According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 1830-0029. The time required to complete this information collection is estimated to average 68 hours per response, including the time to review instructions, search existing data resources, gather and maintaining the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: U.S. Department of Education, Washington DC 20202-4651. If you have comments or concerns regarding the status of your individual submission, please contact your State’s Perkins Regional Coordinator (PRC) who can be located under the "Contact Us" tab on the Perkins Collaborative Resource Network (PCRN) at https://cte.ed.gov.

1. Eligible Agency (State Board) Submitting Plan on Behalf of State:
   Agency Name: New York State Board of Regents

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:
   Deborah Reiter

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

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

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.
New York State Perkins V Transition Plan for 2019-2020

Narrative Descriptions

A. Program Administration and Implementation

2a. 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)

New York’s state-developed CTE programs of study are in the health sciences and appearance enhancement occupations.

The New York State Department of Health and Education Departments carry out required activities to align nurse assisting and home health aide programs with state and federal regulations. NA and HHA programs in the secondary, adult, and college settings use state-developed curriculum and must meet state operational approval criteria for classroom and competency evaluation program components.

State determined content and program design standards (in areas such as staffing criteria for classroom and supervised clinical experiences, clinical affiliation agreements, facilities, etc.) ensure state-wide consistency in the delivery of these high demand programs.

State programs in appearance enhancement (i.e., cosmetology, barbering, esthetics, natural hair styling, and nail specialty) operate at the secondary and adult levels. Program content is set by state regulations and laws (see 19 CRR-NY 162 NY-CRR). NYSED oversees and supports operational approval of these programs. Successful completers of these programs are licensed by New York’s Department of State. programs in the appearance enhancement licensing areas.

During the transition year, New York will explore other options for state-level CTE programs that will represent a “fast track” to CTE program approval.

b. Describe the process and criteria to be used for approving locally developed programs of study or career pathways (see Text Box 3 for the statutory definition of career pathways under section 3(8) of Perkins V), 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[1] will—

i. promote continuous improvement in academic achievement and technical skill attainment; ii. expand access to career and technical education for special populations; and
support the inclusion of employability skills in programs of study and career pathways.  
(Section 122(d)(4)(B) of Perkins V)

The process used for approving secondary CTE programs in New York was launched in 2001 as a way for students to complete programs of study while satisfying new graduation requirements that decreased the amount of time available to concentrate in a CTE content area. The Board of Regents CTE program approval policy initiated a number of improvement strategies for CTE delivery that created a way for schools to obtain recognition of high quality CTE programs that included the following elements:

1. opportunity to apply academic concepts to real-world situations: The program approval policy increased the availability of integrated academics in CTE programs, which solved the problem of inadequate time in student schedules to accommodate the half-day programs offered at technical centers. Schools and BOCES that have Approved CTE programs can offer students up to eight units of integrated academic credit through the approved program. According to Commissioner’s Regulation 100.5, an integrated CTE course combines CTE and academic commencement level learning standards and may be jointly developed and taught by an academic subject teacher and/or a CTE teacher. Successful completion of one unit of study in an integrated CTE course may be awarded only one unit of credit but may be used to meet the distribution requirements in more than one subject. For details on this option, please see Commissioner’s Regulations 100.5(d) (6) Diploma Requirements and Expansion of Integrated Credits in Approved CTE Programs.

2. preparation for industry-based assessments or certifications: Technical assessments offered by approved programs usually have a written and a performance component where students demonstrate physical skills and/or produce a culminating project. All approved CTE programs must include a technical assessment that is nationally recognized and based on industry standards.

3. work-based learning opportunities for students to practice employability and technical skills in a real-world setting.

4. the opportunity to earn college credit or advanced standing while still in high school is built into an approved program through the requirement for an articulation agreement with a postsecondary entity offering certification, apprenticeship, or college degree programs in technical content areas.

The approval process addresses needs of workforce development by requiring industry and postsecondary partnerships to guide program development. Programs applying for approval, must convene a planning group represented by a number of stakeholders that mirror the composition of existing local advisory councils (LACs) required by state law. LACs must consist of at least ten members who cannot be employees of the agency(ies) served by the LAC. Further, the LAC membership must include, but not necessarily be limited to, representatives of each of the following:

1. persons familiar with the CTE needs and problems of management and labor in the service area;
2. persons familiar with programs of CTE at the secondary, postsecondary and adult levels;
3. persons familiar with the workforce needs and requirements of the community to be served;
4. persons familiar with the special educational needs of individuals with disabilities;
5. persons representative of community interests, including persons familiar with the special needs of the population to be served; and;

6. persons enrolled as CTE students at the agency served by the LAC.
The self-study review, required for all approvals and re-approvals, is done by a team comprised of business, industry, labor, academic, and postsecondary advisors who participate in the review of the CTE program of study including content, course sequence, instructional setting, and equipment to ensure that there is alignment with industry standards, expectations, and trends. These partners validate the appropriateness of the program’s academic and technical content and employability skills in providing students with the skills and knowledge required for entry into industry and/or post-secondary education.

Steps of the CTE program approval process to promote program improvement

Completing the program approval and subsequent reapproval process typically takes at least one year. Applicants must show that they have conducted a series of reviews and revisions which include:

1. conducting the CTE self-study
2. conducting the external review
3. processing all modifications necessary as the result of the external review
4. obtaining the chief administrator’s and Board of Education president’s certification on the application
5. completing the application for program approval and submitting it to the NYSED

Prior to submitting an application to the NYSED, the applicant’s self-study and external review committees will have reviewed the program in its entirety to ensure quality in all program components. After five years, an application for reapproval must be submitted. The program re-approval process is the same as first-time approvals, except returning programs must report data about program performance for the previous five-year period.

The SED CTE application review is performed by content specialist associates who review CTE program of study applications in their respective areas to ensure the following:

- A self-study, with justification of the program in terms of local and statewide workforce development data
- Instruction on career development and employability skills. In New York, this is done through a required half-unit (at a minimum) course called Career and Financial Management. Local Education Agencies may elect to embed this content throughout their course content, or they may present the course content under a locally developed course name.
- A meaningful, non-duplicative sequence of courses that increases in specificity from all aspects of an industry to more specified studies.
- Access to work-based learning opportunities for all students
- Data reporting requirements are understood and the CIP code requested aligns with program content.
- An employability profile for 21st Century skills and technical skills in the appropriate content area

New York State Perkins V Transition Plan: 2019-20
• A technical assessment that is designed to assess all areas of the program. In New York, all assessments must include a written component, a performance component, and a locally developed portfolio of projects and experiences completed within the program.
• An external review of the program by outside persons.
• Signatures indicating support of the program from district administration

When carried out with fidelity, the initial program approval process builds course sequences of increasing complex academic, technical, and process skills. The creation of the CTE graduation pathway option in 2015 permits students to use successful completion of an approved program to meet graduation requirements.

