**Town Hall – Perkins Reporting and Accountability for School Year 2020-2021**

**Transcript**

[Adam Flynn-Tabloff] I want to welcome everyone and thank you for joining us for this webinar. On behalf of the team here at the Division of Academic and Technical Education it's my pleasure to welcome you all here today as we review a reporting and accountability update for school year 2020-2021. My name is Adam Flynn-Tabloff. I'm the chief of the Program Administration and Accountability Branch within the Division of Academic and Technical Education here at OCTAE. This is a follow up meeting to the "Dear Colleague Letter" that was dated May 20, 2021 and today's session will focus on an important update regarding Perkins reporting and accountability and the Secretary's use of the waiver authority in section 123(a)(3)(B) of Perkins V for the Perkins 2020-2021 school year.

[Adam Flynn-Tabloff] As you all likely know, Perkins V establishes and supports State and local accountability systems to assess the effectiveness of State and local recipients in achieving statewide progress in career and technical education, and to optimize the return on investment of federal funds in CTE activities. However, the Department recognizes that the shift from in-person learning to remote instruction in response to COVID-19 has had an unprecedented impact on public education. And this is particularly true in CTE which is traditionally reliant upon a hands-on curriculum to provide students with knowledge and skills needed for success in college and careers. Therefore, we're pleased to share this important update regarding Perkins reporting and accountability for school year 2020-2021.

[Adam Flynn-Tabloff] Before we go into further detail I want to take a moment to review the purpose and specific goals for today's webinar. First, and most importantly, we want you all to understand that the Secretary will use the authority in section 123(a)(3)(B) of Perkins V to waive what's called the "subsequent action for consecutive years provision" which is found in section 123(a)(3)(A)(ii) for the 2020-2021 school year only. We also want all participants to understand that States are encouraged to use the waiver provision under section 123(b)(4)(i) to relieve local recipients of the same subsequent action for consecutive years provision. Second, we're going to review a specific example that details the impact of the Secretary's use of this waiver authority, and finally we want participants to know that they are still required to submit available data for each of the Perkins V core indicators of performance in their upcoming January 31st 2020-2021 Consolidated Annual Report submission. Also, know States must still develop and implement program improvement plans consistent with section 123(a)(1). We're going to review the rationale for both of these remaining requirements before dedicating some time to questions and answers that you may have.

[Adam Flynn-Tabloff] So, we're going to cut right to the point and ensure that everyone understands the most important takeaway of this webinar. So, section 123(a)(3)(B) of Perkins V provides that the Secretary may waive the sanction that is located in subparagraph a due to exceptional or uncontrollable circumstances. We're very pleased to communicate that the [Adam Flynn-Tabloff] Secretary will use this authority to waive what's called the "subsequent action for consecutive years" provision. And that provision is found in section 123(a)(3)(A)(ii). And this is for the 2020-2021 school year and in response to the hardships that many States have faced and are still facing due to COVID-19. In short, this means that potential subsequent action will be delayed for any State that fails to meet at least 90% of a State determined performance level (or SDPL) for any specific core indicator of performance during school year 2020-2021. I want to look at the specific accountability provision under section 123 to better understand what exactly is being waived for this school year.

[Adam Flynn-Tabloff] So, as you can see here-- this is pulled directly from Perkins V-- under section 123(a)(3)(A) the Secretary may withhold from an eligible agency all, or a portion, of the eligible agency's state leadership and state administration funds if the eligible agency fails to do one of the following: 1) if they fail to implement an improvement plan when the State fails to meet at least 90% of the SDPL for any core indicator of performance; or 2) with respect to any specific core indicator of performance that was identified in a program improvement, they continued to fail to meet that same indicator for two consecutive years. And I underlined that provision because that underlined portion is specifically what is being waived for school year 2020-2021.

[Adam Flynn-Tabloff] On the next two slides we're going to look at how section 123(a)(3)(A) would be implemented without this waiver and then with the waiver so you can see the impact of the Secretary's use of the waiver. Going to take a moment to review this graphic. This illustrates how States will be held accountable for their SDPLs in accordance with Section 123(a)(3)(A)(ii) if the Secretary did not use the waiver authority that we're discussing today. So, again this is the example of what would have happened if the Secretary did not use that authority. So in this example, a State that fails to meet at least 90% of a SDPL for any specific core indicator of performance in school year 2020-2021, what we're in now, would be identified for program improvement. If that State fails to meet at least 90% of that same SDPL for two consecutive years then the State could potentially face the withholding of State Administration and State Leadership funds as part of its July 2024 grant award. However, this scenario is not going to happen, because the Secretary is waiving the authority.

[Adam Flynn-Tabloff] So now we're going to look at what will happen so you can understand the positive impact of the waiver. Here in this graphic you can see the impact of the Secretary's use of the waiver. The subsequent action for the consecutive year's provision is essentially delayed for one year. The earliest point at which a State could face the withholding of funds for failure to meet at least 90% of a SDPL would be July 2025. This would require that State failed to meet at least 90% of a SDPL next year, 2021-2022, which would trigger identification for program improvement. The State would then have to fail to meet that same SDPL for two more consecutive years, school year 2022-2023 and then in school year 2023-2024. At that point there could be subsequent action for the failure to meet the SDPL for consecutive years but that could come no sooner than July 2025 because of the Secretary's use of his waiver authority for school year 2020-202.

