

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 30-Day Notice

On December 3, 2024, the U.S. Department of Education (ED) published for public comment, for a period of 30 days, responses to comments received during the 60-day period and associated updates on 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.

We received nine (9) comments that were directed to both the Perkins V State Plan Guide (1830-0029) and the Consolidated Annual Report (CAR) (1830-0569) that were submitted through Reginfo.gov. For the convenience of readers, we address all of the comments we received on the State Plan Guide and the CAR ICR in both 30-day comment response documents. We note that 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.

Implementation Timeline

- 1. One commenter suggested that the proposed changes in the CAR should be implemented following the implementation of the modernized National Career Clusters Framework. Specifically, the commenter suggests that the new CAR reports would “be submitted in FY27 following full implementation of the modernized CTE career clusters in FY26.” Another commenter stated that the proposed changes are impractical at this stage of Perkins V implementation because it strains resources and should be better aligned to the Perkins four-year planning cycle.**

Response: The implementation timeline proposed by the Department would give States the option of addressing the proposed changes in the CAR ICR either as part of their submission for fiscal year 2025, which is due by January 31, 2027, or as part of their submission for fiscal 2026, which is due by January 31, 2028. This proposed timeline provides ample time for States to make the necessary adjustments to address the proposed changes in the CAR ICR and to fully implement the modernized National Career Clusters.

As described in the response during the 60-day public comment period, we proposed removing all of the new narrative items from the State Plan Guide and including them in the CAR ICR instead. This action eliminates the need for States to amend or develop new State plans and further provides flexibility in how States develop responses.

Changes: None

- 2. One commenter expressed support for the Department’s new proposal to remove all of the narrative items from the State Plan Guide ICR. The commenter shared that the removal of new narrative items in the State Plan Guide addresses many of the concerns of the commenter, such as burden, and removes the need for the commenter to engage in updates to its state plan.**

Response: The Department agrees that moving the proposed narrative items from the State Plan Guide to the CAR ICR addresses the commenter’s concern related to State plan burden.

Changes: None

Meaningful Progress

- 3. One commenter expressed concern with requiring States to provide a definition of “meaningful progress.”**

Response: As stated in our response to comments received during the 60-day public comment period, the Department removed the additional request for information about the definition of “meaningful progress” and will retain the original State Plan Guide question that asks States to describe how they meet the requirements in section 113(b)(3)(A)(i)(III) of Perkins V.

Changes: None

Definitions for “High Skill” and “High-Wage” Occupations

- 4. One commenter expressed concern that States provide definitions of “high-skill” and “high-wage” occupations and industries, noting that States’ definitions may not “fully acknowledge the role of local and regional variations in high-skill and high-wage designations.” The commenter also identified that there is “no guidance” on these terms or how the terms, which are used in Perkins, relate to other federal policy proposals.**

Response: As described in the response during the 60-day public comment period, we proposed removing all of the new narrative items from the State Plan Guide, which includes State definitions for “high-skill” and “high-wage” occupations and industries and include them in the CAR ICR instead. As a result, States will provide their definitions of “high-skill” and “high-wage” occupations and industries, if applicable, or a description of their implementation of these terms, in response to the CAR ICR. States continue to have the flexibility to take into account local and regional variations in skill and wages in their definitions, if applicable, and implementation of these terms. Additionally, by including responses in the CAR ICR, States have the flexibility to update their definitions or descriptions over time. The Department has also recently published a set of [frequently asked questions](#) that provides guidance which describes best practices for how States currently define these terms, along with several other areas of focus.

Changes: None.

Definitions of “Size, Scope, and Quality”

- 5. One commenter expressed concern that States provide definitions of “size,” scope,” and “quality”, noting that States’ definitions should “flexibly accommodate local labor market variations.”**

Response: As described in the response during the 60-day public comment period, we proposed removing all of the new narrative items from the State Plan Guide, which includes State definitions for “size,” scope,” and “quality,” and include them in the CAR ICR instead. As a result, States will 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 of Perkins V, in response to the proposed CAR ICR. States continue to have the discretion to accommodate local labor market variations in their approaches to program “size,” scope,” and “quality.”

