

## Cover Page

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1. Eligible Agency (State Board) Submitting Plan on Behalf of State:

Agency Name:

2. Lead individuals completing this plan:

Select the lead individuals completing the plan. If additional individuals without accounts will be completing the plan, return to the Submit Your Report page and click "Request Access" to submit a request for additional user accounts.

1. A. Please select the individual responsible for the **narrative descriptions** in this plan:

2. B. Please select the individual responsible for the **budget** in this plan:

3. C. Please select the **lead individual who may be contacted to answer questions** about this plan:

3. Type of Perkins V State Plan Submission:  1-Year Transition Plan (FY 2019 only)  State Plan (FY 2019-2023)
4. Submission of Perkins V State Plan as part of a Workforce Innovation and Opportunities Act (WIOA) combined State Plan:  Yes  No
5. Governor's Joint Signatory Authority of the Perkins V State Plan:

Date Governor was sent State Plan   
for signature:

If the Governor has provided a letter that he or she is jointly signing the State Plan for submission to the Department, please upload the letter.

**U. S. Department of Education  
Office of Career, Technical, and Adult Education**

**Strengthening Career and Technical Education for the 21st Century Act  
(Perkins V) State Plan**

**I. COVER PAGE**

A. State Name: North Dakota

B. Eligible Agency (State Board) Submitting Plan on Behalf of State: North Dakota State Board for Career and Technical Education

C. Person at, or officially designated by, the eligible agency, identified in Item B above, who is responsible for answering questions regarding this plan. This is also the person designated as the “authorized representative” for the agency.

1. Name: Wayde Sick

2. Official Position Title: State Director and Executive Officer

3. Agency: North Dakota Department of Career and Technical Education

4. Telephone: (701) 328-2259      6. Email: wasick@nd.gov

D. Individual serving as the State Director for Career and Technical Education:

Check here if this individual is the same person identified in Item C above and then proceed to Item E below.

1. Name: \_\_\_\_\_

2. Official Position Title: \_\_\_\_\_

3. Agency: \_\_\_\_\_

4. Telephone: ( \_\_\_\_\_ ) \_\_\_\_\_      5. Email: \_\_\_\_\_

E. Type of Perkins V State Plan Submission - FY 2019 (*Check one*):

1-Year Transition Plan (FY2019 only) – *if an eligible agency selects this option, it will need only to further complete Items G and J.*

State Plan (FY 2019-23) – *if an eligible agency selects this option, it will complete Items G, I, and J*

F. Type of Perkins V State Plan Submission - *Subsequent Years (Check one)*:<sup>1</sup>

- State Plan (FY 2020-23)
- State Plan Revisions (Please indicate year of *submission*: \_\_\_\_\_)

G. Submitting Perkins V State Plan as Part of a Workforce Innovation and Opportunities Act (WIOA) Combined State Plan – FY 2019 (*Check one*):

- Yes
- No

H. Submitting Perkins V State Plan as Part of a Workforce Innovation and Opportunities Act (WIOA) Combined State Plan – *Subsequent Years (Check one)*:<sup>2</sup>

- Yes (*If yes, please indicate year of submission: \_\_\_\_\_*)
- No

I. Governor’s Signatory Authority of the Perkins V State Plan (*Fill in text box and then check one box below*):<sup>3</sup>

|   |
|---|
| <b>Date Governor was sent State Plan for signature:</b><br><br><br> |
|---|

- The Governor has provided a letter that he or she is jointly signing the State plan for submission to the Department.
- The Governor has not provided a letter that he or she is jointly signing the State plan for submission to the Department.

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<sup>1</sup> Item F will only appear to the user in the Perkins V State Plan Portal in subsequent years (FY 2020-23).

<sup>2</sup> Item H will only appear to the user in the Perkins V State Plan Portal in subsequent years (FY 2020-23).

<sup>3</sup> Item I is required in FY 2019 only for States that choose to submit a full Perkins V State plan, covering FY 2019-23.

J. By signing this document, the eligible entity, through its authorized representative, agrees:

1. To the assurances, certifications, and other forms enclosed in its State plan submission;  
and
2. That, to the best of my knowledge and belief, all information and data included in this State plan submission are true and correct.

|   |                                  |
|---|----------------------------------|
| <b>Authorized Representative Identified in Item C Above (Printed Name)</b><br><br><b>Wayde Sick</b> | Telephone:<br><br>(701) 328-2259 |
| <b>Signature of Authorized Representative</b>   | Date:                            |

**NORTH DAKOTA STATE BOARD  
FOR  
CAREER AND TECHNICAL EDUCATION**

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Dr. Steve Holen ..... Watford City  
Josh Johnson ..... Valley City  
Bryan Klipfel ..... Bismarck

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## II. Narrative Descriptions

*Only Items Required B.2.a, b, c(i), d, and h; and B.3.a(i)(ii) and (iv)*

### ***B. Program Administration and Implementation***

#### ***2. Implementing Career and Technical Education Programs and Programs of Study***

- a. Describe the career and technical education programs or programs of study that will be supported, developed, or improved at the State level, including descriptions of the programs of study to be developed at the State level and made available for adoption by eligible recipients. (Section 122(d)(4)(A) of Perkins V)*

The North Dakota Department of Career and Technical Education has developed and supports quality technical education programs that are provided for students at the secondary, postsecondary, and adult level to 154 secondary eligible recipients and 10 postsecondary eligible recipients, according to the most current data from the 2018-2019 year. The programs available to eligible recipients include Agricultural Education, Business Education, Career Development, Culinary Arts, Family and Consumer Sciences Education, Health Sciences Education, Information Technology Education, Marketing Education, Career and Technical Resource Education, Technology & Engineering Education, and Trade, Industry & Technical Education (which includes specifically Auto Collision, Automated Manufacturing, Auto Technology, Aviation, Building Trades, Diesel Technology, Electronics, Facilities Maintenance, Graphic Communications, Power Sports Technology, and Welding Technology). In 2018-2019, the number of secondary eligible recipients enrolling in these areas were as follows: Agricultural Education (115 eligible recipients), Business Education (138), Career Development (104), Culinary Arts (17), Family and Consumer Sciences Education (110), Health Sciences Education (86), Information Technology Education (57), Marketing Education (48), Career and Technical Resource Education (23 teachers/16 schools; 37 tutors), Technology & Engineering Education (53), and Trade, Industry & Technical Education [which includes specifically Auto Collision (5), Automated Manufacturing (2), Auto Technology (34), Aviation (23), Building Trades (31), Diesel Technology (1), Electronics (3), Facilities Maintenance (4), Graphic Communications (19), Power Sports Technology (2), and Welding Technology (19)]. The intentions of the department would be to further support those existing programs and develop more of the same types in new eligible recipient locations through the process of application to the already existent programs of study. Each program has a state supervisor in charge of the direction and focus of that program of study.

- b. Describe the process and criteria to be used for approving locally developed programs of study or career pathways, including how such programs address State workforce development and education needs and the criteria to assess the extent to which the local application under section 132 will—*
  - i. promote continuous improvement in academic achievement and technical skill attainment;*
  - ii. expand access to career and technical education for special populations; and*
  - iii. support the inclusion of employability skills in programs of study and career pathways. (Section 122(d)(4)(B) of Perkins V)*

Most of the eligible recipients are grouped into eligible consortia to receive allocations, while larger recipients with more fiscal authority have elected to receive funds directly. All areas or programs of study (listed in above in section a) have been deemed valuable and needed to address North Dakota's workforce development. Current programs are assessed and approved on a yearly basis through submission of a required budget, proof of ability to fill the teaching position with a qualified and highly skilled educator, and proof that the program is meeting bi-annually with an advisory committee of community/business leaders. The programs receive yearly reviews and a visit every five years from the state supervisor to ensure program quality and instructional standards are being upheld. If a new instructor is hired, the state supervisor makes at least one visit during the year of hire. This in-person contact was established to promote and verify continuous improvement, academic achievement and technical skill attainment.

