

# Implementation of Performance Standards and Measures

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Under the 1990 Perkins Act Amendments, Public Law 101-392, the primary responsibility for planning and implementing vocational education standards and measures rested with the states. Federal law established only minimum content and process requirements for statewide systems, leaving key decisions to the discretion of state boards. ] This decentralization of authority allowed for variation in state systems, consistent with the reality that states differed greatly in their structures for vocational education and in their expertise in performance-based accountability.<sup>2</sup> Further, it reflected the absence of national consensus about standards for evaluating vocational education.

In keeping with this decentralization, federal administrative responsibilities regarding performance standards are limited but still quite important. The amended Perkins Act charged the U.S. Department of Education (ED) with providing technical assistance to states for the development of accountability systems (section 115) and with conducting or overseeing research on standards and measures (sections 402, 403, 404, and 422). Furnishing guidance on performance standards was also an implicit part of ED's obligation to issue regulations for the Perkins

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<sup>1</sup>Among the decisions left to states were which standards and measures would be used, how local program quality would be judged, and what type of assistance would be provided to programs making insufficient progress toward standards.

<sup>2</sup>A national survey conducted in 1991, prior to the Perkins Act deadline for developing performance systems, found that about one-half of the states had used specific performance standards or measures for vocational education in the past. E. Gareth Hoachlander and Mikala L. Rahn, *Performance Measures and Standards for Vocational Education: 1991 Survey Results* (Berkeley, CA National Center for Research in Vocational Education, 1992), p. 4.



Act and to conduct regular oversight and monitoring of federal vocational education programs. Administering a federal competitive grant program to develop national skill standards for particular industries and trades (section 416) is another related component of ED's role.

Some of these responsibilities are being carried out directly by ED's Office of Vocational and Adult Education (OVAE); some are being conducted through other entities, particularly the federally supported National Center for Research in Vocational Education (NCRVE).

### TECHNICAL ASSISTANCE EFFORTS

Providing technical assistance is one of ED's most critical duties concerning performance standards. The move toward performance-based accountability is a pivotal change for vocational education. In developing their systems, states—especially those with little prior experience in performance-based evaluation—were likely to encounter several difficult and highly technical issues for which additional guidance would be helpful. Recognizing the complexity of the task, the law gave states 2 years, until September 25, 1992, to put in place their new systems and charged ED with furnishing technical assistance.

ED has delegated much of the responsibility for providing technical assistance to NCRVE. For several reasons, NCRVE was a logical choice for this assignment. Research, dissemination, and training on issues of performance standards were already part of the center's mission under the revised Perkins Act. In addition, ED concluded that the center was more likely than OVAE to

offer the necessary expertise in technical issues of evaluation, testing, and measurement, especially given OVAE's current staffing levels.<sup>3</sup>

Under the present arrangement, OVAE handles day-to-day communications with states and oversees implementation of state accountability plans. For additional guidance on performance and evaluation issues, OVAE often refers states to NCRVE.<sup>4</sup> In providing technical assistance, NCRVE has undertaken five special efforts to help states implement the new accountability requirements:

- three regional workshops held in February and March of 1992, and one national technical assistance session held in July 1992, all jointly sponsored with OVAE;<sup>5</sup>
- operation of a clearinghouse;
- publication of a practitioner's guide on accountability;<sup>6</sup>
- research studies on the implementation of state standards and measures; and
- a national conference on performance standards in vocational education in the summer of 1993.

NCRVE has received some special funding to help carry out these activities. From an additional \$2 million appropriated by Congress to NCRVE, ED earmarked approximately \$200,000 for technical assistance on performance standards.

The core of NCRVE's initial technical assistance efforts was the 1992 workshop series; about two-thirds of the \$200,000 supported this activity. During the workshops, state officials responsible for developing the new accountability systems had the opportunity to share practices and receive expert advice on issues related to stan-

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~ Joseph Casello, branch chief, Program Analysis Branch, Office of Vocational and Adult Education, U.S. Department of Education, personal communication, June 2, 1993; E. Gareth Hoachlander, director, Planning and Evaluation, National Center for Research in Vocational Education, personal communication, June 1, 1993; and Debra Nolan, project director, Business and Education Standards Program, Division of National Programs, Office of Vocational and Adult Education, U.S. Department of Education, personal communication, June 9, 1993.

<sup>4</sup> Casello, op. cit., footnote 3.

<sup>5</sup> Regional workshops of 2+ days each were held in Washington, DC, St. Louis, and San Francisco; the national workshop was held in Minneapolis.

