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*Vocational Education Reauthorization: Comparison and
Analysis of Selected Provisions of S. 250 as Passed by the
House and Senate*

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July 21, 2006

Abstract. This report analyzes selected changes that S. 250 (House) and S. 250 (Senate) would make to current law and key differences between the bills. It begins with an examination of changes to relevant definitions made by both bills. This is followed by a detailed analysis of changes to funding formulas - both state allotments and within state allocations. The next section of the report considers changes that would be made to the Tech-Prep program, particularly by S. 250 (House). Following this discussion, the report analyzes accountability requirements in both bills, including changes to the core indicators of performance and data reporting. The report concludes with an examination of state and local plans and uses of funds.

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Vocational Education Reauthorization: Comparison and Analysis of Selected Provisions of S. 250 as Passed by the House and Senate

Updated July 21, 2006

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Vocational Education Reauthorization: Comparison and Analysis of Selected Provisions of S. 250 as Passed by the House and Senate

Summary

The federal government currently provides support for vocational and technical education through the Carl D. Perkins Vocational and Technical Education Act of 1998 (P.L. 105-332). (For more information about these acts, see CRS Report RL31747, *The Carl D. Perkins Vocational and Technical Education Act of 1998: Background and Implementation*.) The Perkins Act authorized funding for vocational and technical education through FY2003, although the Congress continues to provide funding under the act. The 109th Congress has acted to reauthorize the Perkins Act. On July 20, 2006, the Conference Committee agreed by voice vote to file a conference report for the Carl D. Perkins Career and Technical Education Improvement Act of 2006 (S. 250). No legislative language is currently available for the bill, as the Conference Committee considered recommendations for the agreement rather than statutory language.

While both the House bill (originally passed as H.R. 366, and subsequently passed as S. 250 (House)) and Senate bill (S. 250 (Senate)) would retain much of current law, both bills would make substantial changes to current legislation. Some of the key changes include:

- The Senate bill would change the term “vocational and technical education” to “career and technical education”;
- The House bill would eliminate a separate Tech-Prep program and combine funding for the Basic State Grants program and Tech-Prep program into a single state grant;
- The Senate bill would change the current funding formula for state allotments to help all states reach a minimum grant of 0.5% of total state funding;
- The House bill would require at least 88% of state funds to be provided to local recipients, while the Senate bill would continue to require at least 85% of state funds be provided to local recipients;
- The House bill would reduce the state set aside for administration from 5% to 2%;
- The House bill would establish five core indicators of performance at the secondary level and four core indicators of performance at the postsecondary level, while the Senate bill would establish five core indicators of performance at each level;
- Both bills would include accountability requirements for eligible agencies **and** eligible recipients;
- Under both bills, eligible recipients could face sanctions for failing to meet local adjusted levels of performance that could include a loss of funding; and
- The House bill would reduce the percentage of funds set aside for the outlying areas from 0.20% to 0.12%.

This report will not be updated.

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Vocational Education Reauthorization: Comparison and Analysis of Selected Provisions of S. 250 as Passed by the House and Senate

Introduction

The federal government currently provides support for vocational and technical education through the Carl D. Perkins Vocational and Technical Education Act of 1998 (P.L. 105-332).¹ The act authorized funding for vocational and technical education through FY2003, although the Congress continues to provide funding under the act. The 109th Congress has acted to reauthorize the Perkins Act.

On January 26, 2005, H.R. 366 (the Vocational and Technical Education for the Future Act) was introduced in the House. It was subsequently referred to the House Committee on Education and the Workforce. On March 9, 2005, the full committee ordered the bill to be reported. On May 5, 2005, the House approved H.R. 366, as amended, by a vote of 416-9.² Three amendments were considered and adopted during deliberation of the bill on the House floor. The amendments made changes to the amount of funds that could be used for tech-prep activities, added a new provision allowing local funds to be used to support transitions from sub-baccalaureate education to baccalaureate education, and added a new provision allowing local funds to be used to provide training for automotive technicians in alternative fuel automotive technologies.³

On February 1, 2005, S. 250 (the Carl D. Perkins Career and Technical Education Improvement Act of 2005) was introduced in the Senate. It was subsequently referred to the Senate Committee on Health, Education, Labor, and Pensions. On March 9, 2005, the full committee ordered the bill to be reported. On March 10, 2005, S. 250, as amended, was approved by the Senate by a vote of 99-0.⁴ No amendments were considered.

¹ For more information about the Carl D. Perkins Vocational and Technical Education Act of 1998, see CRS Report RL31747, *The Carl D. Perkins Vocational and Technical Education Act of 1998: Background and Implementation*, by Rebecca R. Skinner and Richard N. Apling. (Hereafter cited as CRS Report RL31747.)

² For more information, see Roll Call Vote No. 154, at [<http://clerk.house.gov/evs/2005/roll154.xml>].

³ For more information, see H.Amdt. 104, H.Amdt. 105, and H.Amdt. 106.

⁴ For more information, see Roll Call Vote No. 43., at [http://www.senate.gov/legislative/LIS/roll_call_lists/roll_call_vote_cfm.cfm?congress=109&session=1&vote=00043].

On July 12, 2006, the House substituted the provisions of H.R. 366 for S. 250 and passed S. 250 (referred to as S. 250 (House)) without objection. Subsequently, on July 20, 2006, the Conference Committee agreed by voice vote to file a conference report for the Carl D. Perkins Career and Technical Education Improvement Act of 2006 (S. 250). No legislative language is currently available for the bill, as the Conference Committee considered recommendations for the agreement rather than statutory language.

This report analyzes selected changes that S. 250 (House) and S. 250 (Senate) would make to current law and key differences between the bills. It begins with an examination of changes to relevant definitions made by both bills. This is followed by a detailed analysis of changes to funding formulas — both state allotments and within state allocations. The next section of the report considers changes that would be made to the Tech-Prep program, particularly by S. 250 (House). Following this discussion, the report analyzes accountability requirements in both bills, including changes to the core indicators of performance and data reporting. The report concludes with an examination of state and local plans and uses of funds.

Table 1 provides a general comparison of some of the key changes to current law that would be made by S. 250 (House) and S. 250 (Senate). Each of these changes is discussed in detail in a subsequent section of this report.

Purpose of the Act

The House and the Senate bill would make several modifications to the current wording of the purpose of the act, such as including as one of the purposes of the act to integrate “rigorous and challenging” (S. 250 (House)) or “challenging” (S. 250 (Senate)) academic, vocational, and technical instruction. The Senate bill would also add three new provisions to the purpose of the act focused on professional development, partnerships, and the development of a highly skilled workforce.

Definitions

Both the House and Senate made changes to the definitions section (§3). This section discusses some of the key changes made by each bill and their related implications.

Table 1. Overview of Proposed Changes That Would Be Made by S. 250 (House) and S. 250 (Senate)

Current law provisions (P.L. 105-332)	House bill (S. 250 (House))	Senate bill (S. 250 (Senate))
Refers to “vocational and technical education.”	Same as current law.	Would replace “vocational and technical education” with “career and technical education.”
Specifies set asides for outlying areas, Indian programs, Native Hawaiian programs, and incentive grants.	Would reduce the percentage of funds set aside for outlying areas from 0.20% to 0.12%.	Same as current law.
Includes specific formula for state allotments for the Basic State Grants program and Tech-Prep program. Set asides only apply to funds for the Basic State Grants program.	Would maintain current formula but would combine funding from Basic State Grants program and Tech-Prep program into a single grant, subjecting what would be considered Tech-Prep funding under current law to set-asides.	Would provide all states with a hold harmless grant at the FY2005 level, while distributing all funds in excess of the FY2005 level (i.e., new money) to states that would not otherwise receive 0.5% of the total funds available to states. Once all states reach at least 0.5%, new money would be distributed across the states.
Authorizes a separate Tech-Prep program.	Would eliminate a separate Tech-Prep program.	Same as current law.
Division of state allotment: At least 85% to local recipients, up to 10% for state leadership activities, and up to 5% for state administration.	Division of state allotment: At least 88% to local recipients, up to 10% for state leadership activities, and up to 2% for state administration.	Same as current law.
Establishes a performance accountability system based on four core indicators that are identical for the secondary and postsecondary levels. Only includes performance accountability requirements for eligible agencies.	Would establish five core indicators for the secondary level, and four core indicators for the postsecondary level. Includes performance accountability requirements for eligible agencies and eligible recipients.	Would establish five core indicators at the secondary level, and five core indicators at the postsecondary level. Includes performance accountability requirements for eligible agencies and eligible recipients.
No sanctions for eligible recipients failing to meet performance requirements.	Would create sanctions for eligible recipients failing to meet performance requirements that could result in a loss of funding.	Would create sanctions for eligible recipients failing to meet performance requirements that could result in a loss of funding.
State plans are developed for a five-year period.	Would require six-year state plans.	Would require six-year state plans.
Requires tech-prep programs to combine two years of secondary education and two years of postsecondary education in a nonduplicative sequence of courses.	Would require the development of model sequences of courses.	Same as current law and would also require the development of career pathways under Basic State grants and the inclusion of career pathways in tech-prep programs to the extent possible.

Vocational and Technical Education. S. 250 (House) would make substantial changes to the current definition of vocational and technical education. The most significant change would focus on what vocational and technical education should be preparing students to do. Current law states that a sequence of vocational and technical education courses should prepare students “for further education and for careers (other than careers requiring a baccalaureate, master’s, or doctoral degree) in current or emerging employment sectors.” The House bill would drop the prohibition on preparing students for careers requiring a bachelor’s degree, which could result in an increase in the number of four-year institutions participating in the program.⁵ At the same time, however, S. 250 (House) would also specify that the sequence of courses provided by vocational and technical education programs must provide at the postsecondary level a one-year certificate, associate’s degree, or industry recognized credential.⁶ Last, the definition would be revised to allow students to receive the training needed to enroll in a sequence of courses. That is, students could receive remedial coursework or training to prepare them to enroll in their desired sequence of courses.

