



Open Educational Resources Policy and State Perkins Career and Technical Education Plans

SPARC*

In 2018, Congress updated the Carl D. Perkins Career and Technical Education Act¹ for the first time since 2006. The new law, commonly referred to as “Perkins V”, provides greater flexibility and opportunities to states, school districts, and community colleges that use federal resources to strengthen their career and technical education (CTE) systems.

Among other updates, Perkins V enables state and local leaders to use federal CTE resources for “making all forms of instructional content widely available, which may include use of open educational resources.”² Other elements of Perkins V, such as the law’s new CTE innovation and modernization grants program, also offer opportunities for making open educational resources (OER) a more prominent component of state and local CTE systems and practices.³

Open educational resources (OER) are openly licensed educational materials – from individual materials to digital textbooks to entire curricula – that are free to use, customize and share without the worry of traditional copyright restrictions. OER make it easy to access and personalize everything from a single material to a standards-aligned lesson plan and engage students with content that’s fresh and relevant. OER are created by K-12 and post-secondary content experts and educators and can be readily found and downloaded from a variety of online databases, content libraries, and trusted content providers.

The next six months represent a critical initial period for states working to implement Perkins V, including for leaders interested in leveraging OER to strengthen their CTE systems and improve CTE student outcomes. No later than Spring 2020, states must submit a four-year Perkins V implementation plan to the U.S. Department of Education.⁴

This paper recommends actions and ideas that leaders should consider for making OER policy a more meaningful part of their CTE plans and implementation activities.



RECOMMENDATIONS

Perkins V requires states to promote stakeholder engagement.

Unlike its predecessor law, Perkins V requires states to consult with a number of stakeholder groups, such as secondary and postsecondary CTE program representatives, community representatives, members and representatives of special populations, and more. State Perkins V plans must be subjected to a robust public comment and review period and the law provides the governor a 30-day review and sign-off opportunity. Any later changes to the plan must also be submitted for public comment.



STEP 1

MAKE OER POLICY PART OF THE STATE PLANNING PROCESS

State leaders responsible for developing Perkins V plans should design a strategic planning process that fosters a rich conversation about OER's advantages for CTE students, teachers, and systems. State leaders should invite planning input from a diverse group of stakeholders, including: (1) stakeholders with secondary and postsecondary OER expertise and experience; (2) educators representing different disciplines and student populations who can provide input about the materials they need for improving CTE classes; and (3) student representatives. Among other requests, these stakeholders should be tasked with generating a plan for using Perkins V resources, and other available resources, to develop and share openly licensed CTE materials. The state should also expressly invite public comment about how OER might be used to strengthen the state's CTE system and otherwise benefit the public.



Perkins V requires local leaders to complete needs assessments.

Under the new law, local Perkins grantees (school districts and eligible postsecondary entities) must biennially conduct a comprehensive “local needs assessment” to inform their use of federal CTE funds. The needs assessment must examine student performance, program offerings, teacher capacity, and progress towards closing equity gaps. States may also customize the requirements for the local needs assessment to better address student needs.

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STEP 2 FOCUS NEEDS ASSESSMENT ON MATERIALS AND OER

States should ensure that their Perkins V plans and related actions require local partners to design and conduct needs assessments that examine the instructional materials available to CTE students at each school, including identifying the steps that could be taken – such as greater OER adoption – to provide students with equitable access to high quality materials. Needs assessments are only as good as their initial design, and it is vital that local leaders gather the best possible information about instructional material needs in order to develop sound policy. Therefore, states should call on school districts and community colleges – beginning with the state Perkins V implementation plan – to examine their CTE material needs and study local opportunities for promoting CTE equity by adopting and using OER.

Perkins V provides states and localities with more flexibility in how they invest federal CTE funds.

The new law significantly expands how states and local grant recipients may invest their federal CTE funds. The law specifically enables state and local grantees to use federal CTE resources for “making all forms of instructional content widely available, which may include use of open educational resources.” The funding may also be used for acquiring “appropriate equipment, technology, and instructional materials (including support for library resources) aligned with business and industry needs, including machinery, testing equipment, tools, implements, hardware and software, and other new and emerging instructional materials...”⁵ In addition, Perkins V increased the funds that states can reserve to 15 percent. These reserve funds must be used by states to foster innovation in CTE and promote programs aligned with high-wage, high-skill, or in-demand occupations, which could include innovative investments in OER.



STEP 3

DEDICATE STATE FUNDING TO OER AND ENCOURAGE LOCAL PARTNERS TO INVEST IN OER PROJECTS

States should consider contributing a share of any increased state-level CTE resources for promoting OER development and use. For example, states could use a portion of their CTE funding to: (1) develop a CTE OER strategy; (2) develop and maintain a statewide repository solution for openly licensed resources; or (3) create an OER community of practice with other states and among local CTE funding recipients to share learning resources and professional development resources.⁶ Based on the mandatory local needs assessments described above, local grantees should be encouraged to independently or collectively invest in OER to promote equitable access to high-quality CTE instructional materials. State and local partners could begin this process by identifying the most popular CTE courses in the state that are aligned to the state’s identified workforce readiness needs and prioritize those courses for the development and adoption of OER.



Perkins V establishes a new CTE innovation and modernization grant program.

The law features a new program designed to support “...field-initiated innovations to modernize and improve effectiveness and alignment of career and technical education...”⁷ The program’s list of eligible investments includes “...supporting new models for integrating academic content at the secondary and postsecondary level in career and technical education...” and supporting “...opportunities for appropriate academic and career and technical education teachers to jointly develop and implement curricula and pedagogical strategies...” Proposals could take a variety of forms, but might include ideas such as using an OER model to integrate English language arts and writing into CTE courses.