All eligible recipients are then placed on a five-year cycle and selected for a comprehensive, on-site review of the programs offered in that location. The site visit includes completion of a program self-evaluation, on-site observation, and an evaluation report by applicable state supervisors and the assistant director of the department. In addition, Perkins Performance Data for all subrecipients are monitored yearly by the special populations state supervisor. The special populations state supervisor also participates in all five-year on-site evaluations.

Any individual eligible recipient may be approved for new eligible programs of study by working directly with the state department. A program application describing monetary need, ability to fill the teaching position, and identified local community need is submitted to the state supervisor of that program. The application is reviewed by the state supervisor and then, if eligible, is taken to the State Board for final approval. The new program is then added to the list of already existing programs for that eligible recipient or, in the case of an entirely new eligible recipient, added to a consortium.

All programs of study have also adopted state content standards which include Career Ready Practices or employability skills as defined by AdvanceCTE in 2012. The state department developed rubrics for eligible recipient teachers to use in assessing and identifying these employability skills with students. This allows students, teachers, and communities to agree on the common definition of employability skills and keep uniformity of assessment of these Career Ready Practice across the state. The use of these rubrics is optional.

- c. *Describe how the eligible agency will—*
  - i. *make information on approved programs of study and career pathways (including career exploration, work-based learning opportunities, early college high schools, and dual or concurrent enrollment program opportunities) and guidance and advisement resources, available to students (and parents, as appropriate), representatives of secondary and postsecondary education, and special populations, and to the extent practicable, provide that information and those resources in a language students, parents, and educators can understand;*

Many eligible recipients have access to career development counseling programs. These counselors are aided and monitored by the state agency's career development state supervisor, who helps the counselors and instructors develop appropriate career exploration, work-based learning opportunities, dual or concurrent enrollment program opportunities, guidance and



advisement resources. These counselors and advisors are monitored by the agency to make sure that this information is available to students, parents, representatives of secondary and postsecondary education, and special populations in a language and method that students, parents, and educators can understand. The agency also employs personnel to administer the Career Resource Network (CRN), which further aides the Career Counseling state supervisor and all supervisors in finding resources to link industry to education. The CRN publishes a periodical describing the workforce needs in the state, workforce data, links between secondary and postsecondary educational opportunities, and highlights the career pathways in detail so that students, parents, and educators are informed of option and choices available in the state.

- d. Describe how the eligible agency, if it chooses to do so, will include the opportunity for secondary school students to participate in dual or concurrent enrollment programs, early college high school, or competency-based education. (Section 122(d)(4)(D) of Perkins V)*

The agency currently provides funds to secondary schools to participate in dual enrollment programs. The strong connections among educators in all program areas, including the state supervisor, also facilitate the development of opportunities for new dual enrollment options. The agency is continuing discussions on concurrent enrollment, early college high school, and competency-based education.

- h. Provide the eligible agency's definition for "size, scope, and quality" that will be used to make funds available to eligible recipients pursuant to section 135(b) of Perkins V.*

The agency's definition of size includes the following:

For secondary recipients, reimbursement will not be provided for any course having six (6) or fewer students enrolled. This requirement applies to all high schools with total enrollments over 100 in grades 9-12.

In schools with 51-100 students in grades 9-12, enrollment for all reimbursable courses in a program may be averaged. If the average enrollment in the program is six or fewer, the individual courses which do not meet the minimum size will not be funded. If the average of enrollment for all courses is seven or more, all classes will be funded, even those which fall below seven students.

Area CTE centers and schools with a total of 50 or fewer students in grades 9-12 are exempt from the course size requirement.

For postsecondary recipients, federal or state funds cannot be used in programs that have less than ten (10) students by the third year of operation.

For adult eligible recipients, a minimum of ten (10) students is required for reimbursement. To receive reimbursement for programs of less than ten students, justification must be provided by the district and approved by the eligible state agency prior to operating the program. Criteria for obtaining approval is:

- a) Programs that serve areas of critical need or shortage in an occupation;
- b) Employee upgrading or retraining in areas of high unemployment.
- c) Apprenticeship programs where there is a shortage of qualified workers.

The scope is defined as follows:

Secondary programs must offer and teach a minimum of two units of credit within each agency approved Career and Technical Education (CTE) program. A postsecondary program constitutes a sequential list of courses that leads to a certificate, diploma, or an associate degree. An adult program is a short-term program and is one that upgrades individuals to secure employment or to improve the skill in their present occupation.

The quality of the recipient programs will be defined as follows:

The program will be measured through the evaluation system of all secondary, postsecondary and adult programs.

All recipients will be scheduled for a review and/or evaluation a minimum of once within a five-year period. Each recipient scheduled for a review and/or evaluation will complete the self-evaluation process prior to the evaluation. The eligible agency will review each self-evaluation as to the effectiveness of the program in meeting the intent of the law. A minimum of twenty-five percent of those local education agencies scheduled for a review and/or evaluation will receive an on-site visit. Each recipient will be required to address all recommendations by completing and filing an evaluation “Plan of Action” with the state agency.

All follow-up activities conducted by state agency staff will be to measure compliance with Core Indicators of Performance and the completed evaluation “Plan of Action”.

All recipients of secondary, postsecondary, and adult programs shall ensure that the programs and supportive activities for special populations are of such size, scope and quality to bring about measurable improvements in the quality of the CTE program being offered, as evidenced through monitoring and evaluation.

### **3. Meeting the Needs of Special Populations**

- a. Describe the eligible agency’s program strategies for special populations, including a description of how individuals who are members of special populations—
  - i. will be provided with equal access to activities assisted under this Act;**

The State Board will provide equal access to activities assisted under this Act, as follows:

- Local applications will contain assurances that proposed activities to be carried out with Perkins V funding will comply with the provisions of the IDEA, Section 504 of the Rehabilitation Act, the ADA, Title IX, and the Vocational Education Guidelines for the Elimination of Discrimination and Denial of Services based upon race, color, national origin, sex or disability. Local applications submitted without such assurances will not be funded.
- CTE staff will continue on-site monitoring and evaluation of LEA’s, including a review of published nondiscrimination policies. Staff will ensure that LEA’s have identified compliance administrators and provided required complaint procedures. The State of North Dakota also requires that schools publish anti-bullying policies, another tool to foster equal access to programs funded under the Act.

- To ensure equal access to CTE programs and activities assisted under this Act, CTE will dedicate resources as required to measure enrollment data disaggregated by race, gender, economically disadvantaged, youth who are in or who have aged out of foster care, students with disabilities, English learners, migrant students, homeless students, students with a parent in the active military, single parents, out-of-work individuals and students pursuing nontraditional careers. Disparities in rates of enrollment into CTE programs will be identified and addressed. Local applications will be adjusted, as necessary, to foster interest in, or to expand access to CTE activities funded under this Act.
- To promote enrollment into CTE programs of study leading to nontraditional fields, funds are provided annually in the form of competitive grants. The grants are used primarily to fund hands-on activities designed to help the student explore fields that are nontraditional, based upon the student's gender. These efforts have demonstrated success in many LEA's; consequently, this grant program will continue if these activities produce positive results for CTE Concentrators.

