



# *National Alliance for Partnerships in Equity*

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## **Perkins IV Implementation Questions and Answers**

Subject: Programs and Services for Special Population Students<sup>1</sup>

1. Can Perkins funds be spent only on special populations if they are enrolled in Career and Technical Education?

Section 2 of the Act requires that activities supported with federal funds benefit “students who elect to enroll in career and technical education programs.” Historically, the U.S. Department of Education has interpreted this provision to permit outreach, recruitment and other informational types of services on career technical education to students, including special population students, that might consider participation in career technical education.

2. Can Perkins funds be used for remedial educational services for special populations?

Perkins IV redefines career and technical education in Section 3(5) as “organized educational activities that-

(A) offer a sequence of courses that-

(iii) may include prerequisite courses (other than remedial course) that meet the requirements of this subparagraph; and...”

However, the legislative history of the Act indicates that funds may be used for supportive services (e.g. transportation, child care, tutoring) that would be necessary for special populations to succeed in the program (See Question #4). Academically disadvantaged students are no longer defined as special populations.

3. Are Local Education Agencies required to provide services to special populations enrolled in career and technical education?

Yes, Section 135(b)(9) requires Local Education Agencies to “provide activities to prepare special populations, including single parents and displaced homemakers who are enrolled in career and technical education programs for high skill, high wage, or high demand occupations that will lead to self-sufficiency.” All nine elements of the required uses of funds must be fulfilled before a LEA can use Perkins funds for any of the permissive uses of funds in Perkins IV. These nine required uses of funds can be supported by local, state or federal funds to meet this requirement.

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<sup>1</sup> Special populations are defined in Perkins IV as: 1) individuals with disabilities; 2) individuals from economically disadvantaged families, including foster children; 3) individuals preparing for non-traditional fields; 4) single parents, including single pregnant women; 5) displaced homemakers; and 6) individuals with limited English proficiency.

4. Can Perkins funds be used to provide supportive services (child care, transportation, tuition assistance, books, materials, uniforms and other financial assistance) to special populations who are enrolled in career and technical education?

Yes, although supportive services were not defined or mentioned in Perkins III and are again not defined in Perkins IV, current practice under Perkins III as supported by U.S. Dept. of Education, Office of Vocational and Adult Education Program Memorandum 99-13 (available at <http://www.ed.gov/about/offices/list/ovae/pi/cte/vocnontrad13.html>) is to allow states and locals to determine if Perkins funds are to be spent on supportive services. Many local programs rely on Perkins funds to provide these supportive services to those special population students who are not eligible or able to receive these services through other programs to ensure their full participation in career and technical education. Additional supporting statements to continue this practice can also be found in the congressional conference report available at [http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2006\\_record&docid=cr25jy06-138.pdf](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2006_record&docid=cr25jy06-138.pdf).

“The Conferees recognize that special populations, including single parents and displaced homemakers, may need direct assistance to be able to participate successfully in career and technical education. These supportive services include such services as transportation, child care, dependent care, tuition, books, and supplies and other services necessary to enable an individual to participate in career and technical education activities. Consistent with administrative guidance and prior interpretations of the Perkins Act, the Conferees believe that eligible agencies and eligible recipients should retain the flexibility to provide direct assistance to special populations under certain, limited conditions. In providing direct assistance, recipients of the assistance must be individuals who are members of special populations who are participating in career and technical education activities that are consistent with the goals and purposes of the Perkins Act. Funds must be used to supplement, not supplant, assistance that is otherwise available from non-Federal sources, and assistance may only be provided to an individual to the extent that it is needed to address barriers to the individual’s successful participation in career and technical education.”

In addition, Perkins IV under Section 324(b) refers to the use of Perkins funds for student assistance and financial aid and specifically identifies these attendance costs as “(b) Attendance Costs.—The attendance costs described in this subsection are—

- (1) tuition and fees normally assessed a student carrying an academic workload as determined by the institution, and including costs for rental or purchase of any equipment, materials, or supplies required of all students in that course of study; and
- (2) an allowance for books, supplies, transportation, dependent care, and miscellaneous personal expenses for a student attending the institution on at least a half-time basis, as determined by the institution.”

Direct Services payments may be made to a provider of the support services (vendor) on behalf of a student who is a member of a special population. Direct cash payments to students are not encouraged.

5. Can you use Perkins funds for special populations not enrolled in career and technical education but who are participating in outreach, recruitment, guidance, counseling or prerequisite educational services in preparation for enrolling in a career and technical education program?

Yes, the U.S. Department of Education has allowed this activity as a permissive use of funds as part of programs for special populations.

6. Can Perkins funds be used to conduct outreach and recruitment programs for special populations?

Yes, as long as the eligible recipient conducts such activity as outreach and recruitment for CTE programs.

7. Can Local Education Agencies spend Perkins funds on permissive uses of funds and not on required uses of funds?

Yes, only if they are able to prove that all nine required uses of funds are being met with funds other than Perkins funds.

This document was prepared for the National Alliance for Partnerships in Equity by Mimi Lufkin, Executive Director, NAPE and Michael Brustein, J.D., Brustein & Manasevit.