California Department of Education

Executive Office

SBE-002 (REV. 11/2017)

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# MEMORANDUM

**DATE:** April 12, 2019

**TO:** MEMBERS, State Board of Education

**FROM:** TONY THURMOND, State Superintendent of Public Instruction

**SUBJECT:** Strengthening Career and Technical Education for the 21st Century Act Transition Plan for California

## Summary of Key Issues

## Background and Development of California’s Draft Transition Plan

The federal Carl D. Perkins Career and Technical Improvement Act of 2006 (Perkins IV) was reauthorized on July 31, 2018, and renamed as the Strengthening Career and Technical Education for the 21st Century Act (Perkins V). As part of the transition to Perkins V, and to qualify for federal funding under the Perkins V, California must submit a new State Plan for Career Technical Education (CTE). Two options were presented by the federal Office of Career Technical and Adult Education (OCTAE). Option one is for the State to submit a transition plan for the 2019–20 year, followed by the submission of a full state plan starting in the 2020–21 school year. Option two is for the State to present a full state plan for years 2019–24. California has elected to submit a one-year transition plan in May 2019, with the full State Plan due in April 2020.

The California Department of Education (CDE) receives federal funding through the Perkins V and the State Director of Career Technical Education is responsible for administering the funds and carrying out the program provisions of the Perkins V.

Perkins V requires that 85 percent of the funding be used for grants to local educational agencies; 10 percent to support statewide leadership activities i.e., professional development, data collection and reporting, research, and other career technical education information; and no more that 5 percent for state administration.

The draft Transition Plan addresses the following requirements as outlined by the U.S. Department of Education: (1) program administration; (2) provision of services for special populations; (3) accountability and evaluation; and (4) financial requirements. In August 2018, the CDE presented the State Board of Education (SBE) with a memorandum outlining the main changes from Perkins IV to Perkins V (Attachment 1).

CDE staff has been working in a collaborative effort with staff of the Chancellor’s Office and SBE to write the Perkins V draft Transition Plan, which is due to the U.S. Office of Education in May 2019.

The California Workforce Pathways Joint Advisory Committee (CWPJAC), is comprised of equal members of the SBE and the Board of Governors of the California Community Colleges and two Ex-officio members. The CWPJAC began reviewing drafts of the State’s Perkins V Transition Plan in February 2019. A revised draft of the Transition Plan was presented to the CWJAC at the March 2019 meeting. The CWPJAC made a few additional comments and suggestions for inclusion in the draft Transition Plan, including more alignment with the Guiding Policy Principles to Support Student Centered K–14+ Pathways (Attachment 2), and felt that the draft Transition Plan was close to completion. For further information on the CWPJAC, its Guiding Policy Principles, and their input into the Transition Plan, please visit the CDE California Workforce Pathways web page at <https://www.cde.ca.gov/ci/ct/gi/workpathjac.asp>.

A final draft of the Perkins V Transition Plan will be presented to the CWPJAC for approval at its April 22, 2019, meeting and the draft Transition Plan will be presented to the SBE and the California Community Colleges Chancellor’s Office, Board of Governors at their respective May 2019 meetings for approval.

Also to be presented at the April 22, 2019, CWPJAC meeting will be a revised version of its Guiding Policy Principles. The State will review any changes to the Guiding Policy Principles for additional ideas of what to include in the four year state plan.

## Request to Waive Section 132 Distribution Formula

The State will use an alternative formula for Section132 funds distribution formula as defined in the waiver approved for the Perkins II, III, and IV funds. The alternative formula significantly increases the number of economically disadvantaged students and CTE programs the State is able to assist with the funds.

Included in the draft Transition Plan under Section C, question 7, California is requesting the U.S. Department of Education approval to extend its waiver of the Perkins V Section 132 distribution formula through the 2019–20 plan year. This is the only section of the Perkins V California will seek to waive. The alternative formula complies with the “more equitable distribution of funds” waiver requirement established in Section 132(b) of Perkins V. The alternative formula enables the state to recognize and serve economically disadvantaged adult CTE enrollment in over 140 programs conducted by adult schools and regional occupational centers (ROCPs), as well as those enrolled in community colleges.

