

Carl D. Perkins Career and Technical Education Act of 2006 (Perkins V)
Perkins V Consolidated Annual Report Information Collection Request
(OMB Control Number 1830-0569)

Responses to Public Comments Received During the 60-Day Notice

On September 11, 2024, the U.S. Department of Education (ED) published for public comment, for a period of 60 days, revisions to two information collection requests associated with the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins V): (1) the Perkins V State Plan Guide (1830-0029), which solicits State plans from States; and (2) the Consolidated Annual Report (CAR) (1830-0569), which collects financial and performance information from States that receive Perkins V funds. On September 23, 2024, ED corrected an error in the publication of the proposed revised instrument for the CAR and posted the correct version. Due to this error, on October 15, 2024, ED extended the public comment period on the CAR for two weeks, to November 26, 2024.

We received 32 comments on the CAR that were submitted through Regulations.gov. We also received comments from State agency officials during briefings about the revisions to the two ICRs and in correspondence from members of Congress. We address all of the comments we received on the CAR in this document. Additionally, the proposed State Plan Guide and the CAR ICR revisions included identical proposed data specifications for the numerators and denominators of the core indicators of performance described in section 113 of Perkins V. For the convenience of readers, we address public comments on the proposed data specifications both in the responses to public comments on this ICR and in the responses to public comments on 1830-0029.

Proposed Data Specifications (NEW)

- 1. One commenter objected to the Department's requirement that each State adopt at least one secondary program quality indicator and expressed concern that it would discourage States from adopting multiple ones.**

Response: Section 113(b)(2)(A)(iv)(I) of Perkins V requires each State to select at least one secondary program quality indicator for which it will be accountable. While States are not required to select more than one secondary program quality indicator, the Department has previously encouraged States in PROGRAM MEMORANDUM OCTAE 24-1, published October 2023, to consider the adoption of more than one secondary program quality indicator as these measures can work in concert to support the State's vision and goals and to give State policymakers a more comprehensive overview of the performance of local programs and the extent to which they are advancing student achievement.

Changes: None.

Burden Estimate

- 2. Several commenters maintained that the Department's estimates of the burden associated with the changes that would be made in the CAR ICR were too low and should be increased significantly. Some indicated that implementing the proposed changes would require States to make costly updates to their data collection systems. Some commenters worried that some subrecipients would decline Perkins V funds because of the additional reporting burden. Others noted that CTE teachers are often responsible for data collection and making changes**

in what they must collect would reduce the time teachers have available for instruction and improving their programs.

Response: The Department appreciates learning the commenters' estimates of the associated burden. The Department's burden estimate for this ICR includes time for respondents (i.e., States) to review instructions, search existing data sources, gather and maintain the data needed, and complete and review the collection of information. We recognize that there are additional activities associated with submitting a CAR, however, our burden estimates do not include local activities because the CAR is the instrument for collecting data from States, not subrecipients.

In this ICR, the Department is proposing to move the proposed new narrative items from the State Plan Guide to the CAR ICR. The movement of these proposed narrative items will result in an increase in the Department's burden estimate to this ICR as States will have to prepare and submit responses to these additional narrative items. As noted in response to public comments in the proposed State Plan Guide, the increase in estimated burden does not include States amending their State plans, as this action is no longer required. Additionally, the Department is proposing in this ICR to update its instructions for the proposed submission of middle grades participation data to include "to the extent such data are available." We believe that not all States may have middle grades data available to report which is included in our estimate.

Changes: The Department has increased the burden estimate in the proposed CAR ICR to account for the increase in State burden that results from the proposed movement of new narrative items from the State Plan Guide to the CAR ICR as well as additional burden associated with States reporting of middle grades participation data, to the extent such data are available, both of which will be effective in FY 2026.

- 3. Several commenters expressed concern that the burden estimate did not appear to include the time and costs associated with subrecipients' collection and reporting of the data sought by the CAR ICR.**

Response: The Department's burden estimate for this ICR includes time for respondents, i.e., States, to review instructions, search existing data sources, gather and maintain the data needed, and complete and review the collection of information. We recognize that there are additional activities associated with updating the CAR, however, our burden estimates do not include local activities because the CAR is the instrument for collecting data from States, not subrecipients.

Changes: None

- 4. One commenter recommended that the Department mitigate State concerns about their capacity to implement the proposed changes by ensuring the guidance on the CAR is "clearer and simplified" and offering technical assistance and other resources to States that need additional support.**

Response: The Department intends to provide robust technical assistance to all States on reporting and other topics where we see a need from States. We have also made edits to the instructions in the proposed CAR ICR to ensure that this information is presented more clearly to readers.

Changes: The Department is revising the proposed instructions in the CAR ICR for clarity.

5. **One commenter expressed concern that implementing the proposed data specifications would impact States' ability to focus on implementing the new National Career Clusters framework. Another commenter expressed concern that the burden of the "required implementation of the National Career Clusters framework" and responding to the proposed changes would detract from time the State would otherwise spend on providing technical assistance to subrecipients.**

Response: The Department is proposing data specifications to support States in the implementation of statutory requirements, in particular the measurement of, and reporting on, the core indicators of performance as described in section 113(b)(2) of Perkins V. We recognize that States need time to transition to use the proposed data specifications where they may differ from what States have been reporting, so we are proposing to give States nearly 18 months before they must begin using the proposed data specifications and one additional program year before States will report student outcomes.

As noted on Advanced CTE's website, the modernized career clusters framework became live on October 22, 2024, which was during the 60-day public comment period on the proposed CAR ICR. The Department believes that making these adjustments will have a positive impact for students and the field, and we anticipate providing technical assistance to support States.

Changes: None.