Career and Technical Education. Since S. 250 (Senate) would replace the term “vocational and technical education” with “career and technical education” throughout the bill,⁷ it would drop the current definition for “vocational and technical education,” replacing it with “career and technical education.” The definition of career and technical education would deviate from current law in at least one critical way. Similar to the House bill, S. 250 (Senate) would lift limitations on the types of careers for which students should be prepared. The Senate bill, however, would go further than the House bill and eliminate the entire restriction on preparing students for careers requiring bachelor’s, master’s, and doctoral degrees. That is, students could be prepared for careers requiring any degree level. Unlike S. 250 (House), the Senate bill does not specify the types of awards that must result from career and technical education at the postsecondary level, providing general requirements that the sequence of courses lead to “technical skill proficiency, a credential, a certificate, or a degree.” Similar to the House bill, this could result in an increase in the number of four-year institutions participating in the program.

Tech-Prep. The House bill would drop the current definition of a tech-prep program. This is probably due to the proposed elimination of a separate tech-prep program in S. 250 (House). References to tech-prep, however, are made in various places throughout the House bill. Section 135(b)(3) would define the components of a tech-prep program under local uses of funds. For example, the components would include the participants in a consortium that write an articulation agreement,

⁵ If more four-year institutions begin to participate in the program, there might be greater overlap among institutions participating in both vocational and technical education programs and programs authorized by the Higher Education Act.

⁶ Professions requiring a post-baccalaureate degree would still be excluded.

⁷ S. 250 (House) would continue to use the phrase “vocational and technical education.” In instances where both the House and Senate bills would make similar changes to current law that involve the phrases “vocational and technical education” and “career and technical education,” respectively, this report uses the current law and House bill language in discussing the changes.

program length, areas in which technical preparation must be provided, and use of performance indicator data.

While the Senate bill would retain the definition of a tech-prep program, it would make substantial revisions to the current definition. For example, the proposed definition specifically includes the use of work-based and worksite learning “where appropriate and available.” Current law addresses the strengthening of the applied academic component. The definition in S. 250 (Senate) would no longer specify areas in which technical preparation should take place (e.g., engineering technology, applied science). Rather, the bill would focus on the provision of technical preparation in a career field “including high skill, high wage, or high demand occupations.” The current definition refers to participation in the tech-prep program resulting in an associate’s degree, certificate, or high skill, high wage employment. The definition in S. 250 (Senate) would require student competencies to build in “technical skills and core academic subjects” through “applied, contextual, and integrated instruction” which may include work-based learning. Current law focuses on building student competencies only in mathematics, science, and communications. It does not address how these competencies should be built. The proposed definition would not limit degree attainment to a specific degree level. Current law limits degree attainment to an associate’s degree. The Senate bill definition would also require the use of career pathways “to the extent practicable.”

Career Pathway. The Senate bill, but not the House bill, would add a definition for a “career pathway.”⁸ The definition would state what is expected from the “coordinated and nonduplicative sequence of courses” that form the career pathway. In addition to including secondary and postsecondary education components, career pathways could also prepare students for dual or concurrent enrollment programs to obtain postsecondary education credits. Student participation in a career pathway would be required to result in “technical skill proficiency, an industry-recognized credential, a certificate, a degree, or completion of a recognized apprenticeship program.” No limits would be placed on the level of degree a student may earn as a result of participation in a career pathway.

Eligible Institution. S. 250 (House) would change the definition of an “eligible institution” from an “institution of higher education” to a “public or nonprofit private institution of higher education.” S. 250 (Senate) would make a similar change, but would require that courses provided by the institution lead to a “technical skill proficiency, an industry-recognized credential, a certificate, or a degree.”⁹

⁸ The House bill includes the development of model sequences of courses, rather than career pathways, but the term “model sequences of courses” is not defined in the definitions section.

⁹ By specifying public or nonprofit institutions rather than “institutions of higher education,” both bills would prevent private for-profit (proprietary) institutions from being considered eligible institutions under this act if the definition of an institution of higher education changed during the reauthorization of the Higher Education Act to include proprietary institutions. (See, for example, H.R. 609, §101.) It should be noted that neither bill would

(continued...)

Nontraditional Fields. Both bills would change “nontraditional training and employment” to “nontraditional fields.” S. 250 (House) would add that fields of work for which students are prepared can include current high skill occupations. The current definition limits preparation to emerging high skill occupations. S. 250 (Senate) does not make this additional change.

Articulation Agreement. Both S. 250 (House) and S. 250 (Senate) would add a definition for “articulation agreement.”¹⁰ The House and the Senate, however, have proposed different definitions of articulation agreement that would expand upon current law. The House definition would specify that the articulation agreement be established at the state level or “approved annually and facilitated by” secondary and postsecondary consortia members. The definition would also retain a reference to tech-prep education.¹¹ S. 250 (Senate) would require that articulation agreements be approved annually by a secondary and postsecondary institution **or** a sub-baccalaureate degree-granting postsecondary education institution and a baccalaureate degree-granting postsecondary education institution. Thus, under the Senate bill, it would be possible to develop articulation agreements that do not include representatives from the secondary level.

Community College. The Senate bill would add a definition of “community college” to the definitions section. Currently, community college is defined under Title II (Tech-Prep). The proposed Senate definition is identical to the existing definition.¹² The House bill does not include a definition of community colleges in the definitions section or elsewhere in the bill.¹³

⁹ (...continued)

change the definition of a postsecondary educational institution which includes an “institution of higher education that provides not less than a 2-year program of instruction that is acceptable for credit toward a bachelor’s degree.” Thus, if the definition of an institution of higher education is changed during HEA reauthorization, proprietary institutions providing not less than a two-year program of study that is acceptable as credit toward a bachelor’s degree would be considered postsecondary educational institutions for the purposes of this program.

¹⁰ Articulation agreement is defined in current law under Title II (Tech-Prep).

¹¹ Although the House bill would eliminate a separate Tech-Prep program, it would define an articulation agreement as an agreement designed to support programs to “provide students with a non-duplicative sequence of progressive achievements leading to degrees, certificates, or credentials in a tech-prep education program linked through credit transfer agreements.”

¹² Proprietary institutions are not currently considered community colleges under the current law and S. 250 (Senate) definitions of community college, as eligible institutions must be institutions of higher education as currently defined in HEA, §101. If the definition of an IHE changes to include proprietary institutions, as proposed by H.R. 609 §101, for example, proprietary institutions would be considered community colleges based on the current law and S. 250 (Senate) definitions. It should be noted, however, that under this definition, a four-year institution offering bachelor’s degrees or higher could be considered a community college based on the requirement that the institution provide “not less than a 2-year program that is acceptable for full credit toward a baccalaureate degree.”

¹³ As previously mentioned, “community college” is defined under Title II in current law.

(continued...)

Special Populations. Both bills would retain the current law definition of special populations, making only minor modifications. Special populations would continue to include individuals with disabilities, individuals from economically disadvantaged families, single parents, and displaced homemakers. Individuals preparing for “nontraditional training and employment” would be replaced by individuals preparing for “nontraditional fields” in both bills. Both bills would modify an existing provision to eliminate “individuals with other barriers to educational achievement,” retaining only language about individuals with limited English proficiency. S. 250 (House) would add a separate provision for “individuals with other barriers to educational achievement, as determined by the state” that would not be included in S. 250 (Senate).

Outlying Areas. Both bills would drop the Republic of the Marshall Islands and the Federated States of Micronesia from the definition of outlying areas. The Senate bill would also drop the Republic of Palau.

Changes Related to Other Laws. Both the House and Senate bill would add a definition based on the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act, and the Senate would add one based on the Workforce Investment Act of 1998 (WIA; P.L. 105-220). S. 250 (House) would add a definition for “scientifically based research” that is aligned with the definition used in ESEA. References to carrying out research in current law would be modified in S. 250 (House) to focus on carrying out scientifically-based research. S. 250 (Senate) would add a definition for “core academic subjects.” The Senate bill would also add a definition for “local workforce investment board” that references WIA.

Authorizations and Reservations

Authorization of Appropriations

Section 8 of the Perkins Act authorizes appropriations for the Basic State Grant program.¹⁴ S. 250 (Senate) would continue the current-law authorization at “such sums as may be necessary” and would update the fiscal years to which the authorization applies to FY2006 through FY2011. S. 250 (House) would also authorize appropriations for these fiscal years but would specify an authorization of \$1.307 billion for FY2006.¹⁵

¹³ (...continued)

S. 250 (House) eliminates Title II.

¹⁴ Authorizations for other programs and activities, such as national programs in §114, are contained in those sections.

¹⁵ As mentioned previously, S. 250 (House) would repeal the Tech-Prep program. The FY2006 authorization level in S. 250 (House) is slightly larger than the combined FY2005 appropriations for the basic state grant program and the Tech-Prep program (\$1,194,331,296 + \$105,811,680 = \$1,300,142,976).

Reservation of Funds

Section 111 of the Perkins Act specifies reservations of funds for certain activities and specifies the state allotment formula. **Table 2** shows current law reservations and proposed reservations under the two bills. In brief, S. 250 (Senate) would preserve current law reserves; S. 250 (House) would change only the reservation for the outlying areas from 0.2% of the overall appropriation to 0.12%. (The provision of funds for outlying areas is discussed below.)

Table 2. Reservations and Proposed Reservations Under Current Law, S. 250 (Senate), and S. 250 (House)

Reservation of funds	Current law and S. 250 (Senate)	S. 250 (House)
Outlying areas	0.20%	0.12%
Indian programs	1.25%	1.25%
Native Hawaiian programs	0.25%	0.25%
Incentive grants	0.54%	0.54%
Remainder allotted to states	97.76%	97.84%

Source: Table created by CRS, June 3, 2005, based on current law, S. 250 (House), and S. 250 (Senate).