<sup>6</sup> E. Gareth Hoachlander et al., *Accountability for Vocational Education: A Practitioner's Guide* (Berkeley, CA: National Center for Research in Vocational Education, 1992).

dards, measures, and assessments. OVAE staff participated in all the workshops and were members of the NCRVE advisory group charged with planning the workshops and reviewing NCRVE materials regarding performance standards.

The remainder of the \$200,000 has helped support a clearinghouse, which gathers current information about state accountability plans and provides telephone technical assistance.

Through its *Practitioner's Guide* and other materials, NCRVE has amplified the limited guidance contained in the law and regulations with detailed suggestions, examples, and recommendations. Among them are concrete examples of standards, learning measures, labor market outcomes, assessment methods, and strategies for evaluating access of special populations.

NCRVE also identified six basic features that should be incorporated into a well-designed accountability system and offered expert opinions on several key issues. For example, NCRVE recommends that state accountability systems go beyond the 2 minimum measures required by law and include from 6 to 12 measures.<sup>7</sup> The center also suggests that student performance be assessed both in terms of gains over time and absolute attainment, so that growth by students who began at a low level is not overlooked.<sup>8</sup> NCRVE has further encouraged states to phase in elements of a more ambitious system over time and to continue monitoring and modifying their accountability systems as they gain experience.<sup>9</sup>

To meet the need for more sophisticated guidance on technical issues, both NCRVE and OVAE plan to continue offering technical assistance, maintaining the clearinghouse, and conducting workshops and training sessions. A follow-

up conference jointly sponsored by NCRVE and OVAE was conducted in July 1993. The purpose of the meeting was to provide state administrators with a forum to share experiences and help ED determine what additional technical assistance is needed.

Participants in the meeting identified the main issues where further technical assistance is needed by the states in implementing performance standards. Discussion focused on: 1) using the information that will be generated in local program reviews for purposes of improvement, and 2) what program improvement plans should be like in order to be really helpful. Many states are also looking for assistance in how to set standards using rigorous methods. Concerns were expressed that not enough is known about the reliability and validity of the skill standards and methods of assessment that are being used. Issues of reliability and validity will grow in importance as performance standards are implemented.

As yet, no technical assistance efforts have been directed specifically toward testing and assessment for the implementation of performance standards.

## ED REGULATIONS AND MONITORING

Issuing regulations and monitoring state compliance for federal vocational programs are among the major administrative responsibilities of ED, and both affect state implementation of performance standards.

Evaluation and accountability requirements became a highly controversial issue during the development of regulations for the Perkins Act.<sup>11</sup> In October and November of 1990, ED held regional meetings, as required by section 504 of the Perkins Act, to obtain public input prior to

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

<sup>8</sup>Ibid., p. 13.

<sup>9</sup>Ibid., p. 112.

<sup>10</sup>Casello, *op. cit.*, footnote 3.

<sup>11</sup>It is noteworthy that evaluation, standards, and measures were not particularly controversial during congressional consideration, overshadowed by other heated issues, such as allocation formulas and the distribution of funds between secondary and postsecondary programs.

drafting regulations.<sup>12</sup> Following these meetings, the Secretary, as further required by law, selected three major issues to undergo the process of negotiated rulemaking, which provides state and local representatives with a forum to discuss and make recommendations to the Department on issues of complexity, contentiousness, or substantial consequence. One of the issues chosen was whether state and local vocational agencies should apply program evaluations to all of their vocational education programs or only to the federally funded components or projects.<sup>13</sup>

On October 11, 1991, ED published proposed regulations that took the position that local entities receiving Perkins basic grant funding had to evaluate the effectiveness of *all* their vocational education programs, not just those receiving Federal funding.<sup>14</sup> A surge of public comment opposed this interpretation, many arguing that it was unduly costly and burdensome, that it was inconsistent with the language in the law, or that it represented unwarranted federal intrusion.<sup>15</sup>

Final regulations were not issued until August 14, 1992—less than 6 weeks before the state standards and measures were due, and well past the deadline for ED regulations specified in the General Education Provisions Act.<sup>16</sup> Debate within the administration over the evaluation issue seems to have been the main reason behind the delay.<sup>17</sup> Thus, states were compelled to proceed with development of standards and measures in

the absence of a definitive interpretation about their scope.

The final regulations narrowed the evaluation to encompass only “. . . the particular projects, services, and activities . . .” receiving Perkins Act basic or special funding, unless the state determined that a broader evaluation was needed.<sup>18</sup> The final rules also contained other important clarifications. When conducting evaluations, local vocational agencies could rely on representative sampling techniques. In addition, grantees could use Perkins funds to pay for mandated evaluations, without regard for the 5 percent ceiling on local administrative costs.<sup>19</sup>

Mirroring the legislation, the regulations avoided further specificity on such issues as what “competency gains” mean and how they should be measured, whether separate standards for secondary and postsecondary programs are encouraged or desirable, how special populations should be addressed, and how basic and advanced academic skills should be measured. These and other specialized issues were left for states to decide, with advice from NCRVE and other sources.

According to OVAE officials, every state appears to have met the minimal requirements for a statewide performance system; many states plan to phase in or expand the components of the system over time. As a next step, OVAE is currently conducting onsite reviews of state implementation.<sup>20</sup>

<sup>12</sup> Meetings were held in Philadelphia, Atlanta, Kansas City, and San Francisco.

<sup>13</sup> Paul M. Irwin and Richard N. Apling *Vocational Education: Major Provisions of the 1990 Amendments (P.L. 101-392)* (Washington, DC: Congressional Research Service, 1991), p. 18.

<sup>14</sup> 56 *Federal Register* 51448 (Oct. 1, 1991).

<sup>15</sup> 57 *Federal Register* 36841 (Aug. 14, 1992).

<sup>16</sup> Section 431(g) of the General Education Provisions Act (20 U.S.C. 1232) requires final regulations for Department of Education programs to be promulgated within 240 days of enactment of the applicable authorizing statute, unless a revised schedule is approved by the congressional authorizing committees. It is not uncommon, however, for the Department to have missed this deadline.

<sup>17</sup> John F. Jennings, counsel, House Committee on Education and Labor, personal communication, Feb. 23, 1993; and ‘ED Set to Issue Voc Ed Rules After Ford Increases Heat,’ *Education Daily*, Aug. 12, 1992, p. 3.

<sup>18</sup> 45 CFR 403.191 and 403.201.

<sup>19</sup> 45 CFR 403.191.

<sup>20</sup> Casello, *op. cit.*, footnote 3.

## RESEARCH AND DEMONSTRATION

Several federally sponsored studies are under way that address the issues of performance standards, skill standards, and accountability.

As required by law, NCRVE is conducting research on performance standards and accountability systems. Findings of a baseline survey of prior state experience with vocational education measures and standards were published in March 1992.<sup>21</sup> A second study describes and analyzes the state accountability systems to date.<sup>22</sup> A third study, conducted jointly with the Rand Corp. and scheduled for completion in 1994, is examining the effects of performance accountability systems on state and local policy.

OVAE has also awarded a contract to study the performance standards adopted by the states, as called for in Section 15(f) of the 1990 amendments. The purpose of the study is to evaluate and review the systems developed by the states. Through a mail survey and case studies in nine states, the study will:

- describe, in some detail, the status of each state's system of performance standards and measures,
- assess the reasonableness and appropriateness of performance standards and measures for specific populations, and
- examine the comparability of the performance standards across states to determine the feasibility of establishing a common core of indicators.

The study is being performed by the Battelle Human Affairs Research Centers.<sup>23</sup>

## BUSINESS AND EDUCATION STANDARDS

Another federal activity with relevance to the new Perkins accountability requirements is the joint Department of Education-Department of Labor (DOL) initiative to develop voluntary, national skill standards in various industries and trades. The ED component, called the Business and Education Standards Program, is authorized by section 416 of the Perkins Act. The DOL component, called the Voluntary Skill Standards and Certification Program, is being supported with departmental discretionary funds.<sup>24</sup> Both Departments have made competitive grants to projects to organize and operate business-labor-education partnerships, which will in turn develop national skill standards and certifications for competencies in industries and trades.

Eligible grantees under the ED program include industrial trade associations, labor organizations, national joint apprenticeship committees, and comparable national organizations. The standards developed through ED grants must address at least:

1. major divisions or specialty areas within occupations;
2. minimum hours of study to become competent;
3. minimum tools and equipment required;
4. minimum qualifications for instructional staff; and
5. minimum tasks to be included in a course of study.<sup>25</sup>

The ED program was funded with appropriations of \$3.5 million annually from fiscal years 1991 and 1992. DOL reserved \$1.2 million from

<sup>21</sup>Hoachlander and Rahn, op. cit., footnote 2.

<sup>22</sup>Mikala Rahn et al., *State Systems for Accountability in Vocational Education*, MDS-491 (Berkeley, CA: National Center for Research in Vocational Education, December 1992).

<sup>23</sup>Battelle Human Affairs Research Centers, "Performance Standards and Measures: Evaluation Study," report being prepared for the U.S. Department of Education, Office of Vocational and Adult Education, in progress.

<sup>24</sup>Michaela Meehan, policy analyst, U.S. Department of Labor, personal communication, June 15, 1993.

<sup>25</sup>57 *Federal Register* 45146 (Sept. 30, 1992).

fiscal year 1992 discretionary funds. Grantees must match federal funds dollar for dollar.<sup>26</sup>

In the first round of grants, awarded in September 1992, ED supported seven projects and DOL six. In the second competition, ED awarded nine new projects.<sup>27</sup> The grant period for the projects is 18 months, with one continuation, and the grant period for DOL projects is 1 year.<sup>28</sup>

Both ED and DOL recommend that standards be benchmarked to world-class levels of industry performance and “. . . tied to measurable, performance-based outcomes that can be readily assessed.”<sup>29</sup> The ultimate aim is for the projects to yield standards that could be adopted and used by education and training institutions, labor organizations, business and industry, employers, individuals, and government.

From DOL’s perspective, it is particularly critical that the standards developed have support from business and industry; if this occurs, then education institutions and other communities are likely to follow suit.<sup>30</sup>

How the skill standards might mesh with state accountability systems required by the Perkins Act or with Job Training Partnership Act (JTPA) performance standards is a critical issue. According to the ED Business and Education program director, she and the OVAE administrators of the state vocational programs consult regularly, and ED is taking several steps to ensure that the two efforts are coordinated. Regulations and guidance

for the Business and Education program emphasize the importance of dissemination and adoption of standards by state officials and other entities. In addition, ED has encouraged grantees to examine existing standards, including those developed by the state technical committees authorized in the original Perkins Act, when developing national standards. Further, almost every partnership includes involvement of state vocational education directors.<sup>31</sup>

The DOL program administrator, however, emphasized that the ultimate goal of the DOL standards program is to produce *national* standards and overcome the fragmentation that could occur if each state proceeds with its own standards. Over the long term, DOL also hopes to be able to use national skill standards to evaluate outcomes for JTPA and other Department programs.<sup>32</sup>

## GOALS 2000: EDUCATE AMERICA ACT

Progress toward national skill standards may be further stimulated if the Goals 2000: Educate America Act—a primary education initiative of the Clinton Administration—is enacted.<sup>33</sup> ED and DOL have consistently stressed the relevance of their respective skill standards programs to National Education Goal No. 5 (adult literacy, citizenship, and ability to compete in the workplace). This link would be solidified by Title IV of Goals 2000, which is currently being

<sup>26</sup> Debra Nolan, U.S. Department of Education, “Project Abstracts for the Business and Education Standards Program,” unpublished report, 1992.

<sup>27</sup> First-round projects will develop standards in the following fields: health sciences and technology; electronics; computer-aided drafting; air conditioning and refrigeration; biotechnical sciences; printing; automotive technicians; industrial laundering; tourism, travel, and hospitality; metalworking; electrical construction; and retail trade. Second-round projects focus on human services occupations, heavy highway construction and demolition, chemical process industries, hazardous materials management, photonics, agriscience, welding, forest and wood production and manufacturing, and food marketing.

<sup>28</sup> A decision is pending on whether additional DOL discretionary money will be provided to Continue the existing projects for another Year and to make a new round of grants,

<sup>29</sup> 57 *Federal Register* 9490 (Mar. 18, 1992),

<sup>30</sup> Meehan, Op. cit., footnote 24.

<sup>31</sup> Nolan, Op. cit., footnote 3.

<sup>32</sup> Meehan, op. cit., footnote 24.

<sup>33</sup> H.R. 1804 and S. 846.

considered by Congress. The bill would establish a national skill standards board, charged with identifying broad occupational clusters and encouraging the development of voluntary, national skill standards for each cluster. The legislation authorizes \$15 million annually for this purpose.

### **CONCLUSION**

The Department of Education took seriously its mandate to help states implement new accountability systems for vocational education and, with the help of NCRVE and other entities, has provided a reasonable level of technical support

on this issue, especially considering the limited staffing capacity of OVAE and the complexity of the issues involved. It is likely that in the future more attention will be required to establish validity and reliability of the methods of testing and assessment being employed in vocational education.

The relationship among state performance standards, the ED and DOL skill standards programs, and new legislation affecting national skill standards raises important issues warranting continued attention.