Identification of CTE Concentrators (II.B.3.a on page 13)

6. **One commenter expressed concern that the proposed request for information about how States identify and validate CTE concentrators would "increase burden on both secondary and postsecondary institutions, requiring increased frequency of validation." Another commenter stated that, as a result of the proposed request, "the frequency of required CTE concentrator validations could disrupt coordination with education and workforce systems."**

Response: The proposed request asks that States briefly describe the policies and procedures they use to identify CTE concentrators and validate their identification of CTE concentrators. The proposed request does not direct States to use any particular strategy or prescribe how frequently States validate the identification of CTE concentrators. The Department is proposing to request this information to gain a better understanding of how States ensure that all CTE concentrators are included in performance reporting and determine appropriate technical assistance strategies to support eligible Perkins recipients in their identification of CTE concentrators.

Changes: None.

Disaggregation of Post-Placement Outcomes (IV.A.1c.v. on page 22)

7. **Several commenters expressed concern about the proposed request that States disaggregate certain education and employment outcomes of secondary CTE concentrators who have exited secondary education (3S1) and postsecondary CTE concentrators who have completed a program (1P1) by placement type. Some commenters objected to the proposed request that employment outcomes be disaggregated for "high-skill sectors and occupations" and "high-wage sectors and occupations," as those terms are defined by eligible agencies in their State**

plans, because States do not have ready access to the high-quality labor market data necessary to identify exiters and completers in these occupations and industries. Several commenters reported that obtaining data on military enlistments has been challenging for States. One commenter stated that obtaining information on the types of advanced training into which CTE concentrators transition would be burdensome for local school districts because they would have to contact each exiting CTE concentrator.

Response: The Department is not proposing to require States to report data they do not have. The proposed request begins “to the extent these data are available, eligible agencies...”. If a State does have data on these outcomes, we want to collect and report them to Congress and the public, consistent with the requirements of section 113 (b)(3)(C)(ii)(III) of Perkins V (emphasis added):

“(ii) DATA.--Except as provided in subparagraph (E), each eligible agency that receives an allotment under section 111 shall--

...

(III) for CTE concentrators described in paragraph (2)(A)(iii) and paragraph (2)(B)(i), disaggregate data, *to the extent such data is available*, by each of the following:

(aa) Individuals enrolled in postsecondary education (disaggregated by postsecondary award level, including certificate, associate, or baccalaureate degree).

(bb) Individuals in advanced training.

(cc) Individuals in military service or a service program that receives assistance under title I of the National and Community Service Act of 1990 (42 U.S.C. 12511 et seq.) or volunteers as described in section 5(a) of the Peace Corps Act (22 U.S.C. 2504(a)).

(dd) Individuals in employment (including those individuals who are employed in a high-skill, high-wage, or in-demand sector or occupation). “(III) for CTE concentrators described in paragraph (2)(A)(iii) and paragraph (2)(B)(i), disaggregate data, to the extent such data is available, by each of the following:

(aa) Individuals enrolled in postsecondary education (disaggregated by postsecondary award level, including certificate, associate, or baccalaureate degree).

(bb) Individuals in advanced training.

(cc) Individuals in military service or a service program that receives assistance under title I of the National and Community Service Act of 1990 (42 U.S.C. 12511 et seq.) or volunteers as described in section 5(a) of the Peace Corps Act (22 U.S.C. 2504(a)).

(dd) Individuals in employment (including those individuals who are employed in a high-skill, high-wage, or in-demand sector or occupation).”

The Department is committed to working with States to improve their access to the data needed to disaggregate the education and employment outcomes described in section 113 (b)(3)(C)(ii)(III) of Perkins V and the proposed CAR, such as placement in Registered Apprenticeship. We do not expect States to provide data that are not available to them when responding to the CAR ICR.

Changes: None.

8. **One commenter expressed concern that the proposed request that States disaggregate employment data “appears to be in conflict with our State Wage Interchange System (SWIS) data sharing agreement.” The commenter’s “understanding of this agreement is that we are not allowed to disaggregate this data as a standalone employment indicator.”**

Response: We recognize that Perkins V eligible agencies in some States cannot access individual-level wage data in the State Wage Interchange System (SWIS) because they are not housed in a State agency that administers a core program under the Workforce Innovation and Opportunity Act. However, the U.S. Departments of Education and Labor have proposed an amendment to the SWIS data sharing agreement that would give all Perkins V eligible agencies access to individual-level wage data under the SWIS. Additional information about the proposed amendment can be found on the U.S. Department of Labor’s SWIS website at <https://www.dol.gov/agencies/eta/performance/swis/amendments/second-amendment>. Additional background information about the SWIS can be found at <https://www.dol.gov/agencies/eta/performance/swis>. As explained in #7, the Department is requesting this information “to the extent it is available,” consistent with the requirements of section 113 (b)(3)(C) (ii)(III) of Perkins V.

Changes: None.

Youth with a Parent in the Armed Forces (Table 3, page 35)

9. **One commenter expressed concern that the proposed CAR would ask States to disaggregate data on CTE concentrator performance for a second category of military-connected students, "Youth with Parent in the Armed Forces," in addition to the category of "Youth with Parents in Active Military" that they currently report on.**

Response: As a result of an amendment made by the National Defense Authorization Act of 2020 to the Elementary and Secondary Education Act (ESEA) of 1965, States must disaggregate data on the Perkins V core indicators of performance for two populations of military-connected students. Section 113(b)(3)(C) (ii)(I)(aa) of Perkins V requires disaggregation for “subgroups of students, as described in section 1111(h) (1)(C)(ii) of the ESEA of 1965” and for “special populations” defined in section 3(48) of Perkins V. At the time Perkins V was enacted, the subgroups identified in ESEA and the Perkins V “special populations” definition included one common group of military-connected students: “youth with a parent who—(i) is a member of the armed forces (as such term is defined in section 101(a)(4) of title 10, United States Code); and (ii) is on active duty (as such term is defined in section 101(d)(1) of such title.” However, Congress amended ESEA in the National Defense Authorization Act of 2020 to remove its reference to “active duty,” but did not amend the Perkins V “special population” definition; as such, a technical amendment to Perkins V by Congress would be needed to make this change. Consequently, States must disaggregate Perkins V data for students with a parent in the armed forces and for those students with a parent in the armed forces who is on active duty. The Department plans to be available to support States in this data collection

Changes: None.

