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TO: Dr. Monty Sullivan
President

FROM: CB Chris Broadwater
Vice President of Workforce Policy

PF Patricia Felder
State Director Career Technical & Adult Education

THROUGH: Joseph F. Marin
Chief Operating Officer

SUBJECT: Memorandum of Understanding between LCTCS and the
Board of Elementary and Secondary Education Career &
Technical College Education Programs

DATE: August 29, 2019

FOR BOARD ACTION

Recommendation: Staff recommends approval of the Memorandum of Understanding
(MOU) between the LCTCS Board of Supervisors and the Board of Elementary and
Secondary Education (BESE) for administration of the secondary career-and technical
education portion of the Carl D. Perkins funds for the fiscal year beginning July 1, 2018
and ending June 30, 2019. The BESE approved and signed the MOU at their July Board
meeting.

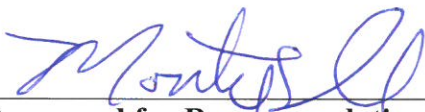
Background: LCTCS serves as the sole state agency for the administration of the Carl
D. Perkins Career and Technical Education Act funds. These funds are distributed to
eligible recipients at both secondary and postsecondary levels. Additional funds are
provided for leadership and administration activities. LCTCS and BESE have developed
a memorandum of understanding that outlines the responsibilities of each system as it
relates to the administration and use of funds at the secondary level. Fiscal Year 2018-
2019 will be the fifteenth year that LCTCS and BESE have worked collaboratively to
meet the intent of the Perkins legislation.

Performance: Each program year the LCTCS enters into an MOU between the LCTCS
and BESE to administer the secondary portion of the Carl D. Perkins Career and
Technical Education Act of 2006. The BESE submits a work plan and budget annually
for approval.

APPROVED
sk 9/12/18
LCTCS BOARD OF SUPERVISORS

Fiscal Impact: This MOU transmits \$10,919,849 of Federal Carl D. Perkins funds to the Louisiana Department of Education.

Benefits to System: This agreement provides for the administration of the secondary portion of the Perkins Act of 2006. LCTCS, as the responsible state agency, will work cooperatively with BESE to provide quality career and technical educational programs to secondary students.



**Approved for Recommendation to the Board
Dr. Monty Sullivan, President**

9-12-18

Date

**MEMORANDUM OF UNDERSTANDING BETWEEN THE BOARD OF
SUPERVISORS OF THE LOUISIANA COMMUNITY AND TECHNICAL COLLEGE SYSTEM
AND
THE BOARD OF ELEMENTARY AND SECONDARY EDUCATION FOR
ADMINISTRATION OF THE CARL D. PERKINS CAREER AND TECHNICAL
EDUCATION ACT OF 2006**

**FOR SECONDARY CAREER AND TECHNICAL EDUCATION FOR THE STATE OF
LOUISIANA**

The following is a Memorandum of Understanding between the Board of Supervisors of the Louisiana Community and Technical College System (henceforth referred to as the LCTCS) and the Board of Elementary and Secondary Education (henceforth referred to as BESE) pertaining strictly to the secondary portion of the Carl D. Perkins Career and Technical Education Act of 2006, Public Law 109-270, CFDA number 84.048A (henceforth referred to as the Carl D. Perkins Program.)

Recognizing the separate and unique roles and missions of these two entities, the LCTCS and the BESE have agreed to enter into this Memorandum of Understanding. Through this Memorandum of Understanding, pursuant to the terms and conditions provided below, LCTCS delegates to BESE the responsibility for the day-to-day administration of the secondary allocation of the Carl D. Perkins Career and Technical Education funds and the components of the Perkins 5-Year State Plan for Louisiana. It is hereby recognized that the LCTCS is the federally recognized eligible agency for the Carl D. Perkins Program, and therefore, is responsible for fulfilling all federal duties charged by the federal government related to the administration of the Carl D. Perkins Program (L.R.S. 17:2034), including monitoring and enforcement. As such, the LCTCS has the authority to make ultimate decisions regarding the administration of the Carl D. Perkins Program.

