



STATE BOARD OF EDUCATION

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## **Vermont State Board of Education Manual of Rules and Practices**

### **Series 2370 - Career and Technical Education State Board Regulations**

#### **2370 Career and Technical Education State Board Regulations**

##### **2370 Definitions**

1. Adult technical education - means technical education provided to an adult student that is not part of a course of study leading to a diploma or degree.
2. Adult student - means a resident of Vermont, of any age, who has received a high school diploma.
3. Career Academy - means a small learning community that serves a full range of students; that entails a college preparatory curriculum developed in the context of a career cluster; that integrates academic and technical instruction with work-based learning; that involves partnerships with employers, the community and higher education to create multiple opportunities and options for students to pursue careers; and that students can attend for two years.
4. Career Cluster - is a broad career area as defined by the U.S. Department of Education that includes occupations that share a common a common set of foundation skills.
5. Commissioner - means the Commissioner of the Vermont Department of Education or his/her designee.
6. Collaborative Program - means a technical education program, a number of technical education programs or programs at a technical education center offered pursuant to an agreement between two or more supervisory districts or unions in accordance with 16 V.S.A. § 267, for the purpose of cooperatively providing programs and services at a previously negotiated cost.
7. Comprehensive high school - is a high school other than a high school with a technical center that offers state approved technical education course(s) of study.
8. Course of study - means the units of academic, workplace, and occupational skill instruction of a career and technical education program that teach to the approved competency list and an

appropriate student organization that supports the program and teaches citizenship and leadership skills.

9. Full-time equivalent student (FTE) - means a student who is enrolled an average of at least two an hundred forty minutes per day for a school year in a career and technical education program's course of study.

10. Governance Board - means the school board that is legally responsible for operating a technical center or comprehensive high school.

11. Net costs - means the actual costs of providing technical education programs less federal and state sources of revenue.

12. Overhead Costs - means the costs in a technical center associated with governance, financial services, student services shared with the home school, and plant maintenance and operation.

13. Postsecondary Technical Education Program - means a program offered by a state-approved postsecondary institution that leads to a certificate or an associate degree and that prepares students for employment in specific occupations.

14. Pre-tech programs - means state-approved programs that provide students with preparatory services such as career counseling, academic assessment, applied academic instruction, and introductory career content knowledge and skills to better prepare them to choose and pursue a technical education program.

15. Receiving district - means a school district or a regional technical center school district receiving tuition on behalf of pupils to whom it furnishes technical education. The classification of a school district as a receiving district is not altered by reason of the participation of that district in a contract for management of the technical center under a collaborative agreement.

16. Regional board - refers to a board that represents all high schools in a region and is responsible for oversight of career and technical education in the region. The regional board can be a regional advisory board or a regional governance board.

17. Satellite program - is a technical education program that is offered by a technical center at a site outside the technical center facilities.

18. Sending district - means a school district paying tuition on behalf of pupils to a school district which furnishes technical education courses.

19. Service region - means the geographical area assigned by the state board to a technical center for which it is the provider of technical education.

20. Special Populations - means those individuals who are defined as having special needs in the Americans with Disabilities Act, 28 C.F.R. § 35.104, including:

Individuals with Disabilities - means individuals with a physical or mental impairment that substantially limits one or more of the major life activities, a record of such an impairment, or being regarded as having an impairment.

(1) The phrase physical or mental impairment means--

(A) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine;

(B) Any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

(2) The phrase physical or mental impairment includes, but is not limited to, such contagious and non-contagious diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.

(3) The phrase physical or mental impairment does not include homosexuality or bisexuality.

(4) The phrase, "Major Life Activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

(5) The phrase, "has a record of such an impairment" means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

(6) The phrase, "is regarded as having an impairment" means--

(A) Has a physical or mental impairment that does not substantially limit major life activities but that is treated by a public entity as constituting such limitation:

(B) Has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such an impairment; or

(C) Has one of the impairments defined in paragraph (1) of this definition but is treated by a public entity as having such an impairment.

(7) The term, "Disability" does not include--

(A) Transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments, or other sexual behavior disorders;

(B) Compulsive gambling, kleptomania, or pyromania; or

(C) Psychoactive substance used disorder resulting from current illegal use of drugs.

Individuals from economically disadvantaged families, including foster children - means individuals who are in families that are determined to be low-income according to the latest available data from the Department of Commerce.

Individual preparing for non-traditional training and employment - means individuals enrolled in programs that lead to occupations in which one gender constitutes less than 25% of their workforce and are declared "Non-traditional" by the Crosswalk of 1998 Nontraditional Occupations with Classification of Instructional Program Codes.

Single parents - means individuals who are single heads of households that include children who are minors and unmarried pregnant women.

Displaced homemakers - means individuals who are re-entering the workforce after being a full-time parent.

Educationally Disadvantaged Individuals - means individuals who are dropouts or potential dropouts, individuals who are migrants, individuals who score below the 25th percentile on a standardized achievement or aptitude test, individuals whose secondary school grades are below 2.0 on a 4.0 scale, or who fails to attain minimum academic competencies. This definition does not include individuals with learning disabilities.

Individuals with Limited English Proficiency - means individuals whose native language is other than English and for whom English is a second language.

21. State Board - means the Vermont State Board of Education.

22. Student - when it appears without a qualifier (such as adult, postsecondary, etc.) means a Vermont resident of any age who has not been awarded a high school diploma. The holder of a GED (General Educational Development) Certificate is not considered to have been awarded a diploma.

23. Student Apprenticeship - means a skill-based education program that coordinates and integrates classroom instruction with a structured work-based learning experience. Competencies for the program shall be approved by the state board and a student apprentice shall receive academic instruction and training in a skilled occupation which will prepare the student for postsecondary education, advanced training, or direct employment in a position higher than entry level.

24. Student Organization - means an organization of secondary students relating to, complementing, and enriching a particular technical education program in which they are

enrolled and that is designed to offer such students experience in leadership, citizenship, and occupational skills.

25. Technical center - means any of the 15 regional technical centers operating with state support on January 1, 2000 and any others so designated thereafter by rule of the State Board.

26. Technical Education - means any career and technical education programming designed to teach the academic, workplace, and occupational skills necessary for employment.

28. Tech prep - means a curriculum that (a) includes a secondary and postsecondary or apprenticeship curriculum, (b) involves up to two years of secondary programming and two years of postsecondary programming, (c) blends high level academic and technical courses, (d) culminates with an associate degree or a certificate after the completion of the postsecondary portion of the curriculum, and (e) emphasizes career planning and development that leads to employment.

29. Tuition - means an amount assessed to school districts based on the six semester average FTE enrollment from those towns to cover the costs of providing technical education that is not covered by federal, state or other sources of funds.

### *2371 Entitlement to Technical Education*

1. An individual is entitled to enroll in and complete a technical education program of part-time or full-time duration if the individual:

A. is at least in the 11th grade in a graded school or is at least 16 in a non-graded situation

B. does not have a high school diploma

C. applies for the program, and

D. meets the admissions criteria set forth in the admissions policies of the technical center and the technical education program and is accepted in the program.