*ii. will not be discriminated against on the basis of status as a member of a special population;*

The State Board assures that special population students enrolled in CTE will be afforded all the rights and protections guaranteed under IDEA, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, Title IX, and the Vocational Education Program Guidelines for Eliminating Discrimination. Local Applicants for funds will need to provide documentary proof of anti-discrimination and anti-bullying policies, compliance administrators and complaint procedures.

*iv. will be provided with appropriate accommodations;*

Upon completion of gap-analyses of the performance of special populations on the Perkins Core Indicators, LEA's will develop and implement strategies to close any gaps. Regarding students with disabilities, on-site monitoring routinely documents excellent working relationships among CTE and special education faculty. There are consistent reports of compliance with recommended accommodations for students with disabilities by CTE instructors, statewide.

The special populations state supervisor serves on North Dakota's Special Education Advisory Panel, and as such, has regular contact with the special education community. During the current school year, a state-level collaboration was launched with the North Dakota Department of Public Instruction to properly identify and accommodate students with disabilities enrolled in CTE classes delivered by distance education. These efforts will be continued and expanded as necessary to ensure CTE students with disabilities receive recommended accommodations whether they are learning on-site or through distance education.

Certain LEA's have chosen to use Perkins funds to support Career and Technical Resource Educators, CTE Basic Skills Educators, Tutors and Mentors whose role is to provide the academic support required for CTE students, but particularly CTE special population students, to gain the skills and knowledge required to succeed in CTE programs. These personnel typically

have networks that include community supports and resources available to help special population students succeed in school.

As a part of the State Transition Plan, CTE will develop a strategy to harness the creativity of CTSO student leaders to increase involvement by special population students in student organizations. Drawing on the expertise of key stakeholders, CTE will identify barriers to participation faced by special population students and identify sample strategies with which to make improvements.

### **C. Fiscal Responsibility**

1. *Describe the criteria and process for how the eligible agency will approve eligible recipients for funds under this Act, including how—*
  - a. *each eligible recipient will promote academic achievement;*

Area program consultants will assist, provide technical assistance, review and approve local applications and process reimbursement claims for eligible recipients. Local applications are approved on the following criteria:

### **SECONDARY PROGRAM APPROVAL POLICY**

Requirements for an approvable instructional program:

- Credits - A minimum of 2 credits per year must be taught
  - Trade & Industry programs must offer a minimum of 3 sequential credits
  - Distance learning exception - a receiving school may receive reimbursement for a course if it originates from an approved program. Distance courses MAY be counted as part of the 2-credit sequence for program approval purposes.
- Class Size (9-12 enrollment)
  - Minimum of 7 students in each course for schools with more than 100 students
  - Minimum average of 7 students per course for schools with 50-100 students
  - No minimum for schools with fewer than 50 students
- CTE certified teacher
  - Refer to teacher certification requirements for specific service area ([www.nd.gov/cte/teacher-certs](http://www.nd.gov/cte/teacher-certs))
- Curriculum
  - Must be based on state, national, or industry standards for each program area
- Facilities and equipment
  - Adequate as determined by program standards
  - Barrier-free facility
- Advisory Committee
  - Each program must have an active advisory committee that may be combined to serve multiple CTE programs with a minimum of three representatives from each CTE program unless program standards require a separate committee to serve a specific program.
  - Committees must meet a minimum of two times a year.

#### Requirements for an approvable career development program

- CTE credentialed counselor (see requirements for Career Development at [www.nd.gov/cte/teacher-certs](http://www.nd.gov/cte/teacher-certs))
- Program of Work that incorporates ND Career Development Standards (curriculum framework, at [www.nd.gov/cte/programs/career-dev](http://www.nd.gov/cte/programs/career-dev))
- Adequate facilities and equipment as determined by program standards
- Advisory Committee (see above)
- Career Development Programs are in grades 6-12 and may be funded with state or federal funds.

#### Timeline for new/expanded program applications

- April - Applications due for the following year by submitting forms: (forms are located at [www.nd.gov/cte/forms](http://www.nd.gov/cte/forms))
- SFN 15274 - Funding Application Cover Sheet
- SFN 15275 - Funding Application Budget
- SFN 15256 - Program Advisory Committee
- May/June - Applications reviewed by State Board for CTE
- Schools/institutions are notified of funding status approval or disapproval by the CTE fiscal office
- Newly funded programs will receive an annual plan budget
- September/October - Revised annual plan budgets due in CTE office. If funds permit, new program funding requests may also be considered at this time.
- April - Reimbursement claim forms are sent to schools. Reimbursement may be requested anytime an expenditure has been made
- June - Submission of reimbursement claim deadline
- Exception to new program application process - Based on agency approval, an LEA may move funding from one program area to another if the new program meets all criteria and is funded at the same reimbursement rate.  
([www.nd.gov/cte/forms/docs/statereimbpolicy.pdf](http://www.nd.gov/cte/forms/docs/statereimbpolicy.pdf))

#### Supporting policy guidelines:

Programs may be approved but not funded due to availability of funds. Due to limited availability, state funding is limited to approved costs in programs for grades 9-12, except in the case of a Career Development program that includes grades 6 - 12. It is the policy of the State Board not to fund new programs at the expense of existing programs.

If a deficiency occurs after a program has been approved, there is a one-year grace period to allow a school or institution to correct the deficiency.

Technology Education does not fund any salaries except when two Technology Education programs share an instructor. Technology Education equipment may be funded with state or federal funds in grades 7-12.

## **POSTSECONDARY PROGRAM APPROVAL POLICY**

Requirements for an approvable instructional program:

### Program Scope

- A program constitutes a sequential list of courses that leads to a certificate, diploma, or an associate degree.
- Program Size
- Federal or state funds cannot be used in programs that have less than ten (10) students by the third year of operation.
- CTE credentialed teacher
- Refer to teacher credential requirements for specific service area ([www.nd.gov/cte/teacher-certs](http://www.nd.gov/cte/teacher-certs))

### Curriculum

- Must be based on state, national, or industry standards for each program area
- Facilities and equipment
- Adequate as determined by program standards
- Barrier-free facility

### Advisory Committee

- Each program must have an active advisory committee. The committee may be combined to serve multiple CTE programs with a minimum of three representatives from each CTE program unless program standards require a separate committee to serve a specific program.
- Committees must meet at least two times a year.

*b. each eligible recipient will promote skill attainment, including skill attainment that leads to a recognized postsecondary credential; and*

To prepare today's students for future successful careers, schools are working to help students achieve. One key approach to achieving this goal is to provide students with relevant contexts for learning. Career clusters link what students learn in school with the knowledge and skills they need for success in college and careers. Career clusters help students identify pathways from secondary schools to postsecondary credentials, certificates, diplomas, or degrees, as well as to the workplace. Career pathways help students identify the connection between rigorous courses and their future goals.

These programs of study include coherent and rigorous content, aligned with challenging academic standards, and relevant career and technical content in a coordinated, non-duplicative progression of courses that align secondary education with postsecondary education to adequately prepare students to succeed in postsecondary education.

The Career Clusters programs of study are based on industry standards and each program will be based on curriculum standards that address academic and technical achievement in a coordinated and non-duplicative manner.

Programs of study will include the opportunity for secondary education students to participate in dual or concurrent enrollment programs or other ways to acquire postsecondary education

credits. The dual credit program signed into law by the North Dakota Legislature allows high school sophomores, juniors, and seniors who want to earn college courses to benefit from this program. Students can take college courses for credit - as additions to their high school workload. With the dual credit plan, the college class is a replacement rather than an addition. Students take just one class - the college class - and get both high school and college credit for it. The agencies involved in this unique cooperative relationship: the N.D. Department of Career and Technical Education, N.D. Department of Public Instruction, N.D. University System.

