

PUBLIC HEARING

DRAFT MONTANA SIX-YEAR STATE PLAN FOR CAREER AND TECHNICAL EDUCATION ACT OF 2006 FOR PROGRAM YEARS 2008-2012 SUMMARY OF COMMENTS AND RECOMMENDATIONS

SUMMARY OF RESPONSES OF THE OFFICE OF COMMISSIONER OF HIGHER EDUCATION OFFICE OF PUBLIC INSTRUCTION

**January 16, 2008, 9:00 p.m. – 12:00 and 1:00 p.m. – 4:00 p.m.
Helena College of Technology – MetNet Center
Helena, MT**

PROCEDURE

The Public Hearing was conducted via two-way interactive video linking eight sites which were geographically distributed throughout the state. These sites included: Billings, Butte, Great Falls, Havre, Helena (originating site), Kalispell, Miles City and Missoula. This public hearing was attended by 37 individuals with the following distribution by site: Miles City (2), Missoula (5), Great Falls (6), Butte (11), Billings (2), Havre (2), and Helena (9).

All individuals wishing to speak had the opportunity to do so in the time allotted. Written comment was also submitted to the Office of Commissioner of Higher Education (OCHE) by Fax or email up to the deadline of January 28, 2008 at 5:00 p.m. Both the written and oral comments were representative of state legislators, state agencies, governor's office, community-based organizations, tribal colleges, secondary schools and postsecondary institutions. The Presiding Officer for this hearing was Hans Meeder, consultant for Montana in development of the State Plan; also, it was transcribed verbatim by a professional court reporter (Attachment: Public Hearing Transcript).

Office of Public Instruction staff present at the sessions included: Robert Runkel, Assistant Superintendent and TJ Eyer, Division Administrator for Career and Technical Education.

Office of Commissioner of Higher Education staff present at the sessions included: Dr. Arlene H. Parisot, State Director for Career and Technical Education; George Burns, Program Specialist; and, Alyssa Townsend-Hudders, Program Specialist.

SUMMARY OF COMMENTS, RECOMMENDATIONS AND RESPONSES

The written and oral comments and recommendations were reviewed and categorized by Section to facilitate the process of addressing the public input. The Hearing Officer (Hans Meeder) began by reading directly from the Purpose Section of the Perkins Act stating the core purposes of this legislation. The comments at the public hearing were taken by Section. This summary will address the comments in that order. *The comments provided in this report were either summarized when representative of a group of targeted concerns or were written as stated. The written comments are included as attachments.*

Section I: Planning, Coordination and Collaboration Prior to Plan Submission

Oral and Written Comments

State Plan Advisory Committee Member and Community-Based Organization representative

Recommendation: include timeframe for review of the public hearing comments

Response:

The state plan will reflect this recommendation.

Montana Department of Labor and Industry—WIRED

Recommendation: coordinate with the WIRED initiative and Jobs for Montana's Graduates

Response:

The state plan will incorporate both WIRED and JMG in Section II (2.10).

Additionally, the State CTE Advisory Committee that will be established by Spring 08 will consist of six business and industry representatives for each of the six Cluster fields identified in the State Plan. The committee will include representatives from the various agencies described in the written comments. This advisory committee will assist the State CTE Executive Leadership Team responsible for the administration of Perkins funds to be responsive to the changing dynamics of the workplace.

Section II: Program Administration

Oral and Written Comments:

Tribal College Representative

Recommendation: That in the final state plan: (1) include Salish Kootenai College's (SKC) associate of arts and associate of science degrees associated with its six 2+2 programs as Perkins eligible programs; and (2) under the draft state plan, section 2.5 ("transition to Baccalaureate Programs," pages 25-26) recognize that such two-year degree programs meet the spirit and intent of Goal III of the Board of Regents (BOR) Strategic Plan and are appropriate for transfer to SKC's respective baccalaureate degree programs.

Response:

As the definition of eligible programs is not specifically addressed in the state plan, this recommendation will require guidance from the U.S. Department of Education and further discussion with the respective college.