2. A student who is in the 10th grade may with the support of the sending school request admission to a technical center from the school offering the program. The school offering the program can admit the student if there is space available and if it is determined that the student has the maturity to successfully participate in the technical education program and meets admissions criteria.

3. Technical education programs shall not be available to students below age 16 in a non-graded educational setting or below the 10th grade without the prior approval of the Commissioner.

4. Students in the 9th and 10th grades or below the age of 16 in a non-graded educational setting may be enrolled in pre-tech programs at the discretion of their sending school or, in the case of

students not enrolled in public education, at the discretion of the school district in which they reside.

5. Students who have completed a technical education program may enroll in additional technical education programming at the discretion of their sending schools if it is judged to best meet their career preparation needs and they are accepted by the technical center or comprehensive high school.

6. Enrollment in a high school shall not be a precondition for a student without a diploma to enroll in a technical education center. When a student who is not enrolled in a secondary school applies directly to and is accepted by a technical center, the school district of residence shall be notified within 10 days of acceptance. Funding for this enrollment shall be in accordance with existing statute.

7. The technical center shall provide program information to potential students within its region listing admissions requirements, employment opportunities, and other relevant information to assist the student in making a decision to enroll. Sending schools shall provide a reasonable opportunity for technical centers and comprehensive high schools to inform students in grades 7 through 12 of the educational opportunities available to them in the region.

8. A student's regular high school schedule or program shall be adjusted as necessary to ensure that there are not barriers to enrolling in a technical education program. Graduation requirements in excess of state minimum requirements shall be adjusted when, through no fault of the student, they present a barrier to enrollment in the technical education program of the student's choice.

### *2372 State-wide provision of technical education*

#### 1. Provision of technical education

Technical education shall be provided state-wide through seventeen service regions. Each service region shall be served by a technical center(s) and/or comprehensive high school(s). Before a school operates a technical education program/s, it shall obtain the support of the regional board overseeing technical education in the region and approval from the state board. All technical education programs approved by the state board shall be accessible to all students within the region and the state as stipulated by these regulations.

#### 2. Area Technical Centers

The state board may designate a school site as a technical center when the proposed center:

A. offers state-approved secondary technical education programs in no fewer than five of the following career clusters beginning at the eleventh grade level:

. Agriculture & Natural Resources

- . Construction
- . Manufacturing
- . Logistics, Transportation, and Distribution Services
- . Information Technology Services
- . Wholesale/Retail Sales and Services
- . Financial Services
- . Hospitality and Tourism
- . Business and Administrative Services
- . Health Services
- . Human Services
- . Arts and Communications
- . Legal and Protective Services
- . Scientific Research, Engineering, and Technical Services
- . Education and Training Services
- . Public Administration/Government Services,

B. is necessary to meet the technical education needs of the region,

C. develops admission policies that articulate the skills students need to participate successfully in and benefit from its technical education programs and that ensure equal access to these programs to all students from the service region served by the center,

D. offers applied academic, employability and technical skill training and provide career guidance, coop/apprenticeship options, career and technical student organizations, and appropriate adult technical education programming, and

E. has or will have a governance board as provided by state statute.

### *2373 Adult and Postsecondary Technical Education Programming*

#### 1. Adult Technical Education



Each technical center shall provide technical education and training programming that addresses the needs of adults and businesses in its region. Adult coordinators shall work closely with the regional workforce investment board and other organizations to identify the technical education and training needs of adults in the region. Courses and programs leading to industry credentials shall be developed and offered to address these regional needs.

## 2. Enrollment of Adult Students

A. Adult students shall be enrolled in any secondary technical education program within Vermont on a space available basis as long as they meet the admission requirements for all students entering that program. A technical center may charge up to 40% of the actual costs per student of offering the program. Technical centers shall determine whether space is available no later than two weeks prior to the first day of operation of the program.

B. Adult students who wish to be guaranteed enrollment in a secondary technical education program may be admitted but can be charged the full amount of the actual cost per student of operating the program.

C. Secondary programs may be developed for students who are not of a traditional age. Students without diplomas shall be funded as in any other secondary programs as long as the program is designed to lead to a diploma. Adults with diplomas who enroll in courses or programs created specifically for non-traditional aged students shall be charged as in any other secondary program.

## 3. Customized Training for Businesses within the Region

Technical centers may offer customized training to meet the needs of area businesses. Fees for such services shall be used to defray the costs of administration, instruction and use of facilities.

## 4. Postsecondary Technical Education

Each technical center shall coordinate use of the center with the Vermont State Colleges, other state programs including licensing, job training, and apprenticeship programs, and with other approved institutions for the provision of postsecondary technical education programs and charge fees not exceeding actual costs of operating the programs. The offering of postsecondary programs shall not increase the costs of offering secondary technical education programs.

## *2374 Service Regions*

### 1. Assignment to Service Regions

School districts and independent high schools shall be assigned to a technical education service region as follows:

A. Barre Regional Vocational Technical Center: Spaulding UHSD # 41, Barre City, Barre Town, Twinfield USD # 33, Marshfield, Plainfield, Harwood UHSD # 19, Duxbury, Fayston,



Moretown, Waitsfield, Warren, Waterbury, UHSD # 32, Berlin, Calais, East Montpelier, Middlesex, Worcester, Cabot High School, Montpelier High School.

B. Chittenden County Service Region: Burlington Technical Center, Center for Technology-Essex: Champlain Valley UHSD # 15, Charlotte, Hinesburg, Shelburne, Williston, Mt. Mansfield UHSD # 17, Bolton, Huntington, Jericho, Richmond, Underhill ID, Underhill Town, Burlington High School, Colchester High School, Milton High School, South Burlington High School, Bellows Free Academy-Fairfax, Fairfax, Fletcher, Georgia, Winooski High School, Essex High School, Essex Junction, Essex Town, Grand Isle, North Hero, St. George, South Hero, Westford,.

C. Cold Hollow Career Center: Enosburg Falls High School, Richford High School, Bakersfield, Berkshire, Montgomery.

D. Hartford Area Career and Technology Center: Woodstock UHSD # 4, Barnard, Bridgewater, Pomfret, Reading, Killington, Woodstock, Hartford High School, Windsor High School, Hartland, Norwich, Weathersfield, West Windsor.

E. Green Mountain Technology and Career Center: Hazen UHSD # 26, Greensboro, Hardwick, Woodbury, Lamoille UHSD # 18, Belvidere, Cambridge, Eden, Hyde Park, Johnson, Waterville, Craftsbury Academy, Peoples' Academy-Morristown, Stowe High School, Elmore, Fletcher, Stannard, Wolcott.

F. North Country Career Center: Lake Region UHSD # 24, Albany, Barton ID, Brownington, Glover, Irasburg, Orleans ID, Westmore, North Country UHSD # 22, Brighton, Charleston, Derby, Holland, Jay, Lowell, Morgan, Newport City, Newport Town, Troy, Westfield, Coventry.

G. Northwest Technical Center: Bellows Free Academy-St. Albans, Missisquoi Valley UHSD # 7, Franklin, Highgate, Swanton, Alburg, Fairfield, Georgia, Isle LaMotte, St. Albans City, St. Albans Town, Sheldon.