The proposed alternative formula is unchanged from the formula initially approved for the Perkins II, III, and IV funds. Specifically, the formula generates an unduplicated count of adults who are economically disadvantaged; in attendance at an adult school, ROCP, or community college; and enrolled in a CTE program (Attachment 3).

## Attachment(s)

* Attachment 1: August Memo: Authorization of the Federal Strengthening Career and Technical Education for the 21st Century Act (3 pages).
* Attachment 2: California Workforce Pathways Joint Advisory Committee: Guiding Policy Principles to Support K–14+ Pathways (7 pages).
* Attachment 3: Request to Extend Waiver of Section 132 Funds Distribution Formula (2 pages).

# Attachment 1: August Memo: Authorization of the Federal Strengthening Career and Technical Education for the 21st Century Act

**MEMORANDUM**

**DATE:** August 8, 2018

**TO:** MEMBERS, State Board of Education

**FROM:** TOM TORLAKSON, State Superintendent of Public Instruction

**SUBJECT:** Authorization of the Federal Strengthening Career and Technical Education for the 21st Century Act

## Summary of Key Issues

On July 31, 2018, President Trump signed the bipartisan Strengthening Career and Technical Education for the 21st Century Act(Perkins V)*.* The Perkins V ushers in a new era of development and implementation of high-quality career and technical education (CTE) programs and courses of study to help our nation’s students prepare for college and career. To see the full content of the Perkins V, please visit the portable document format version at Perkins V (<https://www.congress.gov/115/bills/hr2353/BILLS-115hr2353enr.pdf>).

The Perkins V builds upon the Carl D. Perkins Career and Technical Education Improvement Act of 2006, and contains new provisions including the following:

* Promoting the better alignment of CTE programs with state, regional, and local economic needs;
* Expanding career exploration and development activities for grades five to eight;
* Expanding the definition of “special populations” to include homeless individuals, foster youth, youth who have aged out of foster care, and students whose parents are active duty military.
* Increasing the amount of funds that can be spent on students in state institutions;
* Increasing the amount of reserve funds states can use to address the needs of rural areas, areas with high numbers/percentages of CTE concentrators, or areas with disparities or gaps in their performance;
* Increasing autonomy and authority for states to set their performance goals.

At this point in time, the Office of Career, Technical and Adult Education at the U.S. Department of Education has released no timeline for the implementation or expectations for the administration of the new Perkins V. On August 1, 2018, the California Department of Education (CDE) staff consulted with staff from the law firm of Brustein and Manasevit. The CDE was provided with preliminary guidance on timelines for the transition plan, as well as the new State Plan for CTE. It was recommended the CDE plan to develop the transition plan by May 2019 and the new State Plan by February 2020. Given this potential timeline, it may be appropriate for the State Board of Education to recommend a plan of action similar to the Every Student Succeeds Act State Plan. California *Education Code (EC)* Section12053 states:

(a) The State Board of Education is designated the state board of vocational education, which is the sole state agency responsible for the administration or the supervision of the state vocational education, as required by the Carl D. Perkins Vocational Education Act (P.L. 98-524), the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990 (P.L. 101-392; 20 U.S.C Sec. 2301 and following), and any acts amending or succeeding those acts. The State Board of Education is granted all necessary power and authority to carry out those provision of federal law.

(b) In recognition of the need for coordinated delivery of vocational education and training in California, the State Board of Education and the Board of Governors of the California Community Colleges shall enter into a memorandum of understanding, which shall do all of the following:

(1) Provide for an advisory committee composed of an equal number of members of each board.

(2) Assure shared planning and coordination.

(3) Delegate to the Board of Governors of the California Community Colleges, in keeping with the requirements of federal law, the maximum responsibility in administration, operation, and supervision of policies and procedures related to community college vocational programs provided for in federal law.