Disaggregating Data by Gender

10. **One commenter objected to the proposed request that States disaggregate data on CTE participants and CTE concentrators by gender and stated that the Department was “abusing and exceeding its statutory authority to force gender ideology upon schools and states.” The commenter maintained that the Department was requiring schools to “track students by multiple statuses related to ‘gender.’” The commenter’s State does not collect data on gender, collecting student data by biological sex only.**

Response: The proposed ICR does not change how the Department has been collecting data on CTE participation, concentration, and performance. It requests that States disaggregate data on CTE participants and CTE concentrators and the performance of CTE concentrators for “males” and “females.” The draft data specifications for the secondary and postsecondary indicators that measure the percentage of CTE concentrators in CTE programs and programs of study that lead to non-traditional fields (4S1 and 3P1) use the term “gender” because this term is used in the Perkins V definition of the “non-traditional fields” (section 3(33) of Perkins V): “occupations or fields of work, such as 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.” However, States may always provide additional information at their discretion.

Changes: None.

11. **One commenter recommended that the Department begin to collect CTE participation and performance data on students who are nonbinary, noting that several States now collect such data. The commenter states that data on nonbinary students are “crucial for identifying potential disparities in access, participation, and outcomes across the full spectrum of gender identities.”**

Response: A few States have informed the Department that their collection of data on the gender of CTE concentrators is not binary and that they have added one or more gender categories for individuals who do not identify as male or female. These States may provide additional information about these data in their CAR submissions at their discretion. The Department is proposing to continue to request data on male CTE concentrators and female CTE concentrators.

Changes: None.

Disaggregating Data by Race and Ethnicity

12. **One commenter recommended that the CAR’s collection of data on CTE participants and CTE concentrators be revised to include the new race and ethnicity standards established in [OMB Statistical Policy Directive No. 15](#) in March 2024.**

Response: We appreciate the recommendation. In March 2024, the Office of Management and Budget (OMB) announced revisions to Statistical Policy Directive No. 15: Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity (SPD 15) and published the revised SPD15 standard in the Federal Register (89 FR 22182). Each agency is tasked to implement an action plan by September 2025. The Department is currently working on its action plan for compliance with the newly revised SPD15 standards, which will take full effect on March 28, 2029, and will assess data collections, including those related to Perkins, and make any needed revisions to those collections at a later date.

Changes: None.

Middle Grades CTE Participant Enrollment (IV.B.a, page 42)

13. Many commenters expressed concern about the burden associated with beginning to collect and report on CTE participants in the middle grades.

Response: The Department recognizes that data on CTE participants in the middle grades may not be readily available in some States. For this reason, the Department is proposing to modify the instructions in the CAR ICR to indicate that States are requested to provide data on CTE participants in the middle grades to the extent such data are available. If States determine that collecting and reporting these data is not available, they are not required to report on CTE participants in the middle grades at this time.

Changes: The Department is revising the proposed instructions for the middle grades participation form to indicate that eligible agencies are requested to provide these data to the extent such data are available.

14. Several commenters questioned the Department’s authority to collect data on the participation of students in the middle grades.

Response: The Department’s proposed collection of data on students in the middle grades is consistent with its statutory authority to collect data and report on “the condition of career and technical education and on the effectiveness of State and local programs, services, and activities carried out under” Title I of Perkins V (section 114(a)(1)) and to “carry out research” concerning CTE programs under Perkins V (section 114(c)(1)). It is also consistent with the Secretary’s authority to: “collect data and information on applicable programs for the purpose of obtaining objective measurements of the effectiveness of such programs in achieving the intended purposes of such programs” (General Education Provisions Act section 431, 20 U.S.C. 1231a). Additionally, it is consistent with the Department’s decades-long annual collection of data on CTE participation at the high school and postsecondary levels. These data are widely used and reported by CTE stakeholder organizations and others.¹ The 2018 reauthorization expanded the scope of the programs funded by Perkins V to students in the middle grades. The Department is proposing to collect data on the number, special population status, and other characteristics of students in the middle grades to the extent such data are available to provide information for policymakers and other stakeholders.

Changes: The Department is revising the proposed instructions for the middle grades participation form to indicate that eligible agencies are requested to provide these data to the extent such data are available.

15. One commenter expressed strong support for the proposed request for data on CTE participants in the middle grades.

Response: We appreciate the commenter’s support.

¹ See, for example, Advance CTE (n.d.), “State Profiles.” Retrieved from: <https://careertech.org/our-vision/cte-in-your-state/>. See also Kelly, T. et al., (2024), Lessons on Expanding Quality CTE and Work-Based Learning, Education Commission of the States. Retrieved from: https://www.ecs.org/wp-content/uploads/PB_0324_Lessons-on-Expanding-Quality-CTE-and-Work-Based-Learning-.pdf.

Changes: The Department is revising the proposed instructions for the middle grades participation form to indicate that eligible agencies are requested to provide these data to the extent such data are available.

16. **Several commenters objected to the collection of data on CTE participants in the middle grades because their State does not permit Perkins V funds to be spent on students in the middle grades. The commenters expressed the view that schools in their State should not have to provide data on CTE participants in the middle grades for this reason.**

Response: The Department is proposing to collect data on CTE participants in middle grades to the extent such data are available. A 'CTE participant' is defined in section 3(13) as "an individual who completes not less than one course in a career and technical education program... of an eligible recipient." As such, the proposed data collection may be narrower in scope than what the commenters may be envisioning and is identical to information the commenters already provide for high school CTE students. Section 135(b)(1) requires eligible recipients to use Perkins funds to support programs that "provide career exploration and career development activities through an organized, systemic framework designed to aid students, including in the middle grades..." As stated above, the proposed collection of data on students in the middle grades is consistent with the Department's statutory authority, and we note that even if a State chooses to develop conditions that limit how Federal funds are applied to specific programs, Perkins V explicitly authorizes funds to be used in the middle grades. As such, the Department is authorized to collect and report on implementation of this newly authorized use of funds.

