



UNITED STATES DEPARTMENT OF EDUCATION

WASHINGTON, DC 20202

**PROGRAM MEMORANDUM – FY 2011**

MAY 27 2011

**To:** State Directors of Career and Technical Education

**From:** Brenda Dann-Messier  
Assistant Secretary  
Office of Vocational and Adult Education

**Subject:** Extension of Time to Submit Documents and Instructions Regarding the July 1, 2009 and 2010 Grants for Title II, Tech Prep Education, under the Carl D. Perkins Career and Technical Education Act 2006 (Perkins IV)

The purposes of this memorandum are to (1) grant an extension for States to submit the documents required in the May 20, 2011 program memorandum, as discussed below, and (2) provide instructions requested by States as to the requirements for grants awarded under Title II, Tech Prep Education, pursuant to the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV or the Act). See the May 20, 2011 program memorandum entitled, *Estimated Fiscal Year (FY) 2011 State Allocations under the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV)*, OMB Approval Number: 1830-0029.<sup>1</sup>

**Extended Submission Deadline**

The Office of Vocational and Adult Education is extending the due date for each eligible agency to submit the documents required in the May 20 program memorandum, including the State's revised budget, State plan revisions, and cover letter to this office. Please submit these documents as soon as possible but no later than close of business on Friday, June 10, 2011.

**Instructions Regarding Tech Prep Grants**

As discussed in the May 20 program memorandum, States will not receive new tech prep grants under Title II of Perkins IV for the program year beginning on July 1, 2011 because the Full-Year Continuing Appropriations Act, 2001, (Continuing Resolution)

<sup>1</sup> The OMB control number for the May 20, 2011 program memorandum is the same as for the *Guidance for the Submission of State Plan Revisions, Budgets, and Performance Levels for FY 2011 Perkins IV Grant Awards - OMB Approval Number: 1830-0029*, dated December 7, 2010. However, the new program memorandum that OVAE is issuing today has not been assigned an OMB control number under the Paperwork Reduction Act of 1995 (44 U.S.C. § 3507(d)) because it is not intended as an information collection instrument. Therefore, States are not required to respond to today's memorandum as an information collection. The information contained in this document, however, may assist you in responding to the May 20, 2011 program memorandum and the Consolidated Annual Report (CAR), which are information collections and are assigned OMB control numbers.

does not make Fiscal Year (FY) 2011 funds available for this purpose. In response to questions from States, we are providing instructions as to the requirements, which are unchanged, for Tech Prep grants awarded earlier under Perkins IV. Please see the enclosure entitled, *Instructions Regarding the July 1, 2009 and 2010 Grants for Title II, Tech Prep Education, under the Carl D. Perkins Career and Technical Education Act 2006 (Perkins IV or the Act)*.

If you have any questions or need additional information on this matter, please feel free to contact Edward Smith, State Administration Branch Chief, Division of Academic and Technical Education, at [edward.smith@ed.gov](mailto:edward.smith@ed.gov) or (202) 245-7602.

Enclosure

**Instructions Regarding the July 1, 2009 and 2010 Grants for  
Title II, Tech Prep Education, under the Carl D. Perkins Career  
and Technical Education Act 2006 (Perkins IV or the Act)**

***Question 1: What options does a State have if the State has funds remaining (that is, unobligated) from its July 1, 2009, and July 1, 2010, tech prep grant awards?***

A State's options are discussed in the May 20, 2011 program memorandum entitled, *Estimated Fiscal Year (FY) 2011 State Allocations under the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV)*, OMB Approval Number: 1830-0029. As noted in the May 20 memorandum, funds that were awarded to States on July 1, 2009, and July 1, 2010, remain available for obligation until September 30, 2011, and September 30, 2012, respectively.

Specifically, a State has two options regarding any of unobligated funds. First, a State may opt to use these funds for allowable tech prep costs under Perkins IV and the State's approved State plan, provided that the funds are obligated by the dates indicated in the above paragraph. See the Education Department General Administrative Regulations (EDGAR) at 34 CFR §§ 76.707 and 76.709. For example, a State may carry over any unobligated funds awarded July 1, 2009, to use in the next program year (starting July 1, 2011), but the State or its subrecipients must obligate the funds no later than September 30, 2011.

In the alternative, a State may elect to consolidate into Title I of Perkins IV any unobligated tech prep funds from these two grants pursuant to section 202(a) of Perkins IV. As noted in the May 20, 2011 program memorandum, a State that decides to consolidate its remaining tech prep funds must revise its State plan to reflect this consolidation of funds. Please note that the consolidation of tech prep funds will not extend the periods of availability of these funds, which are discussed above.

