



February 1, 2016

U.S. Senator Lamar Alexander, Chairman  
Senate Committee on Health, Education, Labor  
and Pensions (HELP)  
428 Senate Dirksen Office Building  
Washington, DC 20510

U.S. Senator Patty Murray, Ranking Member  
Senate Committee on Health, Education, Labor  
and Pensions (HELP)  
428 Dirksen Senate Office Building  
Washington, DC 20510

U.S. Senator Michael B. Enzi, Chairman  
Subcommittee on Primary Health and  
Retirement Security  
428 Dirksen Senate Office Building  
Washington, DC 20510

U.S. Senator Robert P. Casey, Jr, Ranking Member  
Subcommittee on Children and Families  
428 Dirksen Senate Office Building  
Washington, DC 20510

Dear Senators Alexander, Murray, Enzi, and Casey:

As the Senate Committee on Health, Education, Labor and Pensions (HELP) considers the reauthorization of the Carl D. Perkins Career and Technical Education Act (the Perkins Act, or Perkins), the Center for Law and Social Policy (CLASP) asks you to consider the following recommendations for reforms that can help America's current and future workforce, in particular special populations such as low-income adults and youth, including out-of-school youth, learn necessary skills and earn industry-recognized postsecondary credentials that enable them to succeed in the labor market. These recommendations are in addition to our October 28, 2015 joint recommendations.

Reauthorization of the Perkins Act this year offers a critical opportunity to build on the foundation of the most recent updates to the law nearly a decade ago ("Perkins IV"), which emphasized academic and technical rigor and established programs of study. Congress should supplement and strengthen the program by aligning it with the focus on low-income youth and adults, career pathways systems, state planning, and accountability provisions authorized by the Workforce Innovation and Opportunity Act of 2014 (WIOA). Since Perkins IV, state and local CTE partners have achieved innovative collaborations through the successful development of programs of study and career pathways systems, though not necessarily in concert with parallel career pathways initiatives in the workforce development arena. The implementation of WIOA offers the promise of connecting these systems to improve the effectiveness and efficiency of career and technical education in our country. In general, the recommendations focus on the important role of CTE as part of an overall effort to increase attainment of recognized postsecondary credentials with labor market value, including improving the connections among Perkins-funded postsecondary education programs, workforce development, and adult education for low-income non-traditional students and out-of-school youth.

## Special Populations

CLASP strongly supports the focus on “special populations” in Perkins IV. Over the past decade, CTE programs have sought to increase academic rigor. However, the opportunity to thrive in rigorous programs of study should be available to all, even if they need additional integrated supports.

CLASP recommends that the committee maintain and strengthen the Perkins Act definition of special populations in Sec. 3(29) to ensure that low-income youth and adults are included. CLASP suggests that WIOA’s definition of “low-income individual” be added to this definition as a new part (G). In the alternative, a reference to “heads of disadvantaged households” could be added to Sec. 3(29)(B). This would remedy the inadvertently child-exclusive wording in the current language of 3(29)(B) (which now refers to individuals “from disadvantaged families”) by making it clear that 3(29)(B) also includes individuals who themselves are the head of a disadvantaged household.

## Out-of-School Youth

WIOA’s strong focus on serving out-of-school youth, including youth ages 21 to 24, marks a positive change in the emphasis of WIOA Title I Youth programs. Perkins reauthorization provides an opportunity to underscore this focus and to increase service to this population, in at least two ways. First, CLASP recommends that the committee replace the definition of “school dropout” in Perkins Act Sec. 3(24) with the definition of “out-of-school youth” in WIOA Sec. 3(46), to increase alignment with WIOA. In addition, reauthorization should make services to out-of-school youth a required use of local funds, by moving the language currently listed in the Permissive local uses of funds in Sec. 135(c)(15) (“to provide career and technical education programs for adults and school dropouts to complete the secondary school education, or upgrade the technical skills, of the adults and school dropouts”) to the list of required uses of local funds in section 135(b), as a new 135(b)(10). This aligns with WIOA’s strong focus on out-of-school youth.