Programs of study will lead to an industry-recognized credential or certificate at the postsecondary level, or an associate or baccalaureate degree. The agency has begun discussions to ensure that secondary and postsecondary programs align with business and industry needs.

- c. each eligible recipient will ensure the local needs assessment under section 134 takes into consideration local economic and education needs, including, where appropriate, in-demand industry sectors and occupations. (Section 122(d)(5) of Perkins V)*

The agency will develop a local needs assessment template that all eligible recipients will need to complete to determine their local application needs. To receive funding, they must consult with appropriate stakeholders and make data driven decisions.

- 2. Describe how funds received by the eligible agency through the allotment made under section 111 of the Act will be distributed—*
  - a. among career and technical education at the secondary level, or career and technical education at the postsecondary and adult level, or both, including how such distribution will most effectively provide students with the skills needed to succeed in the workplace; and*
  - b. among any consortia that may be formed among secondary schools and eligible institutions, and how funds will be distributed among the members of the consortia, including the rationale for such distribution and how it will most effectively provide students with the skills needed to succeed in the workplace. (Section 122(d)(8) of Perkins V)*

The State Agency will distribute funding to secondary and postsecondary recipients. Criteria used includes: (1) the percentage of total program costs at the secondary and postsecondary levels, and (2) a comparison of program enrollments:

Secondary 65%                      Postsecondary 35%

The Agency allocates funds among any consortia to be formed by combining of funds determined in the allocation process. Funds will be allocated among the members of the consortia using the following procedure:

**PROCEDURE TO DETERMINE USES OF FUNDS WITHIN A CONSORTIUM**

- Each member of the consortium shall be represented by one individual.
- One member of the consortium shall be designated the fiscal agent for the consortium and a representative from that district, area career and technology center, or postsecondary institution shall be designated the consortium manager.
- A consortium shall hold at least two meetings annually.



- Consortium accountability data will be reviewed as part of the planning process. Priorities for the use of funds will focus on meeting the accountability measures and shall be mutually beneficial to all consortium members. Such funds may not be reallocated to individual members of the consortium for purposes or programs benefitting only 1 member of the consortium.
- Members shall set priorities consistent with section 135(b) Requirements for Use of Funds.

**SECONDARY DISTRIBUTION OF FUNDS**

Distribution of funds to LEAs within the state made available under section 112(a)(1) will be as follows:

- (1) Thirty percent shall be allocated to such LEAs in proportion to the number of individuals aged 5 through 17, inclusive, who reside in the school district served by such LEA for the preceding fiscal year compared to the total number of such individuals who reside in the school districts served by all LEAs in the State for such preceding fiscal year, as determined on the basis of the most recent satisfactory data provided by the United States Department of Education 2017 Census Data.
- (2) Seventy percent shall be allocated to such LEAs in proportion to the number of individuals aged 5 through 17, inclusive, who reside in the school district served by such LEA and are from families below the poverty level for the preceding fiscal year, as determined based on the most recent satisfactory data provided by the United State Department of Education 2017 Census Data.

At the secondary level, schools/consortia must meet the \$15,000 minimum allocation to be eligible for a grant. [Section 131(c)(1)]

Waiver: The State Board may waive the \$15,000 for secondary LEA’s [Section 131(c)(2)] if:

- a. The LEA is in a rural, sparsely populated area. Sparsely populated is defined as:
  1. An area that is geographically isolated that has limited access to any comprehensive career and technical education offerings within 50 miles, AND,
  2. An area that is likewise sparsely populated and does not have the ability to provide adequate resources (tax base) for comprehensive career and technical education programs, OR
  3. An institution that serves 100% special population students that are incarcerated. Students are confined to the institution; therefore, they cannot access programs or services in a consortium. In addition, student services and programs are unique.

OR

- b. The LEA is a public charter school that operated a secondary career and technical education program and demonstrates it is unable to enter a consortium for purposes of providing activities under this part.



## **POSTSECONDARY DISTRIBUTION OF FUNDS**

Distribution of funds to eligible institution or consortium of eligible institutions shall be allocated an amount that bears the same relationship to the portion of funds made available under section 112(a)(1) to carry out this section for any fiscal year as the sum of the number of individuals who are Federal Pell Grant recipients and recipients of assistance from the Bureau of Indian Affairs enrolled in programs meeting the requirements of section 135 offered by such institution or consortium in the preceding fiscal year bears to the sum of the number of such recipients enrolled in such programs within the State for such year.

At the postsecondary level, institutions/consortia must meet the \$50,000 allocation to be eligible for a grant [Section 132(c)(1)]

Waiver: The State Board may waive postsecondary institutions participating in a consortium if the eligible institution is in a rural sparsely populated area or it can be demonstrated that entering the consortium would not be beneficial in meeting the purpose of the Carl Perkins law and inhibits the efforts toward greater flexibility to meet those purposes. [Section 132(a)(4)]

- 3. For the upcoming program year, provide the specific dollar allocations made available by the eligible agency for career and technical education programs and programs of study under section 131(a)-(e) of the Act and describe how these allocations are distributed to local educational agencies, areas career and technical education schools and educational service agencies within the State. (Section 131(g) of Perkins V)*

\$2,588,148 will be made available by the State Agency for career and technical education programs and programs of study under section 131(a)-(e) of the Act and will be distributed to LEAs based on the formula allocation in the Act.

<http://www.nd.gov/cte/forms/docs/PerkinsAllocationTable.pdf>

- 4. For the upcoming program year, provide the specific dollar allocations made available by the eligible agency for career and technical education programs and programs of study under section 132(a) of the Act and describe how these allocations are distributed to eligible institutions and consortia of eligible institutions within the State.*

\$1,393,618 will be made available by the Agency for career and technical education programs and programs of study under section 132(a) of the Act and will be distributed to eligible institutions or consortia of eligible institutions based on the formula allocation in the Act.

<http://www.nd.gov/cte/forms/docs/PerkinsAllocationTable.pdf>

- 5. Describe how the eligible agency will adjust the data used to make the allocations to reflect any changes in school district boundaries that may have occurred since the population and/or enrollment data was collected, and include local education agencies without geographical boundaries, such as charter schools and secondary schools funded by the Bureau of Indian Education. (Section 131(a)(3) of Perkins V)*

To reflect any changes made in school district boundaries, including educational agencies without geographical boundaries, adjustments to consortiums allocations will be made based on student enrollment moving from one school district to another.

6. *If the eligible agency will submit an application for a waiver to the secondary allocation formula described in section 131(a)—*
  - a. *include a proposal for such an alternative formula; and*
  - b. *describe how the waiver demonstrates that a proposed alternative formula more effectively targets funds on the basis of poverty (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) to local educational agencies with the State. (Section 131(b) of Perkins V)*

A waiver of the formula will not be requested at the secondary level.

*Also indicate if this is a waiver request for which you received approval under the prior Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV).*

N/A

7. *If the eligible agency will submit an application for a waiver to the postsecondary allocation formula described in section 132(a)—*
  - a. *include a proposal for such an alternative formula; and*
  - b. *describe how the formula does not result in a distribution of funds to the eligible institutions or consortia with the State that have the highest numbers of economically disadvantaged individuals and that an alternative formula will result in such a distribution. (Section 132(b) of Perkins V)*

A waiver of the formula will not be requested at the postsecondary level.

*Also indicate if this is a waiver request for which you received approval under the prior Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV).*

N/A

8. *If the eligible agency will award reserve funds to eligible recipients under section 112(c) of Perkins V, describe the process and criteria for awarding those funds.*

The Agency uses an allocation formula to determine “reserve funds” use based on activities that meet the needs of enhancing CTE’s current structure. \$300,000 will be made available by the Agency.