Programs are required to obtain re-approval every five years. At this time, student completion and technical assessment performance rates are evaluated. Plans are put into place when necessary to support deficiencies in academic growth and achievement. In addition, content area associates, supported by the contracted Career and Technical Education Technical Assistance Center (CTETAC) design and deliver targeted professional development opportunities to assist teachers in raising the rigor and relevance of their programs.

The original program approval process created a process for re-approval that is almost identical to the initial process. Inclusion of CTE pathways as an option to meet graduation requirements points to the need to review standards for re-approval decisions. In the transition year, we will be exploring ways to improve the re-approval process by more clearly defining performance expectations. Questions for consideration with our stakeholders include:

1. What benchmarks for success should all students be expected to achieve?
2. What documentation of instructional goals and approach should be expected of CTE teachers?
3. How might current CTE programs be modified so that course sequences challenge students with increasingly complex content?
4. What additional information do SED program reviewers need to determine if program implementation addresses the needs of all learners?

Postsecondary CTE programs are reviewed by the Office of College and University Evaluation (OCUE) through the Inventory of Registered Programs (IRP) process described below. Non-credit bearing programs are reviewed by the postsecondary Perkins program administrators.

Colleges seeking program approval submit to OCUE applications that describe the content of their programs and propose corresponding HEGIS codes according to the Commissioner’s regulations 52.1 Registration of postsecondary curricula. Programs approved for CTE include HEGIS codes ranging from 5000.00 and 5599.00; some of the more common programs include nursing, veterinary sciences, hospitality, and criminal justice. OCUE then verifies that the proposed HEGIS codes align with the content that the institutions have proposed. If the OCUE determines that the HEGIS code suggested by the institution does not align properly with the applicable content, OCUE proposes a more appropriate HEGIS code. OCUE reviews the codes of other registered programs in similar areas and at the same levels of study, to ensure consistency of HEGIS codes across institutions and programs.
Institutions that offer noncredit bearing programs must describe in their local applications how their programs meet the definition and standards for CTE. These justifications are then reviewed for approval by Perkins program administrators at NYSED.

Postsecondary Perkins creates a list of eligible institutions based on the following criteria:

1. Minimum of 5 approved CTE programs
2. Ability to generate a minimum of $50,000 in formula funding on their own or by partnering with another institution in the form of a consortium.

Since 2006, the NYS Education Department Postsecondary Perkins Program Office has restricted the eligible institutions to those with a minimum of 5 approved CTE programs.

Postsecondary Perkins requires institutions to describe in the Major Effort Formats or the narrative section of the local application how they promote continuous improvement in academic achievement, expand access to career and technical education for special populations, and support the inclusion of employability skills. In the Major Effort Formats/narrative, institutions must present clear goals, focused on program improvement and meeting the core indicators of performance. Programs must demonstrate continuous improvement in academic achievement and technical skill attainment through the activities and expenditures described in their local applications.

Expanding Access to CTE for Special Populations

State Grant to Identify Barriers to Access

Preliminary work on expanding access to CTE for special populations began with an inquiry into the nature of the existing barriers to participation. New York’s recent efforts to better understand barriers to CTE faced by students with disabilities and English language learners included allocating state funds for 12 projects to learn what remedies might improve access.

Barriers and Strategies identified for ELLs in CTE included:

**Barrier: Teacher Certification**

**Strategies:** supporting teacher acquisition of certification extensions, examples included • TESOL classroom teacher certification extension for special education staff • math teacher instructors obtain bilingual certification extension. • Spanish teacher complete TESOL bilingual certification extension and ESOL certification.

**Barrier: understanding and accommodation of social-emotional issues**

**Strategy:** devote time to survey ELL students on the prevalence of traumatic experiences, experiences of racism in this country, and goals for “new life” in the United States to identify appropriate support services for trauma exposure and other symptomatology that interferes with learning. **Strategy:** Professional development for instructional and counseling staff on national policy developments affect
the mental health of immigrant students and what strategies might be used to help them cope with anxieties caused by national events.

**Barriers:** lack of bilingual resources create implementation challenges: difficulty finding bilingual business and industry representatives for program consultant committees; lack of Spanish content textbooks; finding bilingual CTE teachers who can create lessons for Spanish speaking students that integrate the CTE vocabulary with English language lessons; teachers have no structured way to ensure that CTE concepts are well understood in students’ native language

**Strategy:** grow district talent, cultivate connections among special education, bilingual and CTE teachers.

The SED Office will use these findings during the transition year to partner with the Bilingual Education Office in identifying supports that would improve access to CET for more ELL students.

**State Approved Programs as Perkins Programs of Study and Graduation Pathways**

Under Perkins IV, New York defined a program of study as a CTE program that met the requirements of the 2001 Regents CTE policy. SED will continue to define a program of study this way for Perkins V.

Under Perkins IV, SED allowed funds to be directed to programs that had not undergone program approval as long as the recipient offered three SED-approved programs. The means to drive improvement came by holding recipients accountable for all programs in operation regardless of approved status. As a result, the performance of the highest achieving programs masked that of the lowest achieving programs—an issue identified in the new Perkins V accountability requirement to disaggregate by program/cluster.

When the Board of Regents voted in 2015 to institute a multiple pathways approach to graduation requirements, state approved CTE programs formed one of the diploma pathways. The Regents diploma requires four Regents exams plus one additional exam (aka, the 4+1 option). Successful completion of a state approved CTE program, which includes a three-part technical skills assessment can be used by CTE students to satisfy the + 1 requirement. The inclusion of a CTE graduation pathway has increased numbers of district-based program approvals which provides improved access to quality CTE. During the Perkins V transition year, SED will focus efforts on the development and approval of high-quality CTE programs to expand access to CTE 4+1 graduation opportunities for special populations.