## Career Pathway-like activities

Perkins reauthorization should support efforts to integrate and strengthen career pathways at the state and local levels, and we recommend the WIOA definition of “career pathway” be incorporated in Perkins reauthorization. Career pathways are a proven strategy for supporting students, including individuals with barriers to employment, into progressively higher levels of education and employment through a series of well-connected education and training and work experiences. Secondary career and technical education (CTE) innovations, like California’s Linked Learning initiative, have moved beyond the Perkins IV program of study model to include linked academics and occupational training, support services, and work-based learning structures that constitute a complete career pathway program.

WIOA Title II and postsecondary CTE are the key education partners in building career pathways beyond secondary school. While Perkins IV includes a program of study mandate for linking secondary to postsecondary education, the WIOA career pathway definition should be included in the next Perkins reauthorization to support the scaling and dynamic sustainability of career pathway programs for the target populations of WIOA and Perkins, including out-of-school youth and adults. The seven-part WIOA definition of career pathways is as follows:

*CAREER PATHWAY.—The term “career pathway” means a combination of rigorous and high-quality education, training, and other services that—*

- (A) aligns with the skill needs of industries in the economy of the State or regional economy involved;*
- (B) prepares an individual to be successful in any of a full range of secondary or postsecondary education options, including apprenticeships registered under the Act of August 16, 1937 (commonly known as the “National Apprenticeship Act”; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.) (referred to individually in this Act as an “apprenticeship”, except in section 171);*
- (C) includes counseling to support an individual in achieving the individual’s education and career goals;*
- (D) includes, as appropriate, education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;*
- (E) organizes education, training, and other services to meet the particular needs of an individual in a manner that accelerates the educational and career advancement of the individual to the extent practicable;*
- (F) enables an individual to attain a secondary school diploma or its recognized equivalent, and at least 1 recognized postsecondary credential; and*
- (G) helps an individual enter or advance within a specific occupation or occupational cluster.*

It is important to note that section 484(d) of the Higher Education Act now includes identical language to WIOA’s career pathway definition in its “Ability to Benefit” provision, an important mechanism for supporting adult students in completing a high school equivalency while enrolled in postsecondary CTE.

In addition, CLASP recommends the next Perkins reauthorization require coordination of the “supporting partnerships” of program of study stakeholders with WIOA career pathway state functions and the required statewide alignment of adult education with other core programs. These three sets of activities are related and should be aligned for highest impact. Specifically, given that the Perkins Act’s required statewide career pathways activities are similar to statewide activities required under WIOA, coordination among them could be enhanced by adding language to the section regarding the required state activities of “supporting partnerships” of program of study stakeholders (Perkins Sec. 124(b)(6)), to indicate that such activities “shall” be required to be carried out in alignment with both the WIOA career pathways required function of state boards (WIOA Sec. 101(d)(3)(B)) and the required statewide alignment of adult education with other core programs and one-stop partners (WIOA Sec. 223(a)(1)(A)).

### **State planning**

We recommend postsecondary CTE be a required partner in WIOA Unified Planning. Currently, postsecondary CTE is an optional partner in WIOA Combined Planning, which is a voluntary, more comprehensive planning activity. Unified Planning currently includes only the six “core” programs under WIOA. Because postsecondary CTE is a required one-stop partner—meaning the program contributes

financially to infrastructure costs of the one-stop centers—these partners have a financial stake in the WIOA system and thus should be integrated into Unified Planning.

### Accountability

CLASP believes performance accountability is a central way for the federal government to assure that special populations, including the economically disadvantaged and out-of-school youth, have access to federally-funded career and technical education. Our comments on accountability refer *only* to the core indicators of performance at the postsecondary level under Perkins, but *both* youth and adult measures under WIOA.

It is well known that Perkins IV does not establish standard definitions or methodologies for collecting and measuring the core indicators of performance,<sup>1</sup> and that states use different approaches to measuring performance challenges.<sup>2</sup> Congress has recently made great strides in creating common primary indicators of performance which are common across the six core WIOA programs. Because postsecondary Perkins programs and WIOA-funded workforce and adult education programs share common goals and populations, we recommend that the current Perkins *postsecondary* performance measures be aligned with WIOA's performance measures. In particular, the WIOA Youth measures should apply to out-of-school youth who are in postsecondary CTE, while those who are not out-of-school youth (adults) should be measured by the WIOA adult measures. This change would make clear postsecondary CTE's role in offering education which lead to credentials in particular occupations or industries and to employment, while also encouraging postsecondary programs to serve out-of-school youth.