Note: S. 250 (Senate) would allow **not more than** 0.54% of funds to be used for incentive grants. Current law and S. 250 (House) require 0.54% to be used for incentive grants.

Assistance for Outlying Areas

Section 115 of the Perkins Act authorizes grants to the Outlying Areas.¹⁶ H.R. 366 would increase the specified grant amounts as follows:

- For Guam, an increase from \$500,000 to \$660,000;
- For American Samoa, an increase from \$190,000 to \$350,000; and
- For Northern Mariana Islands, an increase from \$190,000 to \$350,000.

In addition, a specific grant for Palau would be required of \$160,000.¹⁷

Under current law, any additional funds are provided to the Pacific Regional Educational Laboratory (PREL) for distribution to the Outlying Areas in the Pacific. S. 250 (House) would eliminate PREL's participation and require the Secretary to distribute any remaining funds in equal proportions to American Samoa, Guam, and

¹⁶ For a discussion of the definition of "outlying areas," see above.

¹⁷ Palau would no longer be eligible for Perkins funds after signing a new Compact of Free Association.

the Northern Mariana Islands. S. 250 (Senate) keeps the same initial grant amounts as under current law and would continue to have additional funds flow through the PREL.¹⁸

Native American Programs

Sections 116 and 117 of the Perkins Act authorize funding for Native American programs (including programs for Alaska Natives and Native Hawaiians) and for tribally controlled postsecondary vocational institutions. Neither S. 250 (House) nor S. 250 (Senate) would make substantive changes to §116.

Currently two institutions receive grants under §117: United Tribes Technical College in North Dakota and Crownpoint Institute of Technology in New Mexico. The major changes S. 250 (House) would make to this section involve expenses and indirect costs. The House bill would permit funds to be used “for institutional support costs of the grant” as well as “for vocational and technical education programs for Indian students.” The bill would also prohibit the Secretary from using “a restricted indirect cost rate for grants issued under this section.” Finally the House bill would eliminate the requirement for the Secretary to report on facilities needs. (This study, which is required in current law, has been completed.) S. 250 (Senate) would continue to require this study and would require that it be undertaken annually. The Senate bill, like the House bill, would prohibit the use of “a restricted indirect cost rate.” The Senate bill would provide the opportunity for tribally controlled postsecondary vocational institutions to appeal decisions on the determination of ineligibility for a §117 grant and on the amount of the §117 grant before an administrative law judge. Finally, the Senate bill, but not the House bill, would authorize \$10 million to be appropriated for FY2006 and “such sums as may be necessary” for subsequent years.

State Allotment Formula

Under current law, Basic State Grant funds¹⁹ are allotted based on states’ proportional shares of three population groups: individuals ages 15 to 19, 20 to 24, and 25 to 65. In addition, the formula adjusts allotments based on states’ per capita income (PCI) such that states with lower-than-average PCIs receive somewhat larger grants and those with above average PCIs receive somewhat reduced grants. In addition, certain minimum grant and hold harmless provisions are applied, assuming that funds are sufficient to meet these provisions. The minimum grant provision provides that no state shall receive a grant less than 0.5% of the overall amount allotted to states; however, this minimum amount is limited so that no state, as a result of the minimum grant provision, receives an allotment that is more than 150%

¹⁸ S. 250 (Senate) would appear to continue to authorize funds for the Republic of Palau although the bill would remove it from the definition of “outlying areas.”

¹⁹ Under current law and the Senate bill, the Tech-Prep allotment provision simply cross-references the basic state grant formula.

of “the national average per pupil payment”²⁰ times the number of individuals in the state ages 15 to 65. At current appropriation levels, the minimum grant is about 0.4% of the total allotment. Finally, states are held harmless at their FY1998 grant level. That is, assuming funds are sufficient, no state’s grant will be less than what it received for FY1998.

Both the House and Senate bills would keep the basic structure of this formula intact; however, each bill would make certain alterations. Since S. 250 (House) would repeal the Tech-Prep program and allot funds through one state formula, it would change the hold harmless provision from one based on Basic State Grants only to a hold harmless based on a state’s combined allotment from the Basic State Grants program and Tech-Prep for FY2005. The Senate bill would change the minimum grant provision. The bill would remove current constraints on the 0.5% minimum grant²¹ and provide for a 100% hold harmless based on states’ prior year grant through FY2008. For FY2009 through FY2011, S. 250 (Senate) would provide a hold harmless based on 95% of a state’s prior year grant. Based on CRS analysis of estimated allotments from the U.S. Department of Education (ED), it would appear that ED would interpret the Senate bill language as follows. Money in addition to the amount appropriated for FY2005 (“new” money) would first be distributed to states below the 0.5% minimum grant in proportion to how much they needed to achieve the 0.5% minimum. In other words, states with initial grants that were further from 0.5% of the total state allotment would receive more funds than states with initial grants that were nearly at the 0.5% of the total state allotment. Other states would receive their hold harmless amounts until all states received at least the 0.5% minimum grant.

Table 3 compares estimated FY2005 state allotments under current law to estimated allotments under the two proposed formulas using the S. 250 (House) FY2006 authorization of \$1.307 billion. While the allotments for both bills were calculated using the same amount, differences between the two bills would result in slightly more money reaching the states under the Senate bill. In combining the Basic State Grants with the Tech-Prep program grants, S. 250 (House) would subject the “tech-prep portion” of those funds to set-aside requirements. Under current law and under the Senate bill, Tech-Prep is not subject to set asides (e.g., funds for outlying areas). S. 250 (House) would also reduce the percentage of funds going to the outlying areas from 0.20% to 0.12%. Despite this decrease, the net effect of combining the two Perkins programs would result in slightly more funds being used for set-asides than would be used under current law or S. 250 (Senate). (S. 250 (Senate) would preserve the current set-aside percentages and applies them only to the Basic State Grants program.) As a result of these differences in the two bills, **Table 3** shows \$1.279 billion being allotted to states under S. 250 (House) and \$1.280 billion under S. 250 (Senate).

²⁰ This amount is calculated by dividing the total amount allotted to states by the total U.S. population ages 15 to 65.

²¹ The Senate bill would eliminate the requirement that no allotment may be more than 150% of the national average per pupil payment times the number of individuals in the state ages 15 to 65.

Column 2 of **Table 3** provides state FY2005 estimates for the Basic State Grants and Tech-Prep programs combined based on data available from ED. Column 3 provides the estimated total amount of funding states would receive under S. 250 (House) at the proposed FY2006 authorization level of \$1.307 billion. As previously mentioned, S. 250 (House) would combine the Basic State Grants program and Tech-Prep program into a single grant. Column 5 provides the estimated total amount of funding (i.e., Basic State Grants and Tech-Prep combined) states would receive under S. 250 (Senate) at the FY2006 authorization level proposed in S. 250 (House). Unlike S. 250 (House), S. 250 would preserve the Basic State Grants program and Tech-Prep as separate programs but, for comparison purposes, funding for both programs has been combined in Column 5. Columns 4 and 6 compare funding under S. 250 (House) and S. 250 (Senate), respectively, with FY2005 funding. Column 7 compares estimated FY2006 funding under S. 250 (House) and S. 250 (Senate).

Under S. 250 (House), 34 states would receive an increase in funding for FY2006 compared to their estimated FY2005 grants. These increases would range from an estimated \$25,000 (Arkansas and Idaho) to \$913,000 (California). The remaining states, Puerto Rico, and the U.S. Virgin Islands would continue to receive the same amount in FY2006 as was received in FY2005.

For the purposes of calculating estimated state allotments for the Basic State Grants program and Tech-Prep under S. 250 (Senate), it was assumed that the Tech-Prep program would receive the same percentage of total state funds as received in FY2005.²² Based on this assumption, 12 states would receive an increase in funding for FY2006 compared to their estimated FY2005 grants. These increases would range from an estimated \$18,000 (Hawaii, Maine, New Hampshire, and Rhode Island) to \$1,027,000 (Wyoming).²³ All other states would receive the same amount of funding for Basic State Grants and Tech-Prep as was received in FY2005.

Table 3 also provides a comparison of estimated state grants under S. 250 (House) and S. 250 (Senate). As previously discussed, 12 states would get increases in FY2006 under S. 250 (Senate) at the total authorized level contained in S. 250 (House). Eight of these states would receive larger state grants under S. 250 (Senate) than S. 250 (House). Under S. 250 (House), these eight states would not receive any increase in state funding for FY2006. The remaining four states that would receive increases of about \$18,000 under S. 250 (Senate) would actually receive larger increases under S. 250 (House) (about \$27,000). Nine states, Puerto Rico, and the U.S. Virgin Islands would not receive any additional funding under either plan. The remaining states would all receive larger grants under S. 250 (House).

²² For FY2005, Tech-Prep grants accounted for 8.1% of the total funding allotted for Basic State Grants and Tech-Prep grants. The same percentage was used to determine how much funding should be allotted for Tech-Prep grants under S. 250 (Senate) using the S. 250 (House) authorization for FY2006.

²³ These states currently receive 0.5% or less of the total allotted to states.