H. Patricia A. Hannaford Career Center: Mt. Abraham UHSD # 28, Bristol, Lincoln, Monkton, New Haven, Starksboro, Vergennes UHSD # 5, Addison, Ferrisburg, Panton, Vergennes ID, Waltham, Middlebury UHSD # 3, Bridport, Cornwall, Middlebury ID, Ripton, Salisbury, Shoreham, Weybridge.

I. Randolph Area Vocational Center: Randolph UHSD # 2, Braintree, Brookfield, Randolph, Whitcomb High School-Bethel, Chelsea High School, Northfield High School, Rochester High School, Royalton High School, Williamstown High School, Granville, Hancock, Orange, Pittsfield, Roxbury, Sharon, Strafford, Stockbridge, Tunbridge, Washington.

J. River Bend Career and Technical Center: USD # 36 (Corinth, Topsham), OxBow UHSD # 30, Bradford ID, Newbury, Blue Mt. USD # 21, Groton, Ryegate, Wells River, Thetford, Rivendell Interstate School District, Fairlee, Vershire, West Fairlee.

K. Southeastern Vermont Career Education Center: Brattleboro UHSD # 6 Brattleboro, Dummerston, Guilford, Putney, Vernon, Leland and Gray UHSD # 34, Brookline, Jamaica, Newfane, Townshend, Windham, \*Bellows Falls UHSD # 27, Athens, Grafton, Rockingham, Westminster, Whitingham High School, Wilmington High School, Dover, Marlboro, Stratton, Wardsboro, Winhall.

L. Southwest Vermont Career Development Center: Mt. Anthony UHSD # 14, Bennington ID, North Bennington ID, Pownal, Shaftsbury, Woodford, Arlington High School, Burr and Burton Academy, Danby, Dorset, Halifax, Manchester, Mt. Tabor, Pawlet, Readsboro, Rupert, Sandgate, Searsburg, Stamford, Sunderland.

M. St. Johnsbury Service Region - regional programs offered at Applied Technology Center at St. Johnsbury Academy, Lyndon Institute Technical Center: Concord High School, Danville High School, Union # 37, Sheffield, Wheelock, Barnet, Burke, East Haven, Granby, Guildhall, Kirby, Lunenburg, Lyndon, Maidstone, Newark, Peacham, St. Johnsbury, Sutton, Walden, Waterford, Victory.

N. Stafford Technical Center: Fair Haven UHSD # 16, Benson, Castleton, Fair Haven, Orwell, West Haven, Mill River USD # 40, Clarendon, Shrewsbury, Wallingford, Otter Valley UHSD # 8, Brandon, Goshen, Leicester, Pittsford, Sudbury, Whiting, Poultney High School, Proctor High School, Rutland High School, West Rutland School, Chittenden, Hubbardton, Ira, Mendon, Middletown Springs, Plymouth, Rutland Town, Tinmouth, Wells.

O. River Valley Technical Center: Green Mountain UHSD # 35, Andover, Cavendish, Chester, Black River USD # 39, Ludlow, Mt. Holly, Springfield High School, Baltimore, Landgrove, Londonderry, Peru, Weston, \*Bellows Falls UHSD # 27, Athens, Grafton, Rockingham, Westminster.

P. Canaan School: Bloomfield, Brunswick, Canaan, Lemington, Norton. Canaan School does not send to a regional technical center because it is geographically isolated and offers technical education programs as a comprehensive high school.

\* Students enrolled in UHSD # 27 may chose to go to Southeastern Vermont Career Education Center (Brattleboro), or River Valley Technical Center (Springfield).

## 2. Change in Service Region When Requested by a School District

A. To request a change in service region, a school or school district shall notify the Commissioner in writing.

B. The Commissioner, prior to making a recommendation to the state board, shall consult with the school districts, and the regional advisory boards that would be affected by a change in sending district service region assignment(s).

C. The State Board shall grant a request by a school or school district to change service regions if:

- (1) The change will not significantly affect technical center program enrollments,
- (2) The change will not significantly increase the distance between the technical center and the high school,
- (3) The change will provide more opportunities to students, and
- (4) The fiscal impact of the change will not be so great that the technical centers affected by the change cannot accommodate it and that other schools in a service region will have to assume a significantly larger portion of the costs of operating the technical center.

D. School districts that request a change in service region shall notify the affected centers and the Department of Education prior to November 1st of the preceding year.

E. Students may complete their course of study at the school in which they began the program regardless of any change in service region granted their sending school.

### 3. Students Attending Technical Education Outside their Service Region

A. Secondary students may apply for enrollment into programs offered at technical centers outside their service region when the center in their service region does not offer the program in which they wish to enroll or they are not able to enroll in the program of their choice. The school district of the students' residence shall pay tuition for that enrollment. Districts shall not be required to provide transportation to and from the technical center selected by the student.

B. Secondary students attending public/independent high schools outside their service region may attend the technical center assigned to the academic high school in which they are enrolled. Sending districts shall pay the tuition but are not required to provide transportation to and from the technical center.

C. Secondary students not attending an academic high school shall attend the technical center to which their district of residence has been assigned.

### *2375 Governance*

1. A technical center shall be owned and governed by a board that is provided for and constituted in a fashion prescribed by state statute. These are:

A. School Board of the Home School

A technical center shall be owned and governed by the school board for the high school district in which the technical center is located pursuant to 16 VSA § 1541 unless the region has received

approval from the state board of education and the region's electorate to create a regional technical center school district for purposes of the governing and operating the center.

## B. Regional Board

A region may create a regional technical center school district and a regional governance board to own, govern, and operate the center by following the procedures identified in 16 VSA § 1572-1576.

### 2. Responsibilities of the board which manages a technical center:

A board that operates a technical center shall:

- A. Provide secondary and adult technical education services,
- B. Annually set a budget for operation of the center,
- C. Establish the secondary and adult curriculum of the regional center, including courses of study offered,
- D. Provide for the decentralization of its technical programs, including the creation of rotating and satellite programs, whenever advantageous to the service region and/or for the expansion of distance learning opportunities,
- E. Employ and, as need requires, dismiss an adult services coordinator and a director of technical education and such qualified staff as is necessary to provide programs and services,
- F. Develop criteria and priorities for student admission into technical education programs and services that address secondary students, school dropouts, adult students,
- G. Annually evaluate the success of the center in serving all parts of its service region and in offering employment related adult training and education programs,
- H. Annually evaluate the quality of each course of study and service offered by the center,
- I. Coordinate use of the center with the Vermont state colleges, other state programs including licensing, job training and apprenticeship programs, and with other approved institutions, for the provision of postsecondary technical education programs and charge fees not exceeding the direct and indirect costs of the use of the center,
- J. Offer programs designed to acquaint prospective students with technical programs, but which do not require an enrollment commitment,
- K. Establish fees for building and equipment use after giving due consideration to the efficient and cost effective use of the center,

L. Establish a technical tuition,

M. Make the center's facilities and equipment available for providing technical education programs to adults, and

N. Use and maintain all facilities designed and constructed for technical education in a manner consistent with that purpose, except when those facilities are determined annually by the regional advisory board to not be needed for technical education and the commissioner or his/her designee so consents.

