

Adoptions Section

Education

State Board of Education

Notice of Readoption

Career and Technical Education Programs and Standards

Readoption: N.J.A.C. 6A:19

Authority: N.J.S.A. 18A:4-15, 18A:4-25, 18A:40-12.1 and 12.2, 18A:54-1 et seq., 18A:59-5, and 34:15C-3; 29 CFR Subpart C of Part 570; 20 U.S.C. §§ 2301 et seq.; and P.L. 115-224.

Authorized By: New Jersey State Board of Education, Lamont O. Repollet, Ed.D.,

Commissioner, Secretary, New Jersey State Board of Education.

Effective Date: June 5, 2020.

New Expiration Date: June 5, 2027.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 6A:19 were scheduled to expire on September 12, 2020. N.J.A.C. 6A:19 sets forth the rules for the State's system of career and technical education (CTE). The chapter affects public comprehensive high schools; county vocational school districts; charter schools; approved private schools for students with disabilities; State agencies offering CTE programs and programs of study; private postsecondary career schools; and, to a limited extent, public postsecondary providers of CTE programs.

CTE has evolved in significant ways since the chapter's last readoption on September 12, 2013. More and more, New Jersey schools and school districts are offering programs in high skill, high wage sectors, through innovative models, including pre-apprenticeship, dual enrollment, and work-based learning that lead to industry-valued credentials or college credits

while still in high school. In addition, the Department has focused on supporting school districts to ensure all New Jersey students have equitable access to high-quality CTE in order to achieve academic and career success aligned to economic opportunities. During the last year, the Department worked vigorously on the State's Perkins V plan, which was adopted by the State Board of Education on April 1, 2020.

At the present time, the Department proposes to readopt Chapter 19 without amendments to ensure the chapter does not expire. The Department seeks to ensure that any amendments to the chapter reflect and align with the State's Perkins V plan, which is pending approval by the U.S. Department of Education. Amendments also require interagency collaboration and engagement with CTE stakeholders. Therefore, the Department will, at this time, readopt the chapter without amendments. The Department anticipates presenting amendments to the State Board of Education by the end of 2020.

The readoption of the chapter will be effective upon submission of this notice of readoption to the Office of Administrative Law after the approval of the State Board of Education. However, the Department invites stakeholders and the public to provide input regarding the existing rules at N.J.A.C. 6A:19 and possible amendments for the next rulemaking by emailing the Department at chapter19@doe.nj.gov.

A summary of the readopted rules follows:

Subchapter 1. General Provisions

N.J.A.C. 6A:19-1.1 Purpose and scope

This section sets forth the purpose and scope of the chapter, which is to establish a State system of CTE. Under this system, students are provided opportunities to prepare for a wide range of careers through rigorous academic and technical curricula and programs.

N.J.A.C. 6A:19-1.2 Definitions

This section defines the terms used in the first six subchapters. Throughout Chapter 19, the term “vocational-technical education” is still used under certain circumstances when required by statute.

Subchapter 2. Provision of Career and Technical Education

N.J.A.C. 6A:19-2.1 Administration of career and technical education programs and programs of study

This section establishes the framework in which CTE is conducted throughout the State. It sets forth the rules pertaining to the responsibility and authority of district boards of education and State agencies to administer CTE programs and programs of study, including, but not limited to, public funding eligibility, maintenance of evaluation procedures, and safety and health compliance.

N.J.A.C. 6A:19-2.2 Delivery of career and technical education programs and programs of study by county vocational school districts

This section delineates the CTE programs and programs of study that shall be provided by county vocational school districts.

N.J.A.C. 6A:19-2.3 Access to county vocational schools

This section sets forth the rules on admission policies to CTE programs offered at county vocational school districts to ensure eligible students have equal access to CTE programs and programs of study. The section further establishes that such admission policies and procedures ensure student equity and access for enrollment in a thoughtful and transparent manner.

N.J.A.C. 6A:19-2.4 Career and technical instruction under contract

This section allows one or more district boards of education to contract with a private career school for a program, or portion of a program, on an individual or group basis. The section further delineates the conditions for approval by district boards of education of contracts with a private career school.

Subchapter 3. Development, Approval, and Delivery of Career and Technical Education

N.J.A.C. 6A:19-3.1 Program requirements

This section sets forth the requirements for a district board of education to offer a CTE program or program of study. The requirements ensure that CTE programs provide students with training that prepares them for successful employment in sectors that are, or will be, in demand. This section further establishes the manner in which program curricula must be developed.

N.J.A.C. 6A:19-3.2 Program approval and re-approval

This section requires district boards of education offering CTE programs to apply to the Department for initial program approval and re-approval every five years.

N.J.A.C. 6A:19-3.3 Programs and services for students with specialized needs

This section aligns the operation of CTE programs and programs of study for students with special needs with State and Federal law.

N.J.A.C. 6A:19-3.4 Career education and counseling

This section requires district boards of education to provide career education and counseling programs for all students. Such counseling ensures that students receive assistance in examining and developing their educational and career goals to prepare them to enter the workplace or postsecondary institutions.

