

**THE CARL D. PERKINS
VOCATIONAL AND TECHNICAL
EDUCATION
ACT OF 1998
P.L.105-332**

STATE PLAN GUIDE

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**DIVISION OF VOCATIONAL-TECHNICAL EDUCATION
OFFICE OF VOCATIONAL AND ADULT EDUCATION
U.S. DEPARTMENT OF EDUCATION**

INTRODUCTION

We have developed this guide to assist you in writing or reviewing State plans to be submitted to us under the authority of the Carl D. Perkins Vocational and Technical Education Act of 1998, P.L. 105-332 (Perkins III). The intent of this guide is to assist you in State plan writing and to identify the requirements to be included.

If you intend to include Perkins III in a unified plan pursuant to section 501 of the Workforce Investment Act of 1998 (P.L. 105-220), you may also use separate interagency guidance that has been developed to facilitate the preparation of unified plans. This unified plan guidance will be published in January 2000 in the *Federal Register*.

This guide is organized around major topic areas, such as financial requirements, special populations, and accountability, so that the identification of critical State plan requirements may be more readily apparent. All of the requirements for an application for funds under Title II of the Act (Tech-Prep) are described in section V of this guide. The other sections of the guide describe requirements for State plans under Title I of the Act. Not only do we list individual requirements from Perkins III for each major topic, but we also make "Procedural Suggestions" to help you enhance the quality of your State plan. The "Planning Reminders" are to assist you in covering those statutory requirements that have implications for planning, but do not need to appear in the State plan.

Although you are not required to include a tech-prep application in your plan, we urge you to continue submitting your tech-prep application as a part of your State plan.

We are looking forward to reviewing State plans that truly reflect your planned programs and activities. The staff of the Division of Vocational-Technical Education is available to assist you in the development of your State plan as questions arise.

We encourage you to file your State plan electronically. Plans that are PC-compatible MS Word or ASCII format can be submitted via e-mail to:

Ronald.Castaldi@ed.gov

If you select electronic submission, you must then provide, in hard copy, any pages within the document that require a signature. This would include the assurances, certifications, and EDGAR certifications. No submission of the State plan in hard copy is further required. Mail the signature pages to:

Mr. Ronald Castaldi, Director DVTE
U.S. Department of Education
400 Maryland Avenue, SW, Rm 4317 MES

Washington, DC 20202

We may publish your State plan, in whole or in part, on our World Wide Web site, or through other means available to us.

If you do not select electronic submission, an original and 2 copies of your State plan should be mailed to the preceding address.

STATE PLAN GUIDE

I. PLANNING , COORDINATION AND COLLABORATION PRIOR TO PLAN SUBMISSION

A. Requirements

1. You shall conduct public hearings in the State, after appropriate and sufficient notice, for the purpose of affording all segments of the public and interested organizations and groups (including employers, labor organizations, and parents), an opportunity to present their views and make recommendations regarding the State plan. [Sec. 122(a)(3)]
2. A summary of [the above] recommendations and the eligible agency's response to such recommendations shall be included in the State plan. [Sec. 122(a)(3)]
3. You shall develop the State plan in consultation with teachers, eligible recipients, parents, students, interested community members, representatives of special populations, representatives of business and industry, and representatives of labor organizations in the State, and shall consult the Governor of the State with respect to such development. [Sec. 122(b)(1)]
4. You shall develop effective activities and procedures, including access to information needed to use such procedures, to allow the individuals described in [Sec. 122(b)(1)] to participate in State and local decisions that relate to development of the State plan. [Sec. 122(b)(2)]
5. You shall develop the portion of the plan relating to the amount and uses of any funds proposed to be reserved for adult vocational and technical education, postsecondary vocational and technical education, tech prep education, and secondary vocational and technical education after consultation with the State agency responsible for supervision of community colleges, technical institutes, or other 2-year postsecondary institutions primarily engaged in providing postsecondary vocational and technical education, and the State agency responsible for secondary education. If a State agency finds that a portion of the final State plan is objectionable, the State agency shall file its objections with you. You shall respond to any objections you receive in the State plan. [Sec. 122(e)(3)]

The following (A.6-8) is only applicable to four-year unified plans.

