

Notes from NASDCTEc State Director's Advocacy Call

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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; *BSG* = Perkins Basic State Grant Program; *GE* = Gainful Employment Regulations; *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; *Approps* = Appropriations / Funding Legislation; *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 (FY) 2016 Budget and Appropriations Congressional Update

NASDCTEc's Perkins Funding Chart—FY 2000 – 2015

May 2015 Advocacy Call Notes Explaining:

- President's FY 2016 Budget Request; CTE Highlights—
 - o Flat funding for Perkins BSG program, renewed ATTF proposal, and \$2m for National Activities (administering ATTF)
 - o [NASDCTEc's response to Obama Administration's FY16 Budget Request](#)
 - o [Obama Administration's FY 2016 Budget Justification for CTE](#)
- Congress ignores President's Budget Request, passes a BCA budget
 - o Maintains BCA sequester caps
 - o Proposed \$3.5bn cut to ED's discretionary budget (where Perkins derives funding), if cuts were distributed equally
- Background Materials on Sequestration
 - o [NASDCTEc Sequestration Explainer](#)
 - o [NDD United Sequestration Explainer](#)

*****The President's BIG MESSAGE in his FY16 request: END SEQUESTRATION—This has been the root cause of gridlock for funding legislation this year*****

- **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.**

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- House and Senate Perkins Funding Bills
 - “Regular Order”— *something Congress has not seen since 1997*
 - Lawmakers got half-way there this year; passed 12 individual appropriations bills all adhering to FY 2016 BCA budget caps
 - President has not signed any of them into law—doing so would result in significant spending cuts to education and other discretionary programs (including Perkins)
 - Republicans have positioned themselves well—their proposals adhere to BCA which has now become the baseline for any future negotiations on FY 2016 funding
 - House Labor-HHS-ED Bill
 - Cuts ED budget by \$2.8bn overall
 - Flat-funding for Perkins BSG program (apprx \$1.118bn overall)
 - Cuts Perkins national activities funding by \$3.6m
 - Senate Labor-HHS-ED Bill
 - Cuts ED budget by \$1.7bn overall
 - Flat-funding for Perkins BSG program (apprx \$1.118bn overall)
 - Cuts Perkins national activities funding by \$3m
 - Main Takeaways/ Current Status of FY 2016 Appropriations:
 - All 12 approps bills passed by each Chamber; not likely to move any further as stand-alone bills
 - None were conferenced (the next step in regular order) making the more likely outcome consolidating all the bills into a single package—something called an “Omnibus” appropriations bill
 - Senate proposal(s) more moderate than the House (recurring theme for the past several years)
 - Perkins emerges largely unscathed—a BIG victory considering the amount of reductions that have been proposed for ED as a whole
 - Having just passed WIOA, both Chambers have proposed funding levels significantly below those authorized in the new law
- NASDCTEc’s FY 2016 Appropriations Strategy and Updates
 - NASDCTEc remains hopeful that a **“Murray-Ryan 2.0”** deal will be negotiated following the August recess for FY 2016 funding and beyond
 - To date, negotiations have NOT started between the parties—something that Congressional Democrats have been calling for since May
 - Republican leaders have instead chosen to focus their efforts on the 12 individual approps bills
 - NASDCTEc continues to advocate for an end to sequestration via its coalition partners in NDD United and the Committee for Education Funding (CEF)
 - Sign-on letter with 3,000 organizational signatures going out on September 8th—calls for an end to sequestration by eliminating or raising the BCA caps for FY 2016 and beyond
 - Continuing to make the case for education writ large—demonstrating the ROI of investing in education through research briefs and direct contacts with lawmakers
 - September 10th “Raise the Caps” campaign goes into effect
 - In conjunction w/ CEF, NASDCTEc is participating in a public awareness campaign about these issues