State policies on the use of funds will center on increasing the number of opportunities for students to make use of CTE graduation pathways. We will be phasing in the requirement for Perkins to be used only for SED-approved programs. We will be seeking feedback from stakeholders about the best way to implement this new approach. Discussions will include availability of funds for new programs to be submitted for SED approval.

**CDOS Commencement Credential: a chance for students to choose challenge**

The CDOS Commencement Credential is a Board of Regents endorsed exit credential that recognizes the student’s readiness for entry-level employment. The CDOS credential, which is not a diploma, can be awarded to students exiting high school as either a stand-alone document or as a supplement to a high
school diploma.¹ Students who receive the CDOS Commencement Credential as a stand-alone high school exit credential have met the requirements for the credential but have been unsuccessful in earning the required 22 credits and/or in passing the required assessments to earn a diploma. Students who meet the requirements for the credential and the requirements for a high school diploma can exit with both documents.

Many state-approved programs build in another **graduation pathway option** for CTE students: the CDOS credential as the +1 pathway option. Under the “4+CDOS” pathway option, students meeting the graduation course and credit requirements established in section 100.5 of the Regulations of the Commissioner of Education; passes four required Regents Exams or Department approved alternative assessments (one in each of the following subjects: English, mathematics, science, and social studies); and meets the requirements to earn the New York State (NYS) CDOS Commencement Credential (CR 100.5 (b)(11)). While the CDOS 4+1 option can be pursued without enrolling in an approved program, students in well-designed programs meet the requirements for the CDOS credential while attempting more rigorous pathway offered in an approved program. In cases where students are unable to pass the three-part technical skills assessment, they are able to use the CDOS +1 option to meet graduation requirements.

Current Perkins application requirements do not build in the expectation that all students be prepared to earn the CDOS credential and the technical endorsement. Similarly, the state CTE program approval process establishes the requirement that students be offered the option to earn the technical endorsement or CDOS credential. In the coming year, SED will be defining clearer expectations for programs to prepare all students to earn a CDOS credential while working toward the CTE technical endorsement. Certain districts and BOCES are already implementing this practice to ensure students exiting approved programs earn at least the CDOS credential.

Postsecondary Perkins will continue to require mandatory set-asides and Major Effort formats to place emphasis on the requirements on increasing access of federally defined special populations by using data to identify gaps in equity.

During the transition year, following a more detailed analysis of data and with stakeholder input, the SED will address identified access and opportunity gaps for special populations and recommend the use of strategies to incentivize expansion of high-quality programs for special populations. The development of the comprehensive local needs assessment will be essential in driving the use of resources to support addressing this issue in a data-driven manner.

¹ There are **two options** for students to earn the credential. Option 1 is the set of experiential program requirements including CTE coursework and/or work-based learning; and Option 2 is passing a nationally-recognized work readiness assessment approved by the Commissioner.
Support the inclusion of employability skills in programs of study and career pathways. (Section 122(d)(4)(B) of Perkins V)

The acquisition and practice of employability skills is a priority in New York’s approved secondary CTE programs. Applicants seeking CTE program approval must develop employability profiles that relate specifically to their CTE program of study and that include both technical and employability skills aligned to the expectations of future employers and post-secondary partners. Employability profiles for 21st century skills are developed using the 21st Century Skills Framework. Employability profiles for technical skills are built using industry-specific standards in that area of study. Knowledge and skills on employability profiles must also align with student IEP/504 plans. Applicants must also develop a process that will be used to review and update each student’s employability profile.

Additionally, programs seeking approval are required to offer a Career and Financial Management (CFM) course either as stand-alone or as integrated content. NYSED provides a curricular framework for CFM that outlines the topics that should be covered. The framework connects modules to related New York State CDOS standards and the Common Career Technical Core Career Readiness Practices. The career management modules provide an instructional framework for employability topics including:

- Career Development
- Options Beyond High School
- The Job Search Process
- Workplace Regulations
- Career Readiness Skills (Transferable Skills)
- Lifelong Learning
- Leadership and Ethics
- Business Communications & Technological Innovations

Modules are grounded in essential questions about employability topics and student activities designed to demonstrate skills. For example, the module dedicated understanding and developing career readiness skills outlines instructional topics covering:

**Content**

1. **Career Readiness Skills (Transferable Skills)** Students will:
   a. Identify career readiness skills (e.g., critical thinking, problem solving, decision making, communication)
   b. Explain how career readiness skills contribute to success in a variety of career and life settings
   c. Reflect on experiences that provide opportunities to gain and/or strengthen career readiness skills...

2. **Self-Advocacy** Students will:
   a. Define the term “self-advocacy” as it relates to success in a variety of career and life settings
b. Identify and discuss strategies to overcome obstacles and challenges to success in a variety of career and life settings

C. Explain how self-advocacy can assist in reaching short-, mid-, and long-term goals

Perkins postsecondary eligible institutions are required to maintain a partnership with their local One Stop Career Center System. This, along with work-based learning opportunities are critical methods to supporting the inclusion of employability skills in CTE programs. All institutions must maintain a local advisory council to facilitate connections with local industry and stay abreast of workforce needs. This collaboration addresses alignment between workforce and special populations with emphasis on providing special populations access to in-demand and high-wage employment opportunities. During the transition year, SED will seek stakeholder input on how to expand and strengthen quality work-based learning in both secondary and postsecondary programs. Moreover, there will also be a focus on developing tools and resources to provide recipients to better align to labor market information and workforce development needs. This will also involve the input, collaboration and expertise of other state agencies.

B.2.(c)(i) Describe how the eligible agency will— 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;

Approved CTE programs for high school students have gained more visibility since a CTE graduation pathway was approved by the Board of Regents in 2015. Since then, all information targeted to students about graduation requirements includes details about the multiple pathways to graduation.

Students and parents can review secondary programs with current SED approval on the CTE webpage for approved programs to see the variety of offerings in their district. Parents can also stay informed by subscribing to updates from Commissioner Elia and the State Education Department listservs. For example, in February 2019, the launch of “Paths to the Professions” web site was announced via Commissioner’s update. The new web resource provides parents and students information on the licensed professions in New York.

NYS Department Labor continues to host CareerZone which is used by middle and high school students statewide as a tool for career exploration and up-to-date education and labor market information. Many instructions include the use of CareerZone in the delivery of the half unit study “Careers and Financial Management,” which is required content for all SED approved CTE programs. Resources are available for students, parents, school counselors, and teachers. Like the NYSED web pages, this site offers translation services powered by Google translate.