Changes: None

Middle Grades Data Collection

- 6. One commenter expressed support for the Department’s new proposal that middle grade participation data be provided “to the extent such data are available.” The commenter added that “middle grade data is not currently available” in the State and would require “significant changes” to report this data to the Department.**

Response: The Department agrees that adding the descriptor of “to the extent such data are available” related to the request for middle grades participation data in the CAR ICR addresses the commenter’s concern. The Department notes that 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 but recognizes that States are in different stages related to the collection of these data. The Department encourages States that do not currently collect these data to consider doing so. These data will be useful to policymakers and other stakeholders, 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/or ethnicity.

Changes: None

- 7. One commenter appreciated that the proposed data collection for middle grades aligns with the Elementary and Secondary Education Act (ESEA) definition, however flagged that they did not currently operate a system that would allow them to collect this information and would require “substantial changes in the data collection systems.”**

Response: As noted above, the Department recognizes that data on CTE participants in middle grades may not be available in some States. For this reason, the Department modified the instructions in the CAR ICR to indicate that States are requested to provide data on CTE participants in 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 middle grades at this time.

Changes: None

Burden Estimate

- 8. 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, including changes to performance indicators. One commenter noted that the Department’s estimates do not include local burden and that the proposed changes to performance measures will require local recipients to revise performance targets. Several commenters noted that CTE teachers are often responsible for data collection and that the proposed changes may reduce the time teachers have available for instruction and improving their programs.**

Response: The Department appreciates the commenters sharing their estimates of the associated burden as a result of the proposed changes. As stated in our response to comments received during the 60-day public comment period, 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.

Based on similar comments that were received during the 60-day public comment period, the Department has taken action to reduce the burden associated with the proposed ICRs. Specifically, the Department proposed to move the new narrative items from the State Plan Guide to the CAR ICR. The movement of these narrative items resulted in a decrease in the Department’s burden estimate to the State Plan Guide and a slight increase in the Department’s burden estimate to the CAR ICR. The decrease in the Department’s burden estimate for the State Plan Guide is a result of moving the new narrative items from the State Plan Guide to the CAR ICR and the removal of burden associated with States having to amend or submit new Perkins V State plans, because this action is no longer required. The slight increase in the Department’s burden estimate for the CAR ICR is a result of the new narrative items being included in this request and the estimated amount of time that States will need to prepare and submit responses to these additional narrative items. Additionally, the Department proposed to update its instructions in the CAR ICR for the submission of middle grades CTE participation data to include “to the extent such data are available,” as we believe that not all States may have middle grades data available to report, which is also included in our updated burden estimate.

As noted previously, to address concerns about teachers being required to collect student information, we included data specifications that can assist States in using administrative records to report student outcomes. For example, the Department allows a “lag” year for States to obtain information about the education and employment status of CTE concentrators so that States need not rely entirely on student surveys and can instead access administrative records like unemployment insurance wage records. The Department intends to provide technical assistance to States on ways to utilize administrative data to report student outcomes.

Changes: None

9. **One commenter noted two areas where administrative burden would remain in the proposed updates to the State Plan Guide and CAR ICR. The commenter noted support for “many of the revisions that the Department has proposed” but notes ongoing concern related to the burden associated with the proposed new narrative items in the CAR ICR and modifications to the numerator and denominators, which will result in additional staff time to implement. The commenter also notes that post-program data collection for CTE concentrators that exit a school district prior to graduation is difficult to collect because the “State agencies do not have systems in place to share student data.”**

Response: As noted in the Departments 60-day response, the Department believes that the proposed new narrative items to the CAR ICR 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. Including these items in the CAR ICR eliminates the need for States to develop a new State plan or modifications to an existing State plan, which the commenter notes. This action also allows States to maintain flexibility to engage in stakeholder consultation, if they choose, and 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. The burden associated with the new narrative items in the CAR ICR was included in the 30-day public notice.