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- Distributing baseball caps w/ the above slogan at Nats games + to each member of Congress
 - Massive social media campaign—be sure to use the hashtag “#raisetheCaps” on this day!
 - Supporting the development of a “[sequestration toolkit](#)” for various groups to talk about the need to end sequestration (talking points, advocacy materials etc.)
 - Be sure to put this to use!
- Outlook / Predictions for FY 2016 Appropriations:
- Congress returns from August recess on September 8th— giving them 10 legislative days until the September 30th FY 2016 appropriations deadline (start of the next fiscal year)
 - During this time, Congress must address several critically important and time-sensitive issues
 - FY 2016 funding is chief among them, but they must also raise the debt ceiling, weigh-in on the Iran deal, renew the highway bill, conference an ESEA reauthorization bill, and debate the EX-IM bank’s charter
 - As a result, Republican Congressional leaders (who control the approps process at present) have begun to talk about the possibility of an Omnibus bill (as was the case in FY 2014 and 2015 with the Murray-Ryan budget agreement of 2014)
 - However, this is a **BIG** undertaking—takes lots of time to work-out a deal
 - Likely outcome: Congress passes a shorter-term “Continuing Appropriations Resolution” (CR) which would extend current funding levels for a certain amount of time
 - This would buy Congress more time to work-out a broader deal
 - Nevertheless, a year-long CR is still a strong possibility. This would be EXCEPTIONALLY negative for several reasons:
 - Extending 2015 funding levels into 2016 would result in a 1.5% across-the-board cut of ALL discretionary programs, including Perkins (as well as a \$15bn increase for Defense—violating sequestration’s “parity rule”)
 - Single biggest reason for this?-- VA medical care is paid for out of discretionary funding, where education is also supported.
 - Increased costs over the past few years, along with a pay-for that was out of the FY 2016 budget, would result in a cut for all non-defense discretionary programs, including Perkins
 - More recently, Republican leaders have begun to express interest in a two year budget deal, similar to what happened in 2014 with Murray-Ryan.
 - Such a deal would raise the defense cap by apprx \$38bn and a lesser amount for discretionary programs
 - As with the last deal of this kind, the “pay-for” would be extended the BCA sequester caps further out into the 2020s (**this is how changes to the sequester caps have been financed to date—by extending the caps further out**)
 - Political fallout from Planned Parent could also derail the pathway towards a deal— Conservative lawmakers want to use FY 2016 funding to defund the organization

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- BIG fight over PP funding will likely happen when lawmakers come back to Congress
- Depending on how Republican leaders choose to tackle this issue, FY 2016 funding could be even more contentious than it already has been to date

Elementary and Secondary Education Act Reauthorization Update

- ESEA has continued to be prioritized by both Chambers in the 114th Congress—it's been due for reauthorization for nearly a decade (2007 to be exact)
- Earlier in 2015, NASDCTEc updated its [ESEA reauthorization recommendations](#) to ensure CTE was part of this process
- Since January 2015, two separate proposals for ESEA's renewal have emerged from both the House and Senate
- ESEA reauthorization efforts have now moved to conference, where the two proposals must be reconciled
 - Still unclear *who* the conferees will be outside of the main four ED lawmakers—Chairmen Alexander (R-TN) and Kline (R-MN) + Ranking Members Murray (D-WA) and Scott (D-VA) of the HELP and HEW Committees
 - Unclear at this time when conference will take place—timing was moved to follow the annual Congress recess (original plan was to do “pre-conference” before recess)
 - A moderate Senate proposal is the likely starting point for these talks
 - Unclear if any proposal can garner support from the White House or Civil Rights groups

House ESEA Updates—The Student Success Act

- House passed the Student Success Act (H.R. 5) successfully in the 113th Congress; in this Congress Conservatives lobbied against the same bill for not being “conservative” enough
 - Bill was actually pulled from consideration after R votes disappeared
- House Republican leaders allowed for several small changes to the bill later in the Summer that garnered a few needed votes for passage
 - Many amendments during this time were political messaging—shortening the authorization period; Allowing States to “withdraw” from Common Core; These are all political messaging pieces
 - Even with these political proposals, H.R. 5 passed on an extremely thin margin, all along party lines—218-213 (not a single D vote)
- NASDCTEc opposed the significant funding reductions proposed in H.R. 5 via its funding coalition (CEF)
 - Overall there's a lot not to like in this bill, but NASDCTEc stayed largely out of these issues in order to focus attention on direct, CTE-related issues —(program elimination, shortened authorization period, opt-out provisions, etc. were largely ignored)
- H.R. 5's main CTE elements:
 - Repeals “highly-qualified teacher” provision
 - Reporting requirements related to Perkins indicators
 - Integration of CTE and core academics (primarily in the state and local plan sections)
 - Greater support for career counseling under Sec. IV of the law
 - Additional support for using ESEA funds for work-based learning
- NASDCTEc supported each of these provisions separately, in either the 113th or 114th Congress