6. You shall describe the methods for joint planning and coordination of the programs and activities included in the unified plan. [P.L. 105-220, Sec. 501(c)(3)(A)]
7. You shall provide an assurance that the methods for joint planning and coordination included an opportunity for the entities responsible for planning or administering programs and activities included in the unified plan to review and comment on all portions of the unified plan. [P.L. 105-220, Sec. 501(c)(3)(B)]
8. If the unified plan includes secondary vocational education programs and activities, you shall provide evidence that the State legislature has granted approval for the inclusion of these programs and activities in the unified plan prior to its submission. [P.L. 105-220, Sec. 501(b)(1)]

B. Procedural Suggestions

1. You should maintain a record of the public hearings that includes copies of the notices for the hearings, what media were used to publicize the hearings, mailing lists used for notification, where the hearings were held, attendance levels, and the recommendations or comments made by the attendees. See section 122 (a)(3).
2. You should develop and implement policies and procedures for the framework of consultations required by section 122(b) of Perkins III; moreover, maintain appropriate records for these mandated consultations.
3. Postsecondary vocational and technical education programs assisted under Perkins III are mandatory partners in the one-stop career center delivery system established by the Workforce Investment Act of 1998. We encourage you to collaborate with your State Workforce Investment Board and other one-stop partners as you plan for the participation of postsecondary vocational education programs in your State's one-stop career center delivery system.
4. Public hearings and other consultation activities should address all aspects of the State plan, including the reservation of funds under section 112(c), if any, and the amount and uses of funds reserved for services that prepare individuals for nontraditional training and employment under section 112(a)(2)(B).

5. Inclusion of secondary vocational education in a unified plan requires state legislative approval. The following constitutes acceptable evidence of state legislative approval:

State legislative approval may be conferred by a resolution adopted by votes of both houses of your state legislature (unless your State has a unicameral legislature) on any date following July 28, 1998.

The resolution need not be freestanding; it may be included as an amendment to other legislation.

The resolution should be specific and refer to the requirements of section 501 (b) (1) and must clearly differentiate between secondary and postsecondary vocational education.

II PROGRAM ADMINISTRATION

A. Descriptions

1. You shall prepare and submit to the Secretary a State plan for a 5-year [4-year] period, together with such annual revisions as the eligible agency determines to be necessary. [Sec. 122(a)(1)]
2. You will describe the vocational and technical education activities to be assisted that are designed to meet or exceed the State adjusted levels of performance. [Sec. 122(c)(1)]
3. You will describe the secondary and postsecondary vocational and technical education programs to be carried out, including programs that will be carried out by the eligible agency to develop, improve, and expand access to quality, state-of-the-art technology in vocational and technical education programs. [Sec. 122(c)(1)(A)]
4. You will describe the criteria that you will use in approving applications by eligible recipients for funds under Perkins III. [Sec. 122(c)(1)(B)]
5. You will describe how such programs will prepare vocational and technical students for opportunities in postsecondary education or entry into high skill, high wage jobs in current and emerging occupations. [Sec. 122(c)(1)(C)]
6. You will describe how funds will be used to improve or develop new vocational and technical education courses. [Sec. 122(c)(1)(D)]
7. You will describe how comprehensive professional development (including initial teacher preparation) for vocational and technical, academic, guidance, and administrative personnel will be provided. [Sec. 122(c)(2)]
8. You will describe how you will actively involve parent, teachers, local businesses (including small- and medium-sized business), and labor organizations in the planning development, implementation, and evaluation of such vocational and technical education programs. [Sec. 122(c)(3)]
9. You will describe how you will improve the academic and technical skills of students participating in vocational and technical education programs, including strengthening the academic, and vocational and technical, components of vocational and technical education programs through the integration of academics with vocational and technical education to ensure

learning in the core academic, and vocational and technical, subjects, and provide students with strong experience in, and understanding of, all aspects of an industry. [Sec. 122(c)(5)(A)]