(c) In carrying out the provisions of federal law, the State Board of Education, prior to taking final action on any proposed policies, procedures, or allocations of funds, shall consider recommendations, if any, of the Board of Governors of the California Community Colleges and make a record of review and comment on the proposed policies, procedures, or allocations of funds.

The advisory committee referenced in *EC* Section 12053(b)(1) was convened in March 2017 and operates as the California Workforce Pathways Joint Advisory Committee. More information is available on the CDE California Workforce Pathways web page at <https://www.cde.ca.gov/ci/ct/gi/workpathjac.asp>. The current composition of this committee is:

**State Board of Education Representatives**

Feliza Ortiz-Licon

Patricia Rucker

Ting Sun, Chair

**Community Colleges Chancellor's Office Board of Governors Representatives**

Jolena Grande

Pamela Haynes, Vice Chair

Valerie Shaw

**Ex-Officio Members**

Gustavo Herrera, Young Invincibles

David Rattray, Los Angeles Area Chamber of Commerce

Prior to the signing of Perkins V, the Career and College Transition Division staff reached out to other divisions within the CDE, as well as staff at the California Community Colleges Chancellor’s Office, to ensure all stakeholders are part of the core team leading the work of developing a new State Plan.

## Attachment(s)

None

# Attachment 2: California Workforce Pathways Joint Advisory Committee: Guiding Policy Principles to Support K–14+ Pathways

## Preamble

Several common themes have emerged from the work of the California Workforce Pathways Joint Advisory Committee (WPJAC) since it reconvened in 2017. The goal of the WPJAC is to build connected, equitable, accessible, and high-quality K–14+ college and career pathways by: 1) signaling the infrastructure needs, 2) promoting regional and local educational agency efforts for alignment, and 3) reinforcing student supports during critical transitions leading into high school, community college, and beyond.

The Guiding Principles to Support K–14+ Pathways highlight salient points raised to the WPJAC members since 2017, build upon existing practices across systems, and focus on key pressure points for supporting cross-system collaboration. They are intentionally designed to be inter-related because individually they are narrow in scope, so it’s important to view them as a complementary whole. The Committee embraces the principle of continuous improvement, as it applies to its own work, thereby acknowledging that the Guiding Policy Principles, Essential Elements, Working Norms, and Glossary of Terms are dynamic and will continue to evolve and adjust over time, as necessary.

## Guiding Policy Principles

A priority is to pivot towards purposeful integration of the student experience across systems and into college and career while addressing industry needs by incorporating the following guiding policy principles to:

1. Focus on a **Student-Centered Delivery of Services** for all K–14+ college and career pathways, which accommodates multiple entry points to facilitate students’ needs to build their skills as they progress along a continuum of education and training, or advance in a sector-specific occupation or industry.
2. Promote **Equity and Access** by eliminating institutional barriers and achievement gaps for all students to realize their educational and career aspirations.
3. Achieve **System Alignment** in the economic regions of the state in order to create a comprehensive and well-defined system of articulation of high quality   
   K–14+ pathway courses (i.e., both in-person and online) and work-based learning opportunities with a specific emphasis on career technical education. Bring greater coherence to programming, common use of terminology, appropriate data collection and sharing, and attainment of student outcomes in a timely way that lead to upward mobility in California’s industry sectors.
4. Support the **Continuous Improvement and Capacity Building** at all levels and components to ensure smooth transitions in the system and focus efforts on implementation of state standards, attainment of student outcomes, and a strengthening of California’s regional economies.
5. Ensure that **State Priorities and Direction Lead the State Plan** with opportunities in Perkins leveraged to assist in accomplishing the state goals and objectives, also known as “the California Way.”

