

# The Evolution of Performance-Based Accountability Requirements in Federal Vocational Education Law

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**I**n 1990 Congress enacted amendments to the Carl D. Perkins Vocational Education Act that required states to develop and implement standards and measures for the outcomes expected of vocational education students. These standards and measures are to be used to evaluate the effectiveness of local vocational education programs and to stimulate “program improvement efforts where deficiencies are found.

These provisions for performance standards, which states and local institutions are now implementing, are the most recent stage in the evolution of accountability requirements in federal vocational education law. Accountability means different things to different people, but in the federal context it usually entails some or all of the following aims: assuring that federal funds are used for their intended purposes and beneficiaries, determining whether the federal investment is yielding results, generating political support for federal aid, encouraging more effective programs, and acquiring information for planning and policy decisions.<sup>1</sup> In the past, various tools have been used to achieve accountability, including content and staffing standards; state plans and assurances; detailed guidelines for program administration and service delivery; mandates for local, state, and federal evaluations; federal and state monitoring; and assessments by outside bodies.

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<sup>1</sup> Another definition of accountability is that: “It is a process to help people who expect specific benefits from a particular activity (and whose support is essential to its continuation) judge the degree to which the activity is working in their interest so that they might sustain it, modify it, or eliminate it. See Paul T. Hill et al., “Pandora’s Box: Accountability and Performance Standards in Vocational Education,” paper prepared for the National Center for Research in Vocational Education, December 1992, p. 9.



This chapter seeks to illuminate congressional intent in the 1990 amendments by analyzing the evolution of accountability and evaluation requirements in federal vocational education law and related statutes. The first section of the chapter summarizes the current accountability requirements of the Perkins Act. The second section traces the legislative history of accountability through several decades of vocational education laws. A final section identifies changing themes.

## THE CURRENT REQUIREMENTS

The Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990, Public Law 101-392, went well beyond a “. . . routine, business as usual reauthorization . . .” by substantially revising the Perkins Act of 1984, the main law governing federal aid to vocational education. Among the more consequential changes were interlocking revisions in the law that have tipped the balance of accountability provisions from funding and planning requirements to the direct assessment of students’ outcomes.

### ■ Rationale for Outcome-Based Accountability

Several developments spurred the 101st Congress to move toward outcome-based accountability in the Perkins Act. First, national studies indicated “. . . the need for a massive upgrading in the quality of secondary vocational education.” The school reform movement of the 1980s

had largely “. . . bypassed vocational education.”<sup>3</sup> Concern was prevalent among business leaders that many high school graduates (including, but not limited to, vocational program graduates) lacked the academic, employability, and occupational skills needed to compete in a global economy. And all too often, the poorest quality vocational programs were found in schools serving low-income students.<sup>4</sup>

Second, evidence suggested that the 1984 Perkins Act had not been as effective as hoped.<sup>5</sup> The congressionally mandated National Assessment of Vocational Education concluded that the Perkins Act was a weak mechanism for improving program quality and increasing access of special populations to good programs; the study suggested performance indicators as a possible way to strengthen the act.<sup>6</sup>

Third, attitudes about how to judge the effectiveness of human resource programs had changed considerably since 1984. “Outcome-based” systems of accountability, which placed relatively less emphasis on whether programs were adhering to procedural requirements and relatively more on whether they were producing the intended results, were gaining popularity at the federal, state, and local levels.<sup>7</sup>

Federal precedent for outcome-based evaluation already had been established through 8 years of experience with Job Training Partnership Act (JTPA) performance standards, new requirements for performance-based evaluation in the Job Opportunities and Basic Skills (JOBS) training program for welfare recipients, and new “pro-

<sup>2</sup> Augustus F. Hawkins, *Congressional Record*, U.S. Congress, House, 101st Cong., 1st sess., May 9, 1989, H 1709.

<sup>3</sup> John G. Wirt, National Assessment of Vocational Education, testimony at hearings before the House Committee on Education and Labor, Subcommittee on Elementary, Secondary, and Vocational Education, Mar. 7, 1989, p. 5.

<sup>4</sup> *Ibid.*, p. 7.

<sup>5</sup> Among the studies cited as influential by House and Senate Committee reports were U.S. Department of Education, National Assessment of Vocational Education, *Final Report, Volume 1: Summary of Findings and Recommendations* (Washington, DC: 1989); U.S. General Accounting Office, *Vocational Education: Opportunity to Prepare for the Future*, GAO/HRD 89-55 (Washington, DC: 1989); and American Society for Training and Development, *Training America: Learning to Work for the 21st Century* (Washington, DC: 1988).

<sup>6</sup> National Assessment of Vocational Education, op. cit., footnote 5, p. ix.