As noted, the Department is not proposing to require States to report data they do not have on student post-program placement or middle grades participation. The proposed request for student post-program outcome data begins with “to the extent these data are available, eligible agencies...”. If a State does have data on these outcomes, the Department will collect and report the data to Congress and to the public, consistent with the requirements of section 113(b)(3)(C)(ii)(III) of Perkins V. With regard to students who exited prior to graduation, the Department notes that the statute requires the inclusion of all CTE concentrators who exited, and not only those who graduated. Specifically, section 113(b)(2)(A)(iii) of Perkins V requires States to report on the outcomes of CTE concentrators in the second quarter after they exited from secondary education. However, we recognize the challenges associated with measuring the post-program placement indicator (3S1) by relying on student surveys, including locating students after they have exited or graduated from secondary school. For that reason, the numerator and denominator specifications for 3S1 and 1P1 make the reporting period the preceding program year so that States have additional time to use administrative records like unemployment

insurance wage records, State public postsecondary enrollment data, or other administrative sources of data to help report on the outcomes of those who exited from secondary school. 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 ICR, such as placement in Registered Apprenticeship. We do not expect States to provide data on student post-program placement or middle grades participation should this data be unavailable when responding to the CAR ICR.

Changes: None

Rationale and Need for Proposed Changes in the ICRs

- 10. One Commenter noted that the Department should consider technical assistance and monitoring as a way to ensure data quality issues instead of the proposed changes to the ICR. Several commenters suggested that the Department consider technical assistance and monitoring as the primary way it addresses data quality issues instead of the proposed changes to the ICRs.**

Response: As noted in our prior response to comments, the Department's goal is to provide better support to all States in measuring the core indicators of performance according to what the law requires. When the Department first solicited State plans in 2019, it provided States with only the text of the law. After reviewing three years of State performance data, along with information from States about how they calculated performance in 2022, we concluded that States need clearer specifications for the data to be usable in calculating the core indicators so that their performance measurement is fully aligned with the law. For example, for the 2022-23 reporting year, it appears that seven States are reporting on the academic proficiency (2S1, 2S2, 2S3) of CTE concentrators who graduated from high school only, excluding from their calculation those CTE concentrators who exited secondary school without graduating, and at least seven are excluding from their measurement of the indicator the scores of CTE concentrators who did not attend the same school within a local educational agency (LEA) for at least half of a school year. Similarly, at least 18 States appear to have reported only on the post-program outcomes of CTE concentrators (3S1) who graduated from high school, excluding CTE concentrators who exited from secondary education without graduating. Clearly specifying the data to be used by States to calculate performance is a reasonable response to this lack of clarity in order to ensure compliance with sections 113(b)(2)(A-B) of Perkins V. The Department has and will continue to tailor technical assistance to individual State needs.

Changes: None

Overreach of the Department through the Proposed ICRs

- 11. One commenter indicated that the changes proposed in this ICRs amount to regulation and are incongruent with Congressional intent. The commenter noted that the Perkins V statute required the establishment of "State and local performance accountability systems, and**

directed each eligible state agency, with input from local recipients to establish *State determined* performance measures” that follow the requirements laid out in the law.

Response: As described in the Supporting Statements for the ICRs, States continue to be solely responsible for the establishment of their SDPLs and nothing in this proposed ICR impacts States' ability to set their SDPLs at the numerical values of their choice. In this ICR, the Department is describing the data to be collected in the numerators and denominators for States to advance several goals: (1) ensure that States measure the indicators in a manner that is consistent with the statute; (2) reduce the collection of potentially duplicative information consistent with section 113(b)(3)(C)(iii) of the law; (3) promote the collection of more accurate and complete data on the post-program outcomes of CTE concentrators by giving States more time to report these data; and (4) improve the consistency of the data collected from States to facilitate the “aggregate analysis” of performance and State-by-State comparisons that sections 113(b)(3)(C)(iv) and 114(a)(1) of the law, respectively, directs the Department to produce. These data specifications would improve the ability of States to meet the requirements of section 113(b)(3)(A)(i)(III)(dd) of Perkins V, which directs States, in establishing their State-determined performance levels, to “take into account how the levels of performance involved compare with the State levels of performance established for other States, considering factors including the characteristics of actual (as opposed to anticipated) CTE concentrators when the CTE concentrators entered the program, and the services or instruction to be provided.”

Changes: None

12. One commenter indicated that many of the changes proposed in the ICR effectively amount to regulations. The commenter indicated that mandating the use of specific numerators and denominators for each of the law’s accountability measures, and requirement of new disaggregation categories extends beyond the statutory requirements in both scope and specificity.

Response: The Department does not agree that the changes proposed in the ICRs effectively amount to regulation. As noted previously, the Secretary has the statutory authority to collect this data to effectively 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)); and 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” pursuant to the General Education Provisions Act section 431, 20 U.S.C. 1231a.

