

Outline Key:

Legislation: **ESEA / NCLB** = Elementary and Secondary Education Act (formerly No Child Left Behind);

HEA = Higher Education Act; **Perkins** = Carl D. Perkins Career and Technical Education Act; **WIOA** = Workforce Innovation and Opportunity Act

Committees & Departments: **ED** = U.S. Department of Education; **DOL** = U.S. Department of Labor; **HELP** = Senate's Health, Education, Labor, and Pensions Committee; **HEW** = House Education & the Workforce Committee

Programs: **ATTF** = American Technical Training Fund; **AAG** = American Apprenticeship Grants; **BSG** = Perkins Basic State Grant Program; **SLDS** = State Longitudinal Data Systems; **TAACCCT** = Trade Adjustment Assistance Community College and Career Training grant program; **WDQI** = Workforce Data Quality Initiative

Fiscal Terms: **302(a)** = overall size for the federal discretionary budget in a given FY; **CR** = Continuing Appropriations Resolution; **FY** = Federal Fiscal Year (Oct 1- Sept 30); **MOE** = Maintenance of Effort; **NDD** = Non-defense Discretionary spending; **SnS** = Supplement, not Supplant

Fiscal Year 2016 Budget and Appropriations Update

NASDCTEc's Perkins Funding Chart—FY 2000 – 2015

- ***Obama Administration's FY 2016 Budget Request (CTE Highlights)**
 - o Flat-funding for Perkins BSG program
 - Same amount as in FY 2015: \$1.117bn
 - o Additional \$200m for ATTF
 - ATTF is the Admin's proposed successor to TAACCCT
 - Combines elements from its perennial request for a "CTE innovation fund"— part of their [2012 CTE Blueprint](#)
 - Would be expanded to include LEAs / Secondary Schools
 - ED / OCTAE are still honing this proposal—more info here.
 - o Additional \$2m for Perkins National Activities to administer ATTF

However, the President's **BIG MESSAGE** in his FY16 request: **END SEQUESTRATION**

* NOTE- The President's annual budget request is simply a proposal sent to Congress which formally begins that year's federal budget and appropriations cycle. That process is currently underway.

Relevant Resources:

[NASDCTEc's response to Obama Administration's FY16 Budget Request](#)

[Obama Administration's FY 2016 Budget Justification for CTE](#)

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- Political Context & Response to Admin's FY16 Budget Request
 - o Republican leadership disagrees with the President and proposed to stay within the sequester caps for FY 2016:
 - The full U.S. Congress approved a **budget resolution** for FY 2016 which:
 - Maintains BCA's current sequester caps in a 302(a)— the overall allowable size of federal spending in FY16
 - Would amount to a \$3.5bn cut to ED's budget (where Perkins derives funding) if cuts were equally distributed among all 12 approps bills
 - Republicans who also want to end Sequester were mollified by budget gimmick allowing for additional funding for defense via the Overseas Contingency Operations fund
 - o Such a move shirks BCA's intended **parity** between NDD and Defense spending— a core principle in the sequester fight
- Sequestration Background and Context:
 - o Budget Control Act of 2011 (BCA) creates **sequester caps until FY 2021** (overall limits for discretionary programs for both defense and non-defense spending)
 - Video explanation of Sequestration via NDD United (NASDCTEC's appropriations coalition)
 - o If Congress passes appropriations legislation above these caps, funds are "sequestered" by this law to bring them back within the cap
 - *This happened in FY 2013 for Perkins' BSG program*
 - o In early 2014, the Murray-Ryan Bipartisan Budget Agreement (BBA) temporarily and slightly expanded these caps (known as 302(a)'s) for FY 2014 and FY 2015 allowing for modest increases for some programs
 - **From this the Perkins BSG received a 96% restoration of its sequestration cuts (\$5m below what it had BEFORE the BCA)**
 - o Now that the BBA agreement has expired, these caps come back into full effect in FY 2016 and beyond
- Reasons why the CTE Community should care about BCA and Sequestration:
 - o BCA caps essentially freeze overall spending levels until FY 2021
 - Impossible to increase funding anywhere with caps in place
 - Fluctuations in revenue levels for ED's budget could result in cuts in future years (Pell shortfalls etc.)
 - o BBA expiration puts the onus of creating a 302(a) allocation **back** on Congressional budget committees
 - Under the BBA, Congress only had to determine funding levels for individual programs within those boundaries rather than having to ALSO negotiate these overall levels
 - o Democrats and Republicans BOTH want to end, or at least change sequestration
 - They remain EXTREMELY divided for how to make changes to sequester
 - Republicans want to expand caps for Defense spending ONLY, particularly at the expense of NDD programs (where Perkins receives its funding)
 - A Republican controlled congress made it easier to get a 302(a), but these spending levels contain increases for defense at the expense of NDD funding (including Perkins)