<sup>7</sup> Richard N. Apling, Congressional Research Service, Education and Public Welfare Division, “Vocational Education Performance Standards,” 89-440 EPW, July 6, 1989, pp. 3-4.

gram improvement' requirements in the Chapter 1 legislation for disadvantaged children. Vocational education seemed a good candidate for this approach, in light of its extensive use of competency-based curricula and its "somewhat ill-defined tradition" of examining such outcomes as job placement and employer satisfaction.<sup>8</sup>

Fourth, as the Perkins reauthorization was being considered, the National Governors' Association and the administration were engaged in a broader discussion about the desirability of national standards for what students should know and be able to do in key academic subjects.<sup>9</sup> Around the same time, business panels were beginning to consider the merits of national industry-based skill standards.<sup>10</sup>

Amid this climate, Congress reached a conclusion about vocational education: "What was acceptable as good or adequate before is not acceptable today if our country is to compete economically." <sup>11</sup> Not only did vocational education need to be improved on its own terms, wrote House members, but it also needed to be "... tied in much more closely with academic course work ... " and with the reforms occurring across the public educational system. <sup>12</sup>

The resulting legislation had several inter-related aims: to target "... money more carefully on programs that produce results ...," to inte-

grate academic and vocational education, to improve programs for special populations of students, and to ease regulatory burdens.<sup>13</sup> Congress seemed to view the law's major provisions as an interdependent system of checks and balances that together would "... reassure critics that the legislative supporters of vocational education were serious about quality." <sup>14</sup>

Accountability based on standards and measures appears to have been an important component of this system of checks and balances—a tradeoff for relaxing or eliminating certain procedural requirements and funding set-asides. "Instead of spending money and staff time regulating local programs," one senior congressional staff person explained, "state agencies will now be free to concentrate on securing results."

## ■ Overview of 1990 Accountability Provisions<sup>16</sup>

### STATE STANDARDS AND MEASURES

At the heart of the new accountability provisions is a requirement for state boards of vocational education to develop and implement, by September 25, 1992, "... a statewide system of core standards and measures of performance for secondary and postsecondary vocational education programs ..." (section 115).<sup>17</sup> Congress

<sup>8</sup> E. Gareth Hoachlander, "Performance Based Policies in Vocational Education," paper prepared for the Research Conference of the Association for Public Policy and Management, Seattle, WA, October 1988.

<sup>9</sup> This debate followed the 1989 adoption of six National Education Goals as the Governors and president Bush sought ways to measure progress toward the Goals.

<sup>10</sup> Commission on the Skills of the American Workforce, *America's Choice: High Skills or Low Wages* (Rochester, NY: National Center on Education and the Economy, June 1990).

<sup>11</sup> U.S. Congress, House Committee on Education and Labor, "Applied Technology Education Amendments of 1989," H. Rept. 101-41, Apr. 28, 1989, p. 4.

<sup>12</sup> Augustus F. Hawkins, *Congressional Record*, U. S. Congress, House, 101st Cong., 1st sess., Jan. 3, 1989, E22.

<sup>13</sup> John F. Jennings, "Congressional Intent," *Vocational Education Journal*, February 1991, p. 18.

<sup>14</sup> Hill et al., op. cit., footnote 1, p. v.

<sup>15</sup> Jennings, op. cit., footnote 13, p. 19.

<sup>16</sup> Section references in this part refer to sections of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301-2471) as amended by Public Law 101-392.

<sup>17</sup> For the 1990 amendments, a measure means "a description of an outcome," while a standard means "the level or rate of that outcome." See 32 CFR 400.4.

intended that these systems would “. . . apply to all the programs assisted under this Act . . .” and be developed with the advice of a broadly representative state committee of practitioners.

The state systems are required to include a minimum of two outcome measures:

1. a measure of learning and competency gains, including student progress in basic and more advanced academic skills; and
2. measures for one or more of the following—job or work skill attainment or enhancement; school retention or secondary school completion; or placement into a job, additional training or education, or military service.

By specifying outcomes that encompass academic improvement, dropout prevention, and higher education enrollment, as well as job preparation, Congress endorsed a broad view of the purposes of vocational education. The state systems are also required to include incentives or adjustments that encourage service to special populations (and are consistent with individualized education plans for disabled students).

#### **LOCAL EVALUATION AND PROGRAM IMPROVEMENT**

The Perkins standards and measures are designed to derive their real accountability “teeth” from their interaction with new requirements for local evaluation and program improvement (section 117). Beginning with school year 1992-93 and each year thereafter, every local recipient of Perkins Act basic grant funding must use the statewide standards and measures to evaluate annually the effectiveness of its vocational programs. This annual evaluation must also assess how well programs are providing students with strong experience in and understanding of the industry they are preparing to enter. Local recipients may use Perkins Act funding, to a reasonable

and necessary extent, to conduct the mandated evaluations.

#### **ACCOUNTABILITY FOR SPECIAL POPULATIONS**

The 1990 amendments also changed the approach to accountability for special populations. As summarized by one congressional sponsor:

For 30 years we have talked about access [of special populations] and rightfully so. . . . When we began writing this bill, however, we asked the question: Access to what? And if we could not answer “access to quality” or “access to excellence,” then access was not good enough.<sup>19</sup>

Toward this end, most of the funding set-asides—the mechanism favored since 1968 for serving disadvantaged and disabled students and others with special needs—were eliminated, as were some of the more restrictive process requirements governing services to special populations. In exchange, the 1990 law revised the basic grant funding formula to concentrate more dollars in poor schools and to target federal support on vocational programs that were coherent and sequential, integrated with academic education, and sizable enough to promise meaningful results—in other words, programs with features likely to be effective for *all* students.