The descriptions of the numerators and denominators that States use to report will help to: (1) ensure that States measure the indicators in a manner that is consistent with the statute; (2) reduce the collection of potentially duplicative information consistent with section 113(b)(3)(C)(iii) of the law; (3) promote the collection of more accurate and complete data on the post-program outcomes of CTE concentrators by giving States more time to report these data; and (4) improve the consistency of the data collected from States to facilitate the “aggregate analysis” of performance and State-by-State

comparisons that sections 113(b)(3)(C)(iv) and 114(a)(1) of the law, respectively, directs the Department to produce. These data specifications will also improve the ability of States to meet the requirements of section 113(b)(3)(A)(i)(III)(dd) of Perkins V, which directs States, in establishing their State-determined performance levels, to “take into account how the levels of performance involved compare with the State levels of performance established for other States, considering factors including the characteristics of actual (as opposed to anticipated) CTE concentrators when the CTE concentrators entered the program, and the services or instruction to be provided.”

Changes: None

Timing and Transparency of the ICR Process

- 13. Two commenters questioned the sincerity with which the Department has approached the development of the proposed changes to the State Plan Guide and the CAR ICRs and contended that stakeholder trust and transparency has been undermined as a result. The commenters also call on the Department to extend the public comment period to provide stakeholders with more time to consider and respond to the proposed ICR changes.**

Response: The process to develop ICRs is described in the Paperwork Reduction Act of 1995, which the Department is required to follow. This process is rooted in public input, transparency, and includes multiple opportunities for stakeholder feedback to inform the final data requests, including an initial 60-day public comment process and a subsequent 30-day public comment process. The initial ICRs became public on September 9, 2024 and were posted for a 60-day public comment period on September 11, 2024. In total, the Department received 85 comments on the State Plan Guide and CAR ICR during the initial 60-day public comment period, which were catalogued, analyzed, and responded to. As a result of public comments and recommendations from the field, the Department proposed multiple changes to the State Plan Guide and CAR ICRs during the subsequent 30-day public comment period that posted for public comment on December 2, 2024. These proposed changes are described in the updated supporting statements, the revised ICR instruments, and in two documents that respond directly to stakeholder feedback and comments.

In addition to the required action that the Department is directed to take, the Department, during the initial 60-day public comment period, also convened representatives from the CTE field across 41 States and national organizations as part of its annual Data Quality Institute, which was held on September 10-12, 2024, and collected feedback on the proposed changes. Additionally, the Department held two town hall listening sessions on September 26, 2024, at 11 a.m. ET and 2 p.m. ET with representatives from the field and national organizations to review the proposed changes. Representatives from the Department also met with States, national organizations, advocacy groups, and members of the CTE caucus to collect feedback on the proposed ICRs. At each public convening and stakeholder meeting, the Department documented questions and feedback offered by stakeholders and included that feedback alongside the public comments that the Department received during the formal 60-day public comment period. As a result of this process, the Department’s proposed changes in its 30-day response further reduce burden, ensure the precise measurement of the proposed indicator descriptions under Perkins V, and address

stakeholder concerns. As such, the Department disagrees with the commenters' request to provide an additional or extended public comment period given that the ICR process requirements were fully adhered to by the Department.

Changes: None

Data Quality – Lack of Longitudinal Data

- 14. Two commenters noted that the proposed ICRs will significantly reduce states' ability to use longitudinal data to identify trends in aggregate performance as well as disaggregated performance for special populations and underserved learner groups. The commenters further noted that the proposed ICRs "will hamper policymakers' ability to make informed decisions about CTE programming and policy" and will impact policymakers' ability to update Perkins V given the lack of data comparability during the law's implementation.**

Response: As stated during our response to comments during the 60-day public comment period, we appreciate the interest in tracking improvements in performance over time but believe the more compelling need is to ensure that the methods States use to measure core indicators of performance comply with the statute. Because the prior information collections did not specify numerators and denominators that all States must use when reporting, it is not clear that States are including all applicable students required under the law when reporting certain performance indicators. In other cases, State numerator and denominator descriptions previously provided by States are unclear, making it difficult for the Department to determine whether States are measuring what the law requires.