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- **Main takeaway:** FY 2016 sequester caps will prevent any new investments in programs unless changes are made to the underlying BCA legislation—**this is NASDCTEc’s core priority in FY 2016 and beyond with regards to funding**
- **NASDCTEc’s FY 2016 Appropriations Strategy and Updates**
 - o NASDCTEc remains hopeful that a “**Murray-Ryan 2.0**” deal will be negotiated later on this year for FY 2016 funding and beyond
 - o In the House, Congressional CTE Champions Reps. Glenn “GT” Thompson (R-PA) and Jim Langevin (D-RI) circulated a Dear Colleague letter request to Congressional appropriators
 - Request was pegged at “pre-sequester levels” for Perkins BSG
 - \$1.123bn (\$5.4m increase over current levels)
 - **88 Members of the House signed-on in support**
 - o In the Senate, Congressional CTE Champion Sen. Blumenthal (D-CT) circulated a similar Dear Colleague letter requesting same amounts for Perkins BSG
 - **31 Senators signed-on in support**
 - o NASDCTEc sent individual thank you letters to each Member of Congress who supported these efforts—will go a long way in approps process
 - o NASDCTEc finalized and released its annual FY 2016 Perkins funding request
 - Was developed in coordination with Members of Congress circulating Dear Colleague letters
 - Is requested same amounts for Perkins in FY 2016 (\$1.123bn-- \$5.4m increase of FY14 & 15)
 - o NASDCTEc continues to advocate for an end to sequestration via its coalition partners in NDD United and the Committee for Education Funding (CEF)

Elementary and Secondary Education Act (ESEA) Reauthorization Updates

- Both the House and the Senate continue to prioritize the reauthorization ESEA and HEA in the 114th Congress
 - o Perkins remains a distant, but still very plausible, third in the education and workforce legislative queue for this Congress
- **Key House ESEA Updates**
 - o Chairman Kline reintroduced the “Student Success Act” (H.R. 5) in Q1 2015
 - Would maintain current testing schedule for reading, math and science
 - Consolidates / eliminates 65+ existing programs into “local academic flexible grant”
 - Removes AYP; Returns accountability system responsibilities back to states / locals; maintains disaggregation requirements and public report card system
 - Stronger language prohibiting common standards / limitations on ED oversight
 - Requires ED personnel downsizing
 - Widely expands school choice options and voucher schemes
 - Much lower authorization levels for nearly all authorized programs
 - [Read NASDCTEc’s CEF response to this](#)
 - Repeals current MOE provisions—precedent for other legislation?

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- Process for reauthorization in the House has remained **highly partisan** up to this point
 - House HEW held their mark-up of the bill— not a single Democratic amendment was taken up by the committee during the all-day process
 - NASDCTEc supported Rep. Fudge’s (D-OH) amendment reinstating current MOE, SnS provisions + funding levels; the amendment was voted down along party lines
 - HEW approved HR 5 along strict party lines after 10+ hour mark-up process
 - Committee Dems very upset over the whole process
- The full House Considered H.R. 5, but it was subsequently pulled from debate after Republican leadership lost large swathes of conservative support
 - Outside conservative groups lobbied against the bill, arguing it didn’t go far enough to eliminate the federal role in education
 - With Republican Caucus divided, and without any House Dem support, Republican leadership was forced to pull the bill from the Floor
- Since this time, H.R. 5 has remained in “legislative limbo”
 - NASDCTEc expects H.R. 5 to be taken up sometime in June either in conjunction with the planned Senate ESEA debate or shortly thereafter
- Key Senate ESEA Updates
 - January 2015—new HELP Chairman, Sen. Lamar Alexander (R-TN) introduces partisan discussion draft for ESEA reauthorization
 - [NASDCTEc submitted formal comments on this draft](#)
 - After not gaining much traction, Alexander enters into bipartisan negotiations with HELP Committee Ranking Member Patty Murray (D-WA)
 - Negotiations wrapped up in late March and culminated in a bipartisan ESEA proposal named “The Every Child Achieves Act” (ECAA)
 - ECAA was successfully marked-up by the HELP Committee in April
 - NASDCTEc expects ECAA to be taken up by the full Senate after Memorial Day recess (early to mid-June 2015)
 - Highlights of ECAA thus far (pending additional amendments during full Senate consideration):
 - Incorporates many elements of NASDCTEc-supported [“Career Ready Act of 2015”](#) legislation which
 - Allows states and districts to include indicators of student career readiness on their school / state report cards
 - Increases alignment between CTE standards and core academic standards
 - Eliminates “highly qualified teacher” provision from NCLB
 - Retains elementary and secondary education counseling programs (NASDCTEc was successful in strengthening career components to this)
 - On the whole it reduces the federal role in K-12 education, but does so far less than what is currently proposed in H.R. 5 (midway point)

