

## Perkins Grant

### New York State Perkins IV Guide

#### Frequently Asked Questions

##### Disribution of Funding

- What is the formula distribution for the funds?

The formula distribution is prescribed in the Perkins Act. For secondary recipients, 30 percent is allocated to local school systems in proportion to the number of individuals aged 5 through 17 who reside in the local school district compared to the total number of such individuals who reside in all school districts. The remaining 70 percent is allocated to local school systems in proportion to the number of individuals aged 5 through 17 from families below the poverty level who reside in the local school district compared to the total number of such individuals who reside in the school districts served by all school districts [Section 131 (a) (1-2)].

- Are there minimum allocations to be met by local school systems and community colleges before Perkins funds can be granted to a local recipient?

Yes, the Perkins Act specifies minimum allocations for local school systems and community colleges. Local school systems shall not receive an allocation unless the amount allocated to such local school system is greater than \$15,000. A waiver may be given for a local school district located in a rural, sparsely populated area. A school requesting a waiver must demonstrate that it is unable to enter into a consortium to provide CTE services. [Section 131(c) (2) (A)(i),(B). and Section 132(a)(4)].

##### Fund Use

- What are Major Efforts and activities are eligible for Perkins funding?

In order to be eligible for Perkins funding, a potential Major Efforts and its activities must pass several tests:

1. Is the effort a new one or does it improve or expand an existing program?

In general, Perkins funds must be used to improve career and technical education programs. This means that eligible recipients must target the limited federal dollars for new or improved activities. Local recipients may not use funds to simply maintain existing activities.

2. Was the activity financed using local funds during the previous year?

Perkins funds may not be used to continue an activity funded by non-Perkins funds the previous year. That would be considered supplanting which is expressly prohibited by law. Consideration will be given to approval of an activity previously funded by the school/institution if the school/institution can prove that the activity would cease without Perkins funding.

3. Is the activity required by another federal, state or local law?

If so, this would be considered supplanting and would not be eligible for funding.

4. Does the activity address a core indicator area that is deficient?

A portion of Perkins funds must be used to improve performance levels in any area that a CTE program has failed to meet minimum levels for the prior school year.

5. Is there data to support the identified need for the proposed activity and can the impact of Perkins funding be measured?

All aspects of use of Perkins funds must be supported by data and the school/institution must have the capacity to measure improvement resulting from the use of Perkins funds.

- What are the required uses of Perkins funds?

The Perkins legislation requires that certain uses of funds be addressed in the applicant's Five-Year CTE plan. Some of these activities may be carried out with funding sources other than Perkins. In New York, 60 percent of a recipient's Perkins grant must be used on one or more of the following required nine activities:

1. strengthen the academic and career and technical skills of CTE students participating in career and technical education programs, by strengthening the academic and career and technical education components of such programs through the integration of academics with CTE programs through a coherent sequence of courses, such as career and technical programs of study;
  2. link secondary level CTE with postsecondary level CTE programs by offering the relevant elements of at least one career and technical program that has been approved under the New York State Regents Policy on CTE (in the Perkins IV, these programs are referred to as "program of study").
  3. provide students with strong experience in and understanding of all aspects of an industry, which may include work-based learning experiences;
  4. develop, improve, or expand the use of technology in CTE, which may include:
    - a. training of career and technical education teachers, faculty, and administrators to use technology;
    - b. providing CTE students with the academic and career and technical skills (including the mathematics and science knowledge that provides a strong basis for such skills) that lead to entry into the technology fields; or
    - c. encouraging schools to collaborate with technology industries to offer voluntary internships and mentoring programs, including programs that improve the mathematics and science knowledge of students;
  5. provide professional development programs to secondary and postsecondary teachers, faculty, administrators, and career guidance and academic counselors who are involved in integrated career and technical education programs, including:
    - a. in-service and preservice training on: effective integration and use of challenging academic and career and technical education provided jointly with academic teachers; effective teaching skills based on research that includes promising practices; effective practices to improve parental and community involvement; and, effective use of scientifically based research and data to improve instruction
    - b. support of CTE teacher education programs that allows them to stay current with all aspects of an industry;
    - c. internship programs that provide relevant business experience; and
    - d. programs designed to train teachers specifically in the effective use and application of technology to improve instruction;
  6. develop and implement evaluations of the career and technical education programs funded under this title, including an assessment of how the needs of special populations are being met;
  7. initiate, improve, expand, and modernize quality career and technical education programs, including relevant technology;
  8. provide services and activities that are of sufficient size, scope, and quality to be effective; and
  9. provide activities to prepare special populations, including single parents and displaced homemakers who are enrolled in career and technical education programs, for high skill, high wage, or high demand occupations that will lead to self-sufficiency.
- What are the permissive uses of Perkins funds?
  - Perkins IV funds may be used for the following activities:
    1. involving parents, businesses, and labor organizations, in the design, implementation, and evaluation of career and technical education programs;
    2. providing career guidance and academic counseling to students participating in career and technical education programs, that improves graduation rates and provides information on postsecondary and career options (including baccalaureate degree programs)
    3. developing and supporting local education and business partnerships, (e.g., work-related experiences for students, such as internships, cooperative education, school-based enterprises, entrepreneurship, and job shadowing that are related to career and technical education programs; adjunct faculty arrangements for qualified industry professionals; and industry experience for teachers and faculty);
    4. providing programs for special populations
    5. assisting career and technical student organizations;
    6. providing mentoring and support services;
    7. providing opportunities for leasing, purchasing, upgrading or adapting equipment, including instructional aids and publications (including support for library resources) designed to strengthen and support academic and technical skill achievement;
    8. providing teacher preparation programs that address the integration of academic and career and technical education and that assist individuals who are interested in becoming CTE teachers and faculty, including individuals with experience in business and industry;
    9. developing and expand postsecondary program offerings at times and in formats that are accessible for students, including working students;
    10. developing initiatives that facilitate the transition of CTE students into baccalaureate degree programs, (e.g., articulation agreements with postsecondary educational institutions; postsecondary dual and concurrent enrollment programs; academic and financial aid counseling for CTE students that informs them of the

opportunities for pursuing a baccalaureate degree and advises them on how to meet any transfer requirements; and other initiatives to encourage the pursuit of a baccalaureate degree; and to overcome barriers to enrollment in and completion of baccalaureate degree programs, including geographic and other barriers affecting rural students and special populations);

11. providing activities to support entrepreneurship education and training;
12. improving or developing CTE courses, including the development of new proposed career and technical programs of study for consideration by the State and courses that prepare individuals academically and technically for high skill, high wage, or high demand occupations and dual or concurrent enrollment opportunities by which CTE students at the secondary level could obtain postsecondary credit to count towards an associate or baccalaureate degree;
13. developing and supporting small, personalized career-themed learning communities;
14. providing support for family and consumer sciences programs;
15. providing career and technical education programs for adults and school dropouts to complete their secondary school education, or upgrade their technical skills;
16. providing assistance to individuals who have participated in Perkins-funded services and activities to continue their education or training or secure employment;
17. supporting training and activities (such as mentoring and outreach) in non-traditional fields;
18. providing support for training programs in automotive technologies,
19. pooling a portion of funds with at least one other eligible recipient for innovative initiatives, (e.g., improving the initial preparation and professional development of CTE teachers, faculty, administrators, and counselors; establishing, enhancing, or supporting systems for Perkins accountability data collection or reporting; implementing career and technical programs of study; implementing technical assessments); and
20. supporting other CTE activities that are consistent with the purpose of the Perkins Act.