[Adam Flynn-Tabloff] So just as the Secretary is waiving this provision for States, we encourage States to use the waiver provision available to them under section 123(b)(4)(B)(i) to delay the implementation of the "subsequent action for consecutive years" provision until next school year for their local Perkins recipients. So you can basically pay the same relief of accountability forward to your locals. So your waiver authority would have the same effect on your locals-- it would delay the point at which an eligible agency could withhold from the eligible recipient all or a portion of their allocation under Perkins V for failure to meet the 90% threshold on an SDPL for their local level of performance.

[Adam Flynn-Tabloff] So we just spent some time reviewing what is being waived, we're now going to switch gears and review what requirements remain. And we're going to start with data reporting. So, the Department believes that it remains critical that parents, educators, and the public have access to current data on the core indicators of performance for career and technical education concentrators. Reporting these data is essential to providing information about the impact of COVID-19 on the learning of CTE concentrators and therefore the Department is not making any changes to the Perkins V reporting requirements for the 2020-2021 school year. States are still required to submit available data for each of the Perkins V section 113 core indicators of performance for all students, as well as disaggregated data by special population categories in Perkins V, subgroups of students in the Elementary and Secondary Education Act, and by career cluster. And this maintenance of the requirement to report all available data is in line with the Office of Elementary and Secondary Education's February 22 letter that indicated while States could use flexibility in the administration of their State assessments, they are still required to report all available data. So the same holds for Perkins.

[Adam Flynn-Tabloff] Another remaining requirement is that program improvement plans will still need to be developed if a core indicator SDPL is missed during the 2020-2021 school year. So, although the Secretary is using the waiver authority States are still required to develop and implement program improvement plans consistent with section 123(a)(1) if they fail to meet 90% for any of their SDPLs for this school year. State's will need to submit any such improvement plans as part of their CAR report for the 2020-2021 school year and that Consolidated Annual Report will be due by January 31, 2022.

[Adam Flynn-Tabloff] This requirement remains because the information that's provided in State's program improvement plans including performance disparity analyses and actions that will be taken to address those disparities is going to enable targeting of resources and supports and sharing our best practices as States continue to meet the needs of students while grappling with the impact of COVID-19.

[Adam Flynn-Tabloff] So, I know that there was a lot of information being shared about what is being waived and what is being maintained. I hope that that information that I've reviewed gives you a sense of clarity and peace of mind as you continue to cover from COVID-19 and provide students with quality CTE opportunities. Our office looks forward to working with you all in those efforts. We have some time now for me to field some questions that you may have, so there's a fair number of people in the room, so I'm going to take a moment to stop sharing my screen so I can see the participant list, and if you have a question please raise your hand and I will do my best to answer them and I will get to you in the order in which they came in. If I am unable to answer a question please know that I am taking notes and the team and I will get back to you as soon as possible. So, the first hand I have up on my list is Jeffrey Beard, so Jeffrey if you'd like to unmute yourself please do.

[Jeffrey Beard] Sure, thank you, Adam. The question I have is in regards to the first three SDPLs which are all related to academic achievement. My State, State of New Hampshire, submitted a waiver for ESSA purposes letting the US Department of ED know that we had not administered a State assessment for either-- we use the SAT for our 11th graders and the State-level science test, so the question is, if we have no usable data because we didn't administer the test, how do we approach that with OCTAE.

[Adam Flynn-Tabloff] So, if for any indicator, Jeffrey, you have no data available, for the situation that you gave that the assessment was not administered or for another indicator perhaps the work-based learning opportunities due to the pandemic came to a halt, in your Consolidated Annual Report we would ask that you provide the documentation of that waiver that you were granted and also that you report a "-1" which I think aligns with the code that is shown in the CAR guide which means that you were unable to collect that data from local recipients.

[Jeffrey Beard] Great, thank you.

[Adam Flynn-Tabloff] You're welcome. Next on my list I see Angela Kramers?

[Angela Kramers] Yes, thank you for taking my question and for hosting the webinar today, the Town Hall. I just wanted to confirm that there is no form that we need to submit as a State because this is a blanket waiver with nothing to submit.

[Adam Flynn-Tabloff] Good question, Angela. Thank you for asking that. And the answer is you do not need to submit a form. This is a blanket waiver automatically being granted to all of our Perkins grantees.

[Angela Kramers] Thank you.

[Adam Flynn-Tabloff] Next up I see Leah Amstutz. I hope I pronounced that correctly, apologies if I didn't.

[Leah Amstutz] Yeah, it's Amstutz. I'm the CTE Director in Ohio and I just had a quick question about the data piece-- is actually around work-based learning. And so, we've collected some data but it's not a complete data set, so if it's still not a complete data set can we still use that "-1" and then provide the justification of why the data wasn't complete for work-based learning.

