

July 23, 2018

The Honorable Mitch McConnell
Majority Leader
U.S. Senate
Washington, DC 20510

The Honorable Charles E. Schumer
Minority Leader
U.S. Senate
Washington, DC 20510

The Honorable Lamar Alexander
Chairman
Health, Education, Labor and Pensions
Committee
U.S. Senate
Washington, DC 20510

The Honorable Patty Murray
Ranking Member
Health, Education, Labor and Pensions
Committee
U.S. Senate
Washington, DC 20510

Dear Leader McConnell, Leader Schumer, Chairman Alexander and Ranking Member Murray,

On behalf of the Association for Career and Technical Education (ACTE), the nation's largest not-for-profit organization dedicated to the advancement of education that prepares youth and adults for successful careers, and Advance CTE, representing the state and territory leaders of our nation's Career and Technical Education (CTE) system, we write to express our thoughts on the Senate's *Strengthening Career and Technical Education for the 21st Century Act* (S. 3217), a bill to reauthorize the Carl D. Perkins Career and Technical Education Act (Perkins). We greatly appreciate the focus of the Senate Health, Education, Labor and Pensions (HELP) Committee on this reauthorization, and the hard work of Committee Senators and their staffs to craft a bipartisan compromise.

Since its inception, Perkins has afforded states and local communities the opportunity to implement a vision for CTE that uniquely supports the range of educational needs of learners - exploration through career preparation – and balances those with the current and emerging needs of the economy. As the principal federal investment in our nation's CTE system, Perkins builds the capacity of public educational institutions to drive systemic innovation and program improvement. Perkins is also paramount to ensuring that rigorous CTE programs of study are available in every community and to every learner who chooses to participate. These beliefs about the purpose of Perkins, along with the tenets of access, equity and quality underscore all of our priorities for this reauthorization, which were to:

- maintain a vigilant focus on using these funds to drive systemic improvement at the secondary and postsecondary levels through programs of study;
- streamline current requirements to focus funding on the essential elements that drive CTE learner achievement; and
- create a policy and accountability framework in which state and local recipients have the flexibility to design programs and services to meet the unique, data-driven needs of their communities and learners.

As those charged with implementing this law, our members care about each word, concept, requirement, comma and change made in this legislation. While S. 3217 does not fully reflect all of our reauthorization priorities, we wish to express our gratitude to Committee staff for the time they spent listening to and building their understanding of the perspectives of our organizations. We also appreciate their willingness to address many of the concerns we have raised, as well as their commitment to continue to clarify specific provisions through report language. As stated above, below are three key priorities that are essential to Perkins reauthorization and our comments on how each are addressed in S. 3217.

Focus on systemic improvement and quality: Perkins sits at a critical intersection between the nation's K-12 and postsecondary education and workforce development systems. Therefore, it is important that S. 3217 continues to support Perkins' role as a bridge builder between and among existing federal programs such as the Every Student Succeeds Act, the Higher Education Opportunity Act, and the Workforce Innovation and Opportunity Act (WIOA). S. 3217 largely retains the current law's focus on quality and system improvement by expanding the focus on innovation through an increased reserve fund, a new national competitive grant program, and an ongoing commitment to supporting programs of study. We appreciate the expansion of the bill's ability to support career exploration in the middle grades, an important step in promoting all learners' need to explore their interests, aptitudes and talents as they craft their education and career plans. A critical piece to ensuring quality programs is ensuring our policies do not unintentionally create loopholes. Therefore, we understand Committee staff will underscore its intent that the secondary academic indicators of performance should be measured for CTE students in a manner consistent with that of all students in the state; we do not want to go back to a time when there are different academic tracks for CTE versus non-CTE students.

Streamline requirements to focus on what matters most – meeting the needs of learners and employers: S. 3217 continues to recognize the uniqueness of CTE delivery systems and the importance of a strong state role in implementing this law by allowing states to select the agency (eligible agency) that leads each state's implementation; to determine the secondary and postsecondary split and to determine how best to align Perkins to meet the state's priorities and vision for CTE. Further, S. 3217 provides states with new flexibility for a one-time reset of maintenance of effort baseline and retains the decision of whether to include Perkins in a combined state plan under WIOA as a decision that is at the discretion of the state Perkins eligible agency.

One place where S. 3217 falls short is in failing to streamline the requirements and reduce burdens on state and local recipients. The bill articulates a more prescriptive plan development and consultation process and expands the state plan and local application requirements. While the required uses of funds at the state level are reduced, there are more specified set asides than in current law and a vastly expanded list of permissible uses of funds. And some of these uses of funds, at both the state and local level, are potentially duplicative of activities authorized under the WIOA, Individuals with Disabilities Education Act, Juvenile Justice and Delinquency Prevention Act, and several other federal programs. We look forward to supporting our members at the state and local levels as they navigate the sea of interest in CTE; it is important that they feel empowered to invest in only those activities that align with their state and local vision for CTE and the priorities identified through the analysis of their statewide data and local needs assessment.

Ensure the accountability provisions drive program quality and improvement and ensure equitable access: Perhaps the most significant changes that S. 3217 makes relate to the accountability requirements. It should be noted that our organizations did not have a concern with current law's practice of negotiating performance targets with the Secretary. States will now have the ability to set their own levels of

performance on core indicators, but this comes with the cost of more prescriptive and restrictive provisions on developing and amending targets. We look forward to working with Committee staff to clarify many of these provisions and processes to ensure the intent behind these provisions and processes is fully understood and does not discourage states and locals from setting ambitious targets. It is also important for us to go on record as having ongoing concerns about the potential unintended consequences of the secondary CTE concentrator definition. While S. 3217's definition is an improvement over that in the House bill, the definition will result in a shift in data collection in all but three states and potentially result in expanding data collection to include nearly all students in some states.

However, we do support some of the Senate's efforts to disaggregate performance data and examine achievement gaps between subpopulations, as well as the addition of the local needs assessment. We believe these new and expanded responsibilities have the potential to help close equity and achievement gaps.

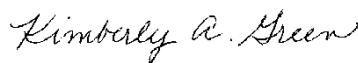
Finally, S. 3217 now includes specific authorization levels, as compared current law's 'such sums as necessary.' It is important to flag that S. 3217 provides an authorization amount for FY19 that is below the amount proposed in the House Labor, Health and Human Services, Education and Related Agencies' appropriations bill for FY19. FY18 was the first time in nearly 30 years in which Perkins received a substantive increase. We want to be sure S. 3217's authorization levels do not dampen efforts to provide our nation's CTE programs with additional resources to help them catch up with demand and inflationary cuts.

Thank you for your work to reauthorize this very important piece of education legislation. We are pleased to see our nation's 100-year history of bipartisan support for CTE continue. We look forward to working with the Senate HELP committee staff, as promised, during implementation to ensure states and locals can effectively and efficiently use these resources to promote equity and access to high-quality CTE programs that meet the needs of today's and tomorrow's economy.

Sincerely,



LeAnn Wilson
Executive Director
ACTE



Kimberly A. Green
Executive Director
Advance CTE