3. In addition to these responsibilities, the regional board of a regional technical center school district shall have the duties and authority identified in 16 VSA § 1577:

A. Determine the educational policies of the center. Policies shall be of general application to the center, shall be in writing, codified, and made available to the public. Board policies shall be adopted at regular or special meetings. A board shall give public notice of its intent to adopt a board policy, stating the substance of the proposed policy, at least ten days prior to its adoption,

B. Approve or disapprove rules and regulations that relate to the conduct and management of the center,

C. Take any action required for the sound administration of the center

D. Have the possession, care, control, and management of the property of the center,

E. Keep the center buildings and grounds in good repair, suitably equipped, insured and in safe and sanitary condition at all times,

F. Lease or purchase real and personal property, and to sell, relocate, or discontinue use of real and personal property,

G. Establish and maintain an adequate system of financial disbursement, accounting, control, and reporting procedures,

H. Sue and be sued,

I. Conduct its budget adoption in accordance with the terms approved by the state board,

J. Employ such persons as may be required to carry out the work of the center and dismiss any employee when necessary,

K. Provide all textbooks, learning materials, equipment and supplies,

L. Borrow money by issuance of bonds or notes, not in excess of anticipated revenue for the school year,

M. Apply for grants and to accept and expand grants and gifts,

N. Present informational materials to the electorate on any matter voted, and

O. Incur indebtedness under the conditions of 16 VSA § 1579.

#### 4. Regional Advisory Board

When a technical center is governed by a high school board, it shall establish a regional advisory board. When the state board designates a service region for two or more comprehensive high schools, the boards of the high schools shall establish a joint regional advisory board. A regional advisory board shall include the membership required under 16 V.S.A. § 1542. The regional advisory board shall meet at least four times during the school year. The purposes of the meetings are to review technical education programs and services and make written recommendations to the board/s operating technical education programs concerning:

A. the quality of services and programs for secondary and adult students,

B. the alignment of programs and services to available jobs,

C. the reasonableness of fees set for rental of facilities and equipment,

D. the appropriateness of the budget for operating the programs,

E. the success of the programs in serving all parts of the region, and

F. the adequacy of the provision to each student, beginning in grade nine, of appropriate career counseling and technical education information.

#### 5. Disagreements

When a school board operating technical education programs rejects a written recommendation of a regional advisory board, or fails to adopt such a recommendation after 30 days, it shall notify the advisory board and the commissioner or designee in writing, stating its reason.

#### 6. Workforce Investment Board

A regional advisory board, with the consent of the receiving district school board and the regional workforce investment board, may delegate its responsibilities to the regional workforce investment board. The receiving district school board may terminate this delegation by reconstituting the regional advisory board under the conditions set out in 16 VSA § 1542.

## 7. Approval of technical education programs

The regional board for a technical education region shall be the body that approves a technical center or high school to offer a career and technical education program in that region. In making that decision it shall consider the proposed programming under the following criteria:

- A. There is a demonstrated need in the region for the skills taught by the program,
- B. The school proposing the program is the most appropriate site for the program, and
- C. The program is made accessible to all students in the region through establishing appropriate systems for transportation and scheduling.

## 8. Responsibilities of sending school districts

- A. Sending districts shall provide students in grades 11 and 12 with a genuine opportunity to participate fully and to benefit from technical education.
- B. Sending schools shall provide transportation for students enrolled in technical education at the center(s) assigned to the schools.
- C. If the regional technical education center serving the sending school does not offer the program desired by a student or that program has a full enrollment, the sending district shall enroll that student in another center in which the program is available. The school district in which the student is a resident shall pay tuition on behalf of that student who applies and is accepted but the sending school is not required to provide transportation.
- D. Schools shall provide on request names and addresses of students to all schools in the region offering state-approved career and technical education programs for the limited purpose of the those schools providing information to students and parents about the programs.
- E. Prior to admission to a technical education program, the sending school shall make available to the technical center staff the student records of accepted students. The record must include information on the student's grades in the basic academic skills and the student's performance on state assessments.
- F. Sending schools districts shall provide comprehensive career counseling and applied academics to students in the 9th and 10th grades to prepare students to appropriately elect and succeed in technical education programs.

## *2376 School Quality Procedures*

- 1. For purposes of 16 V.S.A. § 165, a technical center is a school.

## 2. Annual Plan



School districts applying for state and/or federal assistance for technical education shall, in accordance with a schedule and on forms prescribed by the commissioner, submit an annual plan that describes their technical education programs and services. The plan shall include information and assurances that permit the commissioner to judge whether the technical education programs:

- A. Meet state and federal statutory and regulatory requirements,
- B. Are available and accessible throughout a center's service region for secondary and adult students,
- C. Make provisions for appropriate fiscal control and fiscal accountability and assure that annual statistical, descriptive, and financial reports will be submitted as required by the Commissioner,
- D. Ensure equal employment, educational opportunities, and affirmative action regardless of race, creed, color, national origin, gender, age, handicapping condition and/or disability, or sexual orientation, in compliance with state and federal laws, and
- E. Make available information, programs and services to all students within the service region.

### 3. Action Plan

A school district receiving state and federal support for technical education shall annually update an action plan. The action plan shall:

- A. Meet state and federal requirements for including specific stakeholders in its development, carrying out a review student performance, and identifying strategies to improve student performance
- B. Be filed with the annual plan for the upcoming year.

### 4. School Report

A technical center receiving state and federal support for technical education shall annually issue a school report that identifies levels of student performance against school standards, accomplishments of the school, and the result of action plans. Comprehensive high schools shall provide this information on their technical education programming in their school report.

### *2377 Technical Education Program Evaluations*

- 1. School and program evaluations shall satisfy requirements in 16 VSA, §§ 1533 and 1534.

2. The commissioner, in consultation with local administrators, shall schedule technical center evaluations so that all schools with state approved technical education programs are evaluated at least every five years.
3. A school offering state-approved technical education programs shall schedule a review of safety conditions conducted by the Department of Labor and Industry within the six months leading to each evaluation.
4. Evaluations shall be conducted in a manner and format prescribed by the commissioner.

### *2378 Safety in Technical Programs*

1. Each school district that receives federal and/or state funds for technical education and/or pre-technical education shall develop a program of safety for every program, ensure that it is properly implemented, and provide oversight to ensure that the quality of the safety program is maintained.

2. Each school with a state approved technical education program shall limit the number of students to 16 per class during laboratory or field experiences when the program has as part of its curriculum one or more activities identified in hazardous occupations defined by Department of Labor Child Labor Bulletin 101. When a paraprofessional is added to the instructional staff, a total of 21 students per class may be assigned. Hazardous occupations include the following and any others as may be specified in amendments to Bulletin 101 in the future:

- . Manufacturing and storing explosives
- . Motor-vehicle driving and outside helper
- . Coal mining
- . Logging and sawmilling
- . Power-driven woodworking machines
- . Exposure to radioactive substances
- . Power-driven hoisting apparatus
- . Power-driven metal-forming punching and shearing machines
- . Mining other than coal mining
- . Slaughtering, or meatpacking, processing or rendering
- . Power-driven bakery machines

- . Manufacturing brick, tile, and kindred products
- . Power-driven circular saws, band saws, and guillotine shears
- . Wrecking, demolition, and ship-breaking operations
- . Roofing operators
- . Excavation operations
- . Specific operations within agriculture

3. Each school with a technical education program shall develop procedures to reach parent(s) or guardian(s) in case of an accident or emergency while students are at school or a school function off school sites.