Changes: The Department is revising the proposed instructions for the middle grades participation form to indicate that eligible agencies are requested to provide these data to the extent such data are available.

17. **One commenter asked whether the Department's proposed request for data on CTE participants in the middle grades would require States to report on students in the middle grades who enrolled in "career exposure" courses or activities.**

Response: The proposed request would ask States to report on students in the middle grades who meet the definition of a "CTE participant" in section 3(13) of Perkins V: "an individual who completes not less than one course in a career and technical education program or program of study of an eligible recipient," to the extent such data are available. States would report on students in the middle grades who participate in courses or activities that are part of a CTE program or program of study, which could include career exploration, based on the State definition of such terms.

Changes: The Department is revising the proposed instructions for the middle grades participation form to indicate that eligible agencies are requested to provide these data to the extent such data are available.

18. **One commenter expressed opposition to collecting data on CTE participants in the middle grades because the commenter objected to offering CTE programs to middle grades students and stated that "experiential career exploration" should be the focus of career learning in the middle grades. The commenter was concerned that the Department was limiting the use of Perkins V funds in the middle grades to CTE programs.**

Response: The proposed request would only seek data to the extent available on students in the middle grades who are “CTE participants” as that term is defined in section 3(13) of Perkins V. It would not ask States to report on students in the middle grades who participate in career development activities that are not part of a CTE program or program of study. In proposing to request these data, the Department is not expressing a preference for any particular strategy for serving students in the middle grades, nor is it suggesting that States and subrecipients use Perkins V funds in a certain way. States would report on students in the middle grades who participate in courses or activities that are part of a CTE program or program of study, which could include career exploration, based on the State definition of such terms.

Changes: The Department is revising the proposed instructions for the middle grades participation form to indicate that eligible agencies are requested to provide these data to the extent such data are available.

- 19. One commenter objected to the proposed request for data on CTE participants in the middle grades because middle grade courses generally do not meet the State’s requirements for Perkins V funding, which focus “on a sequence of courses aligned to a pathway, dual credit, work-based learning, and industry-recognized credentials.”**

Response: As noted in the preceding responses, the proposed request would only seek data to the extent available on students in the middle grades who are “CTE participants” as that term is defined in section 3(13) of Perkins V. Also as noted, Perkins V explicitly authorizes funds to be used in the middle grades and as such, it is the Department’s responsibility to collect and report on this newly authorized use of funds.

Changes: The Department is revising the proposed instructions for the middle grades participation form to indicate that eligible agencies are requested to provide these data to the extent such data are available.

- 20. One commenter expressed concern that, due to teacher shortages, middle grades CTE teachers were in short supply and did not have sufficient time for data collection to report on middle grades participation.**

Response: We encourage States to explore options for obtaining data on CTE participants and CTE concentrators from student course transcripts in SLDS or other administrative data sets, rather than relying on classroom teachers to provide this information. In 2020, 61 percent of State education agencies reported to the National Center for Education Statistics that their K-12 SLDS data were linked to Perkins V CTE data and another 24 percent reported that linking K-12 data and Perkins V CTE data was planned or in progress.² The Department intends to provide technical assistance to States in using SLDS and other administrative and cost-effective strategies to obtain data on CTE participants and CTE concentrators.

Changes: The Department is revising the proposed instructions for the middle grades participation form to indicate that eligible agencies are requested to provide these data to the extent such data are available.

² National Center for Education Statistics (2023), Profile of State Data Capacity in 2019 and 2020: Statewide Longitudinal Data Systems (SLDS) Survey Descriptive Statistics. Retrieved from: <https://nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2022051>.

21. Several commenters asked whether States would be required to disaggregate data on the participation of students in the middle grades by program of study.

Response: No. To the extent such data are available, States would report data on the CTE participation of students in the middle grades disaggregated by gender, race/ethnicity, and applicable special population status.³ States would not report on students' program of study or career cluster.

Changes: None.

22. One commenter asked why there was a separate form to collect data on CTE participants in the middle grades when data on CTE concentrators in the middle grades would be collected as part of the form that requests data on secondary CTE concentrators.

Response: We are proposing to collect data on CTE participants in the middle grades through a separate form, rather than integrate it in the form that collects data on CTE participants in high school, to reduce burden and limit our collection to information on these students' special population status, gender, race, and ethnicity. The form that collects data on CTE participants at the high school level also asks about the career cluster of the CTE program or program of study of the course taken by the CTE participant, while the separate middle school form does not include these fields.

Changes: None.

23. One commenter expressed concern that data on CTE participants in the middle grades would not be consistent and comparable across States because States may designate different grade spans as "middle grades."

Response: We agree with this commenter and are making changes to clarify that the proposed ICR asks States to report data on CTE participants in any of grades 5 through 8, since Perkins V uses the definition of "middle grades" from section 8101 (32) of ESEA, which is "any of grades 5 through 8." We are also proposing to collect descriptive information from States on their middle grades programs which will help to make the data that are reported more comparable.

Changes: We are revising the proposed instructions in the CAR to specify clearly that the request is for information on CTE participants in any of grades 5 through 8. The Department is also revising the proposed instructions for the middle grades participation form to indicate that eligible agencies are requested to provide these data to the extent such data are available.

24. One commenter expressed concern that the Department's proposed collection of data on CTE participants in the middle grades would discourage States from supporting or expanding middle grades activities to avoid "potential regulatory scrutiny."