SED’s Technical Assistance Center maintains a statewide field presence to connect district administrators, counselors, CTE teachers with current information about CTE developments in the state. Their model program recognition initiative shares promising practices with the field.

New York’s regional technical centers, the Boards of Cooperative Education Services (BOCES), offer SED approved programs in all regions of the state outside of the Big Five cities. Orientations to BOCES CTE programs are offered to students in their service areas each year. Peer-to-peer classroom visits are held to connect BOCES students with students considering CTE. On-site tours of the BOCES facilities are scheduled regularly. All Perkins recipients provide counseling services, informational documents, career fairs, college nights, and other opportunities for students, and parents. Most BOCES and Big Five cities host Pathways to Career events where students interact with employers.

New York SED will gather input from the field during the transition year to determine if there are additional means that might be used to raise the profile of SED-approved programs. The postsecondary office will expand their website to include portals to target specific audiences: students/parents, educators, and institutions. These portals would include information regarding program availability, work-based learning opportunities, dual enrollment and employment trends.

**B2 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)**

Approved secondary CTE programs, by definition, link secondary programs with postsecondary and occupational entry points. All approved programs offer at least one articulation agreement with postsecondary studies for certification, apprenticeship, or college degree programs.

Presently, there is the opportunity for dual or concurrent enrollment with the NYS P-TECH programs. NYS P-TECH is a public-private partnership that will prepare New York students for high-skills jobs of the future in technology, manufacturing, healthcare and finance. The NYS P-TECH model delivers five core benefits to students:

- A rigorous, relevant and cost-free “grades 9 to 14” education focused on the knowledge and skills students need for Science, Technology, Engineering and Math (STEM) careers;
- Workplace learning that includes ongoing mentoring by professionals in the chosen career sector, worksite visits, speakers and internships;
- Intensive, individualized academic support by K-12 and college faculty within an extended academic year or school day that enables students to progress through the program at their own pace;
- An Associate of Applied Science degree in a high-tech field; and
- The commitment to be first in line for a job with the participating business partners following completion of the program.

The program is also designed to:

- Develop programs of study in high-wage, in-demand career areas;
- Align school, college and community systems in these programs of study;
• Support strong academic performance;
• Promote informed and appropriate career choice and preparation; and
• Ensure that employers in key technical fields have access to a talented and skilled workforce. Through these programs of study, students will be able to earn transcripted college credit toward an Associate degree. Career pathways begin in grade nine and include workplace learning and high school and college coursework. The pathway provides a seamless sequence of study extending through two years of postsecondary career and technical education which culminates in an A.A.S degree. Currently, there are thirty-seven NYS P-TECH programs.

B2h. 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.

For secondary programs, the following definition will be used:

Programs of sufficient size
• BOCES or school districts must provide a minimum of 3 SED-approved CTE programs of study in 3 of the 16 national career clusters (see https://careertech.org/career-clusters)
• Each program of study must serve a minimum of 8 students
• Enrollment must be open to all students with adequate supports provided when needed

Programs of sufficient scope
• Progress in specificity, beginning with exploration of multiple aspects of an industry or career cluster and leads to more occupation-specific instruction
• Are a nonduplicative sequence of courses offering academic, technical, and employability skills to expose students to multiple aspects of an occupational area
• Align with the needs of industry in the economy of the state, region, or local area
• Offer multiple entry and exit points
• Culminate in the ability for students to attain a recognized postsecondary credential

Programs of sufficient quality
• Achieve or make progress toward achieving, performance targets established for Perkins core indicators
• Are aligned to state academic learning standards and industry standards and are delivered by appropriately certified teachers who have on-going professional development in instructional strategies to meet the needs of all learners
• Include articulation agreements including dual credit with postsecondary institutions and apprenticeship programs.
• Result in student attainment of either the CDOS Credential or the CTE technical endorsement, or both.

For postsecondary programs, the following definitions will be used:

• Size—eligible institutions must have a minimum of five approved CTE programs and the ability to generate a minimum of $50,000 in formula funding on their own or by partnering with another institution in the form of a consortium.
• Scope—programs must prepare concentrators for employment in high-skill, high-wage, or in-demand careers. Programs must lead to technical skill proficiency or a recognized postsecondary credential. Scope must ensure all students are provided with equitable access to CTE programs of study.

• Quality—is measured by evaluation of the program’s progress on the Core Indicators of Performance as compared to federal and state targets.

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

      iv will be provided with appropriate accommodations;

New York State CTE (and other offices) review grant activities for compliance with the least restrictive provisions IDEA. Yearly grant applications require a summary of efforts to ensure equal access. The New York Technical Assistance Center provides instructional support and teacher training focused on the needs of students with disabilities.

The CTE Office requires that programs submit data on the number of students with Individual Education Plans (IEPs) and 504 plans in applications for program approval or reapproval.

SED will identify other sources of data that will provide a broader scope of information about disparities in program enrollment and completion rates for special populations. Currently, a report of students earning the CDOS credential or CTE technical endorsement is not available at the CTE program level. Provision of these data elements will give programs yearly feedback on special population attainment of these milestones. Tracking these markers of success needs to be easier and readily available to students and parents.

A more standardized process for Perkins project review and approval will be based on goals beyond the Perkins indicators. A new framework to be developed during the transition year for review will be rubric based and give clearer definitions of the evidence needed to show that action steps and funded activities relate to priorities identified in the needs assessment. In all likelihood, this will include a focus on students with disabilities and English language learners, where enrollment rates and levels of achievement lag behind other groups.

Models of Practice: A Scan of New York’s CTE to Identify Strong Programs and Challenges to Increasing Access

In 2018, the Regents Research Foundation secured a grant to from the J.P. Morgan-Chase Foundation to fund a study of New York’s CTE landscape to identify strong programs and challenges to creating programs. The study findings will inform policy and budget recommendations to maximize access to quality programs. The National Research Center at the Southern Regional Education Board (NRCCCTE) research team was asked to help examine CTE models to identify practices and structures that can be
replicated. The following framework was used in the environmental scan to identify CTE programs graduating a high percentage of concentrator-seniors:

- more than half of graduating seniors earned a CTE endorsement on their diploma
- more than 90% passed a technical skills assessment in 11th or 12th grade
- there was a measurable decline in tardies and suspensions between 10th and 11th grade and 11th and 12th grade.