Table 3. Comparison of FY2006 Estimated Total State Grants Under S. 250 (House) and S. 250 (Senate) and FY2005 Estimated State Grants

1	2	3	4	5	6	7
State	Current law total Basic State Grant and Tech-Prep: FY2005	S. 250 (House): FY2006	Difference between FY2006 funding under S. 250 (House) and FY2005 funding under current law	S. 250 (Senate) total Basic State Grant and Tech-Prep: FY2006	Difference between FY2006 funding under S. 250 (Senate) and FY2006 funding under current law	Difference between total funding under S. 250 (House) and S. 250 (Senate)
Alabama	\$22,487,000	\$22,487,000	\$0	\$22,487,000	\$0	\$0
Alaska	\$4,578,000	\$4,578,000	\$0	\$5,567,000	\$989,000	-\$989,000
Arizona	\$26,472,000	\$26,644,000	\$172,000	\$26,472,000	\$0	\$172,000
Arkansas	\$13,917,000	\$13,942,000	\$25,000	\$13,917,000	\$0	\$25,000
California	\$140,278,000	\$141,191,000	\$913,000	\$140,278,000	\$0	\$913,000
Colorado	\$17,041,000	\$17,135,000	\$94,000	\$17,041,000	\$0	\$94,000
Connecticut	\$11,038,000	\$11,110,000	\$72,000	\$11,038,000	\$0	\$72,000
Delaware	\$5,345,000	\$5,345,000	\$0	\$5,919,000	\$574,000	-\$574,000
District of Columbia	\$4,546,000	\$4,546,000	\$0	\$5,549,000	\$1,004,000	-\$1,004,000
Florida	\$68,467,000	\$68,913,000	\$446,000	\$68,467,000	\$0	\$446,000
Georgia	\$39,368,000	\$39,625,000	\$256,000	\$39,368,000	\$0	\$256,000
Hawaii	\$6,367,000	\$6,394,000	\$27,000	\$6,385,000	\$18,000	\$9,000
Idaho	\$7,451,000	\$7,476,000	\$25,000	\$7,451,000	\$0	\$25,000
Illinois	\$49,633,000	\$49,919,000	\$285,000	\$49,633,000	\$0	\$285,000
Indiana	\$28,950,000	\$29,005,000	\$55,000	\$28,950,000	\$0	\$55,000
Iowa	\$14,106,000	\$14,106,000	\$0	\$14,106,000	\$0	\$0
Kansas	\$12,830,000	\$12,884,000	\$53,000	\$12,830,000	\$0	\$53,000
Kentucky	\$20,270,000	\$20,270,000	\$0	\$20,270,000	\$0	\$0
Louisiana	\$24,268,000	\$24,268,000	\$0	\$24,268,000	\$0	\$0
Maine	\$6,367,000	\$6,394,000	\$27,000	\$6,385,000	\$18,000	\$9,000
Maryland	\$18,682,000	\$18,772,000	\$90,000	\$18,682,000	\$0	\$90,000
Massachusetts	\$20,382,000	\$20,515,000	\$133,000	\$20,382,000	\$0	\$133,000
Michigan	\$43,629,000	\$43,790,000	\$161,000	\$43,629,000	\$0	\$161,000
Minnesota	\$20,485,000	\$20,533,000	\$48,000	\$20,485,000	\$0	\$48,000
Mississippi	\$15,589,000	\$15,589,000	\$0	\$15,589,000	\$0	\$0
Missouri	\$26,335,000	\$26,454,000	\$119,000	\$26,335,000	\$0	\$119,000
Montana	\$6,016,000	\$6,016,000	\$0	\$6,225,000	\$209,000	-\$209,000
Nebraska	\$8,160,000	\$8,160,000	\$0	\$8,160,000	\$0	\$0
Nevada	\$8,761,000	\$8,818,000	\$57,000	\$8,761,000	\$0	\$57,000

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1	2	3	4	5	6	7
State	Current law total Basic State Grant and Tech-Prep: FY2005	S. 250 (House): FY2006	Difference between FY2006 funding under S. 250 (House) and FY2005 funding under current law	S. 250 (Senate) total Basic State Grant and Tech-Prep: FY2006	Difference between FY2006 funding under S. 250 (Senate) and FY2006 funding under current law	Difference between total funding under S. 250 (House) and S. 250 (Senate)
New Hampshire	\$6,367,000	\$6,394,000	\$27,000	\$6,385,000	\$18,000	\$9,000
New Jersey	\$26,914,000	\$27,078,000	\$164,000	\$26,914,000	\$0	\$164,000
New Mexico	\$10,159,000	\$10,212,000	\$53,000	\$10,159,000	\$0	\$53,000
New York	\$65,380,000	\$65,806,000	\$426,000	\$65,380,000	\$0	\$426,000
North Carolina	\$37,515,000	\$37,760,000	\$244,000	\$37,515,000	\$0	\$244,000
North Dakota	\$4,559,000	\$4,559,000	\$0	\$5,557,000	\$998,000	\$-998,000
Ohio	296 \$50,903,000	\$50,903,000	\$0	\$50,903,000	\$0	\$0
Oklahoma	\$17,871,000	\$17,871,000	\$0	\$17,871,000	\$0	\$0
Oregon	35 \$15,844,000	\$15,937,000	\$93,000	\$15,844,000	\$0	\$93,000
Pennsylvania	\$50,768,000	\$50,957,000	\$190,000	\$50,768,000	\$0	\$190,000
Puerto Rico	wilk \$21,528,000	\$21,528,000	\$0	\$21,528,000	\$0	\$0
Rhode Island	\$6,367,000	\$6,394,000	\$27,000	\$6,385,000	\$18,000	\$9,000
South Carolina	aks. \$20,632,000	\$20,699,000	\$67,000	\$20,632,000	\$0	\$67,000
South Dakota	\$4,845,000	\$4,845,000	\$0	\$5,691,000	\$846,000	\$-846,000
Tennessee	/wt \$26,519,000	\$26,597,000	\$78,000	\$26,519,000	\$0	\$78,000
Texas	\$104,154,000	\$104,832,000	\$678,000	\$104,154,000	\$0	\$678,000
Utah	ht \$13,955,000	\$13,973,000	\$18,000	\$13,955,000	\$0	\$18,000
Vermont	\$4,561,000	\$4,561,000	\$0	\$5,558,000	\$997,000	\$-997,000
Virginia	\$28,853,000	\$28,949,000	\$96,000	\$28,853,000	\$0	\$96,000
Washington	\$24,675,000	\$24,791,000	\$116,000	\$24,675,000	\$0	\$116,000
West Virginia	\$9,306,000	\$9,306,000	\$0	\$9,306,000	\$0	\$0
Wisconsin	\$24,705,000	\$24,749,000	\$44,000	\$24,705,000	\$0	\$44,000
Wyoming	\$4,493,000	\$4,493,000	\$0	\$5,520,000	\$1,027,000	\$-1,027,000
Virgin Islands	\$698,000	\$698,000	\$0	\$698,000	\$0	\$0
Total	\$1,273,390,000	\$1,278,769,000	\$5,379,000	\$1,280,106,000	\$6,716,000	\$-1,337,000

Source: Table created by CRS on May 12, 2005. Data for the FY2005 state estimates was provided by the U.S. Department of Education, Budget Service.

Note: Grant amounts are estimates provided for policy discussion only and do not represent amounts that states would necessarily receive. Dollars are rounded to nearest \$000; details may not add to totals due to rounding.

Within-State Allocation

Section 112 of the Perkins Act specifies how states are to allocate their Basic State Grant with respect to local activities, state leadership, and state administration. In general, current law requires states to distribute at least 85% of their grants to local recipients, while permitting them to reserve up to 10% for statewide leadership activities (such as professional development and program assessment), and up to 5% for state administration. The S. 250 (House) proportions would be at least 88% for local recipients, up to 10% for leadership, and up to 2% for administration; the S. 250 (Senate) proportions would be at least 85% for local recipients and up to a combined 15% for leadership and administration.

Table 4, which compares these provisions in current law with those in the two bills, shows that there are certain complexities within these distributions. For example, under current law, a state may reserve the greater of 5% or \$250,000 for state administration. If a state chooses to reserve \$250,000 for state administration because that amount is more than 5% of its grant, it must reduce how much it reserves for statewide activities because it must allocate at least 85% of its grant to local recipients. Under S. 250 (Senate), a state may reserve the greater of 15% or \$750,000 for state administration and leadership. A state that would choose to reserve \$750,000 would apparently be able to allocate less than 85% of its grant to local recipients. Somewhat similarly, S. 250 (House) would permit states to reduce the amount required to be allocated to local recipients (ordinarily 88% of the total grant) if the amount available for state leadership (ordinarily 10% of the total grant) was less than the amount allocated for FY2005.²⁴

Current law and both bills permit states to target up to 10% of local funds for specified local recipients. Both bills preserve current-law categories of recipients in rural areas and recipients with high percentages or high numbers of vocational and technical students. Both bills drop the category of local recipients that were negatively impacted by within-state formula changes made by the last Perkins Act reauthorization (P.L. 105-332). The Senate bill would add two uses of these targeted funds: for innovative statewide activities and for developing and implementing career pathways or clusters.

Current law permits states to use their administrative set-aside for developing the state plan, reviewing local plans, monitoring and evaluating program effectiveness, assuring federal law compliance, and providing technical assistance. Both S. 250 (House) and S. 250 (Senate) have similar uses of administrative funds. S. 250 (House) removes technical assistance, which is a required use of state leadership activities in both bills. S. 250 (Senate) retains the five uses in current law

²⁴ An example of when this could occur is as follows: Under S. 250 (House), if a state reserved \$250,000 rather than 2% for administration, there would no longer be 10% of state funds available for state leadership. If the amount still available for state leadership was less than the amount for state leadership in FY2005, the state may reserve the same percentage of funds for state leadership as were reserved in FY2005. The additional funds would be taken from the funding designated for local recipients.

and adds the development and support of “State data systems relevant to the provisions of this Act.”