The funds will be targeted for:

1. A web-based career information delivery system for all K-12 students in the state of ND. This provides consistency in the types of career assessments and content available to all students and is particularly beneficial for students in rural areas who have limited access to career information. Students using this system learn about their interests and the specifics of individual careers within the sixteen career clusters. This includes education and training requirements, necessary skills to develop, state and national salaries, and

labor market information highlighting occupations in the state. Students use the system to develop their future career plans that aligns secondary coursework to postsecondary opportunities.

2. Providing an educational bootcamp to update instructors with new technology or software programs to assist them in their teaching practices.
3. Providing a program that coordinates the courses that educators need for required CTE instructor certification.

9. *Provide the State's fiscal effort per student, or aggregate expenditures for the State, that will establish the baseline for the Secretary's annual determination on whether the State has maintained its fiscal effort, and indicate whether the baseline is a continuing level or new level. If the baseline is new, please provide the fiscal effort per student, or aggregate expenditures for the State, for the preceding fiscal year. (Section 211(b)(1)(D) of Perkins V)*

The Department of Career & Technical Education will establish a new baseline of \$1,458,366 fiscal aggregate expenditures for the Secretary's annual determination on whether the State has maintained its fiscal effort. The fiscal effort aggregate expenditures for the preceding fiscal year was \$1,535,123.

### III. ASSURANCES, CERTIFICATIONS, AND OTHER FORMS

#### A. Statutory Assurances

The eligible agency assures that:

1. It made the State plan publicly available for public comment<sup>4</sup> for a period of not less than 30 days, by electronic means and in an easily accessible format, prior to submission to the Secretary for approval and such public comments were taken into account in the development of this State plan. (Section 122(a)(4) of Perkins V)
2. It will use the funds to promote preparation for high-skill, high-wage, or in-demand industry sectors or occupations and non-traditional fields, as identified by the State. (Section 122(d)(13)(C) of Perkins V)
3. It will provide local educational agencies, area career and technical education schools, and eligible institutions in the State with technical assistance, including technical assistance on how to close gaps in student participation and performance in career and technical education programs. (section 122(d)(13)(E) of Perkins V)
4. It will comply with the requirements of this Act and the provisions of the State plan, including the provision of a financial audit of funds received under this Act, which may be included as part of an audit of other Federal or State programs. (Section 122(d)(13)(A) of Perkins V)
5. None of the funds expended under this Act will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the acquiring entity or the employees of the acquiring entity, or any affiliate of such an organization. (Section 122(d)(13)(B) of Perkins V)
6. It will use the funds provided under this Act to implement career and technical education programs and programs of study for individuals in State correctional institutions, including juvenile justice facilities. (Section 122 (d)(13)(D) of Perkins V)

#### EDGAR Certifications

By submitting a Perkins V State Plan, consistent with 34 CFR 76.104, the eligible agency certifies that:

1. It is eligible to submit the Perkins State plan.

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<sup>4</sup> An eligible agency that submits a 1-Year Transition Plan in FY 2019 is not required to hold a public comment period on the 1-Year Transition Plan. Such agency must assure that it meets this public comment requirement prior to submitting its Perkins V State Plan in FY 2020.

2. It has authority under State law to perform the functions of the State under the Perkins program(s).
3. It legally may carry out each provision of the plan.
4. All provisions of the plan are consistent with State law.
5. A State officer, specified by title in Item C on the Cover Page, has authority under State law to receive, hold, and disburse Federal funds made available under the plan.
6. The State officer who submits the plan, specified by title in Item C on the Cover Page, has authority to submit the plan.
7. The entity has adopted or otherwise formally approved the plan.
8. The plan is the basis for State operation and administration of the Perkins program.

### **Other Forms**

The eligible agency certifies and assures compliance with the following enclosed forms:

1. Assurances for Non-Construction Programs (SF 424B) Form (OMB Control No. 0348-0040) - <https://www2.ed.gov/fund/grant/apply/appforms/sf424b.pdf>
2. Disclosure of Lobbying Activities (SF LLL) (OMB Control No. 4040-0013): [https://apply07.grants.gov/apply/forms/sample/SFLLL\\_1\\_2-V1.2.pdf](https://apply07.grants.gov/apply/forms/sample/SFLLL_1_2-V1.2.pdf)
3. Certification Regarding Lobbying (ED 80-0013 Form): <https://www2.ed.gov/fund/grant/apply/appforms/ed80-013.pdf>
4. General Education Provisions Act (GEPA) 427 Form (OMB Control No. 1894-0005): <https://www2.ed.gov/fund/grant/apply/appforms/gepa427.pdf>

## IV. BUDGET

### A. Instructions

1. On the form in Item IV.B below, provide a budget for the upcoming fiscal year. As you prepare your budget, refer to the statutory descriptions and assurances in Section II.C and Section III.A, respectively, of this guide.

2. In completing the budget form, provide--

Line 1: The total amount of funds allocated to the eligible agency under section 112(a) of Perkins V. *This amount should correspond to the amount of funds noted in the Department's program memorandum with estimated State allocations for the fiscal year.*

Line 2: The amount of funds made available to carry out the administration of the State plan under section 112(a)(3). *The percent should equal not more than 5 percent of the funds allocated to the eligible agency as noted on Line 1, or \$250,000, whichever is greater.*

Line 3: The amount of funds made available to carry out State leadership activities under section 112(a)(2) of Perkins V. *The percent should equal not more than 10 percent of the funds allocated to the eligible agency as noted on Line 1.*

Line 4: The percent and amount of funds made available to serve individuals in State institutions, such as: (a) correctional institutions; (b) juvenile justice facilities; and (c) educational institutions that serve individuals with disabilities pursuant to section 112(a)(2)(A) of Perkins V. *The percent of funds should equal not more than 2 percent of the funds allocated to the eligible agency as noted on Line 1.*

Line 5: The amount of funds to be made available for services that prepare individuals for non-traditional fields pursuant to section 112(a)(2)(B) of Perkins V. *The amount of funds should be not less than \$60,000 and not more than \$150,000.*

Line 6: The amount of funds to be made available for the recruitment of special populations to enroll in career and technical education programs pursuant to section 112 (a)(2)(C) of Perkins V. *The percent of funds should equal 0.1 percent of the funds made available by the eligible agency for State leadership activities as noted on Line 3, or \$50,000, whichever is lesser.*

Line 7: The percent and amount of funds to be made available to eligible recipients [local education agencies (secondary recipients) and institutions of higher education (postsecondary recipients)] pursuant to section 112(a)(1) of Perkins V. *The percent of funds should be not less than 85 percent of the funds allocated to the eligible agency as noted on Line 1.*

- Line 8: The percent and amount, if any, of funds to be reserved and made available to eligible recipients under section 112(c) of Perkins V. *The percent of funds should be not more than 15 percent of the 85 percent of funds noted on Line 7.*
- Line 9: The percent and amount, if any, of funds to be reserved and made available to secondary recipients under section 112(c) of Perkins V.
- Line 10: The percentage and amount, if any, of funds to be reserved and made available to postsecondary recipients under section 112(c) of Perkins V.
- Line 11: The percent and amount of funds to be made available to eligible recipients under section 112(a)(1) of Perkins V. *The percent and amount of funds should represent the funds remaining after subtracting any reserve as noted on Line 8.*
- Line 12: The percent and amount of funds to be distributed to secondary recipients under the allocation formula described in section 131 of Perkins V.
- Line 13: The percent and amount of funds to be distributed to postsecondary recipients under the allocation formula described in section 132 of Perkins V.
- Line 14: The amount of funds to be made available for the State administration match requirement under section 112(b) of Perkins. *The amount of funds shall be provided from non-Federal sources and on a dollar-for-dollar basis.*