These and other benchmarks will frame discussions with CTE partners during the transition year and Perkins V four-year plan development. Performance data at the program level will allow grantees to better evaluate which programs require support to improve student outcomes. In addition to student performance and achievement data, other data elements may be considered in on-going assessment of grantee performance. These may include:

- Program attendance and completion
- Enrollment patterns of students with disabilities in English language learners (e.g., program departures during the first few weeks)
- Demographics of CTE program vs region
- Rates of de-classification of students with disabilities prior to enrollment in BOCES
- Involvement of CTE educators in IEP review

New York State provides a comprehensive set of accommodations to ensure that Students with Disabilities and/or English Language Learners/Multilingual Learners (ELLs/MLLs) will have an equitable opportunity to participate in CTE. New York State’s testing accommodations for students with disabilities are provided in six major categories: Flexibility in Scheduling/Timing, Flexibility in Setting, Method of Presentation, Method of Response, Other Accommodations, and Accommodations for Physical Education Assessments. Individualized Educational Program (IEP) team members and school administrators are provided extensive guidance on the proper selection of specific accommodations within these categories and the application of accommodations in test administration. Specific testing accommodations are made available for all ELLs/MLLs and applied as determined by school administrators, in accordance with guidance provided by the NYSED.

The postsecondary program office will promote equal access to activities for special populations through the website and presentations/workshops. The comprehensive local needs assessment will require examination of data to assess gaps in access and equity and to develop a plan to address these. The local application will require all projects to describe a plan to recruit, educate and support special populations in CTE and nontraditional fields. Institutions must provide in their local applications a description of how members of special populations will not be discriminated against. Institutions are required to describe approaches they will utilize in order to prevent such discrimination.

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

For the 2019-20 program year, SED will designate several priority areas to focus local applications.

Applicants will develop at least 2 projects:

1. One project must be developed in a program evaluation element of the comprehensive local needs assessment: required of all applicants
2. At least one other project must be funded to address another state priority:
   • Developing and sustaining work-based learning programs and activities
   • Supporting students with disabilities (SWD) and English Language Learners (ELLs)
   • Building program connections to business and industry

**Approved Programs Only:** Activities that improve or evaluate current SED-approved programs can be funded. Funds cannot be applied to programs that are not SED-approved. The following exceptions apply in the 2019-20 program year:

Major efforts begun in the 2018-19 program year that

1. Started the development of a program to be approved by June 2020, or
2. Started the development of program modifications to support students with disabilities or English language learners

Goals for Perkins V Program Years 2-3 (2020-21 to 2021-22)

SED will phase in higher standards for continued Perkins funding. To be considered for Perkins funding for Program Year 4 (2022-23), approved programs must show that all students

• exit with a CDOS credential or CTE technical endorsement
• take part in quality work-based learning experiences
• are provided with a continuum of supports necessary for successful program completion These Year 2-4 state priorities will be carried out in projects that align with the six Perkins V requirements for uses of funds established in Section 135(b)

All approved programs culminate in a three-part technical skills assessment. The regulations do not require students to take the exam so there is great variation statewide in the numbers of students taking the technical skills assessment. During Perkins V, SED will be placing greater emphasis on increasing the numbers of students who attempt these assessments.

SED will consider selecting the Perkins program quality indicator that tracks student participation in work-based learning and will seek input from stakeholders on this during the transition year. This is the
option that offers students the chance to learn technical and employability skills that lead to a 
postsecondary credential.

The postsecondary program office requires institutions to provide in their local applications specific 
criteria and processes explaining how they will promote and evaluate student academic achievement. 
Each project proposed must include a plan detailing what specific skills students need to attain in their 
five or more program majors. In the local application, institutions must list all of their CTE programs to 
demonstrate eligibility. They must also identify which of these CTE programs they will fund with the 
Perkins grant during the transition year.

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

Funds received through the allotment made under Perkins are allocated among secondary level and 
postsecondary level CTE providers based on the last 10 years of enrollment reports. Enrollment trends 
remain fairly consistent. Secondary students made up 52.08 percent of the CTE enrollments and 47.93 
percent were served in postsecondary/adult CTE programs. The split of funds will remain 52 percent for 
secondary providers and 48 percent for postsecondary providers. A portion of the funds allocated to 
postsecondary are distributed to Education Opportunity Centers, BOCES, and school districts for adult 
CTE programs.

   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 minimum award for secondary grants is $15,000. Secondary agencies with an allocation of less than 
$15,000 or agencies not wishing to apply directly may partner with BOCES and/or school district(s). One 
of the partners must serve as the lead agency/applicant for the consortium and be responsible for the 
legal requirements, program evaluations, local advisory council, and fiscal duties and requirements of 
the entire consortium.

Members of the consortium sign this agreement with the understanding that the fiscal agent and 
agencies that enter into the consortium will conduct programming in accordance with the provisions of 
Perkins Section 131(f)(2) which states: **FUNDS TO CONSORTIUM.** —*Funds allocated to a consortium 
formed to meet the requirements of this subsection shall be used only for purposes and programs that 
are mutually beneficial to all members of the consortium and can be used only for programs authorized 
under this title. Such funds may not be reallocated to individual members of the consortium for purposes 
or programs benefitting only 1 member of the consortium.*
School districts in rural and sparsely populated areas may qualify for a waiver to the $15,000 threshold if they

- are located in a rural, sparsely populated area, or is a public charter school operating secondary CTE programs; and
- can demonstrate its inability to enter into a consortium.

Postsecondary eligible institutions with an allocation of less than $50,000 may partner with another institution to form a consortium. Each consortium must identify a lead fiscal institution and must provide evidence of a signed agreement. The consortium must also demonstrate how the programs offered through the partnership are mutually beneficial to all members within the partnership and agree that funds are used only for programs authorized under Perkins V. Perkins funds may not be reallocated to individual consortium members for the purposes of benefitting only one (1) of its members.

C3. 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)

For the transition year, the allocation for secondary eligible institutions is $24,719,368

New York’s use of funds will mostly continue the patterns established in Perkins IV with two exceptions. The state will make use of the reserve funding option, and will make available the required amount of funds for the recruitment of special populations to enroll in CTE.