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- So what's next for ESEA?
 - o NASDCTEc is working on a number of amendments for the Senate's full consideration of ECAA:
 - Including CTE within ECAA definition of "core academic subjects"
 - Increasing state and local flexibility for proficiency based learning / assessment (purely on an optional basis)
 - Strengthening optional indicators of career readiness within the law's accountability framework
 - Support for the Next Generation High Schools Act (details on this act further on in notes)
 - Strengthening career counseling provisions
 - o Pathway forward for ESEA on the whole remains unclear:
 - Senate will likely pass ECAA by the end of June
 - House will likely pass HR 5 sometime this summer
 - What remains to be seen? A successful conference—the bills are VERY far apart
 - Reauthorization process will likely mirror WIOA's at that point—closed door negotiations shutting out most of the public for a long period of time
 - It is therefore critical to strengthen **Senate proposal** as much as possible—will likely be used as basis for negotiations

Perkins Act Updates and Related Legislative Activity

- The reauthorization of the Perkins Act remains in 3rd place behind ESEA and HEA in the 114th Congress
 - o In the Senate, little to no formal activity on the HELP Committee regarding Perkins or CTE is currently underway
 - o In the House, some formal activity has continued from the 113th Congress on the HEW Committee related to Perkins and CTE
 - This is mainly in the form of more substantive one-on-one discussions + positive statements of support for Perkins reauthorization from Chairman Kline (R-MN) and other HEW members
- Congressional CTE Caucus Activities
 - o Most of the CTE / Perkins related activity in Congress is centered on the House and Senate CTE Caucuses
 - o House CTE Caucus Updates:
 - Perkins 101 briefing—NASDCTEc Executive Director, Kimberly Green participated as a panelist
 - Dear Colleague letter in support of Perkins funding
 - Perkins reauthorization briefing scheduled for June 2nd—NASDCTEc GR Manager Steve Voytek participating as a panelist
 - o Senate CTE Caucus Updates:
 - Rural CTE issues briefing
 - ESEA and CTE Reauthorization briefing— NASDCTEc Executive Director, Kimberly Green participated as a moderator
 - Supported most of NASDCTEc's advocacy efforts for CTE in ESEA reauth

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- Linked Learning / ConnectED Briefing w/ Alliance for Excellence in Education
 - Deep dive into the “California CTE Model”
 - Good discussion on work-based learning—LOTS of Hill staff interest on this topic
- Congressional Priorities for Perkins Reauthorization:
 - Aligning CTE programs to the needs of the local economy
 - Incentivizing public-private partnerships in support of CTE
 - Strengthening connections between secondary & postsecondary CTE (POS)
 - Improving performance measures / Accountability
 - Supporting innovation in CTE / best practices
- CTE / Perkins Related Legislation Since February
 - [Perkins Modernization Act of 2015 \(H.R. 1447\)](#)
 - Reintroduction from 113th Congress by Reps. Kennedy (D-MA), Polis (D-CO), Davis (R-IL) and Kinzinger (R-IL)
 - **NASDCTEc is extremely critical and non-supportive of this legislation**
 - **NASDCTEc TALKING POINTS FOR HR 1447**
 - Finds-and-replaces all current Perkins references to “high-demand” w/ WIOA’s definition of “In-Demand occupations / sectors”
 - Eliminates the “or” for program criteria
 - Under WIOA, “in-demand” is determined by WIBs—amounts to program approval / sign-off by WIBs
 - [Next Generation High Schools Act \(S. 696\) \(Find Text Here\)](#)
 - Introduced by Sen. Tammy Baldwin (D-WI)
 - NASDCTEc helped author this legislation and fully endorsed
 - Hoping to get included in ESEA process as mentioned above
 - \$300 million competitive grant program to focus on low-performing high schools and increase HS graduation rates
 - Supports applied learning and similar CTE elements as a HS transformation strategy
 - [Go to High School, Go to College Act \(S. 1106\) \(Find Text Here\)](#)
 - Introduced by Sens. Portman (R-OH) and Warner (D-VA)
 - NASDCTEc was very supportive of this bill—aligns with [NASDCTEc’s HEA recommendations for reauthorization](#)
 - Expands Pell Grant program eligibility to qualifying HS students enrolled in dual / concurrent enrollment programs
- NASDCTEc Perkins Reauthorization Activities:
 - Still working on specific legislative language in support of our [Perkins reauthorization recommendations \(language available to State CTE Directors upon request!\)](#)
 - State + local plan
 - State Leadership
 - Accountability

