

# **PERKINS IV SECONDARY PERFORMANCE IMPROVEMENT PLAN (PIP) POLICY**

The Carl D. Perkins Career and Technical Education Act of 2006 (“Perkins”) was signed into law in August 2006, and authorized for FY2008-FY2013. The Ohio Department of Education (“ODE”) has developed a state plan for implementing the requirements under this Act.

Section 123(b) of the Perkins Act of 2006 requires all local recipients meet a minimum of 90% of a negotiated level of performance for core indicators. As the agency responsible for accountability, ODE must determine whether recipients meet the negotiated performance target, provide appropriate technical assistance, and implement sanctions where necessary.

Under Perkins, *ODE may withhold any or all Perkins funding* if the recipient fails to:

- I. submit and implement a PIP, *or*
- II. make improvement in any year of implementation of the PIP, *or*
- III. meet 90% of the negotiated performance target for three consecutive years.

**The following procedure will be implemented in the event an eligible recipient of Perkins funding fails to meet 90% of the negotiated performance target:**

**A. Recipient fails to meet 90% of the negotiated performance target**

1. Notification of non-compliance will be by both electronic and U.S. Postal service.
2. Recipient must submit an approvable PIP to the Ohio Department of Education within thirty (30) calendar days of notification. Guidelines for preparing a PIP will be published by ODE.
3. The thirty days will commence from the postmark on the notification letter.
4. The notification letter serves as full and adequate notice for due process purposes.

***Level A Sanctions:*** *If the recipient does not submit a PIP by the deadline, or submits an incomplete PIP per the published guidelines, then Perkins funds shall be withheld until a complete plan is submitted.*

**B. Recipient fails to meet 90% of the negotiated target for a second consecutive year and fails to make progress toward the negotiated performance target in year two.**

- a. Notification of non-compliance will be by both electronic and U.S. Postal service.
- b. The recipient has thirty (30) calendar days, commencing from the postmark on the notification letter, to respond in writing with an explanation of why progress was not made, how Perkins funds will be targeted, and submit a revised PIP.
- c. The notification letter serves as full and adequate notice for due process purposes.

*Level B Sanctions: ODE may direct all or a portion of Perkins funds be used for specifically targeted activities designed to improve the particular performance indicator(s) that have not been met.*

**C. Recipient fails to meet 90% of the negotiated performance target for three consecutive years.**

- a. Notification of non-compliance will be by both electronic and U.S. Postal service.
- b. The recipient has thirty (30) calendar days, commencing from the postmark on the notification letter, to respond.
- c. The notification letter serves as full and adequate notice for due process purposes.

*Level C Sanctions: ODE may require all or a portion of Perkins funds be used for specifically directed activities designed to improve the particular performance indicator(s) that are not meeting target, or all or a portion of Perkins funds may be withheld.*

**Technical assistance:**

ODE will provide technical assistance to recipients who have failed to meet the required 90% negotiated target percentage. Technical assistance may include, but is not limited to:

- Telephone conferencing and support
- Training, workshops, or professional development
- Resources and other materials
- Site visit

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**Due Process:**

**Waiver:** Recipients may apply for a one-year waiver of sanctions due to exceptional and uncontrollable circumstances, such as a natural disaster or a precipitous and unforeseen decline in financial resources.

**Notice:** All recipients will be notified by both electronic means and by U.S. Postal Service of non-compliance and when funds are withheld.

**Hearings:** Recipients may request a hearing. Requests for a hearing must be made in writing and received within fifteen (15) calendar days of the postmark on the notification letter.

**Withheld and targeted funds:** ODE shall direct the use of withheld and targeted funds to provide services and activities to students served by the recipient.