A.) Allocation of Carl D. Perkins Program Funds

1. It is acknowledged that 85 percent of the funds made available under the state allotment must flow to eligible recipients. It is also acknowledged that 10 percent of the 85 percent will be placed in the Reserve Fund. Of the remaining flow through funds, forty-four percent (44%) of these flow-through funds will be allocated by the LCTCS to eligible postsecondary recipients and fifty-six percent (56%) of the funds will be allocated to eligible secondary recipients.
2. The BESE, through the Louisiana Department of Education (henceforth referred to as the LDE), shall receive 40 percent of the federal allocation allowed for State Administration, unless jointly agreed upon by LCTCS and LDE. These funds may be used only for: developing the state plan, reviewing local plans, monitoring and evaluating program effectiveness, assuring compliance with all applicable federal laws, providing technical assistance as stated in Section 112

of the Act and carrying out the program elements as described in Perkins 5-Year State Plan for Louisiana. The LDE must provide matching funds on a dollar-for-dollar basis from non-federal sources for State Administration.

3. LDE shall also receive 50 percent of the federal allocation allowed for State Leadership, unless jointly agreed upon by LCTCS and LDE. State Leadership mandated and permissive activities are detailed in Section 124 of the Act. State Leadership allocation shall be determined after the reduction of the mandated allocations for equity and corrections.

B.) Responsibilities of BESE

- 1) While each board shall be responsible for the day-to-day administration of its portion of the Carl D. Perkins Program funds, LCTCS is the eligible agency for the Carl D. Perkins Program, and therefore, is ultimately responsible for fulfilling all federal duties charged by the federal government related to administering the Carl D. Perkins Program. As such, the BESE, through the LDE, shall be responsible, although not limited to, the following regarding Carl D. Perkins secondary funds:
 - a) For meeting all current and future federal, state, and LCTCS requirements for processing and overseeing award of allocation to secondary school systems. This encompasses the actual award process, budget approvals, budget revisions, and payment of reimbursement requests from the local secondary eligible recipients in a timely manner. This shall include appropriate programmatic and financial "close-out" reporting for the fiscal year. Please see Appendix A for applicable due dates.
 - b) The BESE shall be responsible for the programmatic development and continuous oversight of all expenditures of the "flow-through" secondary Carl D. Perkins funds and shall require all secondary recipients to maintain detailed records of all such expenditures, including audits as may be required by federal and state rules, regulations, guidelines, policies, or the applicable annual plans. The BESE through the LDE shall ensure that secondary Carl D. Perkins funds are expended as intended by federal, state and LCTCS program requirements and guidelines, including the components of the Perkins 5-Year State Plan for Louisiana.
 - c) For conducting fiscal and programmatic monitoring of eligible sub-recipients. LDE will provide to LCTCS the following relative to fiscal audit:
 - Audit program disclosing planned/suggested audit procedures

- Schedule of School Boards to be audited (within the first quarter of the fiscal year.)
- Copy of reports issued as a result of audit activity

LDE will provide to LCTCS the following relative to programmatic monitoring:

- A user-id and password for the eGrants system (read only) to enable LCTCS to access the Local Application Plan (LAP) for each eligible recipient
- Schedule of School Boards to be monitored (**by August 31**)
- Annual report summarizing results of monitoring visits
- Copies of reports issued as a result of monitoring activities

d) For conducting, among secondary eligible recipients, the Methods of Administration (MOA) compliance monitoring as required by Office of Civil Rights for Title IV, IX, and 504. LDE will provide to LCTCS the following relative to MOA monitoring:

- Identification of at least one program person charged with the responsibility of MOA monitoring
- Schedule of School Boards to be visited (within the first quarter of the fiscal year)
- Annual summary report of findings and voluntary compliance plans
- Assistance in completion of biennial civil rights report, including but not limited to, providing any information or reports as needed to complete the biennial civil rights report
- Assistance with ongoing requests from the Office of Civil Rights relative to secondary compliance issues, including providing responsive information and reports as needed and upon request,

e) For joint development with the LCTCS of negotiated levels of performance for the core indicators mandated through federal Carl D. Perkins legislation and in developing Local Application Plans and guidelines issued to eligible agencies.

f) For all data collection and programmatic efforts required to comply with meeting or exceeding the adjusted levels of performance for the core indicators mandated through the federal Carl D. Perkins legislation and required for submission in the United States Department of Education's Consolidated Annual Report (CAR). These indicators include academic achievement, skills attainment, credential attainment, placement and retention, and participation and completion of nontraditional programs. Data from program year 2017-2018 (this includes the information in an aggregate and disaggregated for each individual parish or district) shall be submitted to LCTCS as follows: November 16 - CAR Narrative submitted to LCTCS.

December 2 - Secondary data input into ED Facts with notification to LCTCS, and CTE Concentrator and Participant Data submitted to LCTCS.

- g) For providing the Louisiana Perkins State Director with a user-id and password for the CATE data system (read only).
 - h) For forming joint ventures with the LCTCS in creating a seamless statewide career and technical education system that, to the extent possible, minimizes any duplication of effort in providing career and technical education services between the LDE and the LCTCS and also to minimize expenditures of administration which maximizes the amount of funds invested directly for career and technical educational services to students. This is not limited to but includes participation in joint statewide technical assistance/professional development workshops developed for the benefit of meeting the programmatic elements of the Perkins Act of 2006, Louisiana's 5-Year State Plan, and improving the delivery of career and technical education.
- 2) Each fiscal year, unless the parties mutually agree otherwise, the LDE agrees to meet with the Louisiana Perkins State Director and staff including the Fiscal Monitoring staff to discuss procedures related to the fiscal management of Perkins funds received by the Department. Unless the parties mutually agree that such a meeting is unnecessary for a given year, this meeting should take place within the first quarter of the grant year.
 - 3) Each fiscal year, the BESE shall develop and present an annual budget, budget narrative, and plan for use of State Administration and State Leadership funds. The plan will be submitted to the LCTCS State Director of Perkins Program in a timely manner for presentation to the LCTCS Board of Supervisors no later than **August 31**.
 - 4) BESE will be allowed to make budget revisions of no more than 10% per the signature of the Career and Technical Division Director/Section Leader, with a signed original sent to the Perkins State Director for approval. A formal budget revision with all of the required signatures from BESE must be submitted for approval by **May 1** of each year.
 - 5) Indirect costs associated with administration of the secondary Carl D. Perkins funds allotted to the BESE will be recoverable by BESE from its administrative/leadership funds and will be used in accordance with federal requirements. The Department will apply its approved indirect cost rate to recover indirect cost. Direct charged expenses plus indirect costs may not exceed the total allocation to BESE.
 - 6) Unexpended flow-through funds remaining at the end of the close of the fiscal year shall revert to the LCTCS for re-allocation for the ensuing fiscal year based on the approved allocation formula as required by federal law, based on the same proportion of the original allocation for the LCTCS and the LDE.

- 7) Any secondary Carl D. Perkins program expenditures/costs determined to be recoverable by the LCTCS shall be recovered from secondary Carl D. Perkins sub-recipients. The BESE agrees to hold harmless the LCTCS and postsecondary Carl D. Perkins program funds.
- 8) Any and all information/equipment related to the Carl D. Perkins program shall remain the property of the federal Carl D. Perkins program, shall be appropriately tagged and inventoried as federal property (in accordance with federal and state requirements), and shall be made immediately available to the LCTCS or appropriate federal agency or office upon request.

This agreement is effective July 1, 2018 and terminates June 30, 2019. For each following fiscal year after fiscal year 2006, a Memorandum of Understanding shall be extended between the LCTCS and the BESE, upon written agreement of both parties, effective July 1 of each year until the end of the effective date of the Perkins Act of 2006, Public Law 105-332, CFDA number 84.048A contingent upon the continued extension of the Perkins Act of 2006 by the United States Congress or the reauthorization of the Carl D. Perkins Career and Technical Education Act.

Timothy Hardy, LCTCS Board Chair



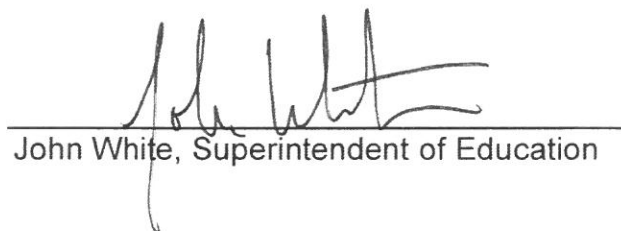
Dr. Gary Jones, BESE President

Stephen Toups, LCTCS First-Vice Chair



Dr. Holly Boffy, BESE Vice President

Dr. Monty Sullivan, LCTCS President



John White, Superintendent of Education

ADDENDUM A

2018-2019 PROGRAM YEAR BUDGET CARL PERKINS CAREER & TECHNICAL EDUCATION ACT OF 2006

	LCTCS	LDE	TOTALS
Total State Allocation			21,041,943
Flow-through			
Flow-through	7,082,719	9,014,368	16,097,087
Reserve Fund	1,788,565	-	1,788,565
State Leadership & Administration			
Corrections CTE Program	210,419	-	210,419
Equity Non-Traditional	100,000	-	100,000
Leadership	1,071,888	721,887	1,793,775
Administration	666,258	385,839	1,052,097
Totals	10,919,849	10,122,094	21,041,943

ADDENDUM B

For fiscal year 2018-2019, the following due dates apply:

Due Date	Data/Report Due
August 31, 2018	Annual Budget and Budget Narrative
September 30, 2018	Schedule of School Boards to receive a Fiscal audit or Programmatic monitoring visit within fiscal year
September 30, 2018	Schedule of School Boards to be visited for Methods of Administration (MOA) compliance
September 30, 2018	Meet with State Perkins Director regarding fiscal management procedures for fiscal year
November 16, 2018	CAR Narrative submitted to LCTCS
December 2, 2018	Performance Indicators Data input into <i>EDFacts</i> (notification sent to LCTCS) and CTE Concentrator and Participant data submitted to LCTCS
May 1, 2019	Final Budget Revisions
July 15, 2019	Deadline for submission of project completion report for prior fiscal year
October 1, 2019	Deadline for submission of the Maintenance of Effort (MOE)
July 15, 2019	Deadline for submission of Program Income Certification for prior fiscal year
July 15, 2019	Final Reimbursement Requests
July 31, 2019	Annual report summarizing results of audits and monitoring visits
15 th of ea. Month	Monthly Reimbursement Requests
15 th of ea. Qtr. Month	Quarterly Accountability Reports

ADDENDUM C

A.) Allocation of Carl D. Perkins Program Funds

Based on separate negotiations between LCTCS and LDE, LDE agrees to allow LCTCS to retain for its use a total of \$210,000 of the LDE's 2018-2019 Program Year Budget (\$175,000 in Leadership and \$35,000 in Administration).

B.) Responsibilities of BESE

- e. The LCTCS agrees to collaborate with the LDE to consider changes to any performance core indicators before contacting the Federal Department of Education or collaborating with Louisiana LEAs.
- f. In the event LDE cannot submit data timely, LDE will notify LCTCS within a reasonable time prior to the due date. LCTCS will communicate with OCTAE and determine the process for obtaining a data submission postponement waiver that will correspond to a submission date that is both acceptable to OCTAE and achievable by LDE.