Response: The Department's proposed collection of data on students in the middle grades reflects the 2018 reauthorization to expand the scope of the programs funded under Perkins V to students in the middle grades. Collecting data on CTE participants in the middle grades is consistent with the Department's decades-long annual collection of data on CTE participation at the high school and postsecondary levels. Further, these data are widely used and reported by CTE stakeholder organizations

³ We would not ask States to disaggregate participation data for certain special population subgroups who are typically not enrolled in the middle grades. These subgroups are individuals preparing for non-traditional fields; single parents, including single pregnant women; and out-of-workforce individuals.

and others⁴, and the Department believes, as several commenters have noted, that there is significant interest from the field, from researchers, and others in the proposed data collection. This information will be useful to policymakers and other stakeholders and will provide information about the extent to which students in the middle grades are participating in CTE programs or programs of study and may illuminate differences in student participation by special population status, gender, race, and ethnicity. As noted above, the Department is not expressing a preference for any particular strategy for serving students in the middle grades, nor is it suggesting that States and subrecipients use Perkins V funds in a certain way.

Changes: The Department is revising the proposed instructions for the middle grades participation form to indicate that eligible agencies are requested to provide these data to the extent such data are available.

- 25. One commenter expressed concern about the collection of CTE participants in the middle grades because some schools that serve the middle grades “do not report course-taking on a credit-hour basis.” The commenter added that “creating a new data collection mechanic that does not necessarily align with typical practices at middle schools may create data quality issues. If middle schools are not currently offering coursework in similar or standardized hourly schedules, asking them to record data using a more standardized and comparable mechanic may yield inaccurate and incomparable results.”**

Response: The Department is not proposing to collect data on students in the middle grades who earn credit hours in CTE. It is proposing to collect data on students in the middle grades who meet the definition of “CTE participant” in Perkins V. This definition is “an individual who completes not less than one course in a career and technical education program of an eligible recipient.”

Changes: The Department is revising the proposed instructions for the middle grades participation form to indicate that eligible agencies are requested to provide these data to the extent such data are available.

- 26. One commenter recommended that the Department require States to disaggregate middle grades participation data by race, ethnicity, income status, disability status, and English learner status “to facilitate the identification of disparities in CTE access and outcomes.”**

Response: We agree with the commenter. The Department is proposing to require that middle grades participation data be disaggregated using the same special populations that secondary and postsecondary participant data is disaggregated. Special population are defined in section 3(48) of Perkins V, which includes “individuals from economically disadvantaged families, including low-income youth and adults,” individuals with disabilities and English learners”, as well as by gender, race, and ethnicity.

⁴ See, for example, Advance CTE (n.d.), “State Profiles.” Retrieved from: <https://careertech.org/our-vision/cte-in-your-state/>. See also Kelly, T. et al., (2024), Lessons on Expanding Quality CTE and Work-Based Learning, Education Commission of the States. Retrieved from: https://www.ecs.org/wp-content/uploads/PB_0324_Lessons-on-Expanding-Quality-CTE-and-Work-Based-Learning-.pdf.

Changes: The Department is revising the proposed instructions for the middle grades participation form to indicate that eligible agencies are requested to provide these data to the extent such data are available.

Other Issues

27. **One commenter recommended that the Department offer States comprehensive training and support “to identify and address equity gaps in CTE programs.” The commenter suggested that the Department “offer guidance and resources to help States engage with communities, particularly those historically underrepresented in CTE, in the data collection and analysis process” to “help increase more equitable CTE representation while engaging and mobilizing underrepresented communities.” The commenter also recommended that the Department implement a system of “regular equity audits” of “recruitment practices, program materials, and participation data” to identify and address disparities in CTE participation by gender, such as the small percentage of females (16.7 percent) who concentrated their studies in Architecture and Construction programs during the 2022-23 program year. Additionally, the commenter urged the Department to create a “user-friendly national dashboard that allows for easy comparison of CTE engagement and outcomes across States, focusing on equity metrics.”**

Response: The Department hosts an annual Data Quality Institute (DQI) for State CTE leaders and their accountability staff for a 3-day convening focused on a host of topics that help States meet the needs of all students in CTE. For example, the 2024 DQI sessions focused on topics such as utilization of the Comprehensive Local Needs Assessment (CLNA) to identify disparities in CTE participation and performance, accessing the State Wage Interchange System (SWIS) to improve post-program placement data quality to better measure outcomes for CTE concentrators including those who are members of special populations, and an analysis of State-level CTE data to share best practices related to program improvement. More information about the Department’s annual DQIs can be found here: <https://cte.ed.gov/accountability/data-quality-institute>.

The Department is also responsible for monitoring Perkins eligible recipients. The Department’s monitoring process includes a review of recruitment practices, program materials, and participation and performance data as part of its standard practices. More information about monitoring under Perkins V can be found here: <https://cte.ed.gov/grants/monitoring>.

Finally, the Department recently built robust data dashboards which enables users to view CTE participation and outcome data for all States and the nation. We continually make updates to these dashboards and look forward to adding improved capability for State-by-State comparisons. More information about the Department’s National Summary and State Profiles can be found here: <https://cte.ed.gov/pcrn/profile/national/enrollment/2025/concentrator/secondary/gender/allstudents>.

Changes: None.

Corresponding Proposed Edits Between the State Plan Guide and the CAR ICR

As noted in the introduction, the responses above address all of the comments that we received on the CAR ICR. The proposed State Plan Guide and the CAR ICR revisions included identical proposed data specifications for the numerators and denominators of the core indicators of performance described in section 113 of Perkins V. For the convenience of readers, below are the public comments on the proposed data specifications and Department responses to public comments on 1830-0029.

Implications for State Plan Development

State Plan Response 3. Some commenters, particularly States and representatives of States, expressed concern that responding to the proposed new narrative items in the State Plan Guide, such as the proposed request that States describe briefly their policies on the use of Perkins V funds to serve students in the middle grades, would be considered “a significant and relevant change in the information or the assurances in the plan” under 34 CFR 76.140(b) that would require a State to carry out all of the activities Perkins V requires for the development of a new State plan under 34 CFR 76.140(c), including engaging and consulting with stakeholders, conducting public hearings, and soliciting public comment. Some of these commenters were from States that developed new, four-year State plans this year. Some commenters expressed concern that responding to the ICR would require State staff who now provide technical assistance to subrecipients to pause those activities in order to write a new State plan. One commenter noted that including responses to these items in the State plan would make it difficult to change or adjust them later and expressed the view that States should have the flexibility to make changes without “federal oversight.” Additionally, one commenter noted that State approaches to determining whether a credential is “recognized” by industry may change over time.

Response: We understand the concerns offered by the several commenters.

Changes: The State plan process includes important and robust stakeholder consultation processes. However, after considering the concerns shared by commenters about the burden associated with developing new State plans, particularly given the timing of implementation of Perkins V and comments from States that recently completed the development of new, four-year State plans, we are now proposing to remove all of the proposed new narrative items from the State Plan Guide and intend to propose to include them in the Consolidated Annual Report (CAR) information collection request (ICR) (1830-0569) instead. Moving these narrative items from the State Plan Guide to the CAR ICR addresses the concerns shared by commenters related to burden associated with developing a new State plan because this action would no longer be required. The new proposed narrative items provide important information around how States are utilizing their federal funds. Specifically, these items help to describe the data that States report and how States operationalize different requirements of the law. By including these items in the CAR ICR, this action allows States to update this information annually as needed. Providing this information in the CAR ICR also allows the Department to collect information that is necessary to inform implementation, better support States, and focus technical assistance. As proposed, States would maintain flexibility to engage in stakeholder consultation as they choose, including through the robust levels of engagement they may go through in updating their State Plan, but they are no longer required to pursue that level of engagement for the proposed narrative items.

Additionally, we are proposing to eliminate the new proposed request for information about “meaningful progress” and we will retain the original State Plan Guide question that asks States to describe how they meet section 113(b)(3)(A)(i)(III).

Specifically, we are proposing to move the following proposed items from the State Plan Guide to the CAR ICR:

- The proposed request for separate State-established definitions of “size,” “scope,” and “quality” for secondary and postsecondary programs (II.B.8.h. and i. on page 15) (Perkins V section 122(d)(4)(B) and 134(c)(2)(B)) and we will retain the original State Plan Guide question that asks States to define “size,” “scope,” and “quality” for the purpose of making funds available to eligible recipients;
- The proposed request for State-established definitions of “high-skill” and “high-wage” occupations and industries (II.B.8.j. on page 15) (Perkins V section 122(d)(9)(c));
- The proposed request for a description of “how the eligible agency provides information on high-skill, high-wage, or in-demand industry sectors or occupations to eligible recipients to enable eligible recipients to meet the requirements for the contents of local applications in section 134(b) of Perkins V and comprehensive local needs assessments in section 134(c) of Perkins V” (II.B.8.k. on page 15) (Perkins V section 122(d)(5)(C));
- The proposed request for a description of the eligible agency’s policies on the use of Perkins V funds to serve students in the middle grades, including the grade levels for which funds may be used in the State (II.B.8.l. on page 15) (Perkins V section 122(d)(8)(A));
- The proposed request that, if the eligible agency counts CTE concentrators who received “industry-recognized certificates and certifications” in the numerators of 5S1 and 2P1, a description of how the eligible agency determines that these credentials are recognized by industry, and what methods, if any, are used to disseminate this information to eligible recipients (II.D.2 and 3, page 21) (Perkins V section 122(d)(10)(B));
- The proposed request for the number of postsecondary credits that a student must complete in order to be counted in the numerator for 5S2 (II.D.4 on page 21) (Perkins V section 122(d)(10)(B)); and
- The proposed request for the number of work-based learning hours (or other unit of measurement used by the State) that a student must complete in order to be counted in the numerator for 5S3 (II.D.5 on page 21) (Perkins V section 122(d)(10)(B)).

Definitions of “Size,” “Scope,” and “Quality” (Items B.8(h) and (i))

State Plan Guide Response 10. Two commenters objected to the proposed requests that States provide definitions of “size,” “scope,” and “quality” for both secondary and postsecondary programs and maintained that these requests “effectively amount to regulation.” These commenters expressed the view that Perkins V does not require States to define these terms or to establish separate definitions for secondary and postsecondary programs.

Response: Section 135(b) of Perkins V limits the use of subgrant funds by subrecipients to supporting “career and technical education programs that are of sufficient size, scope, and quality to be effective.” 34 CFR 76.770 requires each State to “have procedures for reviewing and approving applications for subgrants and amendments to those applications, for providing technical assistance, for evaluating

projects, and for performing other administrative responsibilities the State has determined are necessary to ensure compliance with applicable statutes and regulations.” 2 CFR 200.332(e) requires each State to “monitor the activities of a subrecipient as necessary to ensure that the subrecipient complies with Federal statutes, regulations, and the terms and conditions of the subaward.” In addition, Section 134(c)(2)(B) requires local needs assessments to provide “[a] description of how career and technical education programs offered by the eligible recipient are— (i) sufficient in size, scope, and quality to meet the needs of all students served by the eligible recipient.” States must provide appropriate oversight to ensure that subrecipients comply with the statutory limitation on the uses of funds and address the associated statutory requirements, like the local needs assessment. These statutory requirements apply to both secondary programs that are supported with funds under section 131 and postsecondary programs that are supported with funds under section 132, so it is appropriate for the Department to ask about implementation of these terms in both types of programs. However, in response to comments we received, we are proposing to move these items to the CAR ICR in order to reduce administrative burden on States given where we are in implementation of Perkins V.

Changes: As described in the response to #3, we are proposing to remove all of the proposed new narrative items from the State Plan Guide and intend to propose to include them in the CAR ICR (1830-0569) instead and will retain the original State Plan Guide question that asks States to describe how they meet section 113(b)(3)(A)(i)(III). We are clarifying that States may provide their definitions of “size,” “scope,” and “quality” or a description of their implementation of these terms related to programs funded under sections 131 and 132 in response to these proposed questions in the CAR ICR.

Definitions for “High Skill” and “High-Wage” Occupations (Items B. 8(j) and (k))

State Plan Guide Response 14. One commenter expressed concern that requesting that States provide definitions of “high-skill” and “high-wage” occupations and industries “does not fully acknowledge the role of local and regional variations in high-skill and high-wage designations.”

Response: In operationalizing “high-skill” and “high-wage” occupations and industries, States have the flexibility to take into account local and regional variations in skill and wages.

Changes: As described in the response to #3, we are proposing to remove all of the proposed new narrative items from the State Plan Guide, including State definitions for “high-skill” and “high-wage” occupations and industries, and intend to propose to include them in the CAR ICR (1830-0569) instead. States may provide their definitions of “high-skill” and “high-wage” occupations and industries or a description of their implementation of these terms in response to these proposed questions in the CAR ICR.

Four-Year and Extended-Year Adjusted Cohort Graduation Rates (1S1 and 1S2)

State Plan Guide Response 37. Two commenters noted that the data specifications for the graduation rate indicators were not identical to the statutory description of the graduation rate indicators in ESEA because they did not note that the statute specifies that the regular high school diploma could be earned “before and during the fourth year of high school,” and not only at the conclusion of the fourth year of high school. Similarly, the commenters note that the data specifications do not include clause (II) in the statutory definitions of “four-year adjusted cohort graduation rate” (ESEA section 8101 (25)(A)(ii)(II)) and “extended-year

adjusted cohort rate” (ESEA section 8101 (23)(A)(ii)(II)) that excludes a general equivalency diploma, certificate of completion, certificate of attendance or “similar lesser credential.”

Response: We appreciate the comments. We have revised the data specifications to include all of the relevant statutory text related to the measurement of the graduation rate indicators.

Changes: We have modified the proposed data specifications to indicate, consistent with ESEA, that a regular high school diploma may be earned “before, during, or at the conclusion of the fourth year of high school,” and not only at the conclusion of the fourth year of high school. We also have added clause (II) in the statutory definitions of “four-year adjusted cohort graduation rate” (ESEA section 8101 (25)(A)(ii)(II)) and “extended-year adjusted cohort rate” (ESEA section 8101 (23)(A)(ii)(II)) that excludes a general equivalency diploma, certificate of completion, certificate of attendance or “similar lesser credential.”

CTE Concentrator Academic Proficiency (2S1, 2S2, 2S3)

State Plan Guide Response 41. One commenter maintained that the use of an “exit” cohort for reporting on CTE concentrator academic proficiency is inconsistent with how States report on academic proficiency under ESEA Title I, Part A.

Response: It is the use of an “active” cohort to report CTE concentrator proficiency that is inconsistent with State reporting on student academic performance under ESEA, Title I, Part A, not the use of an “exit” cohort, i.e. under Title I, a student’s performance on the assessments is counted only one time in high school and a State may not include the same result in the accountability system more than once. Under ESEA Title I, Part A, States must assess every student at least once on the student’s proficiency on the State assessments; some States report on the current year’s participants and others report based on a cohort model. States have discretion on the content and grade in which the assessments are administered, so the only way to capture the overall performance of CTE concentrators is through an exit cohort, where the student’s assessment performance is included only one time in high school. This brings Perkins into alignment with ESEA measurement and reporting regarding the requirement to include a student’s performance only one time, which the Department believes is the most important aspect of the requirement, even though it may result in the student’s performance being reported in different years for Perkins V and Title I, Part A reporting.

Changes: None.

State Plan Guide Response 42. Two commenters objected to the use of an “exit” cohort for reporting on CTE concentrator academic proficiency because waiting until a concentrator exits secondary school would prevent States from using academic assessment for performance improvement purposes while the student is still enrolled in school.

Response: The Department has proposed specifications for the three Perkins V academic proficiency indicators to fully align with the requirements for reporting on student achievement on the ESEA State academic assessments in the State report card under paragraph (h) of section 1111 of ESEA, Title I, Part A (ESEA, §1111(h)(1)(c)(ii)), consistent with the Perkins V statute. The proposed data specifications only indicate when a State reports on academic proficiency to the Department. They do not prevent States from using academic assessment data for performance and program improvement purposes as soon as these data become available.

Changes: None.

Secondary Post-Program Placement (3S1)

State Plan Guide Response 46. One commenter expressed concern that providing an additional year for States to report on post-program outcomes, like postsecondary enrollment and employment, “may actually reduce the utility of the data garnered from this performance measure as it will be even less timely than currently structured, making data less useful for real-time program or policy refinement.” Two commenters shared similar concerns and stated that “requiring a lag for every state is detrimental to the goal of using data for program improvement.”

Response: The Department has noted that the reason it is proposing to add a “lag” year to State reporting on post-program outcomes for 3S1 and 1P1,⁵ as the Departments of Education and Labor now do with reporting on post-program outcomes for the core programs under the Workforce Innovation and Opportunity Act (WIOA), is to give States sufficient time to access administrative data like quarterly unemployment insurance (UI) wage records, which may be more accurate than relying on student surveys, which often have low response rates.⁶ These two indicators measure the employment and education outcomes of CTE concentrators in the second quarter after exiting secondary education or, in the case of postsecondary CTE concentrators, in the second quarter after program completion. For CTE concentrators who exit high school or complete a postsecondary program in June of the reporting year, December 31 represents the end of the second quarter after exit or completion. The deadline for States to report data to the Department is January 31 of the following year under our current information collections. However, UI wage records “for a given calendar quarter are generally not available for about six months (two quarters) after submission” by an employer to the State.⁷ Our hope is that giving States a year to report on 3S1 and 1P1 will result in higher-quality, accurate, and complete data on the outcomes of CTE concentrators.

As to the first commenter’s concern about the lag year in reporting “making data less useful for real-time program or policy refinement” and the other commenters’ concern about using the data for “program improvement,” we note that we are proposing to add a year to when States must report the data to the Department. States may begin using the data “for real-time program or policy refinement” and

⁵ Section 113(b)(2)(A)(iii) of Perkins V establishes, as a core indicator of performance for secondary programs, “the percentage of CTE concentrators who, in the second quarter after exiting from secondary education, are in postsecondary education or advanced training, military service or a service program that receives assistance under title I of the National and Community Service Act of 1990 (42 U.S.C. 12511 et seq.), are volunteers as described in section 5(a) of the Peace Corps Act (22 U.S.C. 2504(a)), or are employed.” Section 113(b)(2)(B)(i) of Perkins V establishes as a core indicator of performance for postsecondary programs “the percentage of CTE concentrators who, during the second quarter after program completion, remain enrolled in postsecondary education, are in advanced training, military service, or a service program that receives assistance under title I of the National and Community Service Act of 1990 (42 U.S.C. 12511 et seq.), are volunteers as described in section 5(a) of the Peace Corps Act (22 U.S.C. 2504(a)), or are placed or retained in employment.”

⁶ Office of Information and Regulatory Affairs, Office of Management and Budget. 2016. Questions and Answers When Designing Surveys for Information Collections. Retrieved from:

https://obamawhitehouse.archives.gov/sites/default/files/omb/inforeg/pmc_survey_guidance_2006.pdf.

⁷ Czajka, J.L., et al. (2018) *Data on Earnings: A Review of Resources for Research*, Mathematica Policy Research. Retrieved from: <https://www.dol.gov/sites/dolgov/files/OASP/legacy/files/Data-on-Earnings-Report.pdf>.

“program improvement” as soon as they obtain them. We also note that States may feel more confident in making program or policy refinements in response to post-program outcome data if they have greater confidence in the completeness and accuracy of these data.

Changes: None.

Non-Traditional Program Concentration (4S1 and 3P1)

State Plan Guide Response 49. Two commenters objected to the proposed data specifications for student concentration in CTE programs that are nontraditional for their gender at the secondary and postsecondary levels, stating that they attempt “to impose an interpretation beyond what is evident in the statutory language approved by Congress, without going through proper regulatory channels.” Two additional commenters stated that the proposed data specifications were in conflict with the intent of Congress and a “plain reading of the statute.”

Response: The Department believes that the proposed data specifications for student concentration in CTE programs that are nontraditional for a student’s gender at the secondary and postsecondary levels (4S1 and 3P1, respectively) reflect a plain reading of the statute, giving meaning to both the statutory text in Sections 113(b)(2)(A)(v) and 113(b)(2)(B)(iii) of Perkins V of the core indicators of performance for the percentage of secondary and postsecondary CTE concentrator in CTE programs and programs of study that lead to non-traditional fields, and the definition of “non-traditional field” in section 3(33) of Perkins V. In addition, based on the Department’s review of State CAR submissions from program years 2021-2022 and 2022-2023, our proposed data specifications are consistent with how 42 States measure 4S1 and how 45 States measure 3P1. Therefore, most States reviewed the statutory descriptions of these indicators and concluded that they should be measured in the manner outlined in the proposed data specifications for 4S1 and 3P1.

Changes: None.

Post-Program Placement at the Postsecondary Level (1P1)

State Plan Guide Response 57. Several commenters expressed concern that the proposed data specifications for the numerator for the postsecondary post-program placement indicator (1P1) do not clearly specify that a concentrator must have completed the program during the preceding reporting year to be included and may not be consistently implemented by States. They recommended modifying the proposed specifications to indicate that a concentrator must have completed the program during the preceding reporting year to be included in the numerator. This would make the numerator consistent with the denominator.

Response: We agree that the proposed data specifications for the numerator should specify that a concentrator must have completed the program during the preceding reporting year to be included.

Changes: We have revised the proposed data specifications for the numerator to specify that a concentrator must have completed the program during the preceding reporting year to be included. There is no additional burden, beyond what was previously calculated, with this update.

Earned Recognized Postsecondary Credential (2P1).

State Plan Guide Response 58. One commenter was concerned the proposed data specifications for 2P1 did not clearly specify how a CTE concentrator “completes a program.” The commenter recommended that we specify that program completion is earning a recognized postsecondary credential. The commenter recommended that the denominator of 2P1 be revised to include CTE concentrators who are enrolled in the reporting year and those who were enrolled in the previous reporting year who earned a credential in the reporting year. The commenter suggested making the numerator CTE concentrators who either received a credential during the current reporting year or who were enrolled in the previous reporting year and earned a credential in the current reporting year.

Response: We agree that the changes proposed by the commenter are appropriate and consistent with the plain meaning of the statutory description of the indicator in section 113(b)(2)(B)(ii). A CTE concentrator completes a program when they have earned a recognized postsecondary credential.

Changes: We have revised the denominator of 2P1 to include CTE concentrators who are enrolled in the reporting year and those who were enrolled in the previous reporting year who earned a credential in the reporting year. We have revised the numerator of 2P1 to include CTE concentrators who either received a credential during the current reporting year or who were enrolled in the previous reporting year and earned a credential in the current reporting year. There is no additional burden, beyond what was previously calculated, with this update.

State Plan Guide Response 59. Two commenters expressed concern about the inclusion of CTE concentrators enrolled in the reporting year in the denominator of 2P1 and recommended that the Department model the proposed data specifications on those used to calculate the credential attainment indicator in WIOA, which they described as the “inspiration” for 2P1.

Response: The modifications to the proposed data specifications for 2P1 described above address the commenters’ concerns. We note that the statutory descriptions of the WIOA credential attainment indicator and 2P1 differ in that the WIOA indicator measures attainment during participation and after a participant exits a program, while 2P1 measures attainment during participation and after a CTE concentrator completes a program.

Changes: As discussed above, we have revised the denominator of 2P1 to include CTE concentrators who are enrolled in the reporting year and those who were enrolled in the previous reporting year who earned a credential in the reporting year. We have revised the numerator of 2P1 to include CTE concentrators who either received a credential during the current reporting year or who were enrolled in the previous reporting year and earned a credential in the current reporting year.