



Perkins on Hold in the Senate as Committee Leaders Wrangle with Secretarial Authority

The Senate HELP Committee canceled its September 21st mark-up on its initial version of the *Career and Technical Education Act of 2016* in order to do a deeper dive on the stumbling block of prohibitions language around program oversight in Perkins under the U.S. Secretary of Education, otherwise known as Secretarial Authority. The language at issue is essentially the same as the bi-partisan language used in the *Every Student Succeeds Act* (ESSA) which was signed into law by President Obama in December 2015. Senate Democrats oppose adding similar secretarial authority language to Perkins while Republicans strongly support the inclusion.

The draft language was read twice in the Senate then unexpectedly sent back to the Senate HELP Committee. However, it now appears that negotiations are underway with the Senate HELP Committee leaders during the congressional recess period, *possibly working from the House-passed legislation, H.R. 5587-* with the intention of returning post-election to take action during the lame duck session. Senate HELP Committee Chairman Lamar Alexander's (R-TN) recent statement that, "Congress should be able to finish its work on Perkins this year," is an encouraging indicator that Perkins has a chance at reauthorization in the 114th Congress.

This start, stop and start again approach in the Senate is a much different outcome than what happened in the U.S. House of Representatives in mid-September, which passed with strong bipartisan support its version of the bill, H.R. 5587 the "*Strengthening Career and Technical Education for the 21st Century Act*" by a vote of 405 to 5. H.R. 5587 was unanimously marked up in July by a Committee vote of 37-0. The House Committee on Education and the Workforce has put out its analysis of the legislation [here](#). The 18-page Committee Report provides the purpose, Committee Action, Summary, Committee Views, Section-By-Section Analysis, and additional materials related to the legislation.

H.R. 5587 would provide \$1.1 billion in federal funds for middle schools, high schools and postsecondary education to deliver career and technical education (CTE). A [fact sheet from the House Committee on Education and the Workforce](#) laid out four major areas of emphasis for the House version of the bill:

- The new act simplifies the application process for receiving federal funds and provides more flexibility to use federal resources to respond to changing education and economic needs within a given state. The bill increases from 10 percent to 15 percent the amount of federal funds states can set aside to assist eligible students in rural areas or areas with a significant number of CTE students.
- The bill is intended to improve alignment with in-demand jobs by supporting new and innovative learning opportunities (specifically, work-based learning), building better community partnerships and encouraging stronger engagement with employers, who are to be brought in to set performance goals at the state and local levels.
- It is intended to increase transparency and accountability by streamlining performance measures. The goal: to ensure CTE programs deliver results and empower parents, students and other stakeholders with a voice in setting performance goals and evaluating the effectiveness of local programs. What it eliminates, according to [the bill's summary](#), is a need for states to negotiate targeted levels of performance with the [U.S. Department of Education](#).
- The House version also limits the authority of the U.S. Department of Education by *"reining in the Secretary of Education's authority, limiting federal intervention."*