**B: Budget Form**

State Name: North Dakota

Fiscal Year (FY): 2019-2020

| Line Number | Budget Item   | Percent of Funds      | Amount of Funds |
|-------------|---|-----------------------|-----------------|
| 1           | <b>Total Perkins V Allocation</b>                       | <b>Not applicable</b> | \$5,037,372     |
| 2           | <b>State Administration</b>                             | 5%                    | \$ 251,869      |
| 3           | <b>State Leadership</b>                                 | 10%                   | \$ 503,737      |
| 4           | • Individuals in State Institutions                     | 1%                    | \$ 50,374       |
| 4a          | – Correctional Institutions                             | <b>Not required</b>   | \$              |
| 4b          | – Juvenile Justice Facilities                           | <b>Not required</b>   | \$              |
| 4c          | – Institutions that Serve Individuals with Disabilities | <b>Not required</b>   | \$              |
| 5           | • Non-traditional Training and Employment               | <b>Not applicable</b> | \$ 60,000       |
| 6           | • Special Populations Recruitment                       | .1%                   | \$ 5,037        |
| 7           | <b>Local Formula Distribution</b>                       | 85%                   | \$4,281,766     |
| 8           | • Reserve   | 7%                    | \$ 300,000      |
| 9           | – Secondary Recipients                                  | 100%                  | \$ 300,000      |
| 10          | – Postsecondary Recipients                              | 0%                    | \$ 0            |
| 11          | • Allocation to Eligible Recipients                     | 93%                   | \$3,981,766     |
| 12          | – Secondary Recipients                                  | 65%                   | \$2,588,148     |
| 13          | – Postsecondary Recipients                              | 35%                   | \$1,393,618     |
| 14          | <b>State Match (from non-federal funds)</b>             | <b>Not applicable</b> | \$2,100,000     |

ND Department of Career and Technical Education  
 Responses to North Dakota Strengthening Career and Technical Education for the  
 21st Century Act Transition State Plan  
 Mr. Eric Ripley  
 Executive Director of Career & Technical Education  
 Grand Forks Public School



I support the North Dakota Perkins V Transition Plan for 2019-2020 as presented. The transition will allow the state the necessary time to engage all stakeholders and develop a new state plan that most effectively utilizes the Perkins V plan to advance CTE within our state.

No comment necessary

As a member of the State Implementation Team that attended a regional Perkins V training in Minneapolis, our small group had rich conversation about the focus and priorities of Perkins V and how it impacted North Dakota CTE. There remain several unanswered questions to address in the upcoming year as the state finalizes the new Perkins V plan.

No comment necessary

Specific to the transition plan, I highly support the continuation of the 65%/35% secondary to post-secondary ratio, and in reviewing the averages across the nation, this mirrors the national distribution.

Thank you for your comment. This will be reviewed during the 4-year State Plan writing process.

I foresee the quality indicator for the Perkins V legislation to include a program quality indicator related to dual/concurrent enrollment. I would encourage the state to be proactive in working with the ND University System in development of statewide agreements related to CTE as a strategy in expanding these opportunities for students.

Thank you for your comment. This will be reviewed during the 4-year State Plan writing process.

With Perkins V, the ability for funding to be utilized for Career Development strategies at an earlier age (even as low as Grade 5) should be further explored by the state. Currently, CTE funding is restricted to grades 7 - 12, while many middle schools within the state are grades 6 - 8. The ability to expand the usage of CTE to support programs and career development at earlier ages would provide additional flexibility to the LEA on how to best utilize the funding to support the local programs and needs.

Thank you for your comment. This was cited from other public comments and it is determined that Perkins funds can be used to support Career Development down to the 6th grade level.

Dr. Denise Jonas  
Cass County CTE Director  
Fargo Public Schools  
Page 10 -

CTE will dedicate resources as required to measure enrollment data disaggregated by race, gender, economically disadvantaged, youth who are in or who have aged out of foster care, students with disabilities, English learners, migrant students, homeless students, students with a parent in the active military, single parents, out-of-work individuals and students pursuing nontraditional careers.

How will data be collected? Some areas are challenging to identify due to confidentiality, awareness and access to data. Development of these indicators and assistance through the state data system will be important for success.

The state data collection system (PowerSchool) will allow for the collection of this data. It is currently collected for the North Dakota ESSA plan.

Page 11

**SECONDARY PROGRAM APPROVAL POLICY** Requirements for an approvable instructional program:

- Credits - A minimum of 2 credits per year must be taught
  - o Trade & Industry programs must offer a minimum of 3 sequential credits
  - o Distance learning exception - a receiving school may receive reimbursement for a course if it originates from an approved program. Distance courses MAY be counted as part of the 2-credit sequence for program approval purposes.

Consider changing T & I to two credits for consistency and in alignment with a concentrator and coordinated of plan for the CTE scholarship.

Thank you for your comment. This will be reviewed with the State Board for Career and Technical Education and due to the complexity of this change, this will be explored and considered during the transition year.

Page 12 Career Development Programs are in grades 7-12 and may be funded with state or federal funds.

Consider expanding to 6-12

Thank you for your comment. This was cited from other public comments and it is determined that Perkins funds can be used to support Career Development down to the 6th grade level

Technology Education equipment may be funded with state or federal funds in grades 7-12.

Consideration expanding to 6-12.

Thank you for your comment. This was cited from other public comments and this will be explored and considered during the transition year.

Page 14 The State Agency will distribute funding to secondary and postsecondary recipients. Criteria used includes: (1) the percentage of total program costs at the secondary and postsecondary levels, and (2) a comparison of program enrollments:  
Secondary 65% Postsecondary 35%

I agree with this breakdown. Rationale: secondary serves as a feeder system for post-secondary through awareness, exploration, preparation, partnerships, and alignment to programming.

Thank you for your comment. This will be reviewed during the 4-year State Plan writing process.

Mr. Randal Brockman

Assistant Director  
Southeast Region Career and Technology Center

I believe it is important to allow direct allocations to Career and Technology Centers as described in 131 section e. This allows schools and centers to purchase equipment that otherwise may not be able to. If you only receive a few dollars every year you can only purchase less expensive items. By combining dollars, it allows you to purchase expensive items on a rotating basis. I see this as a much more efficient way of using the money.

We need to be able to share resources across regions and the state. By sharing equipment, it allows the use of items that schools do not use every day. Instructors are able to set up a schedule for a few weeks and use the expensive equipment and then rotate it to the next instructor on the list. We currently are doing this with automotive equipment that is very costly and most schools and centers cannot purchase these items on their own. I see a lot of valuable experiences for students by doing this. We have numerous other items we could be doing this with if we are allowed to continue to do this.

Thank you for your comment. This will be reviewed during the 4-year State Plan writing process.

We need to clarify what qualifies as a course. Is it one full credit? One semester half credit? Or is it a two-period block worth two credits?

Thank you for your comment. This will be determined during the 4-year State Plan writing process.

In my opinion the 1/3 for post-secondary and the 2/3 for secondary split of distribution of funds is something that should continue.

Thank you for your comment. This will be reviewed during the 4-year State Plan writing process.

Mr. Dan Rood  
Director  
Southeast Region Career & Technology Center  
Section 131

Allocations to Area Career and Technology Centers-I believe that under 131 section e, part 2, Area Career and Technology Centers should receive a direct allocation base on the average 3-year enrollment as set forth. I believe at present SRCTC-Richland County is the only Center who receives 100% allocation of Perkins Funds, direct to the Center. At the very least this would assist the Centers build an even higher level of cooperative services in their respective regions.