Subchapter 4. Structured Learning Experiences

N.J.A.C. 6A:19-4.1 Requirements of structured learning experiences

This section delineates the rules for operating school-sponsored structured learning experience programs, including, but not limited to, compliance with State child-labor and wage-and-hour rules, maintenance of records, and transportation.

N.J.A.C. 6A:19-4.2 Requirements and authority of structured learning experience coordinating personnel

This section sets forth the specific teacher training requirements for supervising structured learning experiences. The specific requirements that school personnel must meet to supervise structured learning experiences include training in child-labor, wage-and-hour, and wage-payment laws, rules, and regulations, as required by the Department of Labor and Workforce Development and the U.S. Department of Labor. The section also requires school

personnel to complete a minimum of 20 hours of training or a Department-approved equivalent program in safety and health.

Subchapter 5. Career and Technical Education Accountability System

N.J.A.C. 6A:19-5.1 Performance targets and core indicators

This section delineates the Statewide performance target areas that each district board of education and State agency administering CTE is responsible for achieving as required by the Perkins Act. The performance target areas are distinguished by two categories: secondary students and postsecondary students in county vocational school districts or in two- or four-year institutions of higher education.

N.J.A.C. 6A:19-5.2 Program evaluation and reporting

This section establishes that districts boards of education and State agencies administering CTE programs must submit to the Department an annual evaluation of the programs.

Subchapter 6. Safety and Health Standards

N.J.A.C. 6A:19-6.1 Applicability and implementation of safety and health standards for career and technical education

This section establishes the types of programs to which the safety and health standards of Subchapter 6 apply, specifically CTE programs and programs of study, as well as structured learning experiences.

N.J.A.C. 6A:19-6.2 Safety and health standards: adoption by reference

This section adopts by reference for CTE students, programs, and programs of study the standards contained at N.J.A.C. 12:100, Safety and Healthy Standards for Public Employees.

N.J.A.C. 6A:19-6.3 Other applicable environmental, safety, and health rules

This section establishes that CTE programs, programs of study, and structured learning experiences must comply with all applicable Federal and State environmental, safety, and health laws, where applicable.

N.J.A.C. 6A:19-6.4 Safety and health plan for career and technical education

This section establishes that district boards of education and State agencies administering CTE, a cooperative education experience, and/or apprenticeship training in a hazardous occupation must adopt and implement a Career and Technical Education Safety Health Plan that complies with applicable Federal and State workplace safety laws. This section further delineates the minimum requirements of the plans, including, but not limited to, the procedures for conducting a safety and health hazard analysis of applicable programs, emergency procedures to be followed in the event of an emergency situation, and the procedures for ensuring that all new CTE staff and students receive safety and health program training prior to participation in the program.

N.J.A.C. 6A:19-6.5 Reporting requirements

This section requires a district board of education to notify the Department of any reportable incident involving CTE program students, staff, or others participating within five working days of the incident. This section also requires district boards of education to investigate

reportable incidents and to implement corrective action plans to prevent similar incidents from occurring.

N.J.A.C. 6A:19-6.6 Securing machines and equipment

This section establishes the requirements for safe construction, installation, maintenance, and use of machines that are part of CTE programs.

N.J.A.C. 6A:19-6.7 Storage of flammable and combustible materials

This section establishes the requirements for safe storage, transfer, and disposal of flammable and combustible materials.

Subchapter 7. Private Career Schools

N.J.A.C. 6A:19-7.1 Purpose and authority

This section sets forth the purpose of this subchapter, which is to define the programmatic requirements for private career schools to issue certificates to students to participate in the workforce development system.

N.J.A.C. 6A:19-7.2 Definitions

This section defines the terms used in this subchapter. The Department retains definitions pertaining to private career schools in this subchapter because the terms and definitions are unique to private career schools.

N.J.A.C. 6A:19-7.3 Application for instructional program approval and renewal

This section establishes the rules for approving programmatic aspects of private career schools, including curricula, and credentials of administrative and instructional staff. To be approved, a private career school must submit to the Department an application concerning the instructional program and the framework for the course of study, as well as resumes and letters of reference of certain school personnel. Applications for renewal must be submitted not less than 90 calendar days prior to expiration of the existing Certificate of Approval.

N.J.A.C. 6A:19-7.4 Application for facilities approval

This rule establishes the verification requirements regarding the facilities, instruction equipment, text books, and supplies by the Department and the Department of Labor and Workforce Development prior to issuance of a certificate of approval.

N.J.A.C. 6A:19-7.5 Operations

This section establishes rules of operation of private career schools to ensure that students are able to demonstrate the knowledge and skills specified in the approved program application. This section further enumerates the areas that private career schools must assure the Department of the quality of education, including curriculum, student success, and personnel requirements.

N.J.A.C. 6A:19-7.6 Monitoring and site visits

This section requires each approved private career school to be monitored by the Department a minimum of once every two years, or according to a schedule established by the Commissioner.