#### **STATE PLANNING AND ASSESSMENT**

Two other state-level accountability mechanisms deserve mention. First, the 1990 amendments continued the longstanding requirement for states to develop 5-year plans, subject to federal approval, that describe and make assurances about their vocational programs (section 11 3). Second, prior to submitting their plans, states must conduct an assessment of program quality “. . . using measurable objective criteria developed by the state board . . .” (section 11 6). This assessment is intended to provide baseline infor-

IX 32CFR 403.191.

<sup>19</sup>William F. Goodling, *Congressional Record*, U.S. Congress, House, 101 st Congress, 1st sess., May 9, 1989, H 1703.

mation about student needs and existing program capabilities for use in state planning.

Congress considered but rejected provisions that would have encouraged or required expansion of the performance standards and measures adopted by the states into a national system of performance standards and reporting for vocational education. The issue was resolved by including in the legislation a study of the comparability across states of the standards adopted and the quality of information available about outcomes. In effect, the study suggests that in the future Congress might consider expanding the performance standards adopted by the states into a national system.

#### NATIONAL ACTIVITIES

The mandates for outcome-based evaluation at the state and local level are reinforced by complementary activities at the federal level. The law directed the Secretary of Education to:

- provide technical assistance to the states as they develop their systems of standards and measures (section 11 5);
- submit a report to Congress describing and analyzing state systems and evaluating the degree of comparability across states (section 11 5);
- consider the implementation of program evaluations and improvements when approving state plans (section 11 4); and
- conduct research on the development and implementation of performance standards and their effects on student participation and student outcomes, especially for special populations (section 402).

The amendments also authorized a new national program with future implications for state standards and measures: the Business and Educa-

tion Standards program (section 416). Under this authority, the Secretary of Education has made grants to trade associations, labor organizations, and comparable national organizations to develop national standards for competencies in various industries and trades.<sup>20</sup>

#### SIGNIFICANCE OF THE NEW PROVISIONS

Realizing, perhaps, that the requirements for standards and measures were breaking new ground and that the cooperation of states and local recipients was vital to the success of this endeavor, Congress took a cautious and incremental approach, remarkable as much for what it does *not* require as for what it does.

First, Congress chose *not* to link vocational education performance standards to funding or other incentives and sanctions, as is done in the JTPA. No authority exists for states “. . . to apply sanctions in connection with the utilization of measures and standards at the local level.”<sup>21</sup> Furthermore, the mild consequence that was attached to evaluations—state intervention through joint program improvement plans—was not intended “. . . to be punitive in nature, but rather to encourage an infusion of resources from the state for programs that are in need of assistance and improvement.”<sup>22</sup>

Second, the legislation did *not* authorize the Secretary to issue national standards and measures, but rather gave states considerable flexibility to develop their own systems. Only two standards are actually required by law, one for student learning and the other for attainment of specific outcomes. Within these broad parameters, states could choose the particular measures for each outcome, add more outcomes, and develop different standards for secondary and postsecondary programs.

<sup>20</sup> This program is being operated in tandem with a similar Skill Standards and Certification program in the Department of Labor.

<sup>21</sup> House Committee on Education and Labor, op. cit., footnote 11, p. 14.

<sup>22</sup> U.S. Congress, Senate Committee on Labor and Human Resources, “Carl D. Perkins Vocational Education Act Amendments of 1989,” S. Rept. 101-221, Nov. 21, 1989, pp. 22-23.

Third, it was not the intent of Members of Congress “. . . to set themselves up as the remote, ultimate judges of local processes. ’ ’<sup>23</sup> Thus, the local level, *not* the federal level, is the primary arena for conducting evaluations, reviewing evaluation data, and carrying out program improvement (with the involvement of the state, if needed). “The Act does not contemplate requiring a recipient to submit the results of the evaluation to the Secretary, ’ ’<sup>24</sup> nor are the evaluation requirements structured to produce a national database on program effectiveness. National information needs are to be met through other mandated studies and research.

Fourth, recognizing that students enroll in vocational programs for different reasons, the state system of standards and measures . . . is not necessarily intended to apply in its entirety to each individual within the program. ’<sup>25</sup>

## LEGISLATIVE HISTORY

Every major vocational education law since 1917 has included accountability requirements. The form, scope, targets, overseers, and level of detail of these mandates have changed considerably over time, however (see appendix A).

### ■ The Smith-Hughes Act

Although the Smith-Hughes Act of 1917<sup>26</sup> did not require program evaluations, it introduced three principles that laid the ground work for accountability and evaluation requirements in later laws. First, Smith-Hughes instituted the

concept of using federal funds as a carrot and a stick to stimulate improvement in vocational education and influence state and local policy. Given the newness of the field, improvement was defined mostly in terms of growth: more professional teachers, more and better equipment and facilities, and longer instructional time.

Toward this end, states that desired Smith-Hughes funding had to establish qualifications for vocational teachers, supervisors, and directors paid from federal funds, and minimum requirements for plant and equipment in federally supported vocational classes. The law also prescribed minimum instructional hours per week and per year and required that half the time in trade, industrial, and agricultural programs be spent in practical work experience.<sup>27</sup>

These requirements gave federal administrators a tool that they could wield aggressively to shape the structure and content of vocational education.<sup>28</sup> In fact, federal monitoring of state compliance with federal directives was a primary accountability mechanism during the program’s early years.

Second, Smith-Hughes introduced the state plan for vocational education, thereby inaugurating a “0 . . . clear-cut, systems management or accountability model which became commonplace as a federal strategy in subsequent decades but was novel for that time.”<sup>29</sup> Specifically, the act required state boards to develop plans—subject to approval by a Federal Board for Vocational Education (FBVE)—that described

<sup>23</sup>Hillel et al., op. cit., footnote 1, p. vi.

<sup>24</sup> 57 *Federal Register* 36842 (Aug. 14, 1992).

<sup>25</sup> House Committee on Education and Labor, Op. cit., footnote 11, p. 14.

<sup>26</sup> *U.S. Statutes at Large*, vol. 39, part 1, ch. 114, pp. 929-936.

<sup>27</sup> The Smith-Hughes requirements for minimal teacher qualifications continued until the enactment of the 1976 amendments to the Vocational Education Act of 1963. The requirements for equipment, program format, and instructional time were not included in the 1963 act and were formally repealed in the 1968 amendments.

<sup>28</sup> Larry Cuban, ‘Enduring Resiliency: Enacting and Implementing Federal Vocational Education Legislation,’ *Work, Youth and Schooling: Historical Perspectives on Vocational Education*, Harvey Kanter and David Tyack (eds.) (Stanford, CA: Stanford University Press, 1979), pp. 80-81.

<sup>29</sup> Ibid., p. 106.

the programs, schools, equipment, and courses to be funded, the instructional methods to be used, the teacher training to be provided, and the qualifications of teachers and supervisors. The effects of this requirement were far-reaching; federal officials produced detailed guidelines for the content of the plans, participated actively in their development and review, and often called for revisions.<sup>30</sup> As one analyst summarized:

The creation of a State Plan signed by both state and federal authorities, its review by the FBVE and the staff-written regulations that followed made it possible for the Federal Board to influence directly state vocational programs while contributing modest financial support.<sup>31</sup>

Third, the act enunciated one of the key goals of vocational education that would appear (in updated wording) in all subsequent laws and would eventually be used as a standard for measuring program success: “. . . The controlling purpose of [vocational] education,” the legislation read, “shall be to fit for useful employment. . . .”

### ■ Vocational Education Act of 1963

The Vocational Education Act of 1963 is generally regarded as the beginning of the modern federal role in vocational education.<sup>32</sup> Enacted amid a period of rising unemployment, Public Law 88-210 attempted to respond to criticisms that vocational education—with its emphasis on the traditional areas of agriculture, home economics, and trades—had failed to keep pace with . . . the more sophisticated economy of the 1960’s.<sup>33</sup> The 1963 act sought to improve vocational

education and provide access to training that was “of high quality” and “realistic” in light of employment opportunities.

The 1963 act introduced the concept of program evaluations. States were required to conduct and give “. . . due consideration . . . [to] periodic evaluations of state and local vocational education programs and services in light of information regarding current and projected manpower needs and job opportunities.”<sup>34</sup> Decisions about how to conduct and fund these evaluations and what they would examine were left entirely to the state, so long as some use was made of labor market information.

The law also created an ad hoc national advisory council that would review and recommend improvements in vocational education—the first of several outside bodies charged with studying vocational programs. As with Smith-Hughes, the concept of “improvement” in 1963 was viewed largely in terms of expanded infrastructure and better services.<sup>35</sup> This advisory council was later formalized in the 1968 amendments. It continued in the legislation up until the 1990 amendments, when it was terminated.

Another key provision reserved at least 3 percent of each state’s grant for ancillary services, defined to include *program evaluation*, teacher training, demonstration and experimental programs, materials development, and state administration and leadership.

### ■ Vocational Education Amendments of 1966

By 1968, federal support had helped fuel tremendous expansion of vocational enrollments

<sup>30</sup> Whether this federal influence helped or hindered education is an area of disagreement among the limited body of research about the early years of vocational education. See *ibid.*

<sup>31</sup> *Ibid.*, p. 105.

<sup>32</sup> Intermediate legislation affecting vocational education included the George-Reed Act of 1929, the George-Deen Act of 1936, and the George-Barden Act of 1946.

<sup>33</sup> US Congress, Senate Committee on Labor and Public Welfare, *Vocational Education and National Institute of Education Amendments of 1976*, S. Rept. 94-882, May 14, 1976, p. 42.

<sup>34</sup> 77 Stat. 406.

<sup>35</sup> US Congress, House Committee on Education and Labor, “Vocational Education Act of 1963,” H. Rept. 88-393, June 18, 1963, p. 6.

and expenditures. Even so, concerns persisted that vocational programs were not adequately preparing students for growth occupations and were maintaining outdated programs.<sup>36</sup> Enunciating a theme that would reemerge in 1990, the House Committee concurred with national advisory council findings that “. . . any dichotomy between academic and vocational education is outmoded,” and that the development of attitudes, basic educational skills, and work habits was as important as training in specific occupational skills.<sup>37</sup>

The Vocational Education Amendments of 1968, Public Law 90-576, sought to address these concerns through revised accountability requirements and other means. The requirement was extended for states to conduct periodic evaluations based on labor market needs and consider the results in program planning. A new authorization of funding for state administrative activities would help support evaluation.

The most significant change in the 1968 amendments was a new provision that limited federal support to programs that could be demonstrated “. . . to prepare students for employment or . . . for successful completion of such a program, or be of significant assistance to individuals enrolled in making an informed and meaningful occupational choice.”<sup>38</sup> (Homemaking education was exempted.) The amendments contained no guidance, however, about how local programs might demonstrate these outcomes to the state, nor were they construed by states to mean that a formal outcome-based evaluation was necessary.

## ■ Education Amendments of 1976

Approaching reauthorization in 1976, Congress pointed to several dramatic changes resulting from federal support for vocational education, all based on “inputs” increased enrollments, higher expenditures from all sources, construction of area vocational schools, more and better trained teachers, and a greater number and variety of course offerings. As the House Committee noted, however, evidence of program outcomes was sorely missing:

Measures of the outputs—the success of the program completers and leavers in finding and keeping jobs—are more difficult to find, . . . [T]here is some scattered evidence of placement success for a number of local programs. But in terms of periodic and extensive reviews of these programs, in terms of the success of their students in obtaining and keeping jobs, little can be found at present. For that reason, the Committee has recommended amendments to provide this type of information for measuring the effectiveness of the programs.<sup>39</sup>

Accountability was found wanting on several other scores. A General Accounting Office report criticized the Department of Health, Education, and Welfare for failing to follow up on evaluation documents submitted by states, for conducting perfunctory reviews of state plans, and for inadequately monitoring state programs.<sup>40</sup> In addition, the lack of reliable national occupational information and local employment data made it hard for states and local recipients to conduct solid evaluations. Perhaps the greatest failing was in follow up of job placement and employer satisfaction,

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<sup>36</sup> U.S. Congress, House Committee on Education and Labor, “Vocational Education Amendments of 1968,” H. Rept. 90-1647, July 8, 1968, p. 2. The criticism of using federal funds to maintain outdated or poor quality programs would surface in subsequent reauthorizations, until the use of funds for program maintenance was restricted somewhat in 1984.

<sup>37</sup> Ibid.

<sup>38</sup> 82 Stat. 1076.

<sup>39</sup> U.S. Congress, House Committee on Education and Labor, “Education Amendments of 1976,” H. Rept 94-1085, May 4, 1976, p. 12.

<sup>40</sup> Ibid., p. 17.

<sup>41</sup> Ibid., p. 20.



which congressional witnesses testified “. . . was very sporadic and extremely uneven. ”<sup>41</sup>

Concluding that existing mandates seemed “. . . to be having little effect,”<sup>42</sup> Congress significantly strengthened the accountability and evaluation requirements in Public Law 94-482, the Education Amendments of 1976. The 1976 law for the first time contained a separate section on evaluation (section 11 2), with the aim of “. . . assisting] states in operating the best possible programs of vocational education. ” Within the 5-year period of the state plan, every state had to evaluate the effectiveness of each local program and use the results in revising state programs and plans. For every program purporting to impart entry-level job skills, the evaluations are required to show the extent to which program completers and leavers: a) found employment in occupations related to their training or pursued additional education; and b) were considered by employers to be well trained. These two gauges of effectiveness were specified “. . . because in [the Committee’s] opinion they show most clearly whether persons trained in vocational programs are showing the results of such training. ”<sup>43</sup> Programs that were “. . . purely introductory or preparatory to actual job training . . . ” were excluded, and data was to be collected by sampling wherever possible to reduce the burden.<sup>44</sup>

The 1976 amendments signified a high-water mark for the use of plans, applications, and reports as accountability tools. Public Law 94-482 required a 5-year state plan, developed with the involvement of 10 representative groups; an annual program plan; an annual state accountability report that summarized evaluation findings and described how they were used to improve

programs; and local applications. As part of the 5-year state plan, an assessment of current and future state needs for job skills was also mandated.

How well the 1976 evaluation requirements were implemented was a topic addressed by the National Institute of Education (NIE) study of vocational education. “State and local vocational educators objected strenuously to the evaluation requirements . . . ” and felt overwhelmed by the prospect of implementing the “. . . new, complex, and costly . . . ” procedures.<sup>45</sup>

Despite state complaints, the NIE study found that the 1976 evaluation provisions did stimulate improvements in evaluation. In 1976, few, if any, states had adopted evaluation procedures as comprehensive as those called for in the act. Program reviews were the most frequently implemented activity resulting from the amendments. At the same time, the study identified practical problems with the reliability and consistency of the followup data and also found that employer satisfaction data was being collected much less frequently than student placement data.<sup>46</sup> Many of the pieces were in place, however, and the amendments helped draw together and systematize these discrete elements.

## ■ Carl D. Perkins Vocational Education Act

The 1984 Carl D. Perkins Vocational Education Act, Public Law 98-524, replaced the Vocational Education Act of 1963. In some respects, it represented the apex of federal prescriptiveness in vocational education, especially regarding services for special populations, which were funded through set-asides totaling 57 percent of state basic grant funding. The remaining 43 percent of

<sup>42</sup> Ibid., p. 38.

<sup>43</sup> Ibid., p. 38.

<sup>44</sup> Ibid., p. 39.

<sup>45</sup> State and local administrators argued that the emphasis on student placement failed to reflect the broad goals of vocational education, overlooked economic forces outside the control of schools, and might diminish service for hard-to-place students. See U.S. Department of Education, National Institute of Education, *The Vocational Education Study: Interim Report* (Washington, DC: 1980), pp. V-5 to V-8.

<sup>46</sup> Ibid., p. V-11.

the basic grant was targeted on “program improvement”—which in the 1984 context meant making programs more responsive to contemporary labor market needs, especially high-technology fields, and updating equipment, curriculum, and staff. The 1984 reauthorization occurred in a climate in which the very existence of high school vocational education was being questioned.<sup>47</sup>

As one of several amendments aimed at improving program quality, the 1984 Perkins Act directed states to develop measures of program effectiveness, such as the occupations to be trained for, the levels of skills to be achieved, and the “. . . basic employment competencies to be used in performance outcomes, which will reflect the hiring needs of employers . . .” (section 113).

The U.S. House of Representatives sought more specific and outcome-based evaluation requirements than those that found their way into final law. The House wanted the states to develop objective standards for the outcomes of occupationally specific programs, which included adjustment factors for local situations, and apply the standards to the approval of local plans and the direction of technical assistance to improve local performance. Although the House Committee took pains to distinguish that these expected outcomes were not performance standards, they foreshadowed the requirements for standards that would be adopted 6 years later.

Foreshadowing the Business and Education Skill Standards program, the 1984 law also required states to establish technical committees, composed of business and labor representatives, to develop inventories of skills for priority occupational fields, which could be used to define model curricula. These technical committees influenced vocational education to adopt the job-competency model, where instruction and

testing and assessment are closely tied to the specific skills needed for individual jobs.

## ■ Other Influential Statutes

Prior to 1990, Congress had already enacted requirements for performance-based accountability and program improvement in other federal education and training legislation. The approaches varied, but several influenced the Perkins Act amendments. Two of the most important programs are the Job Training Partnership Act and the Chapter 1 Program of the Elementary and Secondary Education Act.

### JOB TRAINING PARTNERSHIP ACT OF 1982

The JTPA was a trailblazer in performance-based evaluation and continues to be a strong influence on other federal human resource programs, including vocational education. Unlike vocational education, the JTPA is a wholly federal creation, completely federally funded, and is mostly directed to low-income individuals.

Performance standards are established according to a hierarchical process, starting with the definition of certain broad initial outcomes in the authorizing legislation.<sup>48</sup> For adults in Title II programs, these outcomes are placement in unsubsidized jobs, retention in unsubsidized employment, increased earnings, reduced welfare dependency, and acquisition of employability and basic skills (including receipt of a high school or equivalent diploma). For Title II youth programs, all of the adult outcomes are applicable, plus attainment of employment competencies, secondary and postsecondary school completion, dropout prevention and recovery, and enrollment in other training, postsecondary education, or military service. Based on these broad parameters in the statute, the Secretary of Labor provides further detail, selecting specific outcomes that

<sup>47</sup>U.S. Congress, Senate Committee on Labor and Human Resources, “Carl D. Perkins Vocational Education Act of 1984,” S. Rept. 98-507, June 7, 1984, p. 2.

<sup>48</sup>See section 106 of The Job Training Partnership Act of 1982, Public Law 97-300, enacted Oct. 13, 1982; amended Dec. 31, 1982, Public Law 97-404, sec. 1 (b).

conform with the statutory intent, establishing core standards and quantitative measures for each one, determining the time period of measurement, and suggesting cost-effective ways for obtaining the remaining data.

In the early years of the program, these standards focused primarily on short-term outcomes attained immediately on completion of training. Recently, the Department of Labor has tried to extend the time period to 13 weeks after program termination.

The law gives governors the flexibility to determine the relative importance of different standards and to prescribe variations in standards based on state economic, geographic, and demographic conditions, as well as characteristics of the populations served. Governors may also prescribe additional standards, develop incentives, and sanction policies, including incentives for hard-to-serve individuals. Local Private Industry Councils make the final translation into bottom-line criteria for service providers.

Unlike vocational education, the JTPA attaches sanctions and incentives to the standards. Programs that fail to meet standards for 2 years, after receiving technical assistance from the governor, are subject to a state-imposed reorganization plan, which may shift funds to another local administrative entity. In certain cases, the Secretary can withhold up to one-fifth of the local recipient's funds for technical assistance.

The JTPA experience with performance standards shows both their benefits and their potential pitfalls. "In conjunction with clearly identified client and service goals, performance standards appeared to have their intended effects of increasing efficiency and accountability," a 1988 study found.<sup>49</sup> At the same time, JTPA performance standards have been criticized for encouraging "creaming"—focusing services on clients who are easiest to place rather than the most disadvantaged—because the prior standards measured

success primarily through high placements and low cost.

In summary, while the vocational education standards address some of the same outcomes as the JTPA standards and, like the JTPA, allow for adjustments for conditions, they differ from the JTPA in that they are not tied to funding, other sanctions, or incentives, are not based on national numerical measures, and do not address cost issues.

## CHAPTER 1, ELEMENTARY AND SECONDARY EDUCATION ACT

Chapter 1 (formerly Title I) of the Elementary and Secondary Education Act of 1965 was one of the first federal education programs to mandate evaluations of student outcomes. In this and other respects, it has substantially influenced the Perkins Act. Yet Chapter 1 differs from vocational education in many ways, not the least of which is in the evaluation system that has arisen from the 1965 requirement.

Chapter 1 is completely federally funded, supplementary to the regular school program, aimed at a distinct target population, and focused primarily on academic skills. Evaluation in Chapter 1 is governed by a national system, the Title I Evaluation and Reporting System (TIERS). Unlike vocational education, Chapter 1 uses a single outcome measure—the scores of participating students on standardized achievement tests—to evaluate program effectiveness. Local school districts (the recipients of Chapter 1 funds) must conduct pretesting and post-testing of Chapter 1 students and report the scores to the state in accordance with a complex set of TIERS technical guidelines. The state aggregates and reports the test scores to the federal government, which further aggregates the results into a national picture of Chapter 1 student achievement.

Chapter 1 evaluation data took on greater significance with the 1988 enactment of new

<sup>49</sup>Katherine P. Dickin et al., *Evaluation of the Effects of JTPA Performance Standards on Clients, Services, and Costs* (Washington, DC: National Commission for Employment Policy, 1988), p. 4.

program improvement provisions (Public Law 100-297), which were spurred by concerns about stagnating program quality and were accompanied by a loosening of process requirements in other parts of the legislation.<sup>50</sup> Under the 1988 amendments, local school districts must conduct annual evaluations of Chapter 1 student **performance** and must implement program improvement plans in project schools that do not exceed state minimum requirements for Chapter 1 aggregate student achievement. If, after a year, school performance still does not improve, then the state becomes involved through a joint improvement plan. The process continues until improved performance is sustained for more than 1 year.

Federal regulations have set a minimum standard for annual test score gains, but states are encouraged to establish higher standards. States and local school districts are also encouraged to evaluate local programs on the basis of “desired outcomes” other than standardized test scores, but there is little incentive to do so, since more outcomes mean additional hurdles for program improvement. Chapter 1 also requires schools to examine the progress of individual children and to conduct a thorough assessment of program needs for children who do not meet minimum standards.

The Perkins Act program improvement provisions drew some key features from Chapter 1: the authority for states to develop standards, the requirement for consultation with a committee of practitioners, and the process for local and state program improvement plans. Unlike Chapter 1, however, vocational education standards do not rely heavily on a single measure and are not tied to a national reporting and evaluation system.

## CHANGING THEMES

Several themes emerge from the legislative history of vocational education that help to clarify congressional intent about the new requirements in the Perkins Act for accountability, show the

shifts in federal policy on accountability in vocational education, and highlight issues likely to arise during implementation or future re-authorizations.

The mechanisms for accountability in vocational education have changed substantively over time, as the federal government has sought better ways to improve program effectiveness and achieve federal goals in a field with an **increasingly** strong state and local presence.

- . In the early years of the program, from 1917 to roughly 1963, accountability was enforced largely through federal approval of state plans and federal monitoring of state programs.
- State planning peaked as an important accountability tool in 1976 with mandates for multiple plans and accountability reports.
- . Since 1963, mandated reviews of the quality of local programs and the access of special populations to them has been a **linchpin** of accountability. Initially, these evaluations were oriented to the state review of the quality of local programs using criteria other than student outcomes. The initial step toward student outcomes was made in 1976, **with requirements** for followup information on job placement and employer satisfaction. The 1990 requirement for performance standards sharpens the focus on student outcomes.
- . Responsibility for conducting program reviews has shifted in recent years from states to local recipients, bringing the activity closer to those with the greatest stake in the outcomes and the greatest likelihood of using them to revise programs. The 1990 amendments require reviews of the quality of **local** programs both by the states using their performance standards measures and by local programs themselves. The local reviews are to be conducted annually.

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<sup>50</sup>U.S. Congress, House Committee on Education and Labor, “School Improvement Act of 1987,” H. Rept. 10095, May 15, 1987, p. 22.

- Through 1976-or through 1984, on some issues—federal procedural requirements and funding set-asides became more numerous and detailed. In recent years, however, the balance has shifted somewhat away from these mechanisms and toward outcome-oriented standards.
- Throughout the legislative history, the federal government has frequently turned to quasi-independent bodies, such as national, state, and local advisory councils and the National Center for Research on Vocational Education to conduct evaluations, provide technical support, and solicit business community advice on vocational education.