10. You will describe how you will ensure that students who participate in such vocational and technical education programs are taught to the same challenging academic proficiencies as are taught to all other students. [Sec. 122(c)(5)(B)]
11. You will describe how you will provide local educational agencies, area vocational and technical education schools, and eligible institutions in the State with technical assistance. [Sec. 122(c)(14)]
12. You will describe how vocational and technical education relates to State and regional occupational opportunities. [Sec. 122(c)(15)]
13. You will describe the methods you propose for the joint planning and coordination of programs carried out under Perkins III with other Federal education programs. [Sec. 122(c)(16)]
14. You will describe how funds will be used effectively to link secondary and postsecondary education. [Sec. 122(c)(19)]
15. You will describe how you will address the equity provisions contained in Section 427(b) of the General Education Provisions Act, as amended [20 U.S.C.1228a]
16. You will include the description of the procedures in place to develop the memoranda of understanding outlined in section 121(c) of the Workforce Investment Act of 1998. [Sec. 122(c)(21)]
17. You will describe the procedures you will develop to ensure coordination of nonduplication among programs listed in section 112 (b)(8)(A) of the Workforce Investment Act of 1998. [Section 122(c)(21)]

B. Procedural Suggestions

To enhance the description of your efforts in the areas of planning and administration, you should consider addressing the following in the State plan:

1. Submit a copy of your local applications for secondary and postsecondary eligible recipients that include the requirements of section 134(b) of Perkins III.
2. Provide a copy of the State's governance structure for vocational and technical education.
3. State plans submitted by the Governor under Title I of the Workforce Investment Act must contain the same information with respect to coordination among various Federal programs that are outlined under requirement number 17 in section II of this State plan guide. We expect that you will work collaboratively with the State agency responsible for WIA Title I and other appropriate State and local agencies to jointly develop a single set of procedures that will be used to fulfill the coordination requirements of WIA Title I and Perkins III. A collaborative approach to the development of guidance with respect to participation in the one-stop delivery system is also strongly recommended.
4. Provide a description of the role of postsecondary vocational and technical education in the one-stop career center delivery system established by WIA Title I. Program memorandum OVAE/DVTE 99-11 may be helpful to you in understanding the responsibilities for one-stop participation that are established by Title I of WIA and its implementing regulations.
5. Provide a description of how your comprehensive professional development activities will focus on improving the academic and technical skills of students and ensuring that vocational and technical education students are taught to the same challenging academic proficiencies as are taught to other students. You may also describe how professional development training will be developed with the participation of the individuals who are the intended recipients of the training.

III. ACCOUNTABILITY AND EVALUATION

Program Requirements

1. Describe the procedures employed to include input from eligible recipients in establishing performance measures for core indicators. [Sec. 113(b)(1)(A), Sec. 113(b)(2)(D)].
2. Describe the procedures employed to include input from eligible recipients in establishing a State level of performance for each core indicator of performance. [Sec. 113(b)(1)(C), Sec. 122(C)(9)].
3. Describe the procedures employed to include input from eligible recipients in establishing any additional indicators of performance identified by the eligible agency. [Sec. 113(b)(1)(B)].
4. Describe the procedures employed to include input from eligible recipients in establishing State levels of performance for each additional indicator of performance. [Sec. 113(b)(1)(C)].
5. Identify and describe the core indicators to be used to meet the requirements of Section 113. [Sec. 113(b)(2)(A)(I-iv)].
6. Identify and describe a State level of performance for each core indicator of performance for the first two program years covered by the State plan. [Sec. 113(b)(3)(A)(ii)].
7. Identify and describe any additional indicators identified by the eligible agency. [Sec. 113(b)(2)(B)].
8. Identify and describe a State level of performance for each additional indicator. [Sec. 113(b)(3)(B)].
9. Describe how you will annually evaluate the effectiveness of vocational and technical education programs, and describe, to the extent practicable, how the eligible agency is coordinating such programs to ensure nonduplication with other existing Federal programs. [Sec. 122(c)(6)]
10. Describe how you will report data relating to students participating in vocational and technical education in order to adequately measure the progress of students, including special populations. [Sec. 122(c)(12)]
11. Describe how you will ensure that the data reported to you from local education agencies and eligible institutions under Perkins III and the

data you report to the Secretary are complete, accurate, and reliable.
[Sec.122(c)(20)]