[Adam Flynn-Tabloff] So, Leah, we would actually request that you report any available data, even if it is incomplete. We recognize that, for example, even with your academic indicators you may have had fewer students participating in your academic assessments this year due to COVID and we recognize that but we still all available data should still be reported. The only time you would use the "-1" is if there is no data to report.

[Leah Amstutz] But even if it wasn't an accurate picture because of the... I mean we have had some issues with our reporting and getting it set up for this past school year, because we're not going to hit our target because it's not the complete data set.

[Adam Flynn-Tabloff] Right, and that's exactly why the Secretary is waiving that consecutive years provision. So there won't be any actual accountability for you not hitting that target the only implication would be that you still need to develop the program improvement plan but that's where the accountability stops. And that would involve you stating how you are going to get the State back to having more students participate in these different indicators so you have a more complete data set.

[Leah Amstutz] So, my next question is, for our career tech planning districts which are subrecipients on the secondary side-- they would all be required to do an improvement plan too? Because they didn't meet the target? With incomplete data? I just get concerned that's going to push our districts over the edge with that extra hindrance of component of that documentation with them coming out of the pandemic and trying to get things back on track. Do you see where my concern lays with the local? And the State level doesn't worry me so much but on the local level that's I mean a lot of subrecipients in work that needs to be completed.

[Adam Flynn-Tabloff] Yes, I do recognize what you're saying. The answer I can give you now, and I want to do a little bit of homework before I give an answer about the locals, I believe that they will still need to implement and develop improvement plans just like States are being required to do, but let me double check on that. I know that for States that decision is finalized that you will need to develop the improvement plans but I want to double check on the locals before I give a definitive answer so I will send a follow up answer out to you and the rest of the field. Let me just make a note of that. Jeffrey, I see your hand back up?

[Jeffrey Beard] No, I'm sorry, I honestly just didn't know how to lower it, so apologies.

[Adam Flynn-Tabloff] No problem. I think you click on it again where the little guy with his hand up I think it goes down. Are there any other questions that I can answer at this time? If so feel free to raise your hand. Erskine Glover, I see your hand up.

[Erskine Glover] Hi, yes good afternoon. I agree with Leah also-- just a little concerned about having our districts having to complete improvement plans but I think my bigger question is since we know work-based learning across the country has been a concern is there any conversation about if that happens to be one of our indicators, that that may not necessarily need to be included in our improvement plans? Just thinking out loud since I know that's the universal concern that we've been talking about.

[Adam Flynn-Tabloff] So, currently, Erskine, all the standards I've described and the requirements I've described go for all of the indicators in terms of the sanction of consecutive years being waived but still required to develop an improvement plan, and I think we recognize that much of the steps you take for many of your indicators may be very similar because the crux of the issue is COVID for a lot of them but there is a desire among the Department to understand how States intend to begin to recover from the pandemic and the impact it had on these indicators, so it is a consistent requirement for all of them. There's no discussion about any different requirements among particular indicators.

[Erskine Glover] I think, perhaps... I do understand. Perhaps my question is when we start reporting these documents out to the field, especially our parents, it definitely presents a false narrative of what actually is happening in our districts as opposed to… yes, folks may understand that there was pandemic, but it just gets reported and even reported back out to the media in a different way. So, just concerned thinking on my part, I guess.

[Adam Flynn-Tabloff] I understand and appreciate you raising that, cause it's a very real issue and I'm glad that you raised it and I will carry that message forward. Yinching Yi? Excuse me if I mispronounced.

[Yinching Yi] Hi, yeah it's correct. So, thank you Adam and I do want to ask about the timeline. So when you talk about the waiver it's only going over to the 2020-2021 school year. How about the 2022-2023 or the year in the future? Because in Michigan, for example, for the science indicators, since we won't have… so originally in Michigan the science test should be administrated and started collecting the science data from this year but because of COVID it delays to next year and since we are reporting the students who took the test in their 11th grade we won't have any data even instead of our targets for the 2022-2023 so I'm wondering if we are requesting a waiver or extend the State determined level of performance as well as actual data on that 2S3 indicator? How we should proceed?

[Adam Flynn-Tabloff] So, right now this waiver is only being issued by the Secretary for this school year, we would have to take into consideration if any future action is necessary. I know that I received an email from your colleague, Jill in Michigan, about this exact indicator and we're actually going to loop back with her and we can also join you on a call with your Perkins Regional Coordinator because there's a couple Michigan-specific items we need to speak through around that indicator to get a little clarity about where you all are at. So I think I would refer to that separate meeting for us to fully address that specific question.

[Yinching Yi] Ok, thank you.

[Adam Flynn-Tabloff] Any other questions that we can answer at this time? Ok, I am not seeing

any others. I'll remind everyone that as soon as possible the slide deck and recording of this meeting will be posted to the Perkins Collaborative Resource Network at cte.ed.gov. If you do have a follow up question that comes to mind after the meeting ends please feel free to email your Perkins Regional Coordinator directly and we'll do our best to support you and to clarify and add additional information as needed. So, thank you all again for joining and we look forward to touching base with you all soon. Thank you.