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- HEW Chairman Kline (R-MN) , Reps. Thompson (R-PA) and Langevin (D-RI) were instrumental in ensuring they were included
- *****Since passage, the White House, all Congressional Democrats, and civil rights groups have vigorously opposed the bill*****

Senate ESEA Updates—The Every Child Achieves Act

- January 2015—HELP Chairman, Sen. Lamar Alexander (R-TN) introduces partisan discussion draft for ESEA reauthorization
 - [NASDCTEc submitted formal comments on this draft](#)
- When the proposal did not gain traction among D's, Alexander enters into bipartisan negotiations with HELP Committee Ranking Member Patty Murray (D-WA)
 - These negotiations wrapped up in March 2015 and culminated in a bipartisan ESEA proposal named "The Every Child Achieves Act" ([ECAA/ S. 1177](#))
 - ECAA was successfully marked-up by the HELP Committee in April
 - ECAA was successfully passed by the full Senate mid-July 2015 by a margin of **81-17**
- ECAA is a moderate, bipartisan compromise proposal to reauthorize ESEA which:
 - Eliminates NCLB's adequate yearly progress provisions and rolls back most of the law's accountability requirements
 - Maintains the law's annual assessment schedules
 - Requires state adoption of "challenging academic standards"
 - Disaggregation of student subpopulation performance and identification of low-performing schools is maintained, but **related NCLB sanctions are eliminated**
- The legislation has a number of promising CTE-related provisions and language:
 - Elimination of the HQT provision
 - Requirement that state academic standards be aligned with state CTE standards
 - State and local accountability systems would have to include at least one metric measuring a student's "postsecondary or workforce readiness"
 - ECAA includes CTE within its definition of "core academic subjects"
 - Expansion of grant program to support low-income dual / concurrent enrollment students
 - Strengthened state and local plan language requiring the development of effective strategies to promote student transitions between learner levels
 - New state plan language referencing the need to create "college and career pathways" for students
 - Additions to the local application section of ECAA encouraging the support of programs that promote integrated academic and CTE instruction, including experiential learning
 - Greater support for educator professional development that encourages common planning time for CTE and non-CTE teachers while encouraging integrated instruction
 - New allowable uses of funds under Title IV of the bill that support college and career guidance programs, including career awareness & exploration activities, while providing greater support for the use of labor market information to be used to inform these activities
- Many of these provisions were successfully included during the Committee mark-up this past Spring and a few more were incorporated during the wider amendment process on the Senate floor
- The main CTE champions throughout this process have been: Sens. Kaine (D-VA), Baldwin (D-WI), Portman (R-OH), Warner (D-VA), and Franken (D-MN)

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Where is ESEA Reauthorization Going Next?

- Given its middle-of-the-road approach, ECAA will likely be used as the foundation for the forthcoming conference of the two ESEA proposals
- NASDCTEc remains very pleased with ECAA and has focused its advocacy efforts on ensuring that the above key CTE language is incorporated into a final bill
 - o At present and in conjunction with ACTE, NASDCTEc is crafting a letter to the Chairman and Ranking Members of each committee calling for this
 - o Both bills are extremely far apart in terms of content and approach—NASDCTEc’s key strategy in conference is figuring out how to pare down the CTE language in both bills in order to ensure it is incorporated
- Despite the bipartisan process in the Senate, and a new willingness in the House to come together on an agreement, it still remains to be seen if the President, Civil Rights groups, and even business groups such as the Chamber of Commerce—key players in all of this—will support a final bill
 - o Much of the DC education community is focused on getting “a bill” done rather than “the best bill” done—a key reason for most of the ESEA activity this year
 - o Neither ESEA proposal requires state or local intervention in low-performing schools—a key provision these groups argue is missing
 - However, this omission was instrumental for getting a bipartisan agreement through the Senate
- **Outlook:** A conferenced bill is still a few months away and many groups are withholding full judgement until that time. NASDCTEc expects a final bill (when it emerges from Conference) to be pushed through both chambers of congress quickly, in order to avoid potential gridlock (similar to how WIOA was passed— closed door negotiations & quick passage). We expect to see a pared down version of ECAA and plan to continue to ensure that CTE provisions remain part of this process