We also noted that States may feel more confident in making program or policy refinements in response to outcome data if they have greater confidence in the completeness and accuracy of these data. We believe that there is limited value in tracking trends if the underlying data are duplicative, as can be the case when an active cohort is used to measure academic proficiency (2S1, 2S2, 2S3), or the data are incomplete or inaccurate, as can be the case with the post-program placement indicators (3S1, 1P1) due to the inadequate amount of time States now have to collect these data and, at the secondary level, the exclusion of CTE concentrators who did not graduate high school. In addition, these data specifications will improve the ability of States to meet the requirements of section 113(b)(3)(A)(i)(III)(dd) of Perkins V, which directs States, in establishing their State-determined performance levels, to "take into account how the levels of performance involved compare with the State levels of performance established for other States, considering factors including the characteristics of actual (as opposed to anticipated) CTE concentrators when the CTE concentrators entered the program, and the services or instruction to be provided". The specifications will also improve the consistency of the data collected from States to facilitate the "aggregate analysis" of performance and State-by-State comparisons that sections 113(b)(3)(C)(iv) and 114(a)(1) of the law, respectively, directs the Department to produce, and will also be helpful to policymakers.

Changes: None

- 15. Two commenters noted that the proposed descriptions for academic proficiency on state assessments for reading/language arts, mathematics, and science add language that changes this measure to a mandatory cohort of exiting students which prevents states from using academic assessment data for performance improvement. The commenters further noted that the proposed descriptions would impact states that “have created performance indices or growth measures for reporting on these indicators.” The commenters also noted their disagreement on the number of times a student is reported, and encouraged the Department to continue to allow States to report on the current year’s participants and others (States) to report on a cohort model as is currently done in ESEA.**

Response: As noted previously, 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. Additionally, the proposed data specifications for the three Perkins V academic proficiency indicators described by section 113(b)(2)(A)(ii) of Perkins V (2S1, 2S2, and 2S3) are aligned with the requirements for reporting on student achievement on the State academic assessments in the State report card under paragraph (h) of ESEA section 1111(h) of Title I, Part A of the ESEA (ESEA, §1111(h)(1)(C)(ii)).

Regarding States that have developed performance indices and those that include student growth in the reporting of these measures for Perkins V, we continue to note that the ESEA academic achievement indicator in the State’s system of annual meaningful differentiation is not consistent with the requirements of section 113(b)(2)(A)(ii) of Perkins V for two reasons. First, for high schools only, a State may choose to include in the ESEA academic achievement indicator students who demonstrate growth in their performance on the ESEA academic assessments, as well as students who demonstrate proficiency. Section 113(b)(2)(A)(ii) of Perkins V, however, refers only to “CTE concentrator proficiency” as measured by the academic assessments described in ESEA section 1111(b)(2); it does not include CTE concentrators who make progress toward proficiency. Second, the academic achievement indicator in the State system of annual meaningful differentiation under ESEA also excludes the assessment performance of any student who did not attend the same school within a local educational agency for at least half of a school year. The statutory description of the academic proficiency indicators in section 113(b)(2)(A)(ii) of Perkins V, on the other hand, does not exclude the performance of CTE concentrators with partial attendance.

The statutory definition of “CTE concentrator” at the secondary level in section 3(12) of Perkins V is a student “who has completed at least 2 courses in a single career and technical education program or program of study.” This includes students who complete the two-course threshold in any year of high school, not just those students who concentrate prior to or in the year the State academic assessments are administered. Additionally, section 113(b)(2)(A)(ii) of Perkins V is clear in its reference to “CTE concentrator proficiency” as measured by the academic assessments described in ESEA section 1111(b)(2). Collecting data on CTE concentrators’ academic proficiency upon their exit from secondary education includes all CTE concentrators who completed State academic assessments which, depending

on the State, may be administered in different academic years. Further, the proposed descriptions bring Perkins into alignment with ESEA measurement and reporting regarding the requirement to include a student's performance only one time, even though it may result in the student's performance being reported in different years for Perkins V and ESEA Title I, Part A reporting.