### *2379 Required Staffing of Technical Centers*

1. A technical center or comprehensive high school with more than five programs shall be eligible in accordance with these rules for state salary assistance for a director, assistant director, guidance coordinator, adult services coordinator, and cooperative education/student apprenticeship coordinator.
2. Each school board operating a technical education center shall employ a licensed full-time director who is responsible for the administration and supervision of the technical education center. The director shall report directly to the superintendent of schools when the technical center is part of a supervisory union district, to the headmaster, when the center is operated by an independent school, or as specified by the governance structure of the technical center.
3. Each school board operating a technical education center shall employ a licensed technical education guidance coordinator to perform guidance and counseling services. The guidance coordinator shall report to the director of the technical center.
4. Each school board operating a technical education center shall employ a licensed adult services coordinator who shall be responsible for planning, coordinating, and supervising programs and services for adults.
5. Each school board operating a technical education center shall employ a licensed cooperative education/student apprenticeship coordinator to develop and oversee work-based learning opportunities for students enrolled at the technical center.
6. Each school board operating a technical education center shall employ at least one full-time licensed special populations teacher to ensure that students with special needs have the access and support they need to enroll and succeed in technical education programming. If the center

employs instructors for Pre-tech programs with this licensure, this position shall be in addition to those employed in Pre-Tech.

7. Each school board operating a technical center shall consult with its regional advisory board on the employment and dismissal of the director and of the adult services coordinator.

8. A technical center shall be eligible for salary assistance for an assistant director if the technical center has a 6 semester average of an enrollment of at least 150 FTE students and the sending school population is at least 30 percent of the total enrollment.

### **2380 Quality Criteria for Technical Education Programs & New Program Approval**

1. A technical education program shall meet the following criteria in order to receive state approval:

A. The program is based on industry standards that include occupational, workplace, and academic skills,

B. The program competencies have been aligned with the Vermont Framework of Standards and an embedded academic area has been identified and is of a scope that justifies the granting of an academic credit,

C. The program competencies have been approved by the State Board,

D. The program prepares students for one or more industry recognized credentials upon the completion of the program and/or is articulated with a postsecondary program that offers such a credential,

E. The program has one or more articulation agreements with postsecondary education and training programs,

F. Rubrics have been identified for assessing levels of competence,

G. The school has developed appropriate curriculum and provided the equipment and facilities needed to teach the core competencies of the program,

H. The program has a student organization as an integral part of its course of studies,

I. The program has an instructor with the required licensure and competencies to instruct in the program's core competencies,

J. The program is offered at least the minimum instructional time,

K. The program has strategies to achieve gender equity in enrollments and outcomes.

2. When planning to initiate or substantially change a career and technical education program, a school or a technical center shall submit to the Commissioner a letter of intent to offer a new or revised program.

3. When the program has been developed or substantially changed, the school shall submit to the Commissioner evidence that:

A. There is current and projected growth in program related jobs within the region's or state's labor market,

B. The wages paid for program related jobs exceed the average wages for all jobs in the region/state labor market or that there is a social need for individuals with the skills the program provides,

C. The regional board has approved the development of the program and determined that the proposed program does not duplicate existing programs in the region,

D. The program will have a program advisory committee that is comprised of people from program-related industry and postsecondary education and that has played an active role in the development of the program,

E. The program meets the criteria for technical education programs.

4. If the commissioner has judged that these criteria have been met, s/he shall approve the program and issue it a code for reporting purposes. Enrollments in the program shall not be included for state and federal funding purposes until the program has been approved.

### *2381 Pre-Tech Programs*

#### 1. Pre-Tech Exploratory

For students in the 9th and 10th grades for whom it has been determined by their high school that greater success can be experienced through intensive applied approaches to learning and career exploration and decision-making, technical centers and high schools may offer state-approved pre-tech exploratory programs that shall be eligible for technical education funding. These programs shall be designed to assist students in career exploration, including exploration of career areas non-traditional to their gender, and decision making. Such programs shall also include instruction in an applied setting of the language, mathematics, and science skills students shall need to enter technical education programs and to meet state and local graduation requirements.

#### 2. Pre-Tech Foundational

3. Technical education programs that incorporate a three to four year sequence of courses to provide instruction in a career cluster may be preceded by pre-tech courses in the 9th and 10th grades. These courses shall familiarize students with the possible occupations in a career area

and instruct students in the foundational core academic and occupational skills needed by workers in that career area. Such pre-tech foundational programs may be eligible technical education funding if they are recommended for approval by the regional board, meet the criteria for program approval and time requirements, and are approved by the state board of education.

### *2382 Instructional Time*

#### 1. Minimum Instructional Time

A. The minimum number of instructional days that a school offering technical education programming shall be 175 days each school year.

B. The minimum time of instruction in a technical education program shall be 600 minutes per week (an average of 120 minutes a day) for a half-day program including Pre-Tech Exploratory programs and 1200 minutes per week for a full-day program.

C. Pre-Tech Foundational programs shall operate a minimum of 200 minutes per week (an average of 40 minutes per day).

#### 2. Length of Program

A. Technical education programs shall operate for as many semesters as determined by the state board to be necessary to prepare students to achieve an industry credential and/or pursue career opportunities.

B. Technical education programs designated as career academies may be approved to operate for up to two full years.

### *2383 Program Completion*

1. Each technical education program shall be based on a competency list approved by the state board. The school shall assess and report student performance on the core competencies of the competency list.

#### 2. Successful Completion:

A student who has been judged competent in 90% of the core competencies has completed the program successfully.

#### 3. Academic Credit:

Students who successfully complete a technical education program shall satisfy state graduation requirements as set forth below:

A. A student who successfully completes one of the technical education programs listed below shall receive one credit in science toward graduation:

Agricultural Mechanics      Auto Body Repair  
Automotive Technology      Aviation Technology  
Computer Technology Systems      Cosmetology  
Culinary Arts Dairy Production  
Dental Assistant      Diesel Truck Mechanic/Operation  
Diversified Agriculture      Electrical/Electronics Operations  
Electrical/Plumbing Operations      Electronics  
Engineering Technology      Environmental and Natural Resources Technology  
Equine Science and Technology      Forestry and Natural Resources  
Health Careers      Heavy Equipment  
Horticulture      Industrial Mechanics  
Protective Services      Video Production

B. A student who successfully completes one of the technical education programs listed below shall receive one credit in mathematics toward graduation:

Bookkeeping, Accounting, Micro-      Building Trades  
computer Accounting CADD Engineering/Design  
Graphic Arts      Hospitality, Travel Tourism  
Marketing Education and Marketing  
Millwork/Cabinet Making      Precision Machining Trades  
Technical Connections      Welding and Metal Fabrications

C. A student who successfully completes one of the technical education programs listed below shall receive one credit in art toward graduation:

Design Illustration      Performing Arts  
Performing Arts/Music Technology/Jazz and Contemporary

D. A student who successfully completes one of the technical education programs listed below shall receive one credit in English toward graduation:

Medical Records      Office Occupations

E. A student who successfully completes one of the technical education programs listed below shall receive one credit in social studies toward graduation. [This credit may not count as a credit in U.S. History or World History.]:

Human Services      Pre-Law

F. A technical education program may have more than one embedded academic credit if the state board determines that program content justifies it.



