

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Review Item:

705 KAR 4:231, General Program Standards for Secondary Career and Technical Education Programs (*First Reading*)

Rationale:

To bring forward proposed amendments to this administrative regulation for a first reading in June and then a second reading in August for approval. The amendments update the regulation and incorporate relevant portions of 780 KAR 4:010, which is being recommended for repeal.

Applicable Statute or Regulation:

156.029, 156.802, 20 U.S.C. 2301-2471

History/Background:

Existing Policy: KRS 156.029 discusses the membership and functions of the Kentucky Board of Education. KRS 156.802 gives the Kentucky Department of Education's Office of Career and Technical Education the responsibility for all administrative functions of the state in relation to the management, control, and operation of state-operated secondary area technology centers. Compliance requirements related to the Carl D. Perkins Career and Technical Education Improvement Act of 2006 are outlined within 20 U.S.C. 2301-2471.

Summary: The proposed amendments provide updated terminology, information, and processes related to Career and Technical Education (CTE) programs in Kentucky. The amendments also seek to incorporate relevant language from 780 KAR 4:010, which is being recommended for repeal, as much of its language is redundant with 705 KAR 4:231. These amendments and repeal efforts ensure a concise regulatory scheme that provide a single regulation for which all general and program standards for CTE can be found.

Budget Impact: The proposed changes to this administrative regulation have no fiscal impact on the Kentucky Department of Education.

Contact Person:

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A handwritten signature in cursive script, reading "Stephen L. Pruitt".

Commissioner of Education

Date:

June 2016

**Regulation Amendments
June 2016**

705 KAR 4:231, General Program Standards for
Secondary Career and technical Education Programs

Proposed Amendment	Location of Amendment	Justification
Delete KRS 151B.025(5)	Page 1, Line 7 Page 1, Line 8 Page 1, Line 10	Renumbered Statute (2013)
Insert KRS 156.802	Page 1, Line 7 Page 1, Line 8 Page 1, Line 10	New Statute Number for KRS 151B.025(5)
Update Title of Carl D. Perkins Legislation	Page 1, Lines 14-15 Page 7, Lines 3-4 Page 7, Lines 17-18 Page 7, Lines 20-21	Title of Federal Act Changed in 2006 from the <i>"Carl D. Perkins Vocational and Technical Education Act of 1998"</i> to the <i>"Carl D. Perkins Career and Technical Education Improvement Act of 2006"</i> .
Update Titles of CTE Program Areas	Page 1, Lines 19-23 Page 2, Lines 1-8	Outdated/Missing Terminology
Remove reference to Tech Prep Program	Page 2, Line 15	Program No Longer Being Implemented
Remove Section 2(3)	Page 2, Line 16	Computer Literacy and Technology Skills are addressed on page 3, line 9

Renumber Section 2(4) to Section 2(3)	Page 2, Line 17	Numerical Order
Update Title of ILP (Individual Learning Plan)	Page 2, Line 18	Title of Resource changed from <i>"Individual Graduation Plan"</i> to <i>"Individual Learning Plan"</i>
Insert New Language for Section 2(4)	Page 2, Line 19	Incorporated from 780 KAR 4:010 (recommended for repeal)
Update Title of "Career Pathways"	Page 3, Line 6 Page 3, Line 16 Page 3, Line 17 Page 3, Line 20 Page 3, Line 22 Page 3, Line 23 Page 7, Line 10	Outdated Terminology: Changed from <i>"Career Majors"</i> to <i>"Career Pathways"</i>
Insert "technology" into Section 3(5)	Page 3, Line 9	Emphasizes expectