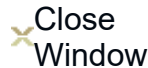




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## Nontraditional Training and Employment

**Program Memorandum - OVAE/DVTE - 99-13**

Date: May 27, 1999

To: State Directors of Vocational-Technical Education  
State Directors of Community, Technical and Junior Colleges  
State Tech-Prep Coordinators

From: Patricia W. McNeil

Subject: Services That Prepare Individuals for Nontraditional Training and Employment and  
Related Issues

For more than twenty years, Federal vocational education legislation has been a critical beacon for gender equity in vocational and technical education, providing valuable resources to States, schools, and communities to help shatter the barriers that constrict opportunities for youth and adults in our educational system and our economy. Expanding opportunities through nontraditional training and employment continues to be a focus of the Carl D. Perkins Vocational and Technical Education Act of 1998 (Perkins III).

During recent meetings with the State Directors of Vocational and Technical Education and with members of the National Alliance of Partnerships in Equity, we had the opportunity to engage in some thoughtful discussions about the Perkins III equity provisions and State options for their implementation. The feedback and information we received during these meetings have been extremely helpful.

In our discussions, I indicated that the Department would reexamine the preliminary guidance we had been providing on the use of State leadership funds for "services that prepare individuals for nontraditional training and employment" under section 112(a)(2)(B) to determine whether we could provide States with greater flexibility on this issue. I also indicated that we would seek to address some related issues that were shared with us during these meetings.

This memorandum provides non-regulatory guidance in response to those recommendations and replaces all previous guidance that has been issued by the Department on these issues. This guidance is nonbinding, but compliance with the guidance will be deemed by the Department as compliance with the applicable provisions of Perkins III.

**Services That Prepare Individuals for Non-Traditional Training and Employment**

Section 112(a)(2)(B) of Perkins III requires each eligible agency to reserve not less than \$60,000 and not more than \$150,000 of State leadership funds "for services that prepare individuals for nontraditional training and employment."

Based on our review of the statute and the legislative history, the Department believes that it is a reasonable interpretation of the statute to use funds reserved under section 112(a)(2)(B) to provide direct or indirect support for services that prepare students for nontraditional training and employment, or a combination of direct and indirect support.

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designed to support and improve the preparation of individuals for nontraditional training and employment.

However, none of these funds reserved under section 112(a)(2)(B) may be used for administrative costs. The use of State leadership funds for administrative costs is expressly prohibited by section 124(d).

For purposes of the funds that an eligible agency reserves under section 112(a)(2)(B), expenditures associated with some activities related to services that prepare individuals for nontraditional training and employment may have a dual nature. For example, a professional development program focused on improving services for individuals preparing for nontraditional training and employment could be considered both "services that prepare individuals for nontraditional training and employment" (section 112(a)(2)(B)) and a professional development program authorized by section 124(b)(2). For the purposes of calculating the minimum and maximum expenditures established by section 112(a)(2)(B), an eligible agency may consider the costs of the professional development program to be costs incurred under section 124(b)(2) or section 112(a)(2)(B), or both. This is similar to allowing technical assistance to be considered a cost of either State administration or State leadership.

### Sex Equity Coordinators

Perkins III does not require an eligible agency to set aside funds for a Sex Equity Coordinator, but an eligible agency may choose to use Perkins III funds for this purpose. In allocating costs, the salary of a Sex Equity Coordinator who is a State employee should be treated in the same manner as the salaries of other State employees involved in carrying out the Perkins III program. Thus, the costs of any administrative functions performed by a Sex Equity Coordinator or any other State employee must be charged to funds reserved for State administration under section 112(a)(3). As noted above, section 124(b) prohibits the use of State leadership funds for administrative costs.

Leadership functions performed by a Sex Equity Coordinator or any other State employee that are consistent with the activities described in section 124 may be charged to funds reserved for State leadership activities under section 112(a)(2). Technical assistance activities carried out by a State employee may be charged to funds reserved under either section 112(a)(2) or 112(a)(3). If the salary costs of a State employee are allocated between funds reserved for State leadership under section 112(a)(2) and administrative costs under section 112(a)(3), the eligible agency should maintain appropriate time records to support the allocation of these costs.

### Dependent Care and Other Direct Assistance to Students






While Perkins III does not explicitly authorize the use of funds under section 124 or section 135 to provide direct assistance to students, such as tuition, books, transportation, dependent care, and supplies, the legislative history of Perkins III indicates that Congress intended to give eligible agencies and eligible recipients the flexibility to continue these services to the same extent they were previously authorized under the setasides for sex equity and for single parents, displaced homemakers, and single pregnant women (see sections 221 and 222 of the Carl D. Perkins Vocational and Applied Technology Education Act) (Perkins II). In view of the legislative history and the amendments made by Perkins III, we believe that Congress intended to give eligible agencies and eligible recipients the flexibility to provide these supportive services to all special populations under certain, limited circumstances.

In providing support for a program for individuals who are members of special populations under sections 124(b)(8) or 135(c)(4), or nontraditional training and employment activities under sections 124(b)(5) and 135(c)(14), an eligible agency or an eligible recipient, as appropriate, may use Perkins III funds to provide direct assistance to individuals, including dependent care, tuition, transportation, books, and supplies if the following conditions are met:

- Recipients of the assistance must be individuals who are members of special populations who are participating in vocational and technical education activities that are consistent with the goals and

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- Direct financial assistance to individuals must be part of a broader, more generally focused effort to address the needs of individuals who are members of special populations. Direct assistance to individuals who are members of special populations is not, by itself, a "program for special populations" that meets the requirements of section 124(b)(8) or 135(c)(4). It should be one element of a larger set of strategies designed to address the needs of special populations.
- Funds must be used to supplement, and not supplant, assistance that is otherwise available from non-Federal sources. For example, generally, a postsecondary educational institution could not use Perkins III funds to provide child care for single parents if non-Federal funds previously were made available for this purpose, or if non-Federal funds are used to provide child care services for single parents participating in non-vocational programs and these services otherwise would have been available to vocational students in the absence of Perkins III funds.

In determining how much of the funds available for sections 124(b)(8), 135(c)(4), 124(b)(5), or 135(c)(14) may be used for supportive services, an eligible agency or an eligible recipient should consider whether:

- The specific services to be provided are a reasonable and necessary cost of providing programs for special populations, and
- The amount of the grant that would be used for these services (both on an item-by-item basis and in the aggregate compared to the amount of the entire grant) would be consistent with the predecessor authority to fund support services under Perkins II.

We would expect that the bulk of the funds would be used for program costs rather than supportive services to individual students.

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Last Modified: 10/16/2007