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GUIDANCE MEMORANDUM #18-17

TO: School District Superintendents
Secondary and Postsecondary CTE Directors and Administrators
State Public Charter School Authority

FROM: Steve Canavero, Ph.D.
Superintendent of Public Instruction 

SUBJECT: Strengthening Career and Technical Education for the 21st Century Act – Perkins V

Background

The purpose of this guidance memorandum is to call attention to the impact on Nevada's career and technical education (CTE) programs as a result of the reauthorization of the Carl D. Perkins Act IV.

On July 31, 2018, President Trump signed the *Strengthening Career and Technical Education for the 21st Century Act* (Perkins V) into law. This Act, which became [Public Law 115-224](#), reauthorizes the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV).

This new Act takes effect July 1, 2019. The department's Office of Career Readiness, Adult Learning & Education Options will be taking the lead on drafting the state's one-year transition plan (July 1, 2019 – June 30, 2020), and the subsequent state's consolidated four-year state plan (July 1, 2020 – June 30, 2024). For the **2018-19 school year**, eligible local education agencies (LEAs) are required to operate under the Perkins IV legislation and state plan.

Major Tenets of Perkins V

Perkins V is largely based on the structure and content of current law but makes some key changes that will impact the implementation of CTE programs and administrative processes. Perkins V keeps Perkins IV largely intact with the following emphases: (1) larger emphasis on employer engagement; (2) larger emphasis on high-skill, high-wage, and in-demand career pathways; and, (3) more funding flexibility to states.

Perkins V maintains a focus on CTE program improvement, flexibility, and data and accountability by:

- retaining the state governance structure of Perkins IV, as well as formulas for local funding flowing to public LEAs;
- updating the federal-to-state formula to ensure states receive *no less than* their FY18 funding levels as long as funding is not cut overall (and then providing for equal, ratable reductions for all states);
- increasing the allowable reserve fund from 10 percent to *15 percent* to spur local innovation and implementation of CTE programs of study;
- introducing a new *comprehensive local needs assessment* requirement with local applications that requires data-driven decision-making on local spending, and involves significant LEA stakeholder consultation and must be updated at least once every two years;
- lifting the restriction on spending funds below grade 7, allowing support for *career exploration* in the middle grades, which includes grades 5-8;
- shifting the accountability indicators – Perkins IV required the U.S. Secretary of Education and states to agree on performance levels for each accountability indicator under the law; Perkins V *eliminates* this provision:
 - after first two years of implementing the state’s Perkins V plans, states must set performance levels that are higher than the actual performance of the two most recent programs years;
 - the law requires states and LEAs to *continually* make meaningful progress toward improving the performance of students of color, students from low-income households, English learners, and students with disabilities;
 - the law explicitly limits accountability to students who meet the prescribed CTE concentrator criteria under the law;
 - states must include at least one indicator of *program quality* in their accountability system to measure the performance of secondary school CTE concentrators, e.g., measure of high school graduates who earn a recognized postsecondary credential or postsecondary credits in a relevant CTE program, or who participate in a work-based learning experience;
 - the law requires states and LEAs to disaggregate data for each performance indicator by CTE program or program of study (or, career cluster, if the latter is impractical);
- revising the local application and uses of basic grants funds – there are no longer discrete ‘required’ and ‘permissive’ uses of basic grant funds; instead, many of the former ‘permissive’ uses of funds are included as *options* under the six (6) **required** activities. Funds must be spent to develop, coordinate, implement, or improve CTE programs to:
 - meet the needs identified in the **local comprehensive needs assessment**, which must be updated at least once every two (2) years and submitted by the LEAs with the each local application;
 - based on the results of the local needs assessment, CTE courses and activities to be funded include at least one (1) state-approved CTE program of study;
 - in collaboration with local workforce development boards and agencies, provide career exploration, guidance and counseling on employment opportunities in high-skill, high-wage, and in-demand industry sectors or occupations.
- providing *new* formal Perkins V definitions – see *Public Law 115-224, sec. 7, pp. 3-12*; including:
 - CTE concentrator
 - CTE participant