## Essential Elements of a High-Quality College and Career Pathway

To realize the guiding policy principles outlined above, California recognizes the importance of the following essential elements of a high-quality college and career pathway:

1. **Student-Centered Delivery of Services** for all K–14+ college and career pathways incorporates the removal institutional or systemic barriers that impede the progress of students in achieving their education and career goals. This includes a renewed commitment to offer an engaging learning experience and support the diversity of individual student needs while accommodating their multiple entry points as they progress along a continuum of education and training, or advance in a sector-specific occupation or industry.
2. **Equity** goes beyond the reduction of institutional barriers to create an environment of being fair, impartial and free from bias or favoritism, promote educational and employment attainment, and to eliminate the achievement gap for all students including, but not limited to, English language learners and students with disabilities in the K-14+ college and career pathway system.
3. **Access** denotes a broader vision of equity ensuring that all students are provided ample opportunities to attain the necessary skills, education and training required to maximize their individual goals including a collective awareness of all the supports that are available to students both inside and out of class. **Access** also facilitates the elimination of the achievement gap by providing information on how to access programs, services, and rigorous course work for all California students regardless of region, gender, socio-economic status, special needs, and/or English proficiency.
4. **Leadership at All Levels** is required to achieve greater integration across systems and programs to ensure that the contexts for an engaging learning experience can occur and programs connect, so all students succeed with their desired outcomes including employment, and employers have the workforce needed to thrive.
5. **High-Quality, Integrated Curriculum and Instruction** informed by labor market information, student interest, technology, industry standards, and real-world engagement through relevant work-based learning opportunities is essential to prepare students. Rigorous and aligned programs should be supported to guide students through relevant course sequences (i.e., both in-person and online) and work-based learning opportunities leading to a mastery of standards, high school graduation, and transition to postsecondary education, training, apprenticeship, and/or employment, as appropriate. Courses and programs may be designed to use cross-system strategies like dual enrollment and/or dual credit with community colleges and universities or other articulations to create a seamless student experience, and avoid unnecessary repeating of courses or other inefficient practices to facilitate “on-time” postsecondary graduation, where appropriate. Stackable badging and credentials can ensure frequency of assessment and a value-added outcome.
6. **Skilled Instruction and Educational Leadership, informed by Professional Learning,** is the cornerstone of the public education system in California. The educational experience is only as strong as the capacity and investment made in faculty, educational leaders, and the other key field talent to provide in-class, online, or work-based learning opportunities as well as developing an awareness of student support services. California encourages the culture of innovation and entrepreneurialism in program instruction and design.
7. The strong presence of **Career Exploration and Student Supports** is an essential component for establishing a learning plan for all K–14+ students. This includes identifying appropriate foundational courses (i.e., using competency-based learning) and information about jobs, determining student progression in a single pathway or along multiple pathways or sequences of learning, or making available in-class and online course offerings and work-based learning opportunities. To complement their learning plan, students should also have access to comprehensive counseling, individualized supports along their journey (including, but not limited to, for students who are part-time, face barriers to learning, need academic or cultural supports, transportation, child care, or financial aid), or opportunities through student leadership development organizations to achieve their individual goals and aspirations, through a variety of transitions, in an ever-changing workforce.
8. **Appropriate Use of Data and Continuous Improvement** should continue to drive Career Technical Education through relevant accountability that is outcomes-based, is supported both vertically and horizontally across systems, and ensures equity and access for all students. Focusing on students’ and employers’ needs will allow for identification of capacity building, refinement of programs, and elimination of inefficiencies to meet the existing and emerging needs of regional economies. Through intentional sharing of specific data elements that are actionable across systems will help to showcase student attainment, including mastery of standards, and be informed by industry needs to achieve relevant system outcomes. Responsible data use is to inform practice and improve programs, not to track students.
9. Opportunities for strategic and intentional **Cross-System Alignment** should be informed by the ongoing analysis of student data, and alignment of data definitions across systems to provide, for example, deliberate sector-based programs, deployment of technical field assistance using a regional distribution, or evidence-based practices and processes to optimize pathway success and upward mobility opportunities for all participants.
10. **Intentional Recruitment and Marketing (Promotion, Outreach, and Communication)** should reflect an understanding of students’ and employers’ needs, be consistent in its messaging to stakeholders across all segments, and use tools and reports as a platform to display the added value of high quality K–14+ college and career pathway programs.
11. **Sustained Investments and Funding** **through Mutual Agreements** must be present to encourage regional alliances along with industry sector strategies,especially with a focus on current and/or emerging high-skill, high-wage, and/or high-demand occupations. This includes but is not limited to K–12 Education, Adult Education, Higher Education, Labor, Economic Development Councils, Chambers of Commerce, Workforce Development Boards, career advisory boards, and regional industry alliances aligned by sector that lead to an industry-recognized credential or certificate, postsecondary training, apprenticeship, and/or employment.