New York secondary formula funds 2019-20 program year will be calculated with the same method used for the 2018-19 program year. The 2019–20 secondary allocations will be posted on the NYSED Perkins webpage once available.

The Big 5 cities (New York City, Yonkers, Syracuse, Rochester, and Buffalo) and twelve small city school districts apply for their funds directly. All other districts join consortia led by their BOCES, who develop the local application and serve as fiscal agent.

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.

For the transition year, the allocation for postsecondary eligible institutions is $22,817,878

These funds will be distributed using the previously approved NYS Career and Technical Education formula that includes additional programs that target economically disadvantaged students in addition to the Pell Grant factors set forth in the Act. The use of this formula has been “conditionally approved” by the Office of Career and Adult Education on May 6, 2019, pending submission of the New York
transition plan. This formula serves more economically disadvantaged students as outlined in section 7(a) and (b) in this plan.

The funds are distributed by this formula by taking the number of disadvantaged students participating in Perkins funded programs at each institution and dividing that number by the total number of economically disadvantaged students in the Perkins program statewide; the percentage of Perkins students at each school is multiplied times the total Perkins allocation providing a projected allocation amount for each institution. This formula is based upon the number of enrolled economically disadvantaged CTE students reported by each institution.

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)

NYSED’s Office of Information Reporting Services maintains district and enrollment data that reflects changes in school district boundaries. The SAIP district boundary data is also referenced to confirm changes.

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)

New York will not be submitting a waiver to the secondary application at this time. We may consider proposing an alternative formula in the future.

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)
Since the implementation of the previous legislation, the postsecondary program office has applied for and received approval for a waiver, contingent upon acceptance of the statewide transition plan, in order to distribute funds in a way that is more equitable within New York State.

This request is the exact waiver that was approved under Perkins IV and better targets postsecondary funds to serve economically disadvantaged students who are enrolled in credit-bearing and noncredit, career and technical programs operated by both postsecondary and secondary education agencies. In addition to Pell Grants and Bureau of Indian Affairs Grants, the requested formula includes a broad range of eligibility criteria. These eligibility criteria expand the scope of economically disadvantaged individuals to include postsecondary students in noncredit career programs who are not eligible for Pell Grants.

The proposed alternative formula defines Economically Disadvantaged to mean individuals who participate in any of the following economic assistance programs:

a. Pell Grant  
b. Tuition Assistance Program (TAP)  
c. Aid for Part-Time Study (APTS)  
d. Educational Opportunity Program (EOP); Higher Education Opportunity Program (HEOP); Search for Education, Elevation and Knowledge (SEEK); and College Discovery (CD).  
e. Bureau of Indian Affairs Higher Education Grant Program (BIA)  
f. TANF Funded Services and Assistance  
g. Workforce Investment Act  
h. Supplemental Security Insurance  
i. Women, Infants, and Children (WIC)  
j. Other public assistance programs serving economically disadvantaged, such as: Food Stamps, Home Energy Assistance Payments (HEAP), Supplemental Security Income, Trade Readjustment Act, and Refugee and Immigration Affairs Assistance.

Or who may be documented as low income:

k. New York State’s Low-Income Guidelines define an economically disadvantaged student as one who is a member of a household that meets the following income eligibility standards: The total annual income of such household is equal to or less than 185 percent of the amount under the annual United States Department of Health and Human Services poverty guidelines for the applicant’s family size for the applicable year. For 2019, the Low-Income Guidelines are as follows: a total family income below $22,459 for single persons, $30,451 per couple, or $38,443 for a family of three, with an additional $7,992 per dependent child.

It is the Department’s belief that the addition of these other program factors results in a more effective distribution of funds to serve economically disadvantaged students. The attached chart provides the basis for this assertion. The first column of the chart lists those agencies which qualified for a Postsecondary Career and Technical Education allocation based on the number of economically disadvantaged students.
disadvantaged students enrolled in their postsecondary Career education program in the period July 1, 2016 – June 30, 2017.

Economically disadvantaged was defined as those in receipt of Pell Grants as well as those students who met eligibility requirements for the economic assistance programs mentioned above. The number of such economically disadvantaged students for each agency is given in the second column. These numbers are unduplicated unit counts of enrollees in workforce, public assistance, and other programs of economically disadvantaged status.

The third column shows the number of career education students who would be served if only Pell Grants were used as a distribution factor. The fourth column gives the numbers of economically disadvantaged career students who would not be served if Pell Grants were the only factors used for the Postsecondary formula. The fifth column gives the Postsecondary allocations calculated for each of the agencies based on their economically disadvantaged student enrollment. The minimum award is $50,000. The sixth column shows the allocations that would result for these agencies if Pell Grants were the only factors used for the distribution of formula funds.

Several results become immediately clear from the allocations which would result from the use of Pell Grants as the sole formula factors:

1. If exclusively Pell Grant recipients were considered, at least 30,094 unduplicated economically disadvantaged students would receive no support through Perkins V Postsecondary formula funds.

2. None of New York’s Educational Opportunity Centers (EOCs) would receive Perkins V funding. These EOCs, located in urban settings, are the branch of New York’s postsecondary education system which reaches out to economically disadvantaged populations and offers remedial and noncredit career instruction. These EOCs together serve approximately 4,000 students annually.

3. While not yet finalized, projected enrollment data for the period July 1, 2019 - June 30, 2020 is consistent with the 2018-2019 period, supporting the rationale for an alternative allocation formula.

For the above reasons, New York State proposes the addition of other programs of economically disadvantaged eligibility to Pell Grants for use in the formula distribution of Perkins V Postsecondary funds.

Attachment (Table):
<table>
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<tr>
<th>Institution Name</th>
<th>Total Perkins Students * 2017</th>
<th>All Institution Students Receiving Pell Aid 2017 **</th>
<th>Difference</th>
<th>Allocation Amount ($) With Total Perkins Student Counts</th>
<th>Allocation Amount ($) Using All Institution Pell Student Counts</th>
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New York State Perkins V Transition Plan: 2019-20

Page 22
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<td>Monroe Community College</td>
<td>6880</td>
<td>6415</td>
<td>-465</td>
<td>$1,368,982.40</td>
<td>$1,276,456.70</td>
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<tr>
<td>Trocaire College</td>
<td>1191</td>
<td>714</td>
<td>-477</td>
<td>$236,985.18</td>
<td>$142,071.72</td>
</tr>
<tr>
<td>State University of New York College at Brockport - Cooper Hall EOC</td>
<td>1200</td>
<td>0</td>
<td>-1200</td>
<td>$238,776.00</td>
<td>-</td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td><strong>188,951</strong></td>
<td><strong>158,857</strong></td>
<td><strong>-30,094</strong></td>
<td><strong>$37,597,469.98</strong></td>
<td><strong>$31,609,365.86</strong></td>
</tr>
</tbody>
</table>

Notes: Total Perkins Student Counts is UNDUPLICATED (students in two or more programs at one institution are only counted once)

* - This unduplicated count is obtained from 2017 CTEA data collected by NYSED

** - This count is obtained from 2017 NCES data maintained at College Navigator website

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.