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- Continuing to meet w/ Members of Congress and their staff to push Perkins priorities
- Organizing school / site visits to highlight CTE
- Engaging with MANY employers to align support for Perkins reauthorization in-line with NASDCTEc priorities

Higher Education Act—Brief Update

- HELP Committee Chairman Alexander (R-TN) [requested feedback on several HEA reauthorization white papers on:](#)
 - Accreditation, consumer information, and risk-sharing
- NASDCTEc submitted formal comments to the HELP Committee related to HEA reauthorization
 - [Accreditation response can be viewed here](#)
 - Response focused on ensuring equitable accreditation practices for Area Career Technical Centers and issues surrounding ACTCs
 - [Consumer information response can be viewed here](#)
 - Response focusing on the need for a student unit record system
 - Streamlining the use of existing data systems (IPEDS' issues w/ CTE)
 - Emphasized the importance of allowing data to be used for research
 - NASDCTEc is also a member of the Postsecondary Data Collaborative—a coalition of groups interested in improving the data landscape
 - [View PSEC Collaborative's formal response to white paper here](#)

*** Since these submissions, the Senate HELP committee has held several hearings related to these white papers. Members of the Committee are hopeful that a full HEA reauthorization proposal can be complete by Fall 2015*

- [The Student Right to Know, Before you Go Act \(S.1195\) \(Find Text Here\)](#)
 - Reintroduction by Sens. Wyden (D-OR), Rubio (R-FL), and Warner (D-VA)
 - Has been a perennial issue championed by Wyden-Rubio since the 113th Congress
 - Amends the Higher Education Act by repealing the law's current ban on the creation of a postsecondary student unit record system
 - This is a major feature of [NASDCTEc's HEA recommendations for HEA reauthorization](#)
 - S. 1195 repeals the ban by:
 - Requiring postsecondary institutions (eligible for Title IV aid) to submit student data to ED
 - Student data would then be matched with tax information from the SS admin
 - Would use this data to calculate median student earnings 2, 6, and 15 years after graduation / program completion
 - The bill also requires ED to publicize this information and make it available to students and families
 - NASDCTEc refrained from formally endorsing this legislation, but does support its introduction (earnings data shouldn't be the only metric used / publicly distributed)

*** The politics have been shifting for the past year on the student unit record ban. NASDCTEc remains cautiously optimistic that the ban will be repealed in the next reauthorization of HEA*

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Workforce Innovation and Opportunity Act—Implementation Updates

- On April 16th, ED-DOL-HHS released the long awaited Notices of Proposed Rulemaking (NPRM) on the implementation of WIOA
 - o NASDCTEc's current focus is on state planning provisions and sharing of infrastructure costs
 - o Secondary areas: Career pathway development, Sector strategies, data alignment
 - o [Please refer to NASDCTEc's more comprehensive notes on WIOA/ these NPRMs](#)

- NASDCTEc WIOA-related Advocacy Activities
 - o Hosted conference call w/ NASDCTEc core membership
 - o Developed / developing related supporting materials for states to formulate response AND for ultimate implementation of WIOA
 - Notes + sample language + factsheets
 - o Finding allies with similar impacts from WIOA

Updates from the Obama Administration

- OCTAE released its [4th round of non-regulatory guidance for the implementation of the Perkins Act](#). The new version compiles all previous Q&A's from the department and clarifies several issues related to the law's implementation.

Membership Survey—Methods of Administration (MOA) & Maintenance of Effort (MOE)

- Survey went live Monday, May 18th—[response requested by June 1st](#)
- [TAKE THE SURVEY HERE](#)
- For MOA, we are trying to support our advocacy efforts to more equitably distribute and share the state responsibility of MOA compliance
 - o Currently, MOA regulations are being misapplied only to CTE agencies
- For MOE, we are supporting our Perkins recommendations by getting a better sense of what most States want with regard to Perkins' MOE provision (Sec. 311)

- To complete this survey, please have your office's MOA compliance expense information on-hand, information relating to the MOA findings in your state, and other similar information