12. As required by Sec 112(b)(8)(B) of the Workforce Investment Act of 1998, describe the common data collection and reporting processes used for the programs and activities described in Sec. 112(b)(8)(A)(iii) of the Workforce Investment Act of 1998, and to postsecondary vocational education activities. [Sec. 122(c)(21)].

The Use of Sampling to Establish and Report Performance Levels

The Department recognizes that a number of States are now using sample studies to gather information about student outcomes, especially to track the employment and further education of students after they leave a vocational education program. To help States make the transition to the new accountability system, the Department will consider data collected through sampling for the first two years of the accountability plan (section 1113(b)(3)(A)(iii)). The State agency is responsible for ensuring that data reported by its local education agencies and institutions, and the data the State reports to the Secretary, are complete, accurate, and reliable (section 122(c)(20)). Therefore, the use of sampling should adhere to generally accepted principles for statistical data collection and analysis. States wishing the Department to set adjusted levels for performance based on samples should submit a statewide sampling and analysis plan as part of the State plan for accountability. The sampling plan should address methodological issues such as how the sampling will result in:

- A true random sample of the students in vocational and technical education.
- A sample size that is sufficiently large to ensure that findings will be statistically significant for each local education agency and each postsecondary institution, and for each special populations group.
- A response rate that will produce unbiased results (generally not less than a 75% return rate), through aggressive follow-up to contact individuals in the sample.

B. Procedural Suggestions

1. For each core indicator, you should identify a measurement approach, baseline performance data (indicating the year in which the baseline data was collected), and a level of performance. You may express performance levels in a percentage or numerical form. When an indicator is expressed as a percentage, you should also identify the numbers of students (numerator and denominator) to make clear the universe of students included in the calculation and the size of the student population meeting the standard.

2. The accountability system should include the secondary and postsecondary students participating in public vocational and technical education in the State. It should also include students participating in private vocational and technical education at agencies or institutions that receive Perkins III funds in the State. The purpose of the accountability system is to assess the effectiveness of the State in achieving *statewide* progress in vocational and technical education (section 113(a)).
3. The first version of the *State Plan Guide* requested that States set performance levels for students who are vocational education “concentrators.” Since the first version of the *Guide* was published, the Department and the States have extensively discussed how to define a “concentrator.” Through these consultations, the States and the Department developed the concept of a “threshold” to identify “concentrators,” who are students who have a sufficiently high level of participation in vocational and technical education to be in the accountability system. You should establish a threshold level consistent with the definition of “vocational and technical education” found in section 3(29) of Perkins III, which means organized educational activities that offer “a sequence of courses (or equivalent instructional units) that provides an individual with the academic and technical knowledge and skills the individuals need to prepare for further education and careers.” Therefore, the Department recommends that States establish a threshold that includes only “concentrators” or students who have participated in this type of sequence of courses or instructional units.
4. You should include students participating in Tech-Prep Education in the determination and reporting of the core indicators and the State adjusted levels of performance. Section 113(a) requires a State to establish a State performance accountability system to assess the effectiveness of the State in achieving statewide progress in vocational and technical education. A “Tech-Prep Program” is vocational education by definition (sections 3(26)(B) and (C), and 202(a)(3)).
5. For the first core indicator of performance, States must measure “student attainment of challenging State established academic skill proficiencies” (section 113(2)(A)(i)). Perkins III also requires that States ensure that students who participate in vocational and technical education programs are taught to the same challenging academic proficiencies as are taught to all other students (section 122(c)(4)(B)). To keep the vocational and technical education standards and accountability system consistent with what the State uses to assess academic achievement for all secondary students, you should include all academic content areas for which there are State-established assessments. If State academic assessments change, you may need to amend your plan to be consistent with the new assessment strategy.
6. To determine State performance on the core indicator, “Student participation in and completion of vocational and technical education programs that lead to nontraditional training and employment,” you need to identify non-traditional occupations and the corresponding vocational education programs. Nontraditional training and