New York state will award reserve funds to innovative projects following the Pathways in Technology Early College High School (P-TECH) model. The New York State Education Department will fund programs through a competitive grant process. Eligible applicants are formed from partnerships of school districts, higher education institutions, and committed business/employers.
Program proposals are evaluated based on the number of students to be served, the quality of the program design, and efficient use of funds.

The P-TECH model includes five core benefits to students: 1. A rigorous, relevant and cost-free grades 9 to 14 education focused on the knowledge and skills students need for Science, Technology, Engineering and Math (STEM) careers; 2. Workplace learning that includes ongoing mentoring by professionals in the chosen career sector, worksite visits, speakers, and internships; 3. Intensive, individualized academic support by K-12 and college faculty within an extended academic year or school day that enables students to progress through the program at their own pace; 4. An Associate of Applied Science degree or the two-year degree that is the industry standard for the targeted jobs in a high-tech field (referred to as an AAS degree for the purpose of this RFP); and 5. The commitment to be first in line for a job with the participating business/employer partners following completion of the program.

The award process conforms to that used by NYSED for all competitive grant awards.

Criteria for awarding funds include the review of the following program elements:

- Location of the new program and transportation plans for students recognizing the extended day and year calendar;
- Creation of an up-to-date skills map by the business/employer partner for the industry/sector that identifies essential job requirements;
- The steering committee, with the support and participation of key leadership at each partner;
- Recruitment and selection of staff with appropriate licensure and experience (as needed);
- Design of a Six-Year Integrated Scope and Sequence for each career pathway reflecting all necessary high school and college coursework and work-based learning activities for students to complete a high school diploma, AAS degree, and master professional skills for the targeted jobs;
- Development of instructional modules for the first year of instruction;
- Identification, targeting, recruitment, and enrollment of a full complement of academically and economically at-risk students for the first cohort;
- Identification of individuals who will provide mentoring for students;
- Professional development for participating high school and higher education faculty has been conducted, and preparation of non-classroom program staff to offer adequate support to students has been completed; and
- Plan to address any local challenges for implementing the specific NYS P-TECH program design, including but not limited to transportation requirements, student recruitment from targeted population to meet enrollment goals, staffing particularly in STEM fields, etc.
5. 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)

Worksheet to Calculate Perkins MOE

<table>
<thead>
<tr>
<th></th>
<th>2016-17</th>
<th>2017-18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Services-Career Education Aid</td>
<td>$157,187,916</td>
<td>$156,046,811</td>
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<tr>
<td>BOCES Shared Services Aid (CTE)</td>
<td>$378,111,691</td>
<td>$389,443,640</td>
</tr>
<tr>
<td>State Administrative expense</td>
<td>$1,243,869</td>
<td>$1,243,869</td>
</tr>
<tr>
<td>Total State MOE</td>
<td>$536,543,476</td>
<td>$546,734,320</td>
</tr>
</tbody>
</table>

**Career Education Aid**

The city school districts having a population in excess of one hundred twenty-five thousand (New York City, Buffalo, Rochester, Syracuse, Yonkers) and any other school district that was not a component of a BOCES in the base year are entitled to aid for certain career education pupils in grades 10-12. Aid per pupil equals the career education aid ratio multiplied by $3,900.

The formula for calculating Career Education Aid is:

\[ \text{Aid per pupil} = \text{Career Education Aid Ratio} \times $3,900 \times 2017-18 \text{ Weighted Career Education Pupils} \]

Weighted pupils is defined as the sum of the attendance of students in grades 10-12 in career education sequences in trade, industrial, technical, agricultural, or health programs plus 0.16 multiplied by the attendance of students in grades 10-12 career education sequences in business and marketing.

**BOCES Shared Services Aid (CTE)**

Shared Services Expense by BOCES from the Annual report "Financial and Statistical Outcomes of the Boards of Cooperative Educational Services" report (i.e., the Chapter 602 report).

**State Administrative expense**

Derived from the SED Office of Fiscal Management worksheet to calculate OMS, P-12, OHE PS, OTPS costs including the admin expenses associated with the NYS School for the Deaf at Rome and NYS School...
for the Blind at Batavia. Also includes a proportionate share of the state-paid salaries for the BOCES District Superintendents.

Percentage is calculated on the relative cost of CTE programs vs. total operating expenses.

**B: Budget Form**

**State Name:** New York State

<p>| Fiscal Year (FY): 20 |
|---------------------|---------------------|---------------------|---------------------|</p>
<table>
<thead>
<tr>
<th>Line Number</th>
<th>Budget Item</th>
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<th>Amount of Funds</th>
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<td>2</td>
<td>State Administration</td>
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<td>3</td>
<td>State Leadership</td>
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<td>Individuals in State Institutions</td>
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<td>4a</td>
<td>- Correctional Institutions</td>
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<td>4b</td>
<td>- Juvenile Justice Facilities</td>
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<td>4c</td>
<td>- Institutions that Serve Individuals with Disabilities</td>
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<td>Non-traditional Training and Employment</td>
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<td>Description</td>
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</tr>
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<td>10</td>
<td>Postsecondary Recipients</td>
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<td>State Match <em>(from non-federal funds)</em></td>
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</table>

**New York State Perkins V Transition Plan: 2019-20**
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: Executive Deputy Commissioner
Date: 5/23/2019 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: Executive Deputy Commissioner
Date: 5/23/2019 12:00:00 AM
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 handicap; (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 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. §§1501-1506 and 7324-7329) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

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 (15 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).


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. §§54801 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 1986 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.