***Question 2: If a State consolidates its remaining Title II tech prep funds into its Title I basic grant, how must the State treat the consolidated Title II funds?***

Once a State consolidates any Title II tech prep funds with its Title I basic grant funds, the State must consider the consolidated Title II funds to be allotted under Title I, as required by section 202(c) of the Act, and must distribute the consolidated funds in accordance with section 112 of Perkins IV. For detailed guidance on complying with the requirements of section 112 and other sections of Perkins IV if a State consolidates all or part of its Title II tech prep grants, see the May 17, 2007 program memorandum entitled: *Non-Regulatory Guidance Regarding the Consolidation of Title II Tech Prep Funds into Title I Basic Grant Funds*. For additional guidance to small States on applying the section 112 requirements, see the non-regulatory guidance in Question D.15 of the *Questions and Answers Regarding the Implementation of the Carl D. Perkins Career and Technical Education Act of 2006 – Version 3.0*, dated May 28, 2009 and released June 2, 2009.

***Question 3: If a State has no remaining Title II grant funds, or opts to consolidate its Title II carryover funds with its Title I funds, should the State delete all references to tech prep in its approved Five-Year State Plan?***

No. The Tech Prep Education program continues to be authorized by Title II of Perkins IV even though the Continuing Resolution did not provide FY 2011 funds for this program. In fact, it may be advantageous for a State to retain its State plans for tech prep in the event that Congress were to subsequently appropriate funds for the Title II Tech Prep Education program. However, as States are aware, the President's proposed budget for FY 2012 does not include funds to continue this program.

***Question 4: What are a State's responsibilities for reporting accountability data for the current program year (July 1, 2010 to June 30, 2011)?***

If a State has used any of its tech prep funds for allowable tech prep costs under Perkins IV during the current program year (July 1, 2010 to June 30, 2011), the State must report accountability data for the current program year (July 1, 2010 to June 30, 2011) in its Consolidated Annual Report (CAR) by December 31, 2011. The State must report data on the section 203(e) indicators of performance, as well as disaggregated data for tech prep students on the section 113 core indicators of performance.

***Question 5: What are a State's responsibilities for reporting accountability data for the next program year (July 1, 2011 to June 30, 2012) or a subsequent program year?***

If a State uses any of its *tech prep carryover funds* for allowable tech prep costs under Perkins IV for the upcoming program year (July 1, 2011 to June 30, 2012) or a subsequent program year, the State must report accountability data by December 31 following the end of the program year in which the funds were used. Similarly, a State that uses any of its *tech prep carryover funds* in a subsequent program year must report accountability data by December 31 following the end of the program year. A State must report data on the section 203(e) indicators of performance, as well as disaggregated data for tech prep students on the section 113 core indicators of performance.

***Question 6: Must a State hold public hearings addressing revisions to its approved Five-Year State Plan pertaining to the consolidation of any unobligated Title II tech prep funds?***

No. A State may submit annual revisions to its State plan under section 122(a)(2)(A) of Perkins IV, but section 122(a)(3) requiring a public hearing on the State plan does not require a public hearing when a State makes revisions to its State plan. See the May 20 program memorandum for additional discussion on the requirement in section 202 for a State to revise its State plan if the State elects to consolidate any unobligated Title II tech prep funds.

***Question 7: Must a State file a complete CAR for the tech prep grants awarded on July 1, 2009, and July 1, 2010?***

Yes. The same reporting requirements apply to these grants, as they apply to other Title II tech prep grants awarded to States under Perkins IV. A State must submit a complete CAR for each Title II tech prep grant, including interim and final financial status reports (FSRs), a narrative, and accountability data. See also the responses to Questions 4 and 5 above.

***Question 8: If a State consolidates its \$50,000 of remaining Title II funds into Title I, how must the State report these consolidated Title II funds on the FSRs that the State submits as part of its CARs?***

The State would report these consolidated Title II funds as Title I funds in the FSRs in the CARs corresponding to the grant that provided the Title II funds that the State consolidated. For example, State X –

- Received a Title I basic grant of \$9,000,000 on July 1, 2010,
- Received a Title II tech prep grant of \$800,000 on July 1, 2010,
- Obligated \$750,000 of Title II funds for allowable tech prep costs before July 1, 2011,
- Consolidated its remaining \$50,000 of Title II funds from its July 1, 2010 grant with its Title I funds, and
- Obligated the \$50,000 of consolidated Title II tech prep funds and \$9,000,000 of its basic grant funds for allowable Title I costs by September 30, 2012.

In this example, the State would report on its final FSR due December 31, 2012 that it obligated a total of \$9,050,000 under Title I and \$750,000 under Title II from its July 1, 2010 grants.