employment is defined in Perkins III as “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” (section 3(17)). Because our nation’s labor force is increasingly mobile and the labor market internationally competitive, the Department encourages States to use national employment statistics to identify non-traditional occupations. However, States may use State data on employment to identify nontraditional occupations if it improves targeting of educational improvement activities for nontraditional employment and service to students enrolled in those programs. You may get additional information on employment statistics and non-traditional occupations from the National Occupational Information Coordinating Committee, State Occupational Information Coordinating Committees, or the Bureau of Labor Statistics of the U.S. Department of Labor (BLS). National data on gender of individuals employed in various occupations is derived from the Current Population Survey, which is conducted by the Census Bureau for BLS. The most recent data, the national household average for 1998, was published in the January 1999 edition of the BLS publication *Employment and Earnings*. A chart that provides a detailed breakdown of various occupations by gender, race, and Hispanic origin in 1998 is available at the BLS website at <http://stats.bls.gov/pdf/cpsaat11.pdf>

C. Planning Reminders

1. Keep in mind that we will approve a State plan, or a revision to an approved State plan, only if we determine that the plan meets the requirements of Perkins III and that the State's levels of performance on the Core Indicators of performance are sufficiently rigorous to fulfill the purposes of Perkins III. [Sec. 122(e)(1)(B)]
2. Your accountability system needs to have the capacity to collect and report the data for each category of special populations defined in Sec. 3(23) of the Act. [Sec. 122(c)(12)]
3. Keep in mind that States that exceed agreed upon levels of performance for this program and Adult Education and WIA Title I are eligible to receive incentive grants as specified in section 503 of the Workforce Investment Act of 1998.
4. Note that the following provisions for local plans should be tied to the State adjusted levels of performance:
 - a. how vocational and technical education activities will be carried out with respect to meeting State adjusted levels of performance established under section 113 [Sec. 134(b)(2)];

- b. the process that will be used to independently evaluate and continuously improve the performance of the eligible recipient [Sec. 134(b)(6)];
- c. how local recipients will use funds to develop and implement evaluations of the vocational and technical education programs carried out with funds under Perkins III, including an assessment of how the needs of special populations are being met. [Sec. 135(b)(5)].

Note: In the local application included in your State plan, please identify the section(s) in which this information appears.

5. Keep in mind that you should disaggregate data for secondary and postsecondary Core Indicators, State adjusted levels of performance, any additional indicators and levels of performance identified by you, reporting requirements, assessments and evaluations, unless otherwise specified in the Act.

IV. SPECIAL POPULATIONS AND OTHER GROUPS

The requirements related to special populations for Tech Prep are located in section 204. Specific accountability requirements that are related to special populations are in section 113.

A. Descriptions

1. You will describe your program strategies for special populations. [Sec. 122(c)(7)]
2. You will describe how individuals who are members of special populations will be provided with equal access to activities under Perkins III. [Sec. 122(c)(8)(A)]
3. You will describe how individuals who are members of special populations will not be discriminated against on the basis of their status as members of special populations. [Sec. 122 (c)(8)(B)]
4. You will describe how individuals who are members of special populations will be provided with programs designed to enable the special populations to meet or exceed State adjusted levels of performance, and how it will prepare special populations for further learning and for high skill, high wage careers. [Sec. 122(c)(8)(C)]

5. You will describe how you will adequately address the needs of students in alternative education programs, if appropriate. [Sec. 122(c)(13)]
6. You will describe how funds will be used to promote preparation for nontraditional training and employment. [Sec. 122(c)(17)]
7. You will describe how funds will be used to serve individuals in State correctional institutions. [Sec. 122(c)(18)]

B. Procedural Suggestions

To enhance the description of your programs for special populations in vocational and technical education, you should consider addressing the following in the State plan:

1. Describe the programs, services and activities that you will fund to serve students in State institutions other than correctional facilities. See section 112(a)(2)(A).
2. Include a copy of your local applications or forms that demonstrates that you are seeking relevant information from eligible recipients on the proposed programs, services and activities for special populations at the subrecipient level. See section [134(b)(7)(A) and (B)]

C. Planning Reminders

1. There is a new definition of special populations. See section 3(23).
2. Under the State Leadership setaside, there is a cap on funds that can be used to serve individuals in State institutions. See section 112(a)(2)(A).
3. You may wish to refer to Program Memorandum OVAE/DVTE 99-13 for additional guidance concerning the reservation and use of State leadership funds for activities related to nontraditional training and employment.
4. Keep in mind that your accountability system needs to have the capacity to collect and report the data for each category of special populations defined in Section 3(23 of the Act. Recall that the fourth indicator (Sec. 113(b)(2)(A)(iv)) addresses a subset of special populations—individuals preparing for nontraditional training and employment. See section 122(c)(12).

V. TECH-PREP

The Secretary recommends that you continue to submit your Tech-Prep application as a part of your State plan. Title II of Perkins III sets out detailed program and administrative requirements for the use of funds to support tech-prep programs. We urge you to describe how you will carry out tech prep programs in sufficient detail to enable us to determine whether program funds will be used in a manner that is consistent with these requirements to create effective tech-prep programs.

A. Program Requirements

1. Describe how each funded tech-prep program will be carried out under an articulation agreement between the participants in the consortium, as defined in section 204(a)(1) of Perkins III. [Sec. 204(c)(1)]
2. Describe how each funded tech-prep program will consist of at least 2 years of secondary school preceding graduation and 2 years or more of higher education, or an apprenticeship program of at least 2 years following secondary instruction with a common core of required proficiency. [Sec. 204(c)(2)]
3. Describe how each funded tech-prep program will meet academic standards developed by the state, link secondary and postsecondary institutions through nonduplicative sequences of courses, use work-based learning, educational technology and distance learning. [Sec. 204(c)(3)(A-D)]
4. Describe how each funded tech-prep program includes in-service training for teachers that addresses the concerns of Perkins III. [Sec. 204(c)(4)(A-E)]
5. Describe how each funded tech-prep program includes training programs for counselors that addresses the concerns of Perkins III. [Sec. 204(c)(5)(A-E)]
6. Describe how each funded tech-prep program provides equal access to individuals who are members of special populations. [Sec. 204(c)(6)]
7. Describe how each funded tech-prep program provides for preparatory services that assist participants in tech-prep programs. [Sec. 204(c)(7)]

B. Administrative Requirements

1. Describe the competitive basis or formula you use to award grants to tech-prep consortia. [Sec. 204(a)(1)]
2. Describe how you will give special consideration to applications that address the areas identified in Sec. 205(d). [Sec. 205(d)(1-5)]
3. Describe how you will ensure an equitable distribution of assistance between urban and rural consortium participants. [Sec. 205(e)]
4. Describe how tech-prep programs will be evaluated using your system of core indicators and levels of adjusted performance. See section II – Accountability.
5. Describe how you plan to collect data to address the reporting requirements in Perkins III (to be addressed in performance reporting). [Sec. 206]

C. Procedural Suggestions

To enhance the description of your tech-prep program, you should consider addressing the following in the tech-prep application:

1. Provide a copy of the local application form(s) used to award tech-prep funds to consortia and a copy of the technical review criteria used to select winning consortia, if funds are awarded competitively.
2. Provide a list of the consortia that the State expects to fund and the estimated or projected level of funding for each consortium.
3. Describe any changes you intend to make to your existing tech prep program in order to respond to changes in Perkins III, e.g., using work-based and worksite learning, extending the model beyond the original 2+2 model, incorporating institutions of higher education that award baccalaureate degree programs, and/or employer or labor organizations.
4. Describe the level and degree of participation of institutions awarding baccalaureate degrees, and employer or labor organizations in funded consortia.
5. Describe any additional authorized tech-prep activities the State Board plans to implement with Title II funds.