#### **Examples of Allowable Expenditures**

1. computer software;
2. equipment, (including computers) acquisition, installation, maintenance and repair: equipment items (Code 20 on the Budget Form, FS-20) are those items with a unit value of \$5,000 or more and having a useful life of more than one year. State Education policy limits equipment expenditures to no more than 25 percent of the total budget;
3. instructional supplies and materials;
4. supplemental staff, including instructors, technicians, aides, tutors, signers, note takers, and interpreters for special population students;
5. other supplemental services to improve access to CTE programs and services, including curriculum modification, equipment modification, classroom modification, and instructional aids and devices;
6. testing materials;
7. travel in the United States that is specifically related to the project's major efforts; and
8. a maximum of five percent of the funds for administrative costs.

#### **Examples of Non-Allowable Expenditures**

- Expenditures that are not allowable include, but are not limited to:
  1. remedial courses;
  2. acquisition of equipment for administrative or personal use;
  3. acquisition of furniture (e.g., bookcases, chairs, desks, file cabinets, tables) unless it is an integral part of an equipment workstation or to provide reasonable accommodations to CTE students with disabilities;
  4. food services/ refreshments/ banquets/ meals;
  5. remodeling not directly connected to accessibility to CTE instruction or services or to the use of project-purchased equipment;
  6. payment for memberships in professional organizations;
  7. pre-vocational educational activities;
  8. purchase of promotional favors, such as bumper stickers, pencils, pens, or T-shirts;
  9. subscriptions to journals or magazines;
  10. travel outside the United States;
  11. travel costs and expenses to attend student leadership conferences or meetings to conduct career and technical student organization national and state association business and/or competitions;
  12. expenditures for students not enrolled in CTE programs, including career exploration;
  13. activities that would supplant (replace) local funds;
  14. requiring any secondary student to choose or pursue a specific career path, major or CTE delivery model; and
  15. mandating student participation in a career and technical education program, including a career and technical program that requires the attainment of a federally funded skill level, standard, or certificate of mastery.
- Is the purchase of equipment still allowable under Perkins IV?

Yes, equipment may be purchased if it is an upgrade to a CTE Program. The equipment should be industry specific and attributable to a Major Effort.

- Can equipment purchased with Perkins funds be used by non-CTE students?

Equipment purchased with Perkins funds may be used by non-CTE students but only if CTE students are not using it for a specified time. For example, if a CTE computer lab is not in use by CTE students for one class period a day, then non-CTE students may use the lab during that time.

- Local Plan

- What are considered "high wage, high skill or high demand" occupations in New York? Will the State issue a definition?

The U.S. Department of Education leaves it up to the States to define "high wage, high skill, high demand" occupations. The State Education Department, in collaboration with the New York State Department of Labor and in consultation with the State Workforce Investment Board has developed definitions for "high-skill, high-wage and high-demand" occupations as follows:

- High demand criteria: occupations having more than the median number of total (growth plus replacement) annual openings for statewide or a particular region.
- High wage criteria: occupations that require completion of any of the high skill criteria, paying more than the annual median wage, statewide or for a particular region.
- High skill criteria: occupations that require completion of: formal apprenticeship preparation (long-term, on-the-job training of 12 months or more, combining experience and formal classroom instruction); postsecondary career and technical education; associate degree; baccalaureate degree; work experience plus baccalaureate degree or higher degree; masters degree; doctoral degree; and/or first professional degree.
- Workforce and educational professionals agree that there is no single definition of high-skill, high-wage jobs. Rather, the New York State policy is to provide information about demand, skills and wages that will help local or regional planners develop reasonable assessments about jobs in demand that require high skills and pay high wages. "High wage jobs" are defined on a regional basis, reflecting local economies, local costs of living and other factors that determine economic self-sufficiency in that region. New York State has allowed the local workforce investment areas to define these elements, as best suits their needs, since these definitions vary greatly across the State. Some occupational sections that serve as reference points and which offer New Yorkers the path to an economic self-sufficiency, are: the health care, construction, technology, professional business services and advanced manufacturing. These sectors provide high skill and high wage occupations in New York State. Additionally, SED recognizes the need to address the demand for teaching-related careers, particularly teachers of career and technical education.