- qualified intermediary
 - professional development
 - program of study
 - work-based learning
- facilitating *systems alignment* – Perkins V calls for collaboration among middle and high schools, higher education institutions, employers, and other partners to provide an integrated approach to delivering robust CTE programs through a statewide sector or industry partnership; the Perkins V state plan must describe how the state will support effective and meaning collaboration between secondary schools, postsecondary institutions, and employers to provide students with expertise in, and understanding of, all aspects of an industry, and states may use state leadership funds available under Perkins V to establish these partnerships to create and expand opportunities for high school students to earn a recognized postsecondary credential or credit toward a recognized postsecondary credential by participating in dual or concurrent enrollment programs, early college high school programs, or work-based learning integration into CTE programs and programs of study.

Perkins V and the Federal Policy Landscape

Career and technical education sits at the intersection of education, workforce development, and economic development. The U.S. Department of Education remains as the federal oversight agency for the Act; however, Perkins V has strong and integrated connections to a variety of other federal laws including, but not limited to: (1) the [Every Student Succeeds Act \(ESSA\)](#), see [Nevada’s Consolidated ESSA Plan](#); (2) the [Workforce Innovation and Opportunity Act \(WIOA\)](#); and, (3) the [Higher Education Act \(HEA\)](#).

CTE Accountability

Secondary core indicators of performance listed below are based on the secondary concentrator definition as defined in Perkins V:

1. Graduation rates (based on the ESSA four-year rate with an option to also use the extended year rate should a state choose to do so).
2. Academic proficiency (based on the ESSA state-identified academic standards and assessments in math, English and science).
3. Two quarters after exiting from secondary education, student placement in postsecondary education or advanced training, military service, a service program, the Peace Corps, or employment.
4. A measure of CTE program quality, whereby the state must pick one of the following three:
 - a. student attainment of recognized postsecondary credentials;
 - b. student attainment of postsecondary credits in their CTE program/program of study; or,

- c. percentage of students participating in work-based learning.
- NOTE – In addition to selecting one of the three quality indicators above, an LEA may also include a second quality indicator defined as any other measure so long as it is statewide, valid, reliable, and comparable across the state.
- 5. The percentage of CTE concentrators in CTE programs that lead to nontraditional fields.

Anticipated Timeline

Nevada's One-Year State Transition Plan Development:

- **September – October 2018:** U.S. ED/OCTAE releases state plan guidance for public comment
- **November 2018:** Seek the Governor's Office of Workforce Innovation for a New Nevada (OWINN) recommendations for Nevada's one-year state transition plan
- **December 2018:** Official release of U.S. ED/OCTAE guidance
- **December 2018 - February 2019:** Draft and finalize Nevada's one-year state transition plan
- **March - April 2019:** Seek Nevada State Board of Education's approval of Nevada's one-year state transition plan
- **April 2019:** Submit Nevada's one-year state transition plan to U.S. ED/OCTAE

Nevada's Consolidated Four-Year State Plan Development:

- **March 2019 - November 2019:** Work with requisite stakeholder groups; draft Nevada's consolidated four-year state plan
- **November 2019:** Submit Nevada's consolidated four-year state plan to OWINN for Governor's review
- **December 2019:** Complete public hearings on Nevada's consolidated four-year state plan, and the required 60-day (*prior to submission*) public comment period
- **January 2020:** Finalize Nevada's consolidated four-year state plan; submit to Nevada State Board of Education and Governor for review
- **February 2020:** Seek approval of Nevada's consolidated four-year state plan from Nevada State Board of Education and Governor
- **March 2020:** Submit Nevada's consolidated four-year state plan to U.S. ED/OCTAE for required 120-day review
- **July 1, 2020:** Effective date of Nevada's consolidated four-year state plan

Please direct any questions to Kristine Nelson, Director of the Office of Career Readiness, Adult Learning & Education Options, knelson@doe.nv.gov, (775)687-7283.

This memo does not expire and will operate in perpetuity until replaced.