D. Planning Reminders

1. Supplanting requirements now apply to Title II tech-prep programs. [See section 311(a)]
2. State expenditures for Title II tech-programs are now a part of the maintenance of effort calculations required by Perkins III. [See section 311(b)]
3. State administrative costs are still limited to those costs that are “reasonable and necessary.”

VI. FINANCIAL REQUIREMENTS

A. Assurances

1. You will assure compliance with the requirements of Title I and the provisions of the State plan, including the provision of a financial audit of funds received under this title which may be included as part of an audit of other Federal or State programs. [Sec. 122(c)(10)]
2. You will assure that none of the funds expended under title I will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity, the employees of the purchasing entity, or any affiliate of such an organization. [Sec. 122(c)(11)]

B. Required Descriptions

1. You will describe how funds received through the allotment made under section 111 will be allocated among secondary school vocational and technical education, or postsecondary and adult vocational and technical education, or both, including the rationale for such allocation. [Sec. 122(c)(4)(A)]
2. You will describe how funds received through the allotment made under section 111 will be allocated among consortia that will be formed among secondary schools and eligible institutions, and how funds will be allocated among the members of the consortia, including the rationale for such allocation. [Sec. 122(c)(4)(B)]

C. Procedural Suggestions

To enhance the description of the State's fiscal underpinnings of funded vocational and technical programs, you are strongly urged to include the following in the State plan:

1. A detailed projected budget table that addresses:
 - a. The amounts to be made available for purposes under section 112(a)(1);
 - b. The amounts to be made available for State leadership under section 112(a)(2);

- c. The amounts to be made available to serve individuals in State institutions, as described in section 112(a)(2)(A);
 - d. The amounts to be made available for services under section 112(a)(2)(B);
 - e. The amounts to be expended for State administration under section 112(a)(3);
 - f. The amounts to be expended for matching of Federal expenditures for State administration;
 - g. The amounts, if any, reserved to address section 112(c);
 - h. The amounts to be expended for tech-prep programs under Title I and II; and
 - i. The amounts for each of the above categories to be expended by local educational agencies and postsecondary institutions.
2. An annual submission of subrecipient allocations made from funds available under section 112(a) and (c), including those allocations for BIA and charter schools for each year of the five-year plan.
 3. An annual submission of allocations made to consortia from funds available under section 112(a) and (c) for each year of the five-year plan.
 4. A description of the secondary and postsecondary formulas used to allocate funds available under section 112(a).
 5. A description of the procedures used to determine and rank eligible recipients seeking funding under section 112(c).
 6. A description of the process used to allocate funds available under section 112(c).
 7. A description of the procedures used to determine eligible recipients in rural and sparsely populated areas, for purposes under sections 131(d)(2) and/or 132(a)(4).
 8. A full description of any alternative formula approved by the Secretary used to meet the requirements of sections 131(c) and/or 132(b).

D. Planning Reminders

1. No funds received under this Act may be used to provide vocational and technical education programs to students prior to the seventh grade, except that equipment and facilities purchased with funds under this Act may be used for such students. [Sec. 315]

2. Maintenance of fiscal effort on either a per student or aggregate expenditure basis is required. [Sec. 311(b)(1)(A)]
3. No funds made available under this Act will be used to require any secondary school student to choose or pursue a specific career path or major. [Sec. 314(1)]
4. No funds made available under this Act will be used to mandate that any individual participate in a vocational and technical education program, including a vocational and technical education program that requires the attainment of a federally funded skill level, standard, or certificate of mastery. [Sec. 314(2)]
5. All funds made available under this Act will be used in accordance with this Act. [Sec. 6]
6. No funds under Perkins III may be transferred and utilized to fund a School-to-Work grant [Sec. 6].
7. For a student to be eligible to participate in activities funded under Perkins III, the student must be in the 7th grade or higher. An activity funded under Perkins III must meet all other applicable requirements, including the supplanting prohibition in Sec. 311(a) of Perkins III.