- What is required in order for Perkins funds to be used for professional development?

The Perkins Act emphasizes professional development that: is sustained, intensive and focused on instruction; promotes integrated academics in the delivery of CTE; provides skills needed to improve instruction for special populations; (Section 122 (c)(2)(A-G), 124 (b)(3)(A-E), Section 134 (b)(4),

- Can local recipients continue to engage consultants for professional development?

Yes, consultants may be used to deliver professional development as long as the professional development is comprehensive and part of a systemic plan. Consultants who are hired for a one day meeting, which is not part of a comprehensive professional development plan, would not fall under the Perkins IV definition of comprehensive professional development. Teachers/faculty who attend conferences should be able to identify how the professional development will affect student learning. Follow up activities/conferences should be scheduled to ensure that the professional development is comprehensive, systemic, and results in improved teaching and learning. [Section 122(c)(2)(C), page 718].

- How will Title II be included in the Local Plan?

Title II competitive grants will focus attention on a few of the elements of the program approval process. Title II recipients will provide specialized services to the LEAs in order to increase the number of programs meeting the Regents 2001 CTE Program Approval policy.

- Can Perkins funds be used at the middle school level?

Funds received under this Act may not be used to provide career and technical education programs to students prior to the seventh grade, except that equipment and facilities purchased with funds under this Act may be used by such students. [Section 315].

- To what extent can Perkins IV funds be expended for "all school reform" such as encouraging Advanced Placement courses for all students?

Perkins funds must be expended only for career and technical education programs, services, and activities, as defined by the Perkins Act.

### Accountability

- How can local recipients meet their local performance measure for 2S1 requiring industry recognized certification exams?

If available and appropriate, students are expected to take an industry-recognized exam leading to a certification or license. [Section 113 (b)(2) (A) (ii)]. The phase-in of this measure will begin with the collection of technical assessment outcomes for students in New York State Approved Programs.

- How will the State negotiate local performance levels?

The State must negotiate performance levels with the U.S. Department of Education. If the State does not meet each performance measure, funding to New York State may be compromised. Local performance standards for each of the performance indicators have been, and will continue to be, identical to those negotiated by the SED with the U. S. Department of Education.

Under Perkins, secondary local recipients experiencing unanticipated circumstances or with consistent low performance on one or more indicators, and with a minimum of three years of CTEDS (or SIRS) data reported to SED, may request negotiation of local performance standards for any of the specific indicator(s) for which performance has not been met. A three-year trend analysis of past performance will be used to establish a baseline of performance for negotiation. When reasonable and mutually agree-upon standard(s) of performance are reached, they will be incorporated in the program improvement plan to be submitted. Through the corrective actions described, it is expected that the state performance standard(s) will be reached by the local recipient within three years.

- What happens if local, performance levels are not met?
- If a local recipient fails to meet at least 90 percent of an agreed upon performance level for any of the core indicators of performance, an improvement plan must be developed and implemented. If a local recipient fails to implement an improvement plan, fails to make any improvement in meeting any of the local performance levels for the core indicators of performance or fails to meet at least 90 percent of an agreed upon local level of performance for the same core indicator of performance for three consecutive years, sanctions may be imposed. This process is the same for the state performance levels.

### Special Populations

- What are the six special populations identified by the Perkins legislation?
- Perkins defines special populations as:
  1. individuals with disabilities,
  2. individuals from economically disadvantaged families, including foster children;
  3. individuals preparing for non-traditional fields for their gender,
  4. single parents including single, pregnant women;
  5. displaced homemakers; and
  6. individuals with limited English proficiency.
- How will students who are members of special populations meet the local levels of performance?
- Local recipients may need to provide extra support services to help students succeed.
- How will local recipients be assessed if special populations data is incorporated into CTE data?
- There is no change of data collection for special populations in Perkins IV—special population data will continue to be incorporated into overall CTE data.
- Which careers are considered non-traditional? Will the State issue a list of nontraditional occupations or fields?