### ■ Reasons for Shifts in Accountability Requirements

Several reasons underlie these shifts in the accountability provisions of the federal legislation. The reasons include persistent concerns about the effectiveness and relevance of vocational programs, changing definitions of quality, state and local backlash against federal prescription, and the strong desire of Congress to maintain the viability of the federal program. Still, tying vocational education to student outcomes is difficult because of its multiple goals, which are hard to measure, and variation in priorities accorded them by states and local communities.

One of the most important reasons is that the accountability requirements of the federal legislation often do not seem to Congress to have produced the desired results. Concerns about the effectiveness of vocational education programs and their relevance to labor market needs have persisted through almost every reauthorization of vocational education back at least to the Vocational Act of 1963. As one researcher noted in 1979:

[After] sixty years of school programs and after billions of federal, state, and local dollars, no

legislator, educator, or lobbyist can prove that vocational programs do precisely what federal legislation promised. On the contrary, in the last forty years blue-ribbon committees and government financed studies have pointed out repeatedly serious shortcomings in vocational education allocations, operations, productivity, and impact within schools.<sup>51</sup>

Second, as the field of vocational education has matured, the definition of a quality program has changed from infrastructure (e.g., adequate facilities, equipment, and professional staff), to equity (e.g., access for special populations), to modernization (e.g., market-relevant courses and updated curricula), and eventually to student impacts (e.g., job placement and competency attainment). As definitions have changed, so have the means for enhancing quality. The specific, overall goal of vocational education addressed most often in evaluation requirements in recent years is that of preparing students for employment. From an initial directive in 1963 for evaluations based on “manpower needs and job opportunities,” the legislation has become more specific about how progress toward employment goals should be measured. Other goals—such as dropout prevention and academic achievement—have not been targeted for evaluation until quite recently.

Finally, it is telling that policy makers have responded to evidence of shortcomings in vocational education by devising new, different, or stronger accountability mechanisms rather than by eliminating federal support or merging vocational education with job training, as some have proposed. This decision suggests that legislators are committed to maintaining vocational education as a viable system and that they believe the federal government can influence state and local policy even with a very limited share of federal funding.

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<sup>51</sup> Cuban, *op. cit.*, footnote 28, p. 70.

### ■ Balancing Accountability and Flexibility

For much of the 1960s and 1970s, the federal government relied on detailed process requirements to ensure that human resource programs reached the intended beneficiaries and produced the desired results. In the early 1980s, as state and local criticism heightened about burdensome, counterproductive, and overly prescriptive federal mandates, Congress responded by relaxing requirements in many programs, from the Comprehensive Employment Training Act (CETA) to Chapter 1.

Vocational education represented a somewhat special case in this debate. The early years of the program were characterized by a high degree of federal influence and dependence on federal funding. During the 1960s, however, state flexibility actually increased, as the legislation eliminated some rigid funding categories and gave states more discretion over which programs to support and how to use their federal grants. Federal efforts to exert stronger influence in 1968 and 1976 were undercut somewhat, as the federal share declined and states channeled their own resources into programs that were not always consistent with federal priorities. In 1984, as Congress was relaxing requirements in other education programs, it continued to seek stronger mechanisms for enforcing federal priorities in vocational education. The results were mixed.

In 1990, Congress changed course and moved to require outcome-based evaluation in exchange for increased flexibility. The tradeoff, however, was not as tidy as congressional rhetoric suggests. The 1990 amendments, though less prescriptive than the 1984 Perkins Act, are still rather detailed. Although many process and set-aside requirements were eliminated, other new requirements were added, governing funds distribution, program content, and the integration of vocational and academic education. However, the emphasis on performance-based accountability has been cautious compared to the JTPA.

Through several reauthorizations, Congress has also tried to balance tensions that arose between the goals of access and excellence and to ensure that vocational education services to special populations were of high quality. The 1990 amendments went several steps further by eliminating the set-asides and requiring high-quality services for special populations.

As the JTPA experience shows, performance standards do not necessarily resolve the tension between these two goals and may create new challenges. Learning from the JTPA, the 1990 amendments sought to build in safeguards to ensure that standards and measures would include adjustments for serving special populations and that local evaluations would include a review of the progress of special populations.

### ■ Cautious Approach

As noted above, the 1990 legislation took a cautious approach to performance outcomes in vocational education. The standards are state-developed, not nationally developed. There is no provision for reporting local evaluations to the federal government, nor are funding sanctions attached to the results. The program improvement process is meant to be helpful, not punitive. There are also several provisions for additional research, technical assistance, demonstration, and data collection regarding implementation of the performance standards.

In short, Congress built in several opportunities to monitor the progress of implementation and keep informed of difficulties that may arise. This suggests that the new accountability provisions are conceived as a first step, to be reviewed carefully before the next reauthorization. This deliberate approach to performance standards is also reflected in other programs, such as the phase-in periods for standards in the JOBS and Food Stamp Education and Training programs.