Table 4. Distribution of Basic State Grants Within States Under Current Law, S. 250 (House), and S. 250 (Senate)

Within-state activity	Current law	S. 250 (House)	S. 250 (Senate)
(Percentages are based on total amount allotted to the state)			
State administration	Up to 5% or \$250,000, whichever is greater	Up to 2% or \$250,000, whichever is greater	Up to 15% or \$750,000 (whichever is greater) for activities that include state leadership and state administration
State leadership	Up to 10%, unless \$250,000 is allocated for administration, in which case less than 10% would be available	Up to 10% unless this amount is less than the amount allocated for state leadership in FY2005, in which case leadership funds could be supplemented from funds otherwise required to be allocated to local recipients	
State leadership funds for preparation for employment in nontraditional fields	Between \$60,000 and \$150,000 of state leadership funds	Between \$60,000 and \$150,000 of state leadership funds	Not less than \$60,000 from state leadership/state administration funds
Local distribution	At least 85%	At least 88%, unless the amount available for state leadership is less than the amount allocated for FY2005, in which case local amounts could be reduced so that the proportion of funds for state leadership is the same as the FY2005 proportion. In addition, funds must be made available for Tech-Prep activities based on the amount available for FY2005.	At least 85%

Within-state activity	Current law	S. 250 (House)	S. 250 (Senate)
(Percentages are based on total amount allotted to the state)			
Permitted reserve for specified local recipients	Up to 10% of the 85% for local uses for at least two categories: 1. rural areas, 2. areas with high percentages of vocational education students, 3. areas with high numbers of vocational education students, and 4. communities adversely impacted by formula changes	Up to 10% of the remaining amount after providing funds for Tech-Prep for at least two categories: 1. rural areas, 2. areas with high percentages of vocational education students, and 3. areas with high numbers of vocational education students	Up to 10% of the 85% for local uses for: 1. rural areas, or 2. areas with high percentages or high numbers of career/technical education students, 3. innovative statewide activities (technical assistance, career development, and accountability systems), and 4. career pathways or career clusters

Source: Table created by CRS, June 3, 2005, based on an analysis of current law, S. 250 (House), and S. 250.

Section 124 of the Perkins Act outlines required and permitted uses for the state leadership funding. Required uses include:

- Assessment of programs supported by the Perkins Act,
- Development, improvement, and expansion of technology in vocational education,
- Support for professional development,
- Support for improving students' academic and vocational and technical skills,
- Support for nontraditional training and employment,²⁵
- Support for partnerships between local educational agencies (LEAs) and postsecondary institutions, employers, etc.,
- Services to individuals in state institutions, such as state correctional institutions, and
- Support for "special populations."

Examples of permitted uses of state leadership funds include technical assistance, improving career guidance and academic counseling, support for vocational and technical education for adults and for school dropouts, and support for public charter schools that provide vocational and technical education.

²⁵ Nontraditional fields means "occupations or fields of work ... for which individuals from one gender comprise less than 25 percent of the individuals employed in each such occupation or field of work." Current law requires that between \$60,000 and \$150,000 of state leadership funds be used for this purpose. S. 250 (House) has the same requirement. S. 250 (Senate) requires that at least \$60,000 be used for this purpose but sets no maximum of state leadership funds that can be used for nontraditional programs.

Both S. 250 (House) and S. 250 (Senate) would maintain most of these required and permitted uses, in some cases with certain alterations. For example, the House bill would add meeting “teacher certification or licensing requirements, especially in core subjects as defined” under ESEA, under the required use of leadership funds for professional development. The Senate bill, for example, would add “encouraging lifelong learning” under the required use related to technology. In addition, both bills would require leadership funds to be used for technical assistance, which is a permitted use of state leadership funds under current law.

Finally, both bills would add to the list of permitted uses of state leadership funds. Both bills would permit these funds to be used “to facilitate the transition of sub-baccalaureate career and technical education students into baccalaureate degree programs.” In addition, the House bill (but not the Senate bill) would permit funds to be used “to support entrepreneurship education and training.”

Tech-Prep Program

Current law authorizes a separate state grant program to support tech-prep programs. These programs aim at articulating vocational and academic course work in the last two years of high school with vocational and academic course work at the postsecondary level. S. 250 (House) would eliminate a separate state grant program for tech-prep. However, the bill would still require states and local grant recipients to spend some of their Perkins grant funds on tech-prep activities.²⁶ Such activities would be similar to current tech-prep programs with certain changes. For example, S. 250 (House) cross-references §1111 of ESEA regarding academic standards for the high school students participating in tech-prep programs.

S. 250 (Senate) would continue a separately authorized tech-prep program with relatively minor changes. For example, the bill would modify the aim of the program to provide preparation and placement in “high skill, high wage, or high demand occupations.” Current law aims at preparation for specified careers in technical fields, such as engineering technology and applied science, as well as careers in agriculture and health occupations, and is “to lead to an associate’s degree or a postsecondary certificate in a specific career field.” S. 250 (Senate) would specify that the high school component of the program have “a common core of technical skills and core academic subjects” and a higher education component that would “lead to technical skill proficiency, a credential, a certificate, or a degree, in a specific career field.” The Senate bill would broaden a program requirement from providing “in-service training” specifically for teachers to “in-service professional development” specifically for principals, faculty, and administrators as well as for teachers. S. 250 (Senate) would eliminate authorization for the tech-prep

²⁶ S. 250 (House) requires the same amount of funding to be allocated for tech-prep activities as was allocated for the Tech-Prep program in FY2005. There is no provision in the bill to increase the amount of funding allocated for tech-prep activities over time. Section 135(b)(3) provides details on the required use of funds for tech-prep activities by eligible recipients.

demonstration program, which among other requirements, involves “the location of a secondary school on the site of a community college.”²⁷

National Programs

Section 114 of the Perkins Act authorizes certain national programs and activities, such as a national assessment of vocational education, research, and dissemination. S. 250 (House) and S. 250 (Senate) would make certain technical changes to this section. For example, the House bill would replace references to “research” wherever it occurs with “scientifically based research;” the Senate bill would replace “vocational” with “career” everywhere it appears in this section.

Both bills would continue to require the Secretary to collect performance data on vocational education. S. 250 (Senate) would add requirements that performance data be disaggregated by “special populations” for postsecondary institutions and by categories required under ESEA and special populations for secondary institutions.²⁸

Both bills would continue to require “an independent evaluation and assessment of ... programs under this Act” but would make various changes. For example, each bill would require somewhat different membership on the independent advisory panel, which advises the Secretary on the assessment. In addition, each bill would have somewhat different requirements for the contents of the assessment.

Current law authorizes the Secretary to establish a national center or centers to conduct research on vocational education and to disseminate findings. Both bills would continue this authority; however, S. 250 (Senate) would authorize one center while S. 250 (House) would continue to authorize one or more centers.²⁹ In addition, each bill would establish somewhat different research agendas for the center or centers. Finally, S. 250 (Senate) would require an independent governing board for the center, which would “ensure that the research and dissemination activities carried out by the center are coordinated with the research activities carried out by the Secretary.”

While S. 250 (House) would continue authorization for demonstrations and dissemination of results, it would drop the requirement of demonstration partnerships between postsecondary institutions and certain groups, such as local educational organizations and volunteer groups. S. 250 (Senate) would continue this provision.³⁰

²⁷ This program was funded at \$4.9 million for FY2005.

²⁸ S. 250 cross-references § 1111(h)(1)(C)(i) of ESEA, which lists the following groups: “race, ethnicity, gender, disability status, migrant status, English proficiency, and status as economically disadvantaged.”

²⁹ In FY2004, ED awarded two grants under § 114: to the University of Minnesota for the National Research Center for Career and Technical Education and to the Ohio State University for the National Dissemination Center for Career and Technical Education.

³⁰ Under current law and the Senate bill, this partnership is between a four-year
(continued...)

As noted above, the two bills, like current law, would require a set-aside of 0.54% from total state-grants appropriations³¹ for incentive grants. Current law authorizes these funds for carrying out §503 of P.L. 105-220 (the Workforce Investment Act (WIA)) for FY2000 through FY2003. S. 250 (Senate) would simply update the fiscal years for this provision to FY2006 through FY2011 and continue to authorize funding for §503 of WIA. S. 250 (House) would add authority for the Secretary of Education to award incentive grants to states. It would separate the Perkins incentive grant funds from the incentive grant funds authorized by WIA. The House bill would add to the Perkins Act factors the Secretary could consider in awarding incentive grants: whether the eligible agency has successfully developed connections between secondary and postsecondary vocational education and whether such agency has integrated “rigorous and challenging academic and technical coursework.” Performance on WIA programs would no longer be considered in making awards. Finally, S. 250 (House) would specify that these grants could be used to supplement activities authorized under §124 related to state leadership activities (see discussion above).

Occupational and Employment Information

Section 118 of the Perkins Act authorizes the Secretary to provide assistance and funding to state-designated entities that collect and disseminate occupational and employment information. These entities are jointly designated in each state by the Governor and the state agency that oversees vocational and technical education. S. 250 would include a state application process that would require states to provide, in addition to information required by the Secretary, “information based on labor market trends to inform program development” and information on “academic content standards and student academic achievement standards” adopted by the state as required by ESEA. Both bills would make alterations in authorized state-level activities under §118. For example, current law states that designated entities must provide programs to assist “individuals” to improve career and occupational decision making. S. 250 (House) would change this language to “students (and parents, as appropriate),” and S. 250 (Senate) would substitute “students and parents.” A possible impact of such changes would be to target occupation and employment information programs rather than to make such programs available to the population in general.

³⁰ (...continued)

postsecondary institution, “local public education organizations,” and other entities, such as business to provide programs related to emerging, as well as established, professions and for retraining certain personnel, such as migrant workers and individuals displaced from employment due to “corporate or military restructuring.”

³¹ Under current law and the Senate bill, this set-aside comes only from appropriations for the Basic State Grants program, not from the tech-prep appropriation. Under the House bill, this set-aside would come from the appropriation for the single state grant that the House bill would authorize.