Postsecondary Updates and the Higher Education Act Reauthorization

- Congress has also prioritized the reauthorization of HEA to follow efforts to renew ESEA
- Ahead of this consideration, NASDCTEc created a [new set of HEA recommendations](#)—a first for the Association
- Both Chambers have held HEA hearings, events, and solicited feedback from the public on a few main topics for the process including:
 - o Institutional Accreditation
 - o Supporting innovation
 - o Competency Based Education
 - o Role of consumer information & data
 - o Campus safety/ sexual assault
- The Obama Administration has also continued its work on the regulatory side, continuing its efforts related to Gainful employment regulations and a reimagined college ratings framework

Senate HEA Activity

- HELP Committee Chairman Alexander and Ranking Member Murray have four bipartisan, staff-level working groups focusing on these areas of HEA reauthorization:
 - o Accountability
 - o Accreditation
 - o College affordability / financial aid
 - o Campus safety / sexual assault

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- Earlier in the year, NASDCTEc provided formal comments to the committee related to white papers released on [accreditation](#) and [consumer information](#)
- NASDCTEc also submitted more [detailed comments on data](#) with the Postsecondary data collaborative
- Since then, the Senate HELP Committee has held a great number of hearings focused on the above issues and introduced a number of proposals ahead of full consideration of the law:
 - [The Student Right to Know, Before you Go Act \(S.1195\) \(Find Text Here\)](#)
 - o Reintroduction by Sens. Wyden (D-OR), Rubio (R-FL), and Warner (D-VA)
 - o Has been a perennial issue championed by Wyden-Rubio since the 113th Congress
 - o 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](#)
 - o 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 has supported its introduction
 - o *Main reason:* Earnings data shouldn't be the only metric used / publicly distributed
 - [Go to High School, Go To College Act of 2015 \(S. 1106\)](#)
 - o Introduced by Sens. Portman (R-OH) and Warner (D-VA)
 - Companion bill in the House sponsored by Reps. Fudge (D-OH) and Gibson (R-NY)
 - o Amends the Pell Grant program in Title IV of HEA to include eligible students enrolled in certain dual / concurrent enrollment settings
 - o Important note—NASDCTEc is also working to ensure that the “Accelerated Learning Act of 2015”—a competitive grant program in ECAA which is quite similar to this proposal—makes its way into the final ESEA bill
 - o NASDCTEc has agreed to support this legislation and has developed a close partnership with Bard Early Colleges to work on this issue in HEA and in other federal legislation
 - [Jumpstarting Our Businesses by Supporting Students \(JOBS\) Act \(S. 1900\)](#)
 - o Reintroduction by Sen. Kaine (D-VA)
 - First introduced by former Sen. Landrieu (D-LA) in the 113th Congress (NASDCTEc supported and endorsed this legislation at that time too)
 - o Amends the Pell Grant program in Title IV of HEA by reducing the time requirements for program eligibility
 - At present programs must be at least 300 clock hours over 16 weeks to receive Pell
 - The JOBS Act would reduce this by half—to 150 clock hours over 8 weeks
 - o This change to Pell Grants would expand the program to a greater number of shorter-term CTE programs

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House HEA Activity

- HEA progress has been a bit slower in the House. In the early part of the summer, the HEW Committee introduced a series of four bipartisan bills that they hope to piece together into a broader HEA reauthorization package. These bills focused on:
 - o Simplifying the student financial aid process (FASFA)
 - o Improving consumer access to relevant data and information (to guide better consumer decisions)
 - o Strengthening loan counseling and student access to financial literacy services
 - o [Flexible Pell Grants for 21st Century Students \(H.R. 3180\)](#)
 - Introduced by Reps. Stefanik (R-NY), Curbelo (R-FL), and Hinojosa (D-TX)
 - Would reinstate “year-round” Pell Grants for qualifying students in accelerated programs
 - NASDCTEc has been very supportive of this concept as it would allow students to speed up the time towards completion
- NASDCTEc expects additional HEA-related hearings later this autumn, but a full reauthorization proposal by year’s end remains problematic given the Congressional backlog in Q4 2015