G. The commissioner shall review a technical education program for academic content used to meet state graduation requirements if there is the development of a new technical education program, revision of an existing program, or the combination of existing program components to create a specialized course of study.

H. After conducting the review, the commissioner shall make recommendations regarding academic credit to the state board. Nothing herein shall preclude a school board from granting additional academic credit for learning acquired in a technical education program.

### *2384 Program Advisory Committees*

1. Each technical education program shall have a program advisory committee of at least five persons representing employers, employees, graduates, and other individuals knowledgeable about the occupations for which students are prepared in the program.

2. The program advisory committees shall meet at least twice a year to review and report to the director on the relevance of program content, levels of student performance, work-based learning opportunities, and strategies for program improvement.

### *2385 Work-based Learning*

#### 1. Types of Work-based Learning

Each technical education program shall include work-based learning to expose students to the realities of the occupation for which they are preparing and the application of academic, workplace and occupational skills they are acquiring in programs.

Work-based learning may include:

A. Job Shadowing which is the placement of a student in a work station where the student observes the business process. The time span is a total of two to eight hours and it is an unpaid situation where training plans are optional.

B. Career Work Experience (CWE) which is short term unpaid career exploration experiences in an occupational field related to a student's program or interest. CWE is a non-paid situation and requires a training agreement but not a training plan.

C. Cooperative Technical Education (CTE) in which students are placed in paid work experiences at training stations directly related to their technical education program. A training plan and a training agreement are required.

D. Student Apprenticeship which is a state-approved program and in which students are placed in a work experience in accordance with the federal Fair Labor Standards Act.

#### 2. Cooperative Work Experience

A. Technical education students shall be eligible as part of their technical education program to participate in cooperative technical education hereinafter referred to as "coop."

B. All school-approved Coop placements shall meet the following requirements:

- (1) Each placement shall be planned and supervised by the school and employer so that the experience contributes to the student's education and employability,
- (2) The minimum age of students placed shall be 16. Student placements shall adhere to Child Labor Bulletin # 101 and/or 102 (Child Labor Requirements in Non-Agricultural/Agricultural Occupation Under the Fair Labor Standards Act, 1977),
- (3) All local, state, and federal laws applying to wage and hour regulations shall be followed,
- (4) Students shall be covered by Workers' Compensation or comparable individual, school, or employer insurance while on the job,
- (5) Students shall have on file at the school a properly completed training agreement signed by the student, the student's parent, the co-op coordinator and the employer,
- (6) Students shall be visited regularly at the work site by the co-op coordinator to assess student progress,
- (7) Students shall receive an educational program that addresses core technical competencies and tasks directly related to job-seeking and job-keeping skills, and
- (8) Students shall be eligible to receive credit toward graduation upon successful completion of approved co-op programs when it is part of a state-approved course of study in technical education.

### 3. Student Apprenticeship

A. Secondary schools may operate a student apprenticeship program if:

- (1) the proposed apprenticeship is approved by the regional advisory board,
- (2) a licensed apprenticeship coordinator is employed to operate the program,
- (3) a worksite has been identified that offers the opportunity for high skill training and employment and that provides a worksite mentor,
- (4) a student apprenticeship agreement has been signed by the student, the employer, and the school board,

- (5) the student apprenticeship program follows a state approved curriculum,
- (6) the school carries appropriate liability and health insurance, and
- (7) the student apprentice will satisfy all high school graduation requirements set forth by the state and the local school district.

B. A student may be terminated from the student apprenticeship program if:

- (1) the student fails to fulfill the requirements of the student apprenticeship agreement as determined jointly by the school and the employer, the student has received at least two written notices from the student apprenticeship coordinator, specifying the nature of the deficiencies, and the student has been provided with reasonable time and necessary support services, including counseling, to address the problem areas, or
- (2) the student violates company policies as prescribed in the employee handbook and/or commits a serious safety infraction.

C. Worksite mentors shall be selected by the employer based upon the following criteria:

- (1) the proposed mentor has sufficient education and work experience in the areas described in the approved student apprenticeship curriculum,
- (2) the proposed mentor is in a position to carry out the training activities specified in the approved student apprenticeship curriculum, or to designate other employees to engage in this activity,
- (3) the proposed mentor is aware of the responsibilities accepted by the employer, the school, and the student as described in the student apprenticeship agreement, and
- (4) the proposed mentor accepts these responsibilities by signing the apprenticeship agreement.

D. The state board shall provide an industry competency certificate to students completing a student apprenticeship program when the student completes, to the satisfaction of the employer and the school, the approved student apprenticeship program.

E. The State Board shall maintain a record of certificates, including competency and task attainment, issued to all student apprentices, shall make copies of these documents available to the student and the school, and shall make certified copies available to other parties upon the student's written request.

### *2386 Career Development*

1. Schools offering technical education programs shall make good faith efforts to notify all eighth and tenth graders in their region and their parents of the technical education programs

that they offer. They shall also provide information on the requirements for admission to the programs.

2. Technical centers shall be a regional resource for career development and provide information and training to middle and high schools in their region on applied academics, work-based learning, career exploration, and career decision making.

3. Technical centers shall align curricula with schools in the region to provide students with opportunities to meet Vermont's standards for student performance and to prepare for career opportunities.

### *2387 Student Services*

1. Technical centers shall provide guidance services that include the development of career preparation plan for every student and assistance with developing and pursuing a post high school plan.

2. Students identified as being eligible for services under the Individuals with Disabilities Education Act, and/or reasonable accommodations under Section 504 of the Rehabilitation Act, shall be considered for enrollment in technical education at a (an) IEP/504 Meeting. When an IEP/504 Team determines that the student would benefit from an appropriate placement in technical education, the student may apply for admission to the technical center. Members of the IEP/504 Team shall include the technical education Special Populations Teacher and the instructor of the desired technical education program.

3. Technical centers shall provide accommodations and other services required by special populations students to successfully complete their technical education program. The Special Populations Teacher shall support instructors in carrying out the accommodations, interpret the results of academic and vocational assessments, and design remedial academic exercises. In addition to meetings and record keeping, student services shall also include reinforcing employability skills and supervising services for students whose native language is other than English.

4. Technical centers shall have and implement a plan to encourage and support enrollment of students in technical programs that are in occupational areas non-traditional to their gender.

### *2388 Credits and Graduation Requirements*

1. Grades earned in technical education courses shall not be altered by a public or independent school.

2. School boards shall not establish graduation requirements that have the effect of discouraging or preventing their students from attending technical education programs.

3. Credits earned in a state approved technical education program shall be honored by any public school in Vermont and applied toward any state and local graduation requirements in

accordance with policies adopted by the school board of each school district and in accordance with these rules.