Accountability Requirements

Under current law, states are required to develop a “performance accountability system.” The system is to be based on four core performance indicators: (1) student attainment; (2) credential attainment; (3) placement and retention; and (4) participation in and completion of programs leading to non-traditional training and employment. States are required to determine how to measure each of the core indicators and to propose levels of performance for each. States must then negotiate with ED to establish negotiated levels of performance for each year. Both S. 250 (House) and S. 250 (Senate) would make substantial changes to current accountability requirements, expanding and strengthening the current requirements. For example, both bills would require performance to be measured at the state and local levels, as opposed to at the state level only under current law. **Table 5** provides a comparison of the core indicators of performance under current law, S. 250 (House), and S. 250 (Senate). A detailed discussion of each component follows.

Core Indicators of Performance

The core indicators of performance serve as the basis for the current accountability system for vocational and technical education. Both the House and the Senate bills would make substantial changes to the core indicators, most notably by establishing separate core indicators for the secondary and postsecondary levels. S. 250 (House) would include five core indicators at the secondary level and four core indicators at the postsecondary level.³² S. 250 (Senate) would include five core indicators at the secondary level and five different core indicators at the postsecondary level. In addition, both bills would include references to the ESEA with respect to core performance indicators at the secondary level. This section provides detailed information about proposed changes to the core indicators of performance included in S. 250 (House) and S. 250 (Senate).

Core Indicators of Performance for the Secondary Level. Both the House and Senate bills would modify existing core indicators to include references to the ESEA. For example, S. 250 (House) would include a core indicator focused on student attainment of academic and achievement standards established by the state under ESEA (§1111(b)(1)). It would also require, as does current law, measures of vocational and technical skill proficiencies. A second core indicator would require measures of student graduation rates as described in the ESEA. The Senate bill would require measures of student attainment of state standards adopted to comply with §1111(b)(1)³³ of the ESEA and student performance on academic assessments discussed in § 1111(b)(3)³⁴ of the ESEA. While S. 250 (Senate) would require rates of attainment of a secondary school diploma or its recognized equivalent to be

³² Under S. 250 (House), the eligible agency continues to have the option to add additional indicators of performance. This option is also retained under S. 250 (Senate). S. 250 (Senate) also suggests that the eligible agency may want to add an indicator for a specific authorized activity, the “attainment of self-sufficiency.”

³³ ESEA § 1111(b)(1) focuses on challenging academic standards.

³⁴ ESEA § 1111(b)(3) focuses on academic assessments.

measured, it would not require graduation rates based on ESEA requirements to be measured.

Both S. 250 (House) and S. 250 (Senate) would include a core performance indicator that requires measures of placements in postsecondary education, military service, or employment. The House bill would also require placements in advanced training to be measured, while the Senate bill would require placements in apprenticeship programs to be measured.

Table 5. Comparison of Vocational Education Accountability Provisions Contained in Current Law, S. 250 (House), and S. 250 (Senate)

Current law provisions	S. 250 (House)	S. 250 (Senate)
Performance accountability system must be based on four core performance indicators: (1) student attainment; (2) credential attainment; (3) placement and retention; and (4) participation in and completion of programs that lead to nontraditional training and employment.	Performance accountability system must be based on five core indicators at the secondary level and four core indicators at the postsecondary level.	Performance accountability system must be based on five core indicators at the secondary level and five core indicators at the postsecondary level.
Student attainment of challenging state established academic, and vocational and technical, skill proficiencies	<p>Secondary level core indicator: student attainment of academic content and achievement standards, and vocational and technical skill proficiencies</p> <p>Postsecondary level core indicator: student attainment of academic and vocational and technical skill proficiencies</p>	<p>Secondary level core indicators: (1) student achievement on technical assessments and attainment of skill proficiencies; (2) student attainment of academic content and achievement standards</p> <p>Postsecondary level core indicator: student achievement on technical assessments and attainment of skill proficiencies</p>
Credential attainment at secondary or postsecondary level	<p>Secondary level core indicators: (1) student attainment of a secondary level credential; (2) graduation rates</p> <p>Postsecondary level core indicator: student retention in postsecondary education, attainment of credential or associate’s degree, or transfer to a baccalaureate program</p>	<p>Secondary level core indicator: rates of attainment of credentials at the secondary and postsecondary levels</p> <p>Postsecondary level core indicator: attainment of skill proficiency, credential, certificate, or degree, or retention in postsecondary education program</p>

Current law provisions	S. 250 (House)	S. 250 (Senate)
Placement and retention with respect to postsecondary education or advanced training, military service, or employment	<p>Secondary level core indicator: placement in postsecondary education or advanced training, military service, or employment</p> <p>Postsecondary level core indicator: placement in military service, or placement or retention in employment</p>	<p>Secondary level core indicator: placement in postsecondary education, military service, apprenticeship programs, or employment</p> <p>Postsecondary level core indicator: placement in military service, apprenticeship programs, or employment</p>
Participation in and completion of vocational and technical education programs that lead to nontraditional training and employment	<p>Secondary level core indicator: participation in and completion of vocational and technical education programs that lead to nontraditional fields</p> <p>Postsecondary level core indicator: participation in and completion of vocational and technical education programs in nontraditional fields</p>	<p>Secondary level core indicator: participation in and completion of career and technical education programs that lead to employment or self-employment in nontraditional fields</p> <p>Postsecondary level core indicator: participation in and completion of career and technical education programs leading to employment or self-employment in nontraditional fields or high skill, high wage, high demand occupations</p>
No similar provision	No similar provision	Postsecondary level core indicator: Increase in earnings

The remaining core indicators of performance at the secondary level included in the House and Senate bills are indicators that exist in current law but have been modified to either expand their scope or update terminology. Under current law, one core indicator focuses on student attainment of a “secondary school diploma or its recognized equivalent.” S. 250 (House) would modify this language to specifically include “a secondary school diploma, General Education Development credential (GED), or other state-recognized equivalent (including recognized alternative standards for individuals with disabilities).” S. 250 (Senate) does not mention the GED or alternative standards for individuals with disabilities. Rather, it would require the eligible agency to measure student rates of attainment of a secondary school diploma or its recognized equivalent, technical skill proficiency, an industry-recognized credential, a certificate, and a degree. It does not specify a particular degree level at which attainment should be measured.

The final core indicator of performance at the secondary level in S. 250 (House) would be nearly identical to an existing indicator except that it references “nontraditional fields” instead of “nontraditional training and employment.” S. 250 (Senate) would make a similar change but would also include “student participation

in and completion of career and technical education programs that lead to employment or self-employment in nontraditional fields.”

Core Indicators of Performance for the Postsecondary Level. As previously mentioned, S. 250 (House) would include four core indicators of performance for the postsecondary level, while S. 250 (Senate) would include five indicators for this level. The bills’ core indicators of performance share some similarities. For example, both bills would require the eligible agency to develop measures for placement in military service or employment. S. 250 (House) would require the eligible agency to measure retention as well as placement in these two areas, while S. 250 (Senate) would require measures for placement in apprenticeship programs. Both bills would include a core indicator focused on student participation in and completion of career and technical education programs in nontraditional fields. The Senate bill, however, would focus on programs leading to employment or self-employment in nontraditional fields or in “high skill, high wage, high demand occupations or professions.”

Both bills would also require measures of retention in postsecondary education and transfers to bachelor’s degree programs. S. 250 (House) would also require measures for the attainment of an associate’s degree or “postsecondary credential.” S. 250 (Senate) contains a more specific list of the types of student attainment for which measures must be developed. Measures must be developed for student attainment of technical skill proficiency, an industry-recognized credential, a certificate, or a degree. This mirrors a similar core indicator of performance for the secondary level that is included in S. 250 (Senate). The Senate bill, unlike the House bill, would not specify a degree level for which attainment should be measured. While other sections of S. 250 (House) would permit the attainment of a bachelor’s degree as an outcome of participation in vocational and technical education, the accountability requirements do not specifically mention measuring bachelor’s degree attainment. Rather, they focus on transfers to bachelor’s degree programs but not on the actual attainment of said degree.

S. 250 (House) would require student attainment of “challenging academic and vocational and technical skill proficiencies.” This is similar to the first core indicator in current law. S. 250 (Senate), however, takes a different approach to student achievement, linking achievement on technical assessments and the attainment of career and technical skill proficiencies with national recognized industry standards in instances where this is possible and appropriate.³⁵

S. 250 (Senate) includes a fifth core indicator of performance that is not part of current law or S. 250 (House). The Senate bill would require the eligible agency to develop measures of increases in earnings, if the data are available.

³⁵ For a more detailed discussion of accountability provisions under current law, see CRS Report RL31747.

State-Adjusted Levels of Performance

As previously mentioned, the eligible agency must determine how to measure each of the core indicators and establish performance levels for each. These performance levels must then be negotiated with ED to develop the state-adjusted levels of performance. While S. 250 (House) and S. 250 (Senate) would retain many of the elements of current law with respect to these issues, several changes made to current law in both bills are discussed below.

With respect to the measurements used for each of the core indicators at the secondary and postsecondary levels, S. 250 (House) and S. 250 (Senate) would continue to require that measures be quantifiable (i.e., expressed as a percentage or number). They would also require that the state make progress in improving its performance on the indicators. Unlike current law, however, the House bill would require states to make “continuous and substantial improvement” and would specify that improvements must be made in students’ “academic and vocational and technical achievement.” S. 250 (Senate) would include a similar addition requiring “continuous and significant improvement in career and technical achievement of career and technical education students, including special populations.” Neither “substantial improvement” in S. 250 (House) nor “significant improvement” in S. 250 (Senate) is defined by the respective bills. The House bill does not specifically mention “special populations.”