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STEP 4 APPLY FOR INNOVATION GRANT FUNDING TO SUPPORT ADDITIONAL OER PROJECTS

Alongside the Perkins V planning process, the new Perkins Innovation and Modernization Grant Program is an opportunity to secure additional funding to develop, distribute, or support the use of OER across a school district, community college or state. OER could be positioned in a grant application as a powerful innovation to develop high-quality content, improve the currency and relevance of curriculum, and more. If OER is already featured as a state priority in the state’s Perkins V plan, a district, community college, or state innovation grant application may be more attractive to a U.S. Department of Education reviewer who has been tasked with weighing the viability of a proposed OER strategy.



Perkins V's accountability model includes a focus on credential attainment and program completion.

The new law establishes a single nationwide definition for CTE “concentrator”, defined as a student who completes at least two courses in a CTE program or program of study.⁸ The new law’s accountability system includes a focus on how concentrators are performing in the system. This work includes measuring continued postsecondary enrollment and credential attainment, among other indicators. States are required to make meaningful and continual progress toward improving the performance of their CTE students.

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STEP 5 FOCUS OER INVESTMENTS ON “CONCENTRATORS”

State and local leaders should consider prioritizing investment in high quality OER for the CTE classes that attract the largest number of “concentrators”. Each state’s success in implementing Perkins V will depend on CTE concentrators’ outcomes. These outcomes will naturally depend in part on the quality of materials available to concentrators. This is especially important in the case of postsecondary classes, where success can hinge on students’ ability to afford the textbooks and other materials. Community college students can end up paying more out of pocket for textbooks than tuition, which adds to the financial pressures that are too often the reason that students drop out before obtaining a credential. Peer-reviewed studies have found that using OER in place of traditional materials can result in higher grades,⁹ lower drop rates,¹⁰ and more credit hours taken in future terms.¹¹

Congress aligned Perkins V with other federal laws that address education or workforce policies.

In 2015, Congress passed the Every Student Succeeds Act (ESSA), which amended the Elementary and Secondary School Act.¹² ESSA, like Perkins V, explicitly mentions open educational resources. ESSA Title IV-Part A's Student Success and Academic Enrichment Grant programs permits states to invest in OER as an allowable use of funds. These two laws offer states, especially instructional materials leaders, an opportunity to coordinate the use of the limited federal resources for state and local OER initiatives.¹³

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STEP 6 COORDINATE THE USE OF PERKINS V AND ESSA RESOURCES

State and local leaders should seek ways to match their Perkins V and ESSA implementation efforts to maximize the opportunity for using federal resources to promote OER development, adoption, and use. This work could include taking steps to align the required Perkins needs assessment with the needs assessment required by ESSA Title IV-Part A, so that the two programs take a sound approach to evaluating school districts' instructional materials needs and the opportunities presented by using OER. With aligned needs assessment in place, local leaders will lay the ground for targeting Perkins and ESSA resources to address high priority instructional and other materials needs.



CONCLUSION

State and local leaders who are interested in using OER as a tool for strengthening their career and technical education programs should consider integrating all or some of these ideas in their long-term Perkins V plans. We also encourage decision-makers to learn more about other elementary, secondary, and postsecondary OER initiatives underway nationally to explore other innovative ideas that might align well with their CTE goals.

The Perkins V planning process provides a useful and timely forum for the CTE community to explore the advantages of OER to benefit CTE students and teachers for years to come. Our hope is that this document will help you begin these conversations in order to leverage OER to benefit CTE students through the Perkins V process.

We welcome you to contact us for additional technical assistance:

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END NOTES

¹ 20 U.S.C. 2301 et. seq.

² State Leadership Activities Sec. 124(b)(20) and Local Uses of Funds Sec.135(b)(5)(P).

³ Innovation and Modernization Sec.114(e).

⁴ *Strengthening Career and Technical Education for the 21st Century Act* (Public Law 115-224).

⁵ Sec. 135(b)5(D) and (P).

⁶ See e.g., the U.S. Department of Education’s #GoOpen States Initiative. Visited online at <https://tech.ed.gov/open/states/> See also *Navigating the New Curriculum Landscape: How States are Using and Sharing Open Educational Resources*, Lindsey Tepe and Teresa Mooney, Visited online at <https://www.newamerica.org/education-policy/reports/navigating-new-curriculum-landscape/>

⁷ *How States are Using and Sharing Open Educational Resources*, Lindsey Tepe and Teresa Mooney, Visited online at <https://www.newamerica.org/education-policy/reports/navigating-new-curriculum-landscape/>

⁸ Innovation and Modernization, Sec.114(e)

⁹ 20 U.S.C. 2302

¹⁰ Colvard, N. B., Watson, C. E., & Park, H. (2018). The impact of open educational resources on various student success metrics. *International Journal of Teaching and Learning in Higher Education*, 30(2), 262–276.

¹¹ Wiley, D., Williams, L., DeMarte, D., & Hilton, J. (2016). The tidewater Z-degree and the INTRO model for sustaining OER adoption. *Education Policy Analysis Archives*, 24(41), 1–12.

¹² Fischer, L., Hilton, J., Robinson, T. J., & Wiley, D. A. (2015). A multi-institutional study of the impact of open textbook adoption on the learning outcomes of post-secondary students. *Journal of Computing in Higher Education*, 27(3), 159-172.

¹³ Every Student Succeeds Act, P.L. 114-95

¹⁴ American Institutes for Research, “Developing a College and Career Ready Workforce: An Analysis of ESSA, Perkins V, IDEA, and WIOA,” [Link](#)