Next, common definitions of CTE participant and CTE concentrator should be developed, either in the statute or in regulations. They could be informed by—but not necessarily identical to—the WIOA definitions of “reportable individuals” and “program participants,” which will likely be included in forthcoming final WIOA regulations.

States report that measuring and collecting data on technical skill attainment is among the most challenging of measures.<sup>3</sup> We support intentional alignment between the CTE technical skill assessment structure and the WIOA measurable skill gains performance measure (see appendix A). This alignment would create incentives for tighter partnerships between WIOA core partners and their CTE partners. The Department of Labor's Employment and Training Administration (ETA) and Department of Education's Office of Career, Technical, and Adult Education (OCTAE) are in the process of jointly developing regulations and guidance to help states implement the WIOA measurable skill gain measure, along with the other five measures. OCTAE's deep engagement in the development of measurable skill gains should be leveraged to effectively and thoughtfully align CTE's technical skill attainment and WIOA's measurable skill gains.

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<sup>1</sup> Congressional Research Service, *Carl D. Perkins Career and Technical Education Act of 2006: Implementation Issues* by Cassandra Dortch. CRS Report R42858. December 14, 2012.

<sup>2</sup> United States Government Accountability Office, *Career and Technical Education: States Have Broad Flexibility in Implementing Perkins IV*. GAO-09-683. July 2009.

<sup>3</sup> Ibid.

To further improve federal program alignment, we suggest that Congress amend the Perkins Act to adopt the definition of “recognized postsecondary credential” included in WIOA, and use it to hold programs accountable for ensuring students obtain high-quality credentials. The definition in WIOA includes degrees, licenses, and industry-recognized certificates and certifications, which would provide programs more flexibility to identify credentials to help students advance educationally and in their careers.

*RECOGNIZED POSTSECONDARY CREDENTIAL.—The term “recognized postsecondary credential” means a credential consisting of an industry-recognized certificate or certification, a certificate of completion of an apprenticeship, a license recognized by the State involved or Federal Government, or an associate or baccalaureate degree.*

Aligning with WIOA measures may require significant changes to the status quo for reporting data, such as shifting Perkins from using an entry cohort model to an exit cohort model. Like definitions of CTE “participant” and “concentrator,” the definition for leaving CTE could be informed by the forthcoming definition of WIOA “exiter.”

Thank you for the opportunity to share CLASP’s recommendations. Please direct questions to Anna Cielinski at 202-906-8019 or [acielinski@clasp.org](mailto:acielinski@clasp.org).

Sincerely,

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## Appendix A.

Possible Alignment between Perkins CTE and WIOA Performance Measures	
Carl D. Perkins Career and Technical Education Postsecondary Performance Measures	Workforce Innovation and Opportunity Act of 2014 Primary Indicators of Performance for Adults (Public Law 113-128)
Technical Skill Attainment	<b>One new sub-measure under Measurable Skill Gains:</b> The percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains toward such a credential or employment.
Credential, Certificate or Degree	<b>Credential Attainment:</b> The percentage of program participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent (subject to clause 4 (iii)), during participation in or within 1 year after exit from the program.
Student Retention or Transfer	<b>Two new sub-measures under Measurable Skill Gain:</b> The percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains toward such a credential or employment.
Student Placement	<b>2<sup>nd</sup> Quarter Employment**:</b> The percentage of program participants who are in unsubsidized employment during the second quarter after exit from the program.
Nontraditional Participation	NA (but could disaggregate all by WIOA's barriers to employment)
Nontraditional Completion	NA
NA	<b>2<sup>nd</sup> Quarter Earnings:</b> Median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program
NA	<b>4<sup>th</sup> Quarter Employment**:</b> The percentage of program participants who are in unsubsidized employment during the fourth quarter after exit from the program

\*\* For out-of-school youth, participation in education or training activities, in addition to employment, would constitute success.