Under S. 250 (House) and S. 250 (Senate), the process for establishing the state-adjusted levels of performance would remain largely unchanged. The process for establishing agreement on state adjusted levels of performance for the first two years is identical to current law. The process for establishing agreement on state-adjusted levels of performance for subsequent years differs from current law in two ways. First, agreements would be established for the third through sixth program years. Under current law, agreements are established only through the fifth program year.³⁶ Rather than reaching agreement on all subsequent years prior to the third year, as required by current law, agreement on the third and fourth program years would be reached before the third program year, and agreement on the fifth and sixth program years would be reached prior to the fifth year. Second, both bills would modify the factors that must be taken into account when establishing agreement on the state-adjusted levels of performance. Current law requires an analysis of the extent to which the levels of performance promote “continuous improvement” on the core performance indicators. S. 250 (House) would expand this analysis to consider the extent to which the levels of performance promote “continuous and substantial improvement” on the core performance indicators.³⁷ S. 250 (Senate) would make a similar modification, changing “continuous improvement” to “continuous and significant improvement.”

³⁶ Under current law, there is no “sixth year” for which agreements need to be established.

³⁷ With respect to this requirement, “substantial” is not defined.

Local Levels of Performance

Both S. 250 (House) and S. 250 (Senate) would require eligible recipients to be accountable for local-adjusted levels of performance on the core indicators of performance. For the most part, the process by which adjusted levels of performance for core indicators of performance would be established at the local level mirrors the process at the state level, except that the eligible recipient would negotiate with the eligible agency instead of ED. The House bill would establish a requirement that eligible recipients establish levels of performance for each of the core indicators in their local plans. The Senate bill would require eligible recipients to either accept the state adjusted levels of performance as their local levels or to negotiate directly with the state to establish their own local-adjusted levels of performance.

Similar to the state level, local recipients would also have to establish levels of performance that are quantifiable. S. 250 (House) would also require eligible recipients to make “continuous and substantial improvement” in student achievement, while S. 250 (Senate) would require “continuous and significant improvement.” Both bills would require that in establishing agreement on the local-adjusted levels of performance, the eligible recipient and eligible agency must consider the performance of a given eligible recipient with the performance of other eligible recipients taking into account various factors (e.g., characteristics of the students served). They would also have to consider the extent to which “such levels of performance promote continuous and substantial improvement” (S. 250 (House)) or “continuous and significant improvement” (S. 250 (Senate)) on the core performance indicators by the eligible recipient. In addition, similar to current law with respect to state-adjusted levels of performance, both bills would allow an eligible recipient to ask to have the local-adjusted levels of performance modified if unanticipated circumstances result in a significant change in the factors taken into consideration when negotiating the adjusted performance levels.

Reporting

Both bills would retain some of the reporting requirements contained in current law and add several new provisions, most notably with the addition of reporting requirements for eligible recipients. Under S. 250 (House), each eligible recipient receiving an allotment under §111 must submit an annual report to the eligible agency describing its progress in meeting the local-adjusted levels of performance on the core performance indicators, as well as their progress in meeting these levels of performance on the core performance indicators with respect to Tech-Prep program participants if the local recipient receives funds for this purpose.³⁸ S. 250 (Senate) would require eligible recipients receiving an allocation under §131 to “publicly report” each year on its progress in meeting the local-adjusted levels of performance

³⁸ S. 250 (House) would require eligible recipients receiving allotments under §111 to prepare an annual report. Section 111 provides allotments from the federal government to states. It does not include disbursements to eligible recipients. Section 112, within state allocations, includes information about providing funding to eligible recipients. With respect to the annual report required of local recipients, the proposed legislation may have intended to reference §§112, 131, or 132.

on the core indicators of performance.³⁹ Eligible agencies would not be required to report on performance with respect to tech-prep activities under either bill.

Both bills would add new requirements regarding the disaggregation of data. S. 250 (House) would require both the eligible agency and eligible recipients to disaggregate data for each of the core performance indicators using categories of students specified in §1111(b)(2)(C)(v)(II) of the ESEA. These categories include economically disadvantaged students, students from major racial/ethnic groups, students with disabilities, and students with limited English proficiency. In addition, the eligible agency and eligible recipients would be required to “identify and quantify any disparities or gaps in performance” for a specific category of students compared with overall student performance. The eligible agency, but **not** the eligible recipients, would also be responsible for reporting data on special populations as defined under this act and the populations referenced in §1111(h)(1)(C)(i) of the ESEA.⁴⁰ This would include the populations referenced in §1111(b)(2)(C)(v)(II) of the ESEA, as well as reporting data for students by gender and migrant status.

S. 250 (Senate) would **not** require data to be disaggregated in the aforementioned categories by eligible recipients. Eligible agencies, however, would be required to disaggregate data at the postsecondary levels for special populations and by gender. At the secondary level, data would have to be disaggregated by special populations and by the categories included in §1111(h)(1)(C)(i) of the ESEA. Neither the eligible agency nor eligible recipients would be required to report on disparities or gaps in performance among categories of students.

Also in line with the ESEA, neither bill would require data to be disaggregated if the number of students in a particular category was too small to produce statistically reliable data or if the results would reveal personally identifiable information about an individual student.

Data Comparability

Current law provides states with flexibility to select performance measures most appropriate for meeting their goals. This has resulted in a multitude of definitions and measurement strategies across states, making state-to-state data comparisons

³⁹ S. 250 would require eligible recipients receiving allocations under §131 to provide annual reports. Section 131, distribution of funds to secondary school programs, focuses exclusively on allocations to local educational agencies. Thus, assuming this section reference is correct, it is unclear if an eligible recipient at the postsecondary education level would have to prepare a report. It should be noted that no state currently allocates all its funds to the postsecondary education level (U.S. Department of Education, Office of the Under Secretary, Policy and Program Studies Service, *National Assessment of Vocational Education: Final Report to Congress*, 2004.)

⁴⁰ Data would have to be disaggregated by the groups described in §1111(h)(1)(C)(i) of the ESEA including race, ethnicity, gender, disability status, migrant status, English proficiency, and status as economically disadvantaged.

virtually impossible.⁴¹ In response, ED awarded a grant for the Performance Measurement Initiative, a project to develop and pilot test new secondary and postsecondary assessment and accountability measures for academic and career and technical programs that build on existing state and local data systems. A final report on this initiative, however, is not expected until fall 2005.⁴²

S. 250 (Senate) contains language that may partially address the data comparability issue. The Senate bill requires that when identifying core indicators of performance and other indicators of performance, states shall, to the extent possible, define the indicators so that they are aligned with similar data collected for other federal and state programs. The usefulness of this requirement, however, would depend upon how it is implemented by states. For example, if states looked to other states for definitions, it could be that a handful of states use one definition for a measure, while another group of states uses another definition. This could become even more complicated if some states opt to use federal definitions for measures, while other states used state definitions that do not match the federal definition.

Similar problems could also evolve within states if local recipients were given similar levels of flexibility in developing their own measures of the core indicators of performance. Under the Senate bill, eligible recipients could either accept the state-adjusted levels of performance or negotiate with the state to develop local-adjusted levels of performance. The House bill would permit eligible recipients to develop levels of performance “as appropriate for the eligible recipient.” It is possible that since all local recipients would be required to negotiate their performance indicators with the state, the state would require all local recipients to use the same definitions for various measures. This, however, is not specified in either S. 250 (House) or S. 250 (Senate). Without a standard set of definitions, however, it could be difficult for states to determine how a particular local recipient is performing relative to other local recipients.

Funding for Meeting Accountability Provisions

As previously discussed, S. 250 (House) would reduce the percentage of funds available for state administration from 5% under current law to 2%, while simultaneously increasing state administrative requirements (e.g., accountability requirements).⁴³ During floor debate on S. 250 (House), Representative Woolsey

⁴¹ U.S. Department of Education, *Carl D. Perkins Vocational and Technical Education Act of 1998 Report to Congress on State Performance: Program Year 1999-2000*. Available online at [<http://www.ed.gov/about/offices/list/ovae/resource/vocedreport.doc>].

⁴² Under National Activities (§114), the Secretary is charged to “ensure the performance information system is compatible with other federal information systems.” This provision exists under current law and would be retained in S. 250 (House) and S. 250 (Senate).

⁴³ It should be noted that the maximum set-aside for **local** administration would remain at 5% and that the proposed increase in funds to the local level under the House bill (from 85% to 88%) would increase the amount upon which the 5% for local administration is based, providing eligible recipients with additional funds to meet substantial new reporting (continued...)

noted that “the bill rightly strengthens accountability for state and local purposes, but at the same time it cuts by 60 percent the funds that states can use for that very purpose.”⁴⁴ S. 250 (Senate) would combine funds set aside for state leadership and state administration at an amount not more than 15% of a state’s allotment.

State Provisions

This section analyzes changes that would be made with respect to the state plan and improvement plans under the House and Senate bills.

State Plan

Current law requires states to submit a state plan to receive funding under this act. The plan must meet specific requirements (e.g., cover a five-year period) and contain numerous elements with respect to the plan content that are specified in statutory language, such as the programs that will be provided and how these activities will help the state meet or exceed its levels or performance, how professional development will be provided, and how activities will be evaluated.

Under both the House and the Senate bills, the state plan would cover a six-year period rather than a five-year period in current law. Both bills would increase the number of groups that must have an opportunity to comment on the state plan (S. 250 (House)) or be consulted on its development (S. 250 (House) and S. 250 (Senate)).

