

Office of Vocational and Adult Education

RESPONSES TO OMB QUESTIONS REGARDING THE
PERKINS IV STATE PLAN GUIDE (1830-0029)

Questions from January 31, 2007

1. Does OVAE plan to issue regulations to implement the reauthorized Perkins legislation? If so, please explain how this information collection fits in with those regulations.

OVAE RESPONSE: The Secretary recently decided that she does not wish to regulate on the Perkins Act at this time. The Department will reassess the need for regulating on the Act later in the calendar year.

2. Please update OMB as to the status of submitting the unified State plan under the PRA. From the supporting statement, it appears that OVAE plans to submit this ICR separately, but the instrument itself allows the respondent to check off that this submission is a unified plan.

OVAE RESPONSE: OVAE staff worked with Department of Labor, Employment and Training Administration staff to coordinate guidance to States that opt to submit a unified State plan under Perkins and the Workforce Investment Act (WIA) The following guidance will be incorporated into the Department of Labor's soon-to-be-issued Training and Employment Guidance Letter (TEGL):

“Any State that chooses to submit the postsecondary and/or secondary portions of their new Perkins IV State plan as part of a unified plan must address every item in the forthcoming "Carl D. Perkins Career and Technical Education Act of 2006: *Guide for the Submission of State Plans*" which will be issued by the Department of Education in mid-February 2007.”

OVAE incorporated the following corresponding language into the draft Perkins IV State Plan Guide:

“Each State has several options in preparing its State plans. A State may complete a one-year transition plan, a six-year plan, or a unified plan pursuant to section 501 of the Workforce Investment Act of 1998 (P.L. 105-220). Each State that chooses to submit a one-year transition plan must follow the instructions provided in the shaded boxes under the section headings throughout this guide. Each State that opts to submit a 6-year plan must complete each item in this guide. Any State that wishes to submit a unified plan must follow the instructions and submission requirements as provided in the Training and Employment Guidance Letter (TEGL) No. **insert #** issued by the Employment and Training Administration, U.S. Department of Labor, on **insert date.**” (*Notes: Bold information will be added once the TEGL is issued.*)

3. Are there any plans to build a web based system for submitting this information to ED?

OVAE RESPONSE: OVAE has secured funds and are in the process of finalizing a Web site for the electronic submission of State plans. We would be happy to share the site with OMB once it is finalized (over the next week or so). [Updated March 8, 2007]

4. The response to commenters indicates that OVAE plans to issue non-regulatory guidance for definitions of certain terms, for measurement approaches, and for other issues. Please explain why OVAE believes that guidance is more appropriate than regulating in this area.

OVAE RESPONSE: OVAE is pursuing non-regulatory guidance as the Secretary does not wish to issue regulations at this time. The Secretary believes that States can begin implementing more rigorous career and technical education (CTE) programs and accountability systems under Perkins IV through non-regulatory guidance coupled with substantial and ongoing technical assistance from the Department to the States.

Question from March 7, 2007

5. The burden estimate in the supporting statement seems to cover only 6-year plans and one-year plans. Who is accounting for the burden for unified State plans - DOL? Is this a common form used by both DOL and Education and cleared under two separate OMB numbers? Please clarify.

OVAE RESPONSE: DOL is accounting for burden under the Unified Plan option. They have a currently approved OMB collection to collect this information under OMB control number 1205-0407 (Expiration Date 10/31/2008). The final guidance was published in the Federal Register <http://a257.g.akamaitech.net/7/257/2422/01jan20051800/edocket.access.gpo.gov/2005/pdf/05-7175.pdf>. If a State chooses to submit its plan as a Unified Plan, the State will actually submit that plan to DOL and DOL will forward it to ED for review and approval. The option for States to check "Unified Plan" just alerts us that the postsecondary and/or secondary portion of the new State plan will be coming in through DOL.