<table>
<thead>
<tr>
<th>SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL</th>
<th>TITLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beth Berlin, Executive Deputy Commissioner</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>APPLICANT ORGANIZATION</th>
<th>DATE SUBMITTED</th>
</tr>
</thead>
<tbody>
<tr>
<td>New York State Education Department</td>
<td>5/21/19</td>
</tr>
</tbody>
</table>

Albany, NY 12234
**DISCLOSURE OF LOBBYING ACTIVITIES**

Complete this form to disclose lobbying activities pursuant to 31 U.S.C.1352

OMB Number: 4040-0013
Expiration Date: 02/28/2022

1. **Type of Federal Action:**
   - a. contract
   - b. grant
   - c. cooperative agreement
   - d. loan
   - e. loan guarantee
   - f. loan insurance

2. **Status of Federal Action:**
   - a. bid/offer/application
   - b. Initial award
   - c. post-award

3. **Report Type:**
   - a. initial filing
   - b. material change

4. **Name and Address of Reporting Entity:**
   - **Prime** [ ] **Sub-Awardee** [ ]
   - *Name*: New York State Education Department
   - *Street 1*: 69 Washington Ave
   - *City*: Albany
   - *State*: NY
   - *ZIP*: 12234

5. If Reporting Entity in No.4 is Subawardee, Enter Name and Address of Prime:

6. **Federal Department/Agency:**
   - U.S. Department of Education, OCTAE

7. **Federal Program Name/Description:**
   - Strengthening Career and Technical Education for the 21st Century Act (Perkins V)

8. **Federal Action Number, if known:**

9. **Award Amount, if known:**
   - $16,867,504.00

10. **a. Name and Address of Lobbying Registrant:**
    - Prefix [ ]
    - *First Name*: [ ]
    - *Middle Name*: [ ]
    - *Last Name*: [ ]
    - Suffix [ ]
    - *Street 1*: [ ]
    - *City*: [ ]
    - *State*: [ ]
    - *ZIP*: [ ]

11. **b. Individual Performing Services** (including address if different from No. 10a)
    - Prefix [ ]
    - *First Name*: [ ]
    - *Middle Name*: [ ]
    - *Last Name*: [ ]
    - Suffix [ ]
    - *Street 1*: [ ]
    - *City*: [ ]
    - *State*: [ ]
    - *ZIP*: [ ]

12. **Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the IRS above when the transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.**

**Signature:** [Signature]

**Name:**

**Title:** Executive Deputy Commissioner

**Telephone No.:**

**Date:** 05/21/2019

Authorized for Local Reproduction
Standard Form - LLL (Rev. 7/97)
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

New York State Education Department, Albany, NY 12234

* PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

Prefix:  First Name: Beth  Middle Name:  Last Name: Berlin  Suffix:  Title: Executive Deputy Commissioner

* SIGNATURE:  * DATE: 5/21/19
NOTICE TO ALL APPLICANTS

The purpose of this enclosure is to inform you about the following provision in the Department of Education's General Education Provisions Act (GEPA) that applies to applicants for new grant awards under Department programs. This provision is Section 427 of GEPA, enacted as part of the Improving America's Schools Act of 1994 (Public Law (P.L.) 103-382).

To Whom Does This Provision Apply?

Section 427 of GEPA affects applicants for new grant awards under this program. **ALL APPLICANTS FOR NEW AWARDS MUST INCLUDE INFORMATION IN THEIR APPLICATIONS TO ADDRESS THIS NEW PROVISION IN ORDER TO RECEIVE FUNDING UNDER THIS PROGRAM.**

(If this program is a State-formula grant program, a State needs to provide this description only for projects or activities that it carries out with funds reserved for State-level uses. In addition, local school districts or other eligible applicants that apply to the State for funding need to provide this description in their applications to the State for funding. The State would be responsible for ensuring that the school district or other local entity has submitted a sufficient section 427 statement as described below.)

What Does This Provision Require?

Section 427 requires each applicant for funds (other than an individual person) to include in its application a description of the steps the applicant proposes to take to ensure equitable access to, and participation in, its Federally-assisted program for students, teachers, and other program beneficiaries with special needs. This provision allows applicants discretion in developing the required description. The statute highlights six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age. Based on local circumstances, you should determine whether these or other barriers may prevent your students, teachers, etc. from such access or participation in, the Federally-funded project or activity. The description in your application of steps to be taken to overcome these barriers need not be lengthy; you may provide a clear and succinct description of how you plan to address those barriers that are applicable to your circumstances. In addition, the information may be provided in a single narrative, or, if appropriate, may be discussed in connection with related topics in the application.

Section 427 is not intended to duplicate the requirements of civil rights statutes, but rather to ensure that, in designing their projects, applicants for Federal funds address equity concerns that may affect the ability of certain potential beneficiaries to fully participate in the project and to achieve high standards. Consistent with program requirements and its approved application, an applicant may use the Federal funds awarded to it to eliminate barriers it identifies.

What are Examples of How an Applicant Might Satisfy the Requirement of This Provision?

The following examples may help illustrate how an applicant may comply with Section 427.

1) An applicant that proposes to carry out an adult literacy project serving, among others, adults with limited English proficiency, might describe in its application how it intends to distribute a brochure about the proposed project to such potential participants in their native language.

2) An applicant that proposes to develop instructional materials for classroom use might describe how it will make the materials available on audio tape or in braille for students who are blind.

3) An applicant that proposes to carry out a model science program for secondary students and is concerned that girls may be less likely than boys to enroll in the course, might indicate how it intends to conduct "outreach" efforts to girls, to encourage their enrollment.

4) An applicant that proposes a project to increase school safety might describe the special efforts it will take to address concern of lesbian, gay, bisexual, and transgender students, and efforts to reach out to and involve the families of LGBT students

We recognize that many applicants may already be implementing effective steps to ensure equity of access and participation in their grant programs, and we appreciate your cooperation in responding to the requirements of this provision.

Estimated Burden Statement for GEPA Requirements

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. Public reporting burden for this collection of information is estimated to average 1.5 hours 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. The obligation to respond to this collection is required to obtain or retain benefit (Public Law 103-382). Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Education, 400 Maryland Ave., SW, Washington, DC 20210-4537 or email ICscketMigr@ed.gov and reference the OMB Control Number 1894-0005.
<table>
<thead>
<tr>
<th></th>
<th>Description</th>
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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: Executive Deputy Commissi
Date: 5/23/2019 12:00:00 AM