Community-Based Organization Representative

I want to point out that throughout Section II, referencing special populations and the promising practices, that it is required to provide specific services and implementation of those services to the special populations.

Response:

The Promising Practices Initiative although mentioned in Section II, will be addressed in the State's response to Section III.

Montana Department of Labor and Industry—Research and Analysis

Recommendation: Include reference to Section 118 Occupational and Employment Information.

Response:

This Recommendation will be included in Section II, 2.2.6.

Section III: Provision of Services for Special Populations

Oral and Written Comments:

Community-Based Organization Representatives (5)

Recommendations:

- Maintain the memorandum of understanding between the eligible state agencies and community-based organizations to provide services under Carl Perkins Rural Reserve continue throughout the six years of the Montana Perkins State Plan.
- Provide specific implementation plans for the Promising Practices Initiative
- Maintain funding for CBOs through an MOU or whatever written agreement we can have
- Include benchmarks, timelines, and number of strategies to be implemented and what secondary and postsecondary schools will be accountable to do for special populations in Montana. Also, dedicate specific dollars for services to pregnant teens.
- Include in State Plan how many representatives from each sub-group will constitute the CTE State Advisory Committee

State Legislators (8)

Recommendations: Maintain the MOU between the Eligible State Agencies and Community-Based Organizations throughout the entire six years of the Carl D. Perkins State Plan.

Office of Governor's Deputy Chief of Staff

Recommendation: Please include CBOs for the life of the Carl D. Perkins Career and Technical Education State Plan. The office has been proud to be a site for the volunteer work experience for a member of the special populations targeted by the Carl D. Perkins Career and Technical

Education State Plan. This is an individual who received office and computer skills gained from training funded through the Carl D. Perkins Rural Reserve.

Tribal College Representative

Recommendation: A significant portion of special populations will be denied services if we are not going to be able to count our students in the associate of science and associate of arts degree in the two-plus-two programs

Response

This issue is addressed in Section II: State Administration

Montana Department of Labor and Industry—Billings Job Service (1)

Recommendation: Continue the MOU with the Community-Based Organizations throughout the 6 years of the State Plan.

Student

Recommendation: Do not eliminate funding support for programs that help clients in my situation (35 year old female, married with low income).

Secondary Teacher (3)

Recommendations:

- Do not continue the opportunity to fund these groups (CBOs) past the current Memorandum of Understanding that is in place.
- Use the reserve fund for the highest priorities
- Referring to the MOU between OCHE, OPI and Community-based organizations, this MOU was for a two-year period and should NOT be continued beyond this time period.
- Delete the last sentence in the fourth paragraph of page 58, Sec 6.1 – Reserve (Sec 112).

Response for Section III: Special Populations is consolidated to address the targeted concern of the above oral and written comments:

At the public hearings on the Perkins Act conducted on January 16, 2008, numerous representatives of community-based organizations (CBOs), as well as some elected state representatives and senators expressed support for the continued role of CBOs in providing services through Perkins Act funding. Recommendations in support of CBOs came forward in two forms: to extend the current Memorandum of Understanding (MOU) described below, or more generally, to allow CBOs to serve youths and adults with the support of Perkins Act funds. Recommendations from secondary representatives not in support of CBOs focused on the larger number of students served at the K12 level and that Reserve funds are dedicated to serving enrolled CTE students at the secondary and postsecondary level.

As background, Community-Based Organizations have a long history of receiving funds to serve special populations under Carl Perkins. Prior to 1998, under the Carl D. Perkins Act (Perkins II), CBOs were included under a provision calling for Gender Equity set-aside funds. Under Perkins II, CBOs were able to access funds directly.

When Perkins II was reauthorized in 1998 to become the Carl D. Perkins Vocational and Technical Education Act (Perkins III), the Gender Equity set-aside was eliminated and CBOs

were no longer eligible recipients. Eligible recipients for reserve funds were now limited to secondary school districts and postsecondary institutions. At that time, the Reserve RFP specified that eligible recipients could partner with other educational entities to provide services through a competitive grant, but the eligible recipients must retain programmatic and fiscal responsibility.