### *2389 Reporting Requirements for Technical Education*

#### 1. Technical Education Students

Students whose enrollment will be counted for the funding of technical education are those students who attend a state-approved technical education program or a Pre-tech Exploratory program and who attend at least an average of 80 minutes a day each week. Students' minutes of attendance shall be reported and their FTE shall be calculated on the basis of 1 FTE equaling an average of 240 minutes of enrollment each day. No student shall be counted as enrolled in technical education as more than 1 FTE. Only the student's attendance in the technical education program's course of study shall be reported. Enrollments in other courses shall not be reported.

#### 2. Pre-tech Foundational Students

Students who are enrolled for at least an average of 40 minutes per day each week (at least 200 minutes per week) in a state-approved Pre-tech Foundational program may be reported and counted for technical education funding.

#### 3. Reporting Periods

On October 15 for the first semester and on March 15 for the second semester of each school year, schools that provide state approved technical education programs and pre-tech programs shall record enrollments by program in a format provided by the commissioner. The records shall be submitted to the commissioner by November 15 for the first semester and April 15 for the second semester or the first weekday thereafter if either falls on a weekend.

### **2390 Establishing the Costs for Technical Education**

#### 1. Separate Budget Center -

A. School districts offering technical education programs shall maintain separate cost records for all costs associated with secondary technical education. All revenues and costs shall be accounted for separately from regular secondary school revenues and costs [including Technology Education (Industrial Arts) and Home Economics] and from Adult Education revenues and costs.

B. The Vermont School Accounting Manual (Handbook II Revised) shall be used to assure that standard sources of funds, instructional organization functions, and object codes are used.

#### 2. Shared Costs

Costs that are shared by technical education programs and other education programs offered by a school district shall be allocated by calculating technical education's percentage of total costs by using the following methods unless the regional board for the center and the school board for the district with whom the costs are shared both agree to an alternate method:

. School board costs, fiscal services, superintendent's office, and other central office costs shall be allocated through the following formula:

direct program costs for technical center

divided by

total of all direct program costs

. Staff development/instructional staff support costs shall be allocated through the following formula:

FTE teaching staff for technical center

divided by

Total FTE teaching staff

. Building maintenance and operation costs shall be allocated through the following formula:

square feet of technical center

divided by

total square feet

. Student support services shall be allocated through the following formula:

Student FTE for technical center

divided by

Total student FTE

When an alternate method of sharing costs is adopted, the regional board and school board will notify the commissioner of the method being used in a notification signed by both board chairs that identifies the method and duration of the agreement.

### 3. Special Education Costs:

The cost of any special education services provided to students with Individual Education Plans (IEPs) may be charged to those students' sending schools by following the special education excess cost procedures set forth in Rule 2366.2. The following procedures apply:

- A. The sending school district or agency responsible shall be given prior notice by the receiving district that an excess cost shall be charged,
- B. Notice shall indicate the student's name, type and frequency of service to be provided, fee for services to be provided, and billing schedule,
- C. Excess costs shall be calculated based on the actual costs attributable to the student or proportionate costs in accordance with the Handbook for Financial Accounting of Vermont School Systems, and
- D. Excess costs shall be billed quarterly and final billings for any fiscal year must be submitted to the sending school district prior to June 15th of that fiscal year.

### *2391 Calculation of Technical Education Tuition for Technical Centers*

- 1. Technical centers shall separate the costs of secondary technical education programs.
  - A. Income and expenditures for adult education, postsecondary education, and other programs and activities shall be tracked and reported in cost centers separate from secondary programming as required in Rule 2390.1A.
  - B. Income and expenditures for programs and services that are not state-approved technical education programs provided by the technical center to students and schools shall be determined through agreements that are developed between the technical center and the school/s that benefit and that are approved by the regional board. Such agreements shall not result in an increase in the costs of providing technical education programs.
  - C. Sending school districts and receiving school districts may develop agreements that allow students from sending schools to take courses outside their technical education program at the receiving school district in order to facilitate access to technical education. Such agreements shall specify how costs for these enrollments will be covered. If all sending school districts and the receiving school district are in agreement, these costs may be included in the technical education tuition. Otherwise, the sending school districts may be billed for these costs. In no case will enrollments in courses that are not part of the course of studies of a technical education program be reported as enrollment in a technical education program.
- 2. The technical center shall identify the actual costs of secondary technical education programming that includes all costs associated with that programming.
- 3. The technical center shall calculate tuition by:



A. Subtracting from the actual costs all income through federal funds that support secondary technical education programming; the state grants for overhead, salary assistance and equipment; and local sources of income that was generated by activities funded by the actual costs or use of the facility

B. If out-of-state students attend a technical center, the net costs after subtracting the above income are divided into two parts - an amount to be covered through tuition for out-of-state students and an amount to be covered through funding for Vermont students. This allocation is calculated by adding [the (anticipated) number of full-time equivalent out-of-state students] + [the average of the full-time equivalent Vermont students for the prior three years] and then establishing the percentage of the total for each group. Net costs are divided into two parts based on these percentages.

4. Out-of-state tuition is calculated by dividing the costs to be covered by out-of-state enrollment by the anticipated number of out-of-state full-time equivalent students.

5. The amount to be collected through tuition for Vermont students is identified by taking the net costs for Vermont enrollments and subtracting:

. an amount that results from multiplying the number of full-time equivalent students times the projected equalized pupil general state support grant, and

. an amount that results from multiplying the number of full-time equivalent students times the projected state tuition reduction grant.

6. Tuition is calculated by dividing the amount to be collected by the average number of full-time equivalent students over the last six semesters.

7. Vermont sending districts shall be assessed their share of the costs of technical education by multiplying the tuition per student by the number of average full-time equivalent students they enrolled in the technical center over the prior six semesters.

8. Tuition and assessments shall be announced to sending districts by the February 1 prior to the school year in which they will be collected. The announced tuition shall also be reported to the commissioner by February 1.

### *2392 School District Payments to Technical Centers*

1. The general state support grant for the six semester average number of full-time equivalent students enrolled by the school district in a technical center/s shall be deducted from that school district's total state support grant and sent directly to the technical center/s attended by resident students. Those payments shall be made by the commissioner at the same time as general student state support payments are made to school districts.

2. When tuition has been assessed to school districts, school districts shall make tuition payments within twenty days of receipt of their general state support grant. Additional

assessments to specific schools districts to reimburse the costs of classes or services not covered by tuition shall be paid on the same schedule.

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### *2393 Tuition Reconciliation*

#### **Deficits and Surpluses in excess of 3% of net costs (16 V.S.A. § 834)**

##### 1. Surplus

If sending districts have paid tuition in excess of 3% of net costs for the prior year they shall be credited that amount toward their current year assessment in proportion to their contribution or, if they do not have an assessment sufficient to use the credit, the board of the receiving district shall refund that amount to the sending districts by July 31 of the current fiscal year. Interest shall begin to accrue on the refund on December 1, at the rate of one-half percent per month.

##### 2. Deficit

If the receiving district has under-assessed tuition by 3% or more of net costs, the sending districts shall pay the amount of the underassessment. If payment is not made by July 31 of the year following the year of the underassessment, interest shall be owed the sending district at the rate one half percent per month starting the next day, August 1.

### *2394 Other Tuitions for Technical Education Programs*

##### 1. Comprehensive High School Tuition

A. Comprehensive high schools may not establish a separate tuition for technical education. Technical education costs shall be included in the comprehensive high school standard tuition rate.