The programs and activities authorized under Perkins III may provide linkages with programs operated under School-To-Work (STW), provided that the limitation above is observed. If this limitation is met, i.e. the activity is authorized and allowable and the participant is eligible, State or local administrative or policy bodies may coordinate, consult, and cooperate among WIA, Perkins III, and STW programs. We do not foresee that these provisions will create barriers to successful STW, workforce investment, vocational education, vocational rehabilitation, or adult education activities. Assuming that you satisfy the above conditions, we do not believe that these provisions require you to do anything in the future differently than you are doing now. [Sec. 6].

8. Funds made available under this Act for vocational and technical education activities will supplement, and shall not supplant, non-Federal funds expended to carry out vocational and technical education activities and tech-prep activities. [Sec. 311(a)]
9. Starting in fiscal year 2000, the distribution of funds to secondary school programs has changed. See Program Memorandums OVAE/DVTE 99-8 and 2000-2 for more clarification. [Sec. 131(b)]

10. If you decide to develop an alternative allocation formula under the authority of sections 131(c) and/or 132(b), please submit the proposed formula and supporting documentation to the Secretary for approval prior to the submission of your State plan. [See sections 131(c) and 132(b)] (Note: You may rely on the guidance provided in the Perkins II regulations for a postsecondary alternative formulas. See 34 CFR § 403.118.)
11. No funds provided under this Act shall be used for the purpose of directly providing incentives or inducements to an employer to relocate a business enterprise from one State to another State if such relocation will result in a reduction in the number of jobs available in the State where the business enterprise is located before such incentives or inducements are offered. [Sec. 322]
12. The portion of any student financial assistance received under this Act that is made available for attendance costs described in subsection [section 325(b)] shall not be considered as income or resources in determining eligibility for assistance under any other program funded in whole or in part with Federal funds. [Sec. 325(a)]
13. Funds made available under this Act may be used to pay for the costs of vocational and technical education services required in an individualized education plan developed pursuant to section 614(d) of the Individuals with Disabilities Education Act and services necessary to the requirements of section 504 of the Rehabilitation Act of 1973 with respect to ensuring equal access to vocational and technical education. [Sec. 325(c)]

VII. EDGAR AND OTHER REQUIRED CERTIFICATIONS

A. Requirements

1. That the plan is submitted by the State agency that is eligible to submit the plan. [34 CFR 76.104(a)(1)]
2. That the State agency has authority under State law to perform the functions of the State under the program. [34 CFR 76.104(a)(2)]
3. That the State legally may carry out each provision of the plan. [34 CFR 76.104(a)(3)]
4. That all provisions of the plan are consistent with State law. [34 CFR 76.104(a)(4)]
5. That a State officer, specified by title in the certification, has authority under State law to receive, hold, and disburse Federal funds made available under the plan. [34 CFR 76.104(a)(5)]
6. That the State officer who submits the plan, specified by title in the certification, has authority to submit the plan. [34 CFR 76.104(a)(6)]
7. That the agency that submits the plan has adopted or otherwise formally approved the plan. [34 CFR 76.104(a)(7)]
8. That the plan is the basis for State operation and administration of the program. [34 CFR 76.104(a)(8)]
9. That a copy of the State plan was submitted into the State Intergovernmental Review Process. [Executive Order 12372]
10. Debarment and Suspension Certification [34 CFR 85, Appendix A]
11. Drug-Free Workplace Certification [34 CFR 85, Appendix C]
12. Lobbying Certification [34 CFR 82, Appendix A]
13. Assurances – Non-Construction Programs

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 1830-00029. The time required to complete this information collection is estimated to average 168 hours per response, including the time to review instructions, search existing data resources, gather and maintain the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: U.S. Department of Education, Washington, DC 20202-4651. If you have comments or concerns regarding the status of your individual submission of this form, write directly to: Division of Vocational Technical Education, U. S. Department of Education, 400 Maryland Avenue, SW, MES Room 4317, Washington, DC 20202.