Under 131 section f, part 2 funds may not be used for the purpose of benefiting only 1 member of the consortium. This is a major change in past practice as most of the consortia in North Dakota, Perkins is a pass through from the consortia fiscal agent for single district purposes. This is expressly prohibited in Perkins V and the focus is cooperative arrangements and services. Under section f, part 1, subsection A and B, this provided for funds to be transferred to Area Career and Technology Centers for the purpose of mutual and collective benefit.

I would suggest that activities such as area career counselors, High Tech. Consortia, shared equipment, and shared instructional programs all meet the intent, spirit, and requirements of the law. Single district reallocation does not and this past practice appears to be prohibited in the new act, a provision that I strongly support.

Thank you for your comment. Since this is language taken directly from the Perkins V Act, we cannot deviate. The Department will seek clarification from OCTAE to determine if this type of practice can continue under Perkins V. This will be reviewed during the 4-year State Plan writing process.

I would further suggest that the state under section 131 section c part 1, follow the \$15k single district requirement but set the consortium requirement at a minimum of 5 districts and \$30k allowing for enough critical mass in both numbers and at a funding level that is impactful (\$50k for post-secondary)

Thank you for your comment. This will be reviewed during the 4-year State Plan writing process.

Based on 30 years of data, percentage of students enrolled in secondary CTE, and post-secondary CTE I would support a continuation of the 1/3 post-secondary, 2/3 secondary split to the North Dakota State CTE distribution of funds.

Thank you for your comment. This will be reviewed during the 4-year State Plan writing process.

Julie Lammers

Vice President of Advocacy and Government Relations

American Student Assistance

A strategy for Local Education Agencies (LEA) to access Perkins V funding for Career Exploration Programming in the “Middle Grades”

As you know, historically there has been a prohibition on using Perkins federal funding below seventh grade. Perkins V lifts this restriction and allows for the use of funds for career exploration programming in the “middle grades” or as early as fifth grade.

Research shows that middle school is an ideal time to introduce career exploration programming and counseling. To help them stay engaged and plan for their future, middle schoolers need educational experiences that match their stage of intellectual and social-emotional development. According to the Association for Career and Technical Education, “research has identified middle school as a time when students can benefit the most from career exploration.” The National Career Development Association recommends that middle school students learn about themselves by developing awareness of their occupational interests, aptitudes, and career values; gain an understanding of the value concept of work; and make preliminary occupational choices that are open to change. In addition, middle schoolers’ brains are receptive to developing employability skills critical to the future workforce.

We recommend North Dakota include language in your state plan to allow LEAs to access Perkins funding for career exploration as early as fifth grade. Once North Dakota has made a determination to allow your state's Perkins CTE funds to be expanded to middle grades, we encourage you to include middle school CTE stakeholders in needs assessments and application for Perkins funding. Finally, accessing these funds for the middle grades may necessitate a change to your state's CTE definition if it currently defines CTE as being for ninth grade and above. We encourage you to make any needed administrative changes to state definitions to include "middle grades" in the definition of CTE programming.

Thank you for your comment. This was cited from other public comments and it is determined that Perkins funds can be used to support Career Development down to the 6th grade level.

#### Quality training and support for teachers and counselors

High quality career exploration programming will only succeed if there are well-trained and resourced teachers and counselors to provide this exploration experience to students. As articulated in prior Perkins State Plan guides issued by the U. S. Department of Education Office of Career, Technical, and Adult Education, comprehensive professional development opportunities must be provided that are "high quality, sustained, intensive, and focused on instruction, and increase the academic knowledge and understanding of industry standards, as appropriate, of career and technical education teachers." Additionally, CTE providers must be kept abreast of the latest projections on local business trends and emerging in-demand occupations in your state.

We recommend North Dakota commit to creating additional career exploration professional development opportunities for teachers, counselors, and administrators -- including those serving middle grade students-- that stress rigorous academic content and curricula development for CTE programs, and modern instructional strategies; increase chances to gain teacher certifications or licensing requirements; and provide access to current business and industry practices, as well as those of projected high-growth occupations.

Thank you for your comment. This will be considered during the 4-year State Plan writing process.

#### Increased funding and support for education and career counseling

In addition to professional development for all staff, we urge you to address the lack of resources dedicated to school counseling in your state. According to the report State-By-State Student-To-Counselor Ratio Report: 10-Year Trends, North Dakota's student-to-counselor ratio stands at 307:1, which exceeds the recommended standard of 250:1.

School counselors are often students' and parents' primary go-to source for planning next steps beyond high school. However, research has shown school counselors often

lack the time, training and support to adequately inform students of the many viable pathways to a successful and fulfilling career. An ASA nationwide survey of school counselors found they do not have the ability to talk in-depth with all students about planning for life after high school because high student-to-counselor ratios limit time spent with each student. A comprehensive school counseling program, led by well-trained, highly competent professionals with appropriate workloads, has a positive impact on student achievement, attendance, discipline, graduation, college application, and attaining proficiency in CTE programs.

We recommend that the North Dakota State Perkins Plan encourage a portion of the Perkins administrative funding be used to ensure student-to-counselor ratios in line with the American School Counselor Association (ASCA) recommendation of 250:1, as well as toward wider access to counselor professional development and training that increases knowledge and skills in higher education and career planning.

Thank you for your comment. This will be considered during the 4-year State Plan writing process.

Ensure all students have access to career exploration programs

Finally, the state of North Dakota must strive to ensure career exploration programming is open to all middle grade students. Career exploration programs are an opportunity for students to better understand their strengths and interests. Such programs should be open to all—they should not just be a reward for the high-achieving students, nor a way to set students on a specific career track. Every student should have the opportunity to explore their future, and North Dakota should ensure that LEAs using career exploration funding are providing equal access to career exploration programming for all students.

Thank you for your comment. This will be reviewed during the 4-year State Plan writing process.

We thank you in advance for your consideration of these recommendations and would welcome the opportunity to provide testimony at future hearings related to your Perkins plans, or to discuss these issues in further detail at your convenience. Please do not hesitate to contact me for more information.

## Statutory Assurances

The eligible agency assures that:

1. It made the State plan publicly available for public comment for a period of not less than 30 days, by electronic means and in an easily accessible format, prior to submission to the Secretary for approval and such public comments were taken into account in the development of this State plan. (Section 122(a)(4) of Perkins V)
2. It will use the funds to promote preparation for high-skill, high-wage, or in-demand industry sectors or occupations and non-traditional fields, as identified by the State. (Section 122(d)(13)(C) of Perkins V)
3. It will provide local educational agencies, area career and technical education schools, and eligible institutions in the State with technical assistance, including technical assistance on how to close gaps in student participation and performance in career and technical education programs. (Section 122(d)(13)(E) of Perkins V)
4. It will comply with the requirements of this Act and the provisions of the State plan, including the provision of a financial audit of funds received under this Act, which may be included as part of an audit of other Federal or State programs. (Section 122(d)(13)(A) of Perkins V)
5. None of the funds expended under this Act will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the acquiring entity or the employees of the acquiring entity, or any affiliate of such an organization. (Section 122(d)(13)(B) of Perkins V)
6. It will use the funds provided under this Act to implement career and technical education programs and programs of study for individuals in State correctional institutions, including juvenile justice facilities. (Section 122(d)(13)(D) of Perkins V)

I understand that the use of the Personal Identification Number (PIN) supplied to me by the Department to certify and submit these assurances is the same as certifying and signing the document with a hand-written signature.