S. 250 (House) and S. 250 (Senate) would also make numerous changes to the plan content. For example, under both bills, the plan content would be required to describe how the eligible agency will select eligible recipients. S. 250 (House) also requires the eligible agency to explain how it will report on the integration of “rigorous and challenging” academics in vocational and technical education programs to allow for the quality of the integration to be evaluated, while the Senate bill requires the eligible agency to explain how funds would be used to develop new courses that meet state academic standards adopted in response to ESEA requirements that will prepare students for high skill, high wage, or high demand occupations. The Senate bill, but not the House bill, would also require the state plan to address transitioning students from the sub-baccalaureate level to the baccalaureate level and collaboration with other state institutions involved in education (e.g., state institutions). The remainder of this section highlights changes made by S. 250 (House) and S. 250 (Senate) with respect to model sequences of courses, career pathways, tech-prep, and professional development.

⁴³ (...continued)

requirements. It is not clear, however, whether this increase at the local level for administration would be sufficient to cover the potential costs of meeting the proposed requirements.

⁴⁴ *Congressional Record*, May 4, 2005, p. H2896.

Model Sequences of Courses. S. 250 (House) would require the development of model sequences of courses for vocational/career and technical content areas. Under S. 250 (House), these sequences of courses would have to include both secondary and postsecondary education, and include “rigorous and challenging” content in a “coordinated, nonduplicative progression of courses.” The coordinated, nonduplicative progression of courses is similar to requirements under the current Tech-Prep program. The goal of participation in model sequences of courses, under S. 250 (House), would be to prepare students for postsecondary school success. The sequence of courses would be required to lead to a one-year certificate, associate’s or bachelor’s degree, or proficiency credential in conjunction with a high school diploma.

Career Pathways. The Senate bill would require eligible agencies to support eligible recipients in developing or implementing career pathways designed to meet relevant workforce needs. The state plan would have to describe how the eligible agency would assist eligible recipients in developing articulation agreements, and in using labor market information to identify career pathways that will prepare students for high skill, high wage, high demand occupations. Eligible agencies would also be required to explain how they would publicize the availability of career pathways. They would also have to describe how they would work with business and industry and use industry-recognized standards and assessments when appropriate.

Tech-Prep. Although S. 250 (House) would eliminate a separate Tech-Prep program, it would require that the state plan include provisions specifically focused on tech-prep activities. The state plan would be required to describe how funds would be awarded by competition or formula to support tech-prep activities, how “measurable, sustainable, and coordinated” tech-prep activities would be carried out in the state, how the plan would be developed with input from various groups and organizations, and how students would be prepared for postsecondary education or employment in “high-demand occupations.” The tech-prep activities would have to include advanced academic and technical courses with at least two years of education at the secondary level prior to graduation **and** at least two years of postsecondary education or at least a two-year apprenticeship program.

Professional Development. Both bills would include a substantial emphasis on professional development. S. 250 (House) would specify goals for professional development, such as increasing the percentage of teachers that meet certification and licensing requirements. S. 250 (Senate) would include a focus on teacher recruitment and retention and teacher training programs.

State and Local Improvement Plans

Section 123 includes requirements for developing, implementing, and evaluating the implementation of improvement plans. Both the House and the Senate bills would include new requirements related to local improvement plans but few substantial changes related to state improvement plans.

State Improvement Plans. Both bills would primarily make technical changes to the requirements for state program improvement, with a few exceptions.

S. 250 (House) would require that state program improvement plans specifically address performance gaps between the categories of students for whom data must be disaggregated.⁴⁵ In addition, the bill would allow eligible agencies to be penalized for failure to meet “the purposes of this Act” in addition to other reasons for sanction in current law.⁴⁶ The Senate bill does not include these changes. Rather, the Senate bill would modify one of the criteria leading to sanction. Current law states that the Secretary may sanction an eligible agency for failing to meet the state-adjusted levels of performance for two or more consecutive years. S. 250 (Senate) would alter this requirement to sanction eligible agencies if they fail to meet **more than one** of the state-adjusted levels of performance for two or more consecutive years.

Local Improvement Plans. Both the House and the Senate bills would make substantial changes to the requirements for local improvement plans. Under current law, eligible agencies are required to assess the progress of each eligible recipient in achieving the state-adjusted levels of performance, and to take various actions if an eligible recipient is not making substantial progress. S. 250 (House) and S. 250 (Senate) would require eligible recipients to be evaluated based on their progress in achieving local-adjusted levels of performance, rather than state adjusted levels of performance.⁴⁷ Under both bills, if a local recipient is not making “substantial progress” in achieving these levels of performance, the eligible agency would be required to take three actions. Each of the three actions is included in current law, but both bills would modify them in different ways. First, the Senate bill would require that as part of the assessment of the educational needs that the eligible recipient must address to overcome performance deficiencies, the performance of special populations must specifically be included in the assessment. The House bill does not specifically mention special populations. Both bills would require that based on the results of the assessment, the eligible agency must enter into an improvement plan with the eligible recipient to be implemented the first program year after the eligible recipient failed to meet performance requirements. Current law and both bills would require eligible agencies to consult with a group of stakeholders in carrying out these actions. S. 250 (Senate) would expand the group of stakeholders to include principals, administrators, and faculty.

The House bill would require additional actions to be taken if an eligible recipient was not making substantial progress. S. 250 (House) would also require the eligible agency to take action if the evaluation of progress being made by the eligible recipient revealed “persistent or a widening of performance gaps” between multiple categories of students (for whom data must be disaggregated) when compared with students overall. The House bill would also require that the improvement plan agreement include strategies for professional development, rather than requiring the consideration of professional development “where necessary.” In addition, the House bill would require the improvement plan to give special consideration to performance

⁴⁵ For more information, see previous discussion on accountability requirements.

⁴⁶ These include not implementing an improvement plan when required, failure to show improvement after one year of implementing an improvement plan, or failing to meet the state-adjusted levels of performance for two or more consecutive years.

⁴⁷ Eligible recipients have the option of adopting the state-adjusted levels of performance as the local-adjusted levels of performance.

gaps between the aforementioned categories of students. The Senate bill does not include these provisions.

S. 250 (House) and S. 250 (Senate) would add new requirements for technical assistance, sanctions for failure to perform, and the use of funds withheld from eligible recipients. These requirements mirror the requirements established for eligible agencies with respect to state program improvement.

Local Plans and Uses of Funds

All eligible recipients that want to receive funding must submit a local plan to the eligible agency. The eligible agency has some discretion over the contents of the local plan, but current law, S. 250 (House), and S. 250 (Senate) specify required items that must appear in the plan. Current law and the House and Senate bills also indicate required and permissible uses of funds by eligible recipients. This section considers changes to local plans and the uses of funds that would be made by S. 250 (House) and S. 250 (Senate).

Local Plans

Both bills would make several changes to the requirements for local plans. Many of the changes would involve incorporating language used throughout each of the respective bills (e.g., adding language about model sequences of courses in the House bill and adding language about career pathways in the Senate bill). For example, S. 250 (House) and S. 250 (Senate) would both add a requirement that local plans must describe how the eligible recipient will meet local-adjusted levels of performance. S. 250 (House) would also require that the local plan describe how at least one of the model sequences of courses developed by the state will be offered, while S. 250 (Senate) would require the eligible recipient to explain how at least one career pathway will be offered. The House bill would also require that “rigorous and challenging” academics be integrated with vocational and technical education programs in core academic subjects as defined by the ESEA. The House bill would add a new requirement focused on professional development. S. 250 (Senate) would require eligible recipients to describe how career guidance and academic counseling would be provided to all career and technical education students and include links to services provided through the one-stop delivery system established by WIA. It would also require eligible recipients to describe how they would improve the recruitment and retention of career and technical education personnel, including transitions from business and industry to teaching.

Both bills would expand on the groups that must be involved in the development and implementation of vocational and technical education programs that receive funding. They would also require local plans to describe how activities will be provided to prepare special populations for high-skill, high-wage jobs leading to self-sufficiency.

Local Uses of Funds

Current law, S. 250 (House), and S. 250 (Senate) include provisions for the required and permissible uses of funds by eligible recipients. Both S. 250 (House) and S. 250 (Senate) would make changes to the required and permissible uses of funds included in current law, adding new uses and modifying existing provisions.

Required Uses of Funds. Under current law, eligible recipients are required to use funds for various purposes such as strengthening the academic and vocational and technical components of vocational and technical programs, conducting program evaluations, and providing professional development. Both the House and Senate bills would make changes to these uses of funds. For example, S. 250 (House) would add language focused on using model sequences of courses, ensuring learning in core academic subjects as defined by the ESEA, increasing the focus on math and science education, and requiring professional development to be based on scientifically based research. The Senate bill, for example, would add language focused on the use of career pathways, addressing linkages between secondary and postsecondary education, and supporting articulation agreements.

Permissible Uses of Funds. Under current law, eligible recipients may use funds for multiple purposes including providing career guidance and counseling, and supporting mentoring services. As with the required uses of funds, both S. 250 (House) and S. 250 (Senate) would make numerous changes to existing provisions. For example, the House bill would modify the allowable uses of funds for counseling to include the provision of information on the “range of postsecondary options available” and information for adult students in the process of changing careers or updating skills. It would also allow funds used to develop new vocational and technical education courses to be used to develop model sequences of courses and dual enrollment opportunities. S. 250 (House) would allow funds to be used to support tech-prep activities and to train automotive technicians in new technologies, such as alternative fuel automotive technologies. Both bills would allow funds to be used to support entrepreneurship education and training.

The Senate bill, for example, would include a provision to develop and support career-themed learning communities and would add a provision allowing funds to be used to support the transition of sub-baccalaureate career and technical education students into bachelor’s degree programs.⁴⁸ S. 250 (Senate) would specify that career guidance and academic counseling be based on current labor market indicators and should result in improved graduation rates and provide information on postsecondary education and career options, as well as providing assistance for postsecondary students, including adult learners changing careers or updating their skills.

⁴⁸ A similar provision would be added to permissible uses of state leadership funds under both S. 250 (Senate) and S. 250 (House). S. 250 (House), however, does not contain a similar provision on the permissible uses of local funds.