B. School districts sending students to a comprehensive high school shall not have their general state support grant reduced or be assessed based on past full-time equivalent students. They shall pay only the current tuition charged by the comprehensive high school.

##### 2. Tuition for Out-of-State Enrollments

School districts that are geographically remote from Vermont technical centers and that have received permission from the state board of education may send students to technical education programs outside of Vermont. In those cases, the school districts shall receive general state support grants for those students and will pay the full tuition charged by the schools to which the students are sent.

##### 3. Secondary Students in Postsecondary Technical Programs

A secondary technical student may be enrolled in postsecondary technical courses or in a state-approved technical program offered by a postsecondary institution at the expense of the student's school district if the enrollment is accepted by the postsecondary institution, approved by the district of residence as being in the best interests of the student, and if the enrollment is approved for credit toward high school graduation requirements.

### *2395 State Support for Technical Education*

The commissioner shall fund technical education programs in accordance with statutes and these regulations. However, no funds under these rules shall be paid to a school unless its annual plan is approved by the Commissioner.

1. Tuition Assistance- Effective July 1, 2002, funds to help cover the costs of technical education programs and services shall be paid to a school offering technical education programs in an amount equal to 40% of the per equalized pupil general state support grant for that fiscal year for each full-time equivalent student enrolled in career and technical education programs in the school. Half of these funds shall be paid directly to schools on or before December 10 and April 30.

Prior to July 1, 2002, tuition assistance shall be paid on the full-time equivalent enrollments at a level determined by amount of the state appropriation.

#### 2. Salary Assistance

A. The Commissioner shall reimburse a school district operating a technical center or a comprehensive high school offering more than five programs for the specific positions set forth in these rules and in accordance with statutory allowances.

B. When a technical center or comprehensive high school employs someone in such positions on a part-time basis, assistance shall be prorated to reflect the portion of the position devoted to the reimbursable activities. In order to receive salary assistance for a particular position, it must be staffed at least half-time.

C. Salary Assistance shall be awarded as follows:

(1) The salary for the director of technical education shall be reimbursed at 50% of the state average salary and benefits for the position or 50% of the actual salary and benefits, whichever is less

(2) The salary of the guidance coordinator shall be reimbursed at 50% of the state average salary and benefits for the position or 50% of the actual salary and benefits, whichever is less.

(3) The salary of the work-based learning coordinator shall be reimbursed at 35% of the state average salary and benefits for the position or 35% of the actual salary or benefits, whichever is less.

(4) The salary of the adult services coordinator shall be reimbursed at a rate not to exceed 50% of actual salaries and benefits.

(5) The salary of the assistant director, if the region is eligible, shall be reimbursed at 35% of the state average salary and benefits for the position or 35% of the actual salary or benefits, whichever is less. To be eligible, the technical center must have an six semester average full-time equivalent enrollment of 150 students and 30% of these students must be from sending schools.

### 3. Overhead Assistance

A. Assistance shall be paid to technical centers to reimburse indirect costs or a portion thereof as appropriated. Overhead assistance shall be based on indirect costs of the school year two years prior to the year of payment. Technical centers shall receive the percentage of the amount appropriated that is the same as the percentage that their indirect costs are to the total indirect costs in the state.

B. In the case of two or more comprehensive high schools which have been designated a service region, the commissioner shall pay the statewide average overhead cost to the region. This payment shall be made to the comprehensive high schools based on their full-time equivalent student enrollment.

C. This subsection sunsets on June 30, 2002.

### 1. Transportation Assistance

A. Sending schools shall provide transportation to up to two technical centers. The state shall provide transportation assistance to this limit.

B. Transportation assistance shall be paid from the education fund to sending school districts to provide transportation of students to and from technical centers. Transportation assistance shall not be paid for transportation to or from students' homes or locations other than the sending school.

C. The amount of transportation assistance shall be \$ 1.50 per mile for the actual number of miles traveled, in 1998 dollars adjusted annually by the annual price index for state and local government purchases of goods and services.

Reimbursement shall be made at this level except:

(1) Where a school district reimburses for use of automobiles to transport students, the reimbursement shall be based on the school district reimbursement rate, or

(2) Where bus transportation is contracted on a per mile basis and that amount is less than the transportation assistance level, the reimbursement shall be at the contracted rate.

D. Payments shall be made on or before December 10 and June 10. Requests submitted on or following November 15 and May 15 shall be reimbursed in the next payment period. Requests submitted shall not be made for more than one previous semester.

E. The sending school district shall report to the commissioner in a format prescribed by the commissioner the miles traveled on a typical day, the number of technical education and other students transported, and the number of days that students are transported for each semester.

F. When the number of non-technical education students transported in a particular vehicle exceeds 50% of the total, reimbursement shall be prorated to reflect the proportion of students who are technical education students.

### *2396 Equipment: Inventory, Maintenance*

1. An inventory of equipment purchased with state and federal funds shall be up-dated and maintained at each school making such purchases. The inventory shall include at least the following: source of funds used, date of purchase, generic name, brand name, model, serial number, quantity, program assignment, and location.

#### 2. Disposal of equipment

When a school is disposing of equipment purchased with state or federal funds, it shall dispose of it in the following order of priority:

A. The equipment shall be moved to another state approved technical education program within the school and the inventory updated; or

B. The equipment shall be sold to other schools that operate state approved technical education programs and the inventory updated; or

C. The equipment shall be offered for sale on the open market and the Department notified before the sale.

4. When equipment purchased with state funds as part of a construction project or with federal funds with a current value of \$ 5000 or more and it is sold, a school shall refund to the state or federal government the same percentage of the sale price as the percentage of the purchase price covered by state or federal funds.

5. Adequate maintenance procedures shall be developed and implemented to keep the equipment in good condition.

### *2397 Use and Maintenance of Technical Education Facilities*

1. School boards that operate area technical centers shall annually submit to the Commissioner assurances that all facilities designed and constructed for technical education are maintained for the use of providing regional technical education.

2. The receiving school district board may request permission from the Commissioner to use technical education facilities for general education purposes if the regional board for technical education has determined that they are not needed for technical education programming and services.

3. A request for use of technical education facilities for general education purposes shall:

A. Be submitted in writing,

B. Include a recommendation from the Regional Advisory Board, and

C. Include a time frame for use of the facilities for general education purposes.

4. At such time as the regional board establishes that space released for general education purposes is again needed for technical education, the regional board shall notify the commissioner and the school board using the space before the end of the school year preceding the school year in which it is recommended for reuse for technical education. The commissioner shall verify the need and, if warranted, direct the school board to reallocate the space for technical education purposes.

### *2398 Collaborative Programs*

1. Two or more supervisory districts/unions may offer collaborative technical education programs and services in accordance with an agreement entered into pursuant to 16 VSA § 267.

A. The agreement shall include a description of services to be provided and the cost for each participating district.

A. Participating districts shall seek the advice of their regional advisory board/s prior to entering into an agreement.

B. Notice of tuition shall be issued by the administrative district of the collaborative program to the participating school boards as set forth in 16 VSA § 826(a). Statutory Authority: 16 V.S.A. C. 37 § 1521 et seq.

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