvement and/or expansion of the CTE programs and courses approved in the local plan and annual application. Up to 5 percent of the allocation may be for direct or indirect costs associated with administering the grant. Up to 10 percent of the allocation may be may be expended for guidance and counseling and instructional support activities.

Explanation. This policy is consistent with the General Authority for local uses of the 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." 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

Proposed State Policy. Each CTE program assisted with Section 131 or 132 funds must incorporate the nine requirements established in Section 135(b) of Perkins IV and the following planning, organization and instructional elements determined by the State to be critical to high quality CTE programs:

- must 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 two or more years of employment, outside of education, in the career pathway addressed by the program or other evidence of equivalent proficiency; must meet the minimum qualifications for community college CTE teachers that are established in Title 5 of the CA Administrative Code;
- must focus on current or emerging high-skill, high-wage or high-demand occupations;
- must be aligned with the State's CTE model curriculum standards and framework;
- must have extensive industry involvement, including an advisory committee that is comprised primarily of industry representatives and meets no less than two times annually;
- must provide for certification of students who achieve industry-recognized skill and knowledge requirements;
- must be aligned with applicable feeder and advanced-level instruction in the same career pathway;
- must integrate the development of CTE and academic skills in order to prepare students for immediate employment upon graduation and for further education or training;
- must provide practical applications and experiences through actual or simulated work-based learning assignments;
- must provide for equitable access and needed support services of all students, including special populations and those preparing for non-traditional occupations;
- must include planned career awareness and exploration experiences;
- must 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 which comprise the sequence;
- must utilize annual evaluation results, including achieved core indicator performance levels, to determine needed program improvements, modifications, and professional development activities for staff; and

- must 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 Courses Assisted with Perkins IV Funds

Proposed State Policy. Courses assisted with Perkins IV funds must have CTE as their primary focus and majority of content, be taught by a teacher who meets the CTE teacher credential and occupational experience qualifications, and be integral to an approved sequence of courses.

4. Program of Study Requirement

Proposed State Policy. Each LEA receiving Section 131 or 132 funds must provide at least one program of study, as defined in Sections 122(c)(1)(A) of Perkins IV. Programs of study must incorporate secondary and postsecondary elements, lead to an industry-recognized credential or certificate at the postsecondary level, or an associate or baccalaureate degree. Programs of study must also satisfy the organization and operation requirements specified in policy #3.

5. Middle School Participation in the Perkins IV Funds

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

6. Requirements of Sequences of Courses for CTE Programs

Proposed State 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 that has a duration of not less than 300 hours;
- must 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; and
- must include sufficient introductory and concentration CTE courses to provide students with the instruction necessary to develop the skill and knowledge levels required for immediate employment and further education or training.

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

Explanation. 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 which have increased the requirements of programs to be assisted with the funds and the

accountability and reporting requirements. The following action is not expected to alter the conditions which have reduced court and community school eligibility for the funds. It should provide the county offices with a slight increase in its annual allocation and an opportunity to use some or all of its allocation for ROCP program improvements.

Proposed State Policy. Beginning with the 2008-09 program year, Section 131 allocations to the county offices of education will no longer be restricted to court and community school use. Rather, each county office of education will receive a Section 131 allocation to improve its CTE programs,

- 30 percent of which is based on the county office's proportional share of the total K-12 enrollment reported by county offices and school districts in the annual October report, and
- 70 percent of which is based on the county office's proportional share of the total K-12 enrollment reported by county offices and school districts 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 a portion or all of the county office 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 programs to ensure that these students are served, to the extent possible, in programs assisted with the funds.

An ROCP may also form a consortium with member unified and union high school districts for the purpose of receiving a Section 131 allocation. [Authorized by Section 131(e)(1)&(2)] If the consortium's memorandum of understanding (MOU) identifies the ROCP as the fiscal agent, the sum of the member district allocations would be directed to the ROCP. The MOU must describe the consortium's organization and operation as a single entity and must 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 consortiums (because they have allocations of less than \$15,000), because of the CTE leadership they could expect from the ROCP and almost complete relief in the required Perkins planning, application, claim, and accountability reports.

Finally, 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 these funds.

Explanation. 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 Programs Assisted with Section 131 and 132 Funds

Proposed State Policy. As a condition of receiving Section 131 or 132 funds, local educational agencies (LEAs) must be actively involved in the delivery of CTE programs, meaning that an LEA must provide at least one CTE sequence of courses that includes at least one district-funded course.

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; and 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

Proposed State 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.