Administration Postsecondary Updates

- College affordability has become a major component of the 2016 Presidential election. As both parties have continued to work on this issue, ED Secretary Arne Duncan recently repositioned the administration to call for greater attention on student outcomes and educational quality in the postsecondary space
- [Gainful Employment Regulations](#)—
 - o U.S. District Courts rejected a for-profit institution association lawsuit over the regulations—a significant hurdle in the process of implementing these new rules for career education programs
 - One lawsuit is still outstanding
 - o Nevertheless, GE regs went into effect July 1, 2015
 - o Rules apply to nearly all for-profit postsecondary institutions, non-degree programs at public and private nonprofit postsecondary institutions, including some community colleges and area career technical centers—any program offering career education geared towards “gainful employment” for enrolled students
 - o Final rule was changed slightly prior to full implementation:
 - No program cohort default rate (pCDR) in final rule (this is a measure of how many students defaulted on loans after program exit)
 - Two student debt-to-income ratios will be used for the purposes of the GE regs:
 - Discretionary Income (no more than 20%)
 - Total Income (no more than 8%)
- [ED released an important institutional guidance letter on student eligibility for Pell Grants and other Title IV HEA programs this summer](#)
 - o NASDCTEc and its partners at JFF were successful in temporarily restoring the Pell Grant program’s “ability to benefit” (ATB) provision in the FY 2014 and 2015 funding bills
 - o This letter provides clarity for institutions taking advantage of this provision by making clear that students must be enrolled in an eligible career pathway program in order to be eligible for ATB

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- *This is a recurring theme of the past few years.* Increasingly, the Administration and now more and more stakeholder groups are calling for alignment with career pathways as a minimum threshold for program eligibility for federal financial aid—*we're likely to see this requirement many times in the future in other areas*
- NASDCTEc plans to continue to advocate for this provision in the next funding cycle
- [ED changes direction with College Ratings Framework](#)
 - During spring 2015, ED announced its intention to create a college ratings system where institutions would be sorted into three broad categories of high, medium, and low performing schools
 - ED solicited public feedback from stakeholder groups in Spring 2015—[NASDCTEc and ACTE provided formal comment on this proposal](#)
 - NASDCTEc was not wholly supportive of the idea for several reasons:
 - Ratings should compare programs, not institutions (too much variation among institutions)
 - Feds currently lack adequate data systems to execute this project
 - And the categories are too simplistic—high, medium and low is not reflective of an institution's success or failure (unclear which measure would be weighted etc.)
 - ED took this and other feedback (which was largely negative) into consideration and proposed a consumer-facing public information tool that:
 - Presents institutional information to consumers without making a value judgement
 - The release of this tool was planned for the end of "Summer 2015", but is still forthcoming

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
 - In the Senate, little to no formal activity on the HELP Committee regarding Perkins or CTE is currently underway
 - According to HELP Committee sources, Perkins is under internal consideration this fall, but no formal activity has been noted by NASDCTEc throughout most of 2015
 - In the House, some formal activity has continued from the 113th Congress on the HEW Committee related to Perkins and CTE
 - Possibility of a Perkins-related hearing this October according to HEW Committee staff

Congressional CTE Caucus Activities

- Most of the CTE / Perkins related activity in Congress is centered on the House and Senate CTE Caucuses (although *since May most time and attention has been paid to ESEA*)
 - House CTE Caucus Updates:
 - Perkins reauthorization briefing held on June 2nd—NASDCTEc participated in this briefing, sharing the Association's Perkins recommendations with Hill staff

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- Apprenticeship and swiss model briefing held in July
- Senate CTE Caucus Updates:
 - Supported most of NASDCTEc's advocacy efforts for CTE in ESEA reauth
- 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
- 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
 - A policy compromise with NAPE to remove Perkins' non-traditional metrics is currently underway. A deal has not been finalized, but efforts continue to find a solution to these metrics in the next Perkins
 - 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
 - Perkins employer coalition is set to release a sign-on letter later this year to coincide with the end of ESEA negotiations / the possible Perkins hearings
 - Letter is focused on four key areas for reauthorization:
 - Alignment of CTE programs to the needs of the regional, state, and local labor market
 - Support effective and meaningful collaboration between secondary and postsecondary institutions and employers
 - Increase student participation in experiential learning opportunities such as industry internships, apprenticeships and mentorships
 - Promoting the use of industry recognized credentials
- Outlook for Perkins in 2015: NASDCTEc is *cautiously expecting* a hearing in one or both of the Congressional Chambers later this fall. A full reauthorization proposal for the law's renewal is still some time away, and with the 2016 presidential election in full-swing, the chances for the law's passage grow increasingly problematic. That said, Perkins is still seen by many to be the "low hanging fruit" among the major pieces of federal legislation, so the possibility of a quick rewrite is still very much possible.

