

3. Procedures for the development and submission of State unified plans (section 501 of WIA).

4. The participation of entities receiving assistance under AEFLA in the planning, governance, operation, and funding of the one-stop delivery system described in title I of WIA.

Comments and recommendations are also welcome on other issues and concerns that should be addressed or clarified through guidance or regulations.

Under its Principles for Regulating, the Department of Education will regulate only when it improves the quality and equality of services to its customers—learners of all ages. The Department will regulate only when absolutely necessary, and then in the most flexible, most equitable, and least burdensome way possible. The Department will regulate if a demonstrated problem exists and cannot be resolved without regulation or if necessary to provide legally binding interpretation to resolve an ambiguity. The Department will not regulate if entities or situations to be regulated are so diverse that a uniform approach does more harm than good.

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Additionally, in the future, this document, as well as other documents concerning the implementation of AEFLA will be available on the World Wide Web at the following site: <http://www.ed.gov/offices/OVAE/AdultEd/InfoBoard/legis.html>.

Note: The official version of this document is the document published in the **Federal Register**.

Dated: February 11, 1999.

Richard W. Riley,

Secretary of Education.

[FR Doc. 99-3877 Filed 2-16-99; 8:45 am]

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DEPARTMENT OF EDUCATION

Carl D. Perkins Vocational and Technical Education Act of 1998; Workforce Investment Act of 1998

AGENCY: Office of Vocational and Adult Education, Department of Education.

ACTION: Notice of request for public comment.

SUMMARY: The Secretary of Education invites written comments regarding the implementation of the Carl D. Perkins Vocational and Technical Education Act of 1998 (Pub. L. 105-332, enacted October 31, 1998) (Perkins III) and titles I and V of the Workforce Investment Act of 1998 (Pub. L. 105-220, enacted August 7, 1998), as they pertain to Perkins III.

DATES: Comments received on or before April 5, 1999 will be considered in the development of guidance and any regulations that may be necessary, as well as the overall implementation strategy.

ADDRESSES: Written comments should be addressed to Patricia W. McNeil, Assistant Secretary for Vocational and Adult Education, U.S. Department of Education, Room 4090 Mary E. Switzer Building, 400 Maryland Avenue, SW., Washington, DC 20202-2645. Comments may be submitted electronically to dvte@inet.ed.gov. You must include the term "FR Notice" in the subject line of your electronic message. The receipt of comments transmitted electronically will be acknowledged electronically. Commenters wishing acknowledgment of receipt of comments transmitted by mail must submit them by certified mail, return receipt requested.

FOR FURTHER INFORMATION CONTACT:

Gisela Harkin, (202) 205-9037.

Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday. Individuals with disabilities may obtain this document in an alternate format (e.g. Braille, large print, audiotape, or computer diskette) on request to the contact person listed in the preceding paragraph.

SUPPLEMENTARY INFORMATION:

Carl D. Perkins Vocational and Technical Education Act of 1998

Signed into law on October 31, 1998, Perkins III restructures programs previously authorized by the Carl D. Perkins Vocational and Applied Technology Education Act, setting out a new vision of vocational and technical education for the 21st century. Improving student achievement and preparation for postsecondary education, further learning, and careers are the central goals of this new vision. Perkins III promotes reform and innovation in vocational and technical education to help ensure that all students acquire the skills and knowledge they need to meet challenging State academic standards and industry-recognized skill standards, and to prepare for postsecondary education, further learning, and a wide range of career opportunities. Implementation of Perkins III promises to make vocational and technical education an integral part of State and local efforts to reform secondary schools and improve postsecondary education.

The new law focuses the Federal investment in vocational and technical education on high-quality programs that integrate academic and vocational education; promote student attainment of challenging academic and vocational and technical standards; provide students with strong experience in, and understanding of all aspects of an industry; address the needs of individuals who are members of special populations; involve parents and employers; and provide strong linkages between secondary and postsecondary education.

Programs must also develop, improve, or expand the use of technology in vocational and technical education, such as by providing training in the use of technology to educational personnel, preparing students for careers in the high technology and telecommunications fields, and by working with businesses in high technology industries to offer internships and mentoring programs for students. To enhance the quality of instruction in vocational and technical education, Perkins III requires local programs to provide comprehensive professional development opportunities for teachers, counselors, and administrators. These opportunities may include workplace internships that provide teachers with business experience, training in effective teaching skills, programs that help teachers and other personnel stay current with all aspects of an industry, and other activities.

Perkins III also eliminates a number of prescriptive administrative requirements and restrictions on the use of funds in order to give States, school districts, and postsecondary institutions greater flexibility to design services and activities that meet the needs of their students.

To promote continuous program improvement, as well as to ensure optimal return on the Federal investment, Perkins III creates a State performance accountability system. Under this system, the Secretary and each State reach agreement on annual levels of performance for a number of "core indicators" specified in the law:

- Student attainment of challenging State-established academic, and vocational and technical, skill proficiencies.
- Student attainment of a secondary school diploma or its recognized equivalent, a proficiency credential in conjunction with a secondary school diploma, or a postsecondary degree or credential.
- Placement in, retention, and completion of, postsecondary education or advanced training, placement in military service, or placement or retention in employment.
- Student participation in, and completion of, vocational and technical education programs that lead to nontraditional training and employment.

States also use these "core indicators" to evaluate the performance of local grantees.

Title II of the Act reauthorizes the Tech-Prep Education State grant program, an important catalyst for secondary school reform and postsecondary education improvement efforts. Tech-prep programs prepare students for careers in high-skill fields or further education by integrating academic and vocational and technical learning in a sequential course of study that includes a minimum of two years of secondary education and two years of postsecondary education or an apprenticeship program. Perkins III promotes the use of work-based learning and new technologies in tech-prep programs and encourages partnerships with business, labor organizations, and institutions of higher education that award baccalaureate degrees. States must give special consideration in awarding funds to tech-prep programs that provide education and training for employment in industries in which there are significant workforce shortages, including the information technology industry.

Title I of the Workforce Investment Act of 1998 (WIA)

Title I of the WIA authorizes employment training and other workforce investment activities that are administered at the State and local level by workforce investment boards. These services must be provided through a one-stop delivery system that is established by each local board. The one-stop system also provides a means of accessing education and employment-related services available under eleven other Federal programs, including postsecondary vocational and technical education programs authorized by Perkins III. Entities that carry out postsecondary vocational and technical education programs funded by Perkins III will participate in one-stop systems through memoranda of understanding negotiated with local workforce investment boards. The services provided under Perkins III through the one-stop systems must be consistent with the Perkins III requirements.

Title V of the WIA

Title V of the WIA authorizes States to submit a single "unified" plan for two or more of fifteen Federal education and employment-related programs identified in the statute. Postsecondary vocational and technical education programs authorized under Perkins III are among the programs that may be included in the unified plan. Secondary vocational and technical education programs authorized under Perkins III also may be included in the unified plan with the prior approval of the State legislature. Other programs that may be incorporated in the unified plan include programs covered under the Adult Education and Family Literacy Act, workforce investment activities authorized by Title I of WIA, and activities authorized by title I of the Rehabilitation Act of 1973. The portion of the unified plan that covers each activity or program is subject to the requirements specified in the original authorizing statute for that particular activity or program. Title V also authorizes the award of incentive grants to States that exceed agreed-upon performance levels for title I of WIA, the Adult Education and Family Literacy Act, and Perkins III.

Copies of Perkins III and WIA are available on the website of the Office of Vocational and Adult Education at <http://www.ed.gov/offices/OVAE/VocEd/InfoBoard/legis.html>. The text of the Conference Report on H.R. 1853, the Carl D. Perkins Vocational and Technical Education Act of 1998

(Conference Report 105-800), can also be found in the Congressional Record, October 8, 1998, pp. H10032-H10048. The text of the Conference Report on H.R. 1385, Workforce Investment Act of 1998, can be found in the Congressional Record, July 29, 1998, pp. H6604-H6694.

Issues for Public Comment

The Secretary invites the public to submit written comments and recommendations regarding the implementation of Perkins III and the provisions of titles I and V of WIA that relate to Perkins III.

The Secretary is particularly interested in receiving comments and recommendations concerning the following topics:

1. How best to implement the performance accountability system described in section 113 of Perkins III for Fiscal Year 1999 and subsequent fiscal years, including—

(A) Definitions for the core indicators of performance;

(B) Criteria for identifying the students within a State for whom outcomes must be reported; and

(C) Procedures for establishing, revising, and reporting eligible agency adjusted levels of performance.

2. The award of incentive grants to States that exceed the State adjusted levels of performance for WIA Title I workforce investment activities, the Adult Education and Family Literacy Act, and Perkins III (section 503 of WIA).

3. Procedures for the development and submission of State unified plans (section 501 of WIA).

4. The participation of postsecondary vocational and technical education programs authorized by Perkins III in the planning, governance, operation, and funding of the one-stop delivery system described in Title I of WIA.

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All comments submitted in response to this notice will be available for public inspection during and after the comment period in Room 4090, Mary E. Switzer Building, 300 C Street, SW., Washington, DC, between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday of each week except Federal holidays.

Dated: February 11, 1999.

Richard W. Riley,

Secretary of Education.

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