## Working Norms for Fostering a Mutually-Beneficial Intersegmental Relationship

These working norms are designed help guide state, regional and local entities in building high-quality K–14+ college and career pathways. This collaborative work necessitates:

1. **Frequent, Open, and Intentional Communication** between Educational Agencies, Workforce Agencies, and Employers.
2. A **Mindset Shift** from insular to **Coordination of Planning** and from independent to **Interdependent Implementation of Systems** to make better use of and maximize scarce public funds.
3. A continual scan for opportunities to **Leverage, Build Upon, and/or Replicate Effective Models and Practices** in order to benefit from the scale of the state.
4. An understanding of the existing eco-system as a basis to **Build a New Culture for our Institutions** and **Incentivize Behaviors and Relationships.**
5. **Ongoing Alliances** **through** **Sustained Funding** and **Mutual Agreements** in order to “stay the course” despite governance changes.
6. A **Commitment** to the work to create **Stability and Sustainability** of the K–14+ college and career pathway system.

## Glossary

**Access** – The institutions’ responsiveness to individual students’ unique social, economic, and cultural conditions to ensure all students have equal opportunities to take full advantage of their education, including a collective awareness of all the supports both inside and out of class that are available to them.

**All Students** – The state of California recognizes its deep responsibility to ensure that each and every student receives a world class 21st century education, one that supports the achievement of their highest potential. In order to accomplish this goal, it is important to continuously strive for equity in all classrooms, schools and districts by considering students’ cultural, ethnic, and linguistic background; disability; sexual orientation; economic status; and other factors.

**Attainment Gap** – Some students have limited access to well-prepared teachers/faculty and other educational resources. Recognizing the specific inequities that exist helps educators and communities to purposefully and strategically take action to strive for true educational equity for all learners.

**Equality** – This is the state of being equal, especially in status, rights, and educational and training opportunities or proportionality to reflect the communities being served.

**Equity** – To systemically create an environment of being fair and impartial, and be free from bias or favoritism to promote educational and employment attainment among all students, including English language learners and students with disabilities.

**Methods of Learning** –Different modes of learning may include, but is not limited to, in-person or online instruction, apprenticeship, internship, and other work-based learning opportunities; however instruction is provided, it must adjust to distinct learning needs and cultural backgrounds of students in order to lead to a certificate, credential, or degree.

**Socioeconomically Disadvantaged** – For K-12, this includes students eligible for the free and reduced priced meal program, foster youth, homeless students, migrant students, and students for whom neither parent is a high school graduate. For community colleges, this definition also includes veterans, Pell and Promise Grant qualified, and/or first generation students.

**Student-Centered** – A restructuring of policies so that the provision of education and training programs, engaging learning experiences, instructional approaches, and academic support strategies at our institutions address the distinct learning needs, interests, and aspirations while also honoring  cultural backgrounds of individual students or groups of students who may have a variety of needs (including homelessness or food insecurity; need academic, cultural, and/or linguistic supports; transportation; or child care or financial aid). For community colleges, the movement to implement Guided Pathways embodies a student-centered restructuring of the student experience.