A list of nontraditional occupations can be found at:

- <http://www.p12.nysed.gov/cte/perkins4/title1.html>

### Selected Definitions from the Perkins IV Legislation

- All aspects of an industry: The term "all aspects of an industry" means strong experience in, and comprehensive understanding of, the industry that the individual is preparing to enter.
- Articulation agreement: The term "articulation agreement" means a written commitment -
  - A. that is agreed upon at the State level or approved annually by the lead administrators of -
    - i. a secondary institution and a postsecondary educational institution; or

- ii. a subbaccalaureate degree granting postsecondary educational institution and a baccalaureate degree granting postsecondary educational institution; and
  - B. to a program that is:
    - i. designed to provide students with a nonduplicative sequence of progressive achievement leading to technical skill proficiency, a credential, a certificate, or a degree; and
    - ii. linked through credit transfer agreements between the two institutions described in clause (i) or (ii) of subparagraph (A) (as the case may be).
- Career and technical education: The term "career and technical education" means organized educational activities that -
  - A. offer a sequence of courses that -
    - i. provides individuals with coherent and rigorous content aligned with challenging academic standards and relevant technical knowledge and skills needed to prepare for further education and careers in current or emerging professions;
    - ii. provides technical skill proficiency, an industry-recognized credential, a certificate, or an associate degree; and
    - iii. may include prerequisite courses (other than a remedial course) that meet the requirements of this subparagraph; and
  - B. include competency-based applied learning that contributes to the academic knowledge, higher-order reasoning and problem-solving skills, work attitudes, general employability skills, technical skills, and occupation-specific skills, and knowledge of all aspects of an industry, including entrepreneurship, of an individual.
- Career guidance and academic counseling: The term "career guidance and academic counseling" means guidance and counseling that -
  - A. provides access for students (and parents, as appropriate) to information regarding career awareness and planning with respect to an individual's occupational and academic future; and
  - B. provides information with respect to career options, financial aid, and postsecondary options, including baccalaureate degree programs.
- Cooperative education: a method of education for individuals who, through written cooperative arrangements between a school and employers, receive instruction, including required rigorous and challenging academic courses and related career and technical education instruction, by alternation of study in school with a job in any occupational field, which alternation -
  - A. shall be planned and supervised by the school and employer so that each contributes to the education and employability of the individual; and
  - B. may include an arrangement in which work periods and school attendance may be on alternate half days, full days, weeks, or other periods of time in fulfilling the cooperative program.
- Displaced homemaker: an individual who -
  - A.
    - i. has worked primarily without remuneration to care for a home and family, and for that reason has diminished marketable skills;
    - ii. has been dependent on the income of another family member but is no longer supported by that income; or
    - iii. is a parent whose youngest dependent child will become ineligible to receive assistance under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) not later than 2 years after the date on which the parent applies for assistance under such title; and
  - B. is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.
- Eligible recipient: The term "eligible recipient" means -
  - A. a local educational agency (including a public charter school that operates as a local educational agency), an area career and technical education school, an educational service agency, or a consortium, eligible to receive assistance under section 131; or
  - B. an eligible institution or consortium of eligible institutions eligible to receive assistance under section 132.
- Individual with limited English proficiency: a secondary school student, an adult, or an out-of-school youth, who has limited ability in speaking, reading, writing, or understanding the English language, and -
  - A. whose native language is a language other than English; or
  - B. who lives in a family or community environment in which a language other than English is the dominant language.
- Individual with a disability:
  - A. In general the term "individual with a disability" means an individual with any disability (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)).
  - B. Individuals with disabilities—The term "individuals with disabilities" means more than one individual with a disability. (18) Institution of higher education.--The term "institution of higher education" has the meaning given the term in section 101 of the Higher Education Act of 1965.
- Local educational agency (LEA): has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965. A local education agency (LEA) is a public institution (often referred to as a school district)

that has administrative control and direction of one or more public elementary or secondary schools; the term includes a public charter school that is established as an LEA under state law.