Changes: None

Data Quality – Post-Program Placement

- 16. Two commenters noted that the proposed descriptions for secondary and postsecondary student post-program placement in college, employment, or other postsecondary experiences, specifically the cohort for reporting, e.g., “exited secondary education (or completed postsecondary education) during the preceding reporting year” for both the numerator and denominator, prevent states that have earlier access to placement information from “reporting the most current data and would negatively impact informed decision-making in those states.” The commenters also note that some states have data collection issues that necessitate the proposed lag year, and they encourage the Department to work with states to ensure these data can be reported in as timely a manner as possible.**

Response: The Department has noted that the reason it is adding a “lag” year to State reporting on post-program outcomes for 3S1 and 1P1,¹ 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.² 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 (or 31 days after the end of the second quarter) under our current information collections. We note that data sources like UI wage records “for a given calendar quarter are generally not available for

¹ 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.”

² 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.

about six months (two quarters) after submission” by an employer to the State.³ 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 commenters’ concerns about the proposed lag year reporting “negatively impact informed decision-making,” 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 informed decision making 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

Data Quality – Non-Traditional Program Concentration

- 17. Two commenters noted that the proposed denominator descriptions for student concentration in CTE programs non-traditional for their gender at the secondary and postsecondary levels, “attempt to impose an interpretation beyond what is evident in the statutory language approved by Congress.” The commenters also note that the proposed descriptions of these indicators “are in line with the majority of states,” but note that other states have different interpretations of this language and should not be forced to comply with the proposed definitions without ED going through proper regulatory channels.**

Response: As stated during our response to comments during the 60-day public comment period, 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. Further, we believe that the data specifications give 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 concentrators 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. The Department agrees with the commenters assessment that “the majority of States” (consistent with how 42 States measure 4S1 and how 45 States measure 3P1) 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. The Department intends to provide technical assistance for States that need help implementing the proposed numerator and denominator for this indicator and any other indicators.

Changes: None

Data Quality – Recognized Postsecondary Credentials

³ 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>.

- 18. Several commenters asserted that the proposed denominator specification for credential attainment at the postsecondary level (2P1) will disrupt the way that many states currently measure this indicator. Specifically, two commenters questioned the inclusion of students who were “enrolled in the reporting year” and expressed their belief that this measure is designed to be reported as a lag year and the proposed specification may dramatically lower performance on this indicator in many states. One commenter noted that the Department’s proposed modifications impact how the State tracks students over three-years based upon student designation as a CTE concentrator and how the State then measures placement following program completion under 1P1.**

Response: We agree with the recommendation of the commenter and are further clarifying the numerator and denominator specification for this measure to reflect a lag year cohort. We note in the supporting statement that while States used similar numerators for this indicator that are comparable to our specification, there is great variation in their denominators. In the 2023-24 performance reports, States used at least eight different variations for the denominator, with some measuring attainment of CTE concentrators who exited during the prior reporting year, some measuring attainment by CTE concentrators who exited during the reporting year, others measuring attainment by CTE concentrators who completed a program during the prior year, and so forth. Section 113(b)(2)(B)(ii) of Perkins V requires that States report “the percentage of CTE concentrators who receive a recognized postsecondary credential during participation in or within 1 year of program completion.”

We are clarifying in the denominator specification that the cohort of students is “CTE concentrators at the postsecondary level who completed a CTE program or program of study during the preceding reporting year” to reflect the expectation in the statute that the cohort of students are prior year program completers. We are clarifying in the numerator specification that the cohort of students are those “who received a recognized postsecondary credential in the preceding reporting year or those who completed their program in the preceding reporting year and earned their credential in the reporting year.” This will allow States to include students who earned a recognized postsecondary credential in the prior reporting year and include in this cohort of students those who earned their credential shortly after program completion.

The modifications to the proposed data specifications for 2P1 described above address the commenters’ concerns that the measure reflect a prior year cohort of students and that students are included in the denominator only once, as the commenter suggests is done under WIOA. However, we note that the statutory descriptions of the WIOA credential attainment indicator and 2P1 differ in that the WIOA indicator measures attainment during participation in and after a participant exits a program, while 2P1 measures attainment during participation in and after a CTE concentrator completes a program. There is no additional burden, beyond what was previously calculated, with this update.

Changes: For the attained recognized postsecondary credential indicator, we describe the numerator as “the number of CTE concentrators at the postsecondary level who received a recognized postsecondary credential in the preceding reporting year or those who completed their program in the preceding reporting year and earned their credential in the reporting year.” We describe the denominator as “the

number of CTE concentrators at the postsecondary level who completed a CTE program in the preceding reporting year.” This specification will assure alignment with the law and improve the consistency of State data.