**System Alignment** – Bringing greater coherence and efficiency to curriculum, programs, initiatives, and education and training system that includes K–12, community college, and the public workforce system and beyond, with a particular focus on workforce pathways that consider regional labor market needs.

# Attachment 3: Request to Extend Waiver of Section 132 Funds Distribution Formula

The State will request a renewal of the Section 132 funds distribution formula waiver approved for the Perkins IV funds. The alternative formula enables the State to more equitably recognize and serve economically disadvantaged adult career technical education (CTE) participants in courses conducted by adult schools and regional occupational centers and programs (ROCPs), as well as those enrolled in the community colleges. In so doing, it complies with the “more equitable distribution of funds” waiver requirement established in Section 132(b)(1) of Perkins V.

The alternative formula generates an unduplicated count of adults (unduplicated by period of enrollment, unduplicated by enrollment in more than one CTE course/program, and unduplicated by eligibility in more than one economically disadvantaged category) who are economically disadvantaged; in attendance at an adult school, ROCPs, or community college; and enrolled in a CTE course/program. The economically disadvantaged status of the adult CTE students is determined by their participation in one of the following public assistance programs or one of the evidences of a personal or family income below the poverty level:

* Promise Grant;
* Pell Grant;
* California Work Opportunity and Responsibility to Kids;
* Workforce Innovations and Opportunity Act;
* Supplementary Security Income;
* General/Public Assistance;
* Bureau of Indian Affairs;
* Eligibility for economic public assistance or student aid;
* Annual income level below poverty level as determined by county of residence; or self-declaration by adult.

The determination of the Section 132 allocations involves the following steps: (1) calculating the per student allocation amount by dividing the total amount of Section 132 funds available for distribution by the sum of the economically disadvantaged adults reported by the eligible recipients (adult schools, ROCPs, and community college districts); and (2) calculating each eligible recipient’s allocation by multiplying the determined per student allocation amount by the number of economically disadvantaged adult CTE students reported by the recipient.

The 2019–20 Section 132 allocations will be based on an unduplicated count of the economically disadvantaged adults enrolled in CTE programs during the 2017–18 program year which began on July 1, 2017, and ended on June 30, 2018. Similar data collection periods will be used for subsequent program year allocations. Third-party verified data is preferred, but an eligible recipient may report those adults who have been identified by self-declaration, as meeting at least one of the listed evidences of economic disadvantage. Reported enrollments will be validated by comparing this data with related data submitted by the eligible recipients for the same time period. Eligible recipients are required to maintain auditable records of student eligibility for five years.

Section 132 allocations are determined through the following process:

* 1. The California Department of Education (CDE) collects and validates the eligibility reports and data submitted by the adult school agencies and ROCPs. The California Community Colleges Chancellor’s Office (CCCCO) collects and validates the eligibility data submitted by the community college districts;
  2. The CDE determines the total number of economically disadvantaged adult CTE students by aggregating the validated economically disadvantaged enrollments reported by the adult school agencies, ROCPs, and community college districts;
  3. The CDE computes a per-student allocation amount by dividing the funding available for distribution under Section 132 by the total number of economically disadvantaged adult CTE students determined in item 2;
  4. The CDE determines each eligible recipient’s (adult school agency, ROCP, and community college district) allocation by multiplying its validated number of economically disadvantaged adult enrollees by the per-student allocation amount computed in item 3;
  5. The CDE transfers to the CCCCO, by interagency agreement, the total amount of the Section 132 funds to be awarded to community college districts; and
  6. Both, the CDE and CCCCO, distribute the funds for which they are responsible in accordance with the Section 132 guidelines.

This is the same distribution formula the state has been granted under Perkins II, III, and IV. The CWPJAC, the CDE, and the CCCCO, through consultation with the stakeholders identified in Section 122(c)(1)(A) of Perkins V, will use the 2019–20 program year to determine if the existing process for the distribution of Section 132 still provides the most equitable distribution of funds to maximize the number of economically disadvantaged individuals served.