- Non-traditional fields: occupations or fields of work, including careers in computer science, technology, and other current and emerging high skill occupations, for which individuals from one gender comprise less than 25 percent of the individuals employed in each such occupation or field of work.
- Postsecondary educational institution:
  - A. an institution of higher education that provides not less than a two-year program of instruction that is acceptable for credit toward a bachelor's degree;
  - B. a tribally controlled college or university; or
  - C. a nonprofit educational institution offering certificate or apprenticeship programs at the postsecondary level.
- School dropout: an individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent.
- Special populations:
  - a. individuals with disabilities;
  - b. individuals from economically disadvantaged families<sup>[1]</sup>; including foster children,
  - c. individuals preparing for non-traditional fields;
  - d. single parents, including single pregnant women;
  - e. displaced homemakers; and
  - f. individuals with limited English proficiency.
- Support services: services related to curriculum modification, equipment modification, classroom modification, supportive personnel, and instructional aids and devices.

### **Federal Grant Administration**

The federal Office of Management and Budget issued final guidance on Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in the Federal Register on Thursday, December 26, 2013. 2 CFR Chapter I, Chapter II, Part 200, et al. ([78 FR 78590](#)). This guidance supersedes and streamlines requirements from OMB Circulars A-21, A-50, A-87, A-89, A-102, A-110, A-122, and A-133. The final guidance consolidates the guidance previously contained in the aforementioned citations.

For reference, the Uniform Guidance is broken down into its following subparts:

*Preamble*—[Major Policy Reforms](#)

*Subpart A (200.0–200.99)* [Acronyms and Definitions](#)

*Subpart B (200.100–200.113)* [General Provisions](#)

*Subpart C (200.200–200.211)* [Pre Award Requirements](#)

*Subpart D (200.300–200.345)* [Post Award Requirements](#)

*Subpart E (200.400–200.475)* [Cost Principles](#)

*Subpart F (200.500–200.521)* [Audit Requirements](#) (includes Appendices I-XI)

### **Record Retention**

#### **How long must I maintain the financial records for the grants our agency received?**

General supporting documentation must be retained for the current year plus six prior years unless otherwise specified by program requirements. Additionally, audit or litigation will "freeze the clock" for records retention purposes until the issue is resolved. For more specific information, the State Archives makes Records Retention and Disposition Schedules available at [http://www.archives.nysed.gov/a/records/mr\\_retention.shtml](http://www.archives.nysed.gov/a/records/mr_retention.shtml).

Perkins adult funding levels are determined by enrollment levels. This means that enrollment records must be retained for the same seven year period.

Note: the state retention period of seven years is longer than the federal, which is three years. The [federal Uniform Guidance, Part 200](#) gives details about record retention for federal grant awards.

<sup>[1]</sup> New York has specified this definition to include individuals who participate in any of the following economic assistance programs:

Pell Grant, Tuition Assistance Program (TAP), Aid for Part-Time Study (APTS), Educational Opportunity Program (EOP); Higher Education Opportunity Program (HEOP); Search for Education, Elevation and Knowledge (SEEK); and College Discovery (CD). Bureau of Indian Affairs Higher Education Grant Program (BIA), Temporary Assistance to Needy Families (TANF) Funded Services and Assistance; Workforce Investment Act, Supplemental Security Insurance; Women, Infants, and Children (WIC); Other public assistance programs serving economically disadvantaged, such as: Food Stamps, Home Energy Assistance Payments (HEAP), Supplemental Security Income, Trade Readjustment Act, and Refugee and Immigration Affairs Assistance. Or others who may be documented as low income as determined by federal income limits.