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Maintenance of Effort Survey Update

- In May / June, NASDCTEc conducted a membership-wide survey assessing (in part) State Directors' collective position on Perkins' current MOE provision
 - Generally speaking there are “two viewpoints” for Perkins' MOE:
 - States that see the provision as a protection of State CTE investments
 - States that see the provision as a disincentive for further State CTE investment
- Five key takeaways from the survey:
 - 68% of respondents indicated “strong” levels of support for the current Perkins MOE provision
 - Only 4 states indicated concern regarding Perkins' MOE provision and the intensity of that concern skewed primarily towards the middle of the 10 point scale used for the survey
 - No states chose the “9” or “10” options for MOE—selections that view MOE as a disincentive
 - The average of all responses on Perkins' MOE provision was 3.13—a strong indication that the majority of State CTE Directors view the requirement as a protection
 - The most common option chosen by states was “1”—the strongest selection supporting current MOE provisions
- From those findings, three key elements of a policy position for MOE emerged:
 - Maintain Perkins' current 100% MOE requirement
 - Allow states to “reset” their MOE baseline at the start of Perkins V
 - Strengthen Perkins' MOE waiver provision / process to make state application and approval more transparent and flexible
- The NASDCTEc Board of Directors will be voting to approve or disapprove these three elements in the Association's formal Perkins recommendations—a decision to be made in later in 2015

Methods of Administration (MOA)

- As part of the MOE survey, NASDCTEc has also recently collected information from states related to complying with ED's Office of Civil Right's (OCR) “Methods of Administration” (MOA) regulations
- This survey demonstrated that there are significant costs—both in terms of time and resources—associated with MOA compliance:
 - On average, states employ 1.45 FTE staff to comply with MOA
 - On average, the estimated costs of complying with MOA by state is approximately \$100,000
 - Disconcertingly, the most common finding on an MOA compliance visit is NOT gender, but rather related to facilities issues and the annual notice of non-discrimination requirement
- This new state and national information is being used to support NASDCTEc's advocacy efforts in this area of MOA compliance, an effort that is still ongoing
- NASDCTEc has most recently filed a FOIA request to OCR requesting information related to the state MOA findings (what are the most common findings etc.—to supplement the survey data)
 - NASDCTEc received incorrect information from the Department and we are working to ensure that the requested information is sent soon

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Workforce Innovation and Opportunity Act Updates

- WIOA marked its first birthday this summer, as ED, DOL, and HHS continue to develop regulations governing the law's implementation
- [NASDCTEc provided formal comment to the Departments](#) on several issues of significant interest to State CTE Directors during the public comment period for WIOA's proposed rules:
 - o Perkins' role in a WIOA Combined State Plan
 - o The current proposal to share the One-Stop system's infrastructure costs continues to be extremely problematic
 - NASDCTEc has proposed a detailed alternative to the NRPM which would focus the negotiation and sharing of these costs to local entities
- NASDCTEc has continued its dialogue with the Departments on these issues (along with other secondary WIOA topics) to ensure the final rules reflect the intent of WIOA and the best interests of the CTE system
- Most recently, the Departments [released the required elements of a Perkins plan to be submitted under a WIOA CSP](#)
 - o While the Departments are not seeking formal comment on this part of the proposal, NASDCTEc is closely monitoring the process to ensure that the statutory requirements of Perkins and WIOA are upheld

Presidential Scholars Update

- Last year, NASDCTEc and ACTE supported the efforts of Sens. Kaine (D-VA), Baldwin (D-WI), and Portman (R-OH) as they [wrote to President Obama requesting an expansion of the Presidential Scholars program to include CTE students](#) from across the country
- Since that time, NASDCTEc has been in discussions with ED on how to operationalize this expansion
- This summer, the President signed an amendment to [Executive Order 11155](#) to expand the scholars program to include CTE
- NASDCTEc applauded the announcement through [a press release](#) and proposed a number of methods to make this expansion possible
- The first year of the CTE Presidential Scholars program will:
 - o Include up to 20 students
 - o Be nominated by the State Chief School Officer based on the following criteria:
 - Academic Rigor
 - Technical Competency
 - Ingenuity / Creativity
 - The "degree to which students represent the nation's economic sectors and demographic characteristics"
- While this first year will hinge largely on State Chief's discretion, NASDCTEc and its partners are continuing to work on ways to ensure that the selection process is *objective and balanced*
- NASDCTEc encourages State Directors to share this information within their state networks and to connect with their Chief State School Officer ahead of the nomination process
- More information can be found on OCTAE's PCRN website