Signature of Authorized Individual (PIN):

\*\*\*\*\*

Title/Agency:

ND Department of Career and

Date:

5/21/2019 12:00:00 AM

## EDGAR Certifications

By submitting a Perkins V State Plan, consistent with 34 CFR 76.104, the eligible agency certifies that:

1. It is eligible to submit the Perkins State plan.
2. It has authority under State law to perform the functions of the State under the Perkins program(s).
3. It legally may carry out each provision of the plan.
4. All provisions of the plan are consistent with State law.
5. A State officer, specified by title in Item C on the Cover Page, has authority under State law to receive, hold, and disburse Federal funds made available under the plan.
6. The State officer who submits the plan, specified by title in Item C on the Cover Page, has authority to submit the plan.
7. The entity has adopted or otherwise formally approved the plan.
8. The plan is the basis for State operation and administration of the Perkins program.

I understand that the use of the Personal Identification Number (PIN) supplied to me by the Department to certify and submit these assurances is the same as certifying and signing the document with a hand-written signature.

Signature of Authorized Individual (PIN):

\*\*\*\*

Title/Agency:

ND Department of Career a

Date:

5/21/2019 12:00:00 AM



**ASSURANCES - NON-CONSTRUCTION PROGRAMS**

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.


**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET.  
SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**NOTE:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

|  |                                  |
|--|----------------------------------|
| SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL<br> | TITLE<br><i>State Director</i>   |
| APPLICANT ORGANIZATION<br><i>ND State Board for Career and Technical Education</i>   | DATE SUBMITTED<br><i>5-21-19</i> |



## DEPARTMENT OF CAREER AND TECHNICAL EDUCATION

Wayde Sick  
STATE DIRECTOR &  
EXECUTIVE OFFICER

State Capitol 15th Floor  
600 E Blvd. Ave. Dept 270  
Bismarck ND 58505-0610  
701-328-3180  
701-328-1255 (Fax)

[www.nd.gov/cte](http://www.nd.gov/cte)

E-mail: [cte@nd.gov](mailto:cte@nd.gov)

TO: US Department of Education  
FROM: Wayde Sick, State Director  
DATE: May 21, 2019  
SUBJ: Disclosure of Lobbying Activities

This memorandum is regarding the Disclosure of Lobby Activities Form 0348-0046 to disclose lobbying activities pursuant to 31 U.S.C. 1352.

The Department of Career and Technical Education (State Board for Career and Technical Education) does not participate in or endorse any type of lobbying activities.

Please let us know if you have any questions or need additional information.

Thank you.

A handwritten signature in black ink, appearing to read "Wayde Sick".

## CERTIFICATION REGARDING LOBBYING

### Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

### Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

\* APPLICANT'S ORGANIZATION

ND State Board for Career and Technical Education

\* PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

Prefix:  \* First Name:  Middle Name:

\* Last Name:  Suffix:

\* Title:

\* SIGNATURE:

\* DATE:

**Excerpts from the North Dakota Transition Plan in reference to how the ND Department of Career and Technical Education will serve special population students.**

**2. Meeting the Needs of Special Populations**

- a. Describe the eligible agency's program strategies for special populations, including a description of how individuals who are members of special populations—*
  - i. will be provided with equal access to activities assisted under this Act;*

The State Board will provide equal access to activities assisted under this Act, as follows:

- Local applications will contain assurances that proposed activities to be carried out with Perkins V funding will comply with the provisions of the IDEA, Section 504 of the Rehabilitation Act, the ADA, Title IX, and the Vocational Education Guidelines for the Elimination of Discrimination and Denial of Services based upon race, color, national origin, sex or disability. Local applications submitted without such assurances will not be funded.
- CTE staff will continue on-site monitoring and evaluation of LEA's, including a review of published nondiscrimination policies. Staff will ensure that LEA's have identified compliance administrators and provided required complaint procedures. The State of North Dakota also requires that schools publish anti-bullying policies, another tool to foster equal access to programs funded under the Act.
- To ensure equal access to CTE programs and activities assisted under this Act, CTE will dedicate resources as required to measure enrollment data disaggregated by race, gender, economically disadvantaged, youth who are in or who have aged out of foster care, students with disabilities, English learners, migrant students, homeless students, students with a parent in the active military, single parents, out-of-work individuals and students pursuing nontraditional careers. Disparities in rates of enrollment into CTE programs will be identified and addressed. Local applications will be adjusted, as necessary, to foster interest in, or to expand access to CTE activities funded under this Act.
- To promote enrollment into CTE programs of study leading to nontraditional fields, funds are provided annually in the form of competitive grants. The grants are used primarily to fund hands-on activities designed to help the student explore fields that are nontraditional, based upon the student's gender. These efforts have demonstrated success in many LEA's; consequently, this grant program will continue if these activities produce positive results for CTE Concentrators.

- ii. will not be discriminated against on the basis of status as a member of a special population;*

The State Board assures that special population students enrolled in CTE will be afforded all the rights and protections guaranteed under IDEA, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, Title IX, and the Vocational Education Program Guidelines for Eliminating Discrimination. Local Applicants for funds will need to provide documentary proof of anti-discrimination and anti-bullying policies, compliance administrators and complaint procedures.

- iv. will be provided with appropriate accommodations;*

Upon completion of gap-analyses of the performance of special populations on the Perkins Core Indicators, LEA's will develop and implement strategies to close any gaps. Regarding students with disabilities, on-site monitoring routinely documents excellent working relationships among CTE and special education faculty. There are consistent reports of compliance with recommended accommodations for students with disabilities by CTE instructors, statewide.

The special populations state supervisor serves on North Dakota's Special Education Advisory Panel, and as such, has regular contact with the special education community. During the current school year, a state-level collaboration was launched with the North Dakota Department of Public Instruction to properly identify and accommodate students with disabilities enrolled in CTE classes delivered by distance education. These efforts will be continued and expanded as necessary to ensure CTE students with disabilities receive recommended accommodations whether they are learning on-site or through distance education.

Certain LEA's have chosen to use Perkins funds to support Career and Technical Resource Educators, CTE Basic Skills Educators, Tutors and Mentors whose role is to provide the academic support required for CTE students, but particularly CTE special population students, to gain the skills and knowledge required to succeed in CTE programs. These personnel typically have networks that include community supports and resources available to help special population students succeed in school.

As a part of the State Transition Plan, CTE will develop a strategy to harness the creativity of CTSO student leaders to increase involvement by special population students in student organizations. Drawing on the expertise of key stakeholders, CTE will identify barriers to participation faced by special population students and identify sample strategies with which to make improvements.

|          |                             |               |
|----------|-----------------------------|---------------|
| <b>2</b> | <b>State Administration</b> |               |
| <b>3</b> | <b>State Leadership</b>     | \$ 503737.00  |
| <b>4</b> |                             | \$ 50374.00   |
|          |                             | \$ 50374.00   |
|          |                             | 0.00          |
|          |                             | \$ 0.00       |
|          |                             | 60000.00      |
|          |                             | \$ 5037.00    |
|          |                             | 4281767.00    |
|          |                             | \$ 300000.00  |
|          |                             | 300000.00     |
|          |                             | \$ 0.00       |
|          |                             | 3981767.00    |
|          |                             | \$ 2588148.00 |
|          |                             | \$ 1393619.00 |
|          |                             | \$ 251868.00  |

## State Plan Certification

I certify that to the best of my knowledge and belief, all information and data included in this State plan submission are true and correct.

I understand that the use of the Personal Identification Number (PIN) supplied to me by the Department to certify and submit these assurances is the same as certifying and signing the document with a hand-written signature.

Signature of Authorized Individual (PIN):

\*\*\*\*

Title/Agency:

ND State Board for Career a

Date:

5/21/2019 12:00:00 AM