During Perkins III, except for \$62,000 used to “hold harmless” secondary schools impacted by a change in formula, the remaining reserve funds were allocated through an RFP. Each grant included a CBO and an eligible recipient and it was competitive each year. The net effect of the partnerships between CBOs and eligible recipients was to allow the continuation of payments to CBOs to serve special populations although the payments needed to be channeled through eligible recipients to comply with Perkins III.

In 2006, Perkins was reauthorized to become the Carl D. Perkins Career and Technical Education Act, 2006 (Perkins IV). Under Perkins IV, as with Perkins III, the State had the option to take up to 10% Reserve fund or just allocate the full 85% to the eligible recipients—secondary schools and postsecondary institutions. Under Perkins III and IV, the state has taken the option to retain a Reserve fund. CBOs are not eligible recipients of Reserve funds and again there continues the concern for the possible elimination of earmarked funds for CBOs to serve special populations. This concern led to the Memorandum of Understanding that reserves \$180,000 per year in FY 08 and FY09 for CBOs to only serve special populations that are enrolled in CTE programs at the secondary and postsecondary level.

There are a number of conflicting demands for reserve funds under Perkins IV. These demands include increased focus on transition of students from secondary to postsecondary (programs of study), technical skill assessments for Career and technical Education (CTE) students, establishing a stringent accountability including the imposition of sanctions for low performance, increased academic rigor of CTE education, and improved academic performance of enrolled CTE special population students.

The above demands are creating additional pressure for OCHE and OPI to meet the new requirements of the law. Significant funds are needed to develop pathways to smooth the transition of students from high school into careers and for many students, transition to postsecondary education. In addition to the work that is required under Perkins IV to align coursework, there is a requirement for technical skill assessments. Meeting the requirements for these assessments alone is daunting.

Also, the State Plan list of Promising Practices for serving special populations is derived from a national assessment of what other states, particularly rural ones similar to Montana, were doing that improved the retention and completion rate of special population students enrolled in CTE programs at the secondary and postsecondary level. The *Promising Practices Initiative* is the result of this assessment and serves as suggestions to consider as activities are developed that may be designed specific to the needs of a particular community. Its purpose is to broaden rather than limit the options for meeting the needs of special populations in each of our Montana communities. The guidelines for implementation of a Promising Practices Initiative would be outlined in a Request for Proposal.

In recognizing the support of the Community-Based Organizations during the public hearing regarding the services provided to special populations; and, recognizing the constraints of the Carl D. Perkins Act of 2006, the State has determined that the following option would address the issues of all concerned while meeting the intent of the law:

The State is strongly committed to improving services for special populations and supporting the involvement of Montana-based non-profit organizations with established ties at the community level, where appropriate. Given the variety of priorities under the Perkins Act, the State CTE Executive Leadership Team believes a more flexible approach to annual decisions about the Reserve Funds is more appropriate than the current MOU would allow. Therefore, beginning with program year 2009-2010 through 2012-2013 (after the current MOU has expired), Montana will set aside \$180,000 on an annual basis (dependent upon the allocation of the federal funds) to support projects, on a competitive basis, that develop and refine strategies to successfully serve special populations. In each application submitted by a school district, a postsecondary institution, or jointly between two or more such entities, the applicant must demonstrate that one or more Montana-based non-profit organizations were given the opportunity to play a significant role in the project.

[Note: as the term community-based organization (CBO) is not formally defined, the term *Montana-based non-profit organization* will be utilized in the Montana Perkins Career and Technical Education Act of 2006. The new paragraph also uses the descriptive phrase “with established ties at the community level” to indicate the value of including organizations that demonstrate an ongoing commitment to meeting needs of the local community.

Section IV: Accountability and Evaluation

Oral and Written Comments:

Tribal College Representative

Recommendation: As the legislative language does not specify whether a degree has to be an associate of applied science degree, it is our opinion that associate degrees are entirely proper to offer as part of the CTE matriculation process based upon the language of the statute.

Response:

This recommendation is addressed in Section II: State Administration

Community-Based Organization Representative

Recommendation: Expand the language under Performance levels for Postsecondary/Adults under 4P1 for Student Placement to: “*Number of CTE concentrators who were placed or retained in employment, or placed in military service or apprenticeship programs in the 2nd quarter following the program year in which they left postsecondary education,*” to “*Number of participants*” to allow more individuals from special population groups to take part in a particular Perkins’ grant/project?

Response

The State Plan defines the CTE participant as a postsecondary/adult student who has earned one (1) or more credits in any CTE program. A CTE Concentrator must complete at least 12 academic or CTE credits within a single program area sequence that is comprised of 12 or more academic and technical credits and terminates in the award of an industry-recognized credential, a certificate or a degree; or completes a short-term CTE program sequence of less than 12 credit units that terminates in an industry-recognized credential, certificate or degree. The intent is that the student would have sufficient instruction to earn a recognized credential to be placed in employment, military or apprenticeship program.

Section V: Tech Prep

Oral and Written Comments: **FVCC Tech Prep Consortium**

Recommendation: Include a single point of contact at each of those two organizations (OCHE/OPI) for the entire grant period and not just the start-up year.

Response:

Under the State Plan, the State CTE Executive Leadership Team will have direct line of communication with the Tech Prep staff at Flathead Valley Community College and MSU Billings College of Technology. To assign a single point of contact at both agencies would be duplicative responsibility. State staff will have direct contact with the Peaks to Plains Consortium at the local and state level. The intent is to provide a structure by which there is monthly communication between all staff, including the Consortium and the Leadership Team rather than inserting another layer of oversight.

Section VI: Financial Requirements

Oral and Written Comments: **Tribal College Representative**

Recommendation: Pell and BIA students in the two-plus-two career and technical education programs continue to be counted in determining allocations for the local postsecondary programs and that this recommendation be adopted and expressed in the final plan and/or adopted and carried out in the administration of Perkins IV.

Response:

Addressed in Section II: State Administration

Community-Based Representative

Recommendation: Treat special populations programs equal to local recipient programs by allowing a six-year plan rather than yearly

Response:

The State Plan follows the guidelines set forth in the Perkins legislation.

“Each eligible agency shall evaluate annually, using the local adjusted levels of performance described in section 113 (b) (4), the career and technical education activities of each eligible recipient receiving funds under this title. If after reviewing the evaluation, the eligible agency determines that an eligible recipient failed to meet at least

90% of an agreed upon local adjusted level of performance for any of the core indicators of performance described in section 113 (b) (4), the eligible recipient shall develop and implement a program improvement plan...” Subsequent Action—the eligible agency may, after notice and opportunity for a hearing, withhold from the eligible recipient all, or a portion, of the eligible recipient’s allotment under this title if the eligible recipient—

- (i) fails to implement an improvement plan*
- (ii) fails to make any improvement in meeting any of the local adjusted level of performance within the first year of implementation of its improvement plan*
- (iii) (iii) fails to meet at least 90% of an agreed upon local adjusted level of performance for the same core indicator of performance for 3 consecutive years.”*

Additionally, the eligible recipients are responsible for providing the documentation of the services to special populations and the purpose of reviewing the data provided by the eligible recipient is to ensure funds are used for promising practices that have been found to be effective.

Secondary Teachers

Recommendation: Remove the language on Page 59, Section 6.1. in reference to the review of the administrative split between the Office of the Commissioner of Higher Education and the Office of Public Education.

Response:

The State Plan will reflect this recommendation.

Section VII. Certifications and Assurances

Oral and Written Comments:

Community-Based Organization Representative

Recommendation: Questions who was consulted in developing the Promising Practices Initiative and who will be working with them throughout the course of the plan to evaluate those promising practices.

Response:

Referenced in Section III: Special Populations

General

Oral and Written Comments:

Community-Based Organization Representatives

Recommendation:

- Support a committee to identify what the promising practices are and who is involved and what groups does it take to actually serve the special populations.
- Use another phrase for high skill, high wage, high demand occupations.
- Questions the awarding of \$60,000 for a program to serve nontraditional students (16) that had previously been done with \$25,000 to serve (80).

Response:

The Promising Practices Initiative is addressed in Section III.

Response

The phrase “high-skill, high-wage or high-demand” is referenced throughout the Perkins IV legislation. Appendix 6 of the State Plan provides an explanation of the proposed criteria for determining Montana’s “high-skill, high-wage or high-demand” occupational programs.

Response:

The non-traditional fields grant allocation has remained the same for Perkins III and Perkins IV in many ways: a grant (or multiple), available in a specified amount to be competitively let through the Commissioner’s Office to support activities that encourage students to enter fields where individuals from one gender comprise less than 25 percent of the individuals employed in each occupation or field of work.

With the implementation of Perkins IV law, it was necessary to include a structured, statewide framework for these grants; namely, the in-depth, ongoing introduction of nontraditional fields (as determined using a state data table that gave the areas of greatest need for nontraditional concentrators) to this target population, with the inclusion of follow-up activities and specific assessment opportunities.

The current non-traditional fields grant was scored and awarded by a group of readers from throughout the state with no affinity to any particular proposal, as determined by the normal methodology used at OCHE for awarding grants competitively. By awarding the current grant the highest score, the readers indicate that the awarded grant most appropriately met the criteria required by the new Perkins law and as noted in the Non-traditional Fields Request for Proposal.

Tribal College Representative

I’d just like to emphasize that I believe that the apprenticeship programs, both federal and state, should be recognized within (Perkins) as possible agencies that are considered for funding and be recognized as a renowned training avenue that Montana students could undertake.

Response:

Section 113, Accountability, of the State Plan demonstrates the value of apprenticeship programs as follows: placement in military service or apprenticeship programs—is a core indicator of performance at the postsecondary level. Section 203 indicates that Tech Prep grants can be awarded to consortia between or among...a nonprofit institution of higher education that “offers a 2-year apprenticeship program that follows secondary education instruction...”

Community College President

The provision of services for this plan appears to be quite centralized in the Office of the Commissioner of Higher Education. In rural eastern Montana, we find that programs in the past that we have done through Perkins have been very effective when they are administered locally. Much of the plan includes high population areas; however, more of the economic need is in lower population areas, and those areas are receiving less under this plan. For clarification, the funding piece hasn’t necessarily diminished, but our ability to provide services under the formula isn’t as strong.

Response:

Section 121, State Administration of the Perkins law states: The responsibilities of an eligible agency (Montana Board of Regents)...includes the provision to coordinate the development, submission and implementation of the State plan, and the evaluation of the program, services, and activities assisted under this title (Title I). The legislation provides 5% of the Perkins funds for administration of which 68% is allocated to OPI and 32% to OCHE. The remaining funds are allocated as follows: 85% for local funds and 10% for State Leadership activities.

In regard to the allocation of funds for Postsecondary at the local level it is based on two factors: the number of Perkins Eligible Programs, and the number of students with a PELL or BIA award participating in the Perkins Eligible programs during the academic year. The formula was designed to distribute funds to give priority to institutions serving the most economically disadvantaged populations.

Governor's Office**Response:**

As this letter addresses several areas of the State Plan, this response will follow the outline of the specific recommendations

Coordination with other federal education and training programs:

As written, the State Plan specifies that a State Career and Technical Education Advisory Committee is to be established by Spring 08 to consist of six business and industry representatives for each of the six Cluster fields identified in the State Plan. Six additional members will include representatives from state agencies. This advisory committee will assist the State CTE Executive Leadership Team responsible for the administration of Perkins funds to be responsive to the changing dynamics of the workplace and to coordinate with other federal education and training programs.

Competency-Based Applied Learning and Short-Term Training

As indicated below in the definition of CTE, competency-based applied learning is an important component of the legislation as is the development of contextual real world problem-solving that integrates academic and technical education.

Perkins IV does recognize that the adult student may not need a full degree program to reach his or her goal, but as the legislation measures completion as success, the individual defined as a CTE student would need to be enrolled in a program that leads toward a credential, certificate or degree. The Lineman Program in Butte does qualify as it leads to a certificate and its instruction is condensed into one semester rather than two.

Integration of Community-Based Organizations

This issue is fully addressed in Section III: Special Populations.

Definition of a CTE student

The definition of a CTE student is inherent in the federal definition of career and technical education in the Perkins Act which states:

“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 and emerging professions;

ii) provides skill proficiency, and 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.

Performance Indicators—WIA/Perkins

The Performance Indicators are set by the Perkins federal legislation. Although there have been several attempts at the congressional level to establish common measurements for federal programs under the U.S. Department of Education and the U.S. Department of Labor, this has not yet been accomplished.

Accountability

Perkins accountability staff members have worked tirelessly to minimize the burden on the local recipients in terms of data collection. A statewide fully electronic application and reporting database is now available. This system has been acknowledged at the national level as a best practice. Perkins has had an agreement with Montana DOLI Research and Analysis to share data and in coordination with Tech Prep will be able to link the secondary Tech Prep student by their unique identifier as they move to a postsecondary institution and into employment.

WIRED and Jobs for Montana’s Graduates

The Perkins legislation does emphasize the importance of coordination with other federal education and training programs. Through the State Leadership structure that includes representation of the Department of Labor and Industry, both WIRED and Jobs for Montana’s Graduates will be represented as part of the DOLI oversight of WIA and the JMG programs.

Use of BEAR/DOLI annual employer surveys

At the local level, these resources are utilized to assist in program development, knowledge and skill validation and employer satisfaction. As Perkins IV focuses on preparing students for high skill, high wage or high demand occupations, Perkins OCHE staff worked with DOLI to identify the criteria for these terms in regard to Montana’s economic sectors. These criteria are listed in Appendix 6.

Local Uses

In the local applications, Montana requires eligible institutions to indicate the specific strategies of how they will provide equal access to special populations, including what specific services are available in their institution.

Perkins legislation defines special populations as *individuals with disabilities; individuals from economically disadvantaged families; including foster children; individuals preparing for non-traditional fields; single parents, including single pregnant women; displaced homemakers; and individuals with limited English proficiency. These individuals must be enrolled in a secondary or postsecondary CTE program.* Except for the disabilities category, all persons who enroll must self-identify as a special population. To qualify for institutional services for a disability, this must be verified by a medical doctor. It is an institutional as well as federal program requirement to serve this specific population.

As Section 135 stipulates the required uses for local funds, the eligible recipient must show how these funds will be targeted based upon a needs-assessment required through the local application. “Special populations” is one of several required uses of funds. Coordination with other entities such as Montana’s Transition Task Force on Disabilities is certainly a contact that should be made at the state level for sharing information and ideas. At the local level, all Perkins eligible postsecondary institutions are required to have a representative on the Community Management Team under the WIA One-Stop system.

Coordinate with MUS Initiatives

The State Plan for Perkins funds does align with the goals of the Montana University System. Perkins requires that each eligible recipient develop a minimum of one program of study (also known as Big Sky Pathway) that incorporates secondary education and postsecondary education elements; includes coherent and rigorous content aligned with challenging academic standards in a coordinated, non-duplicative progression of courses and may include the opportunity for secondary students to participate in dual or concurrent enrollment programs. In developing these programs of study, it will be vitally important for the State CTE Executive Leadership Team to work closely with the Transfer Initiative under OCHE. These efforts certainly align with access and affordability as well as efficiency.

We do support the concept of an electronic transcript in K12, and with the implementation of a data bank of credits earned through Tech Prep, dual credit and other early education options will support the concept of an electronic transcript. To designate the funds required to make such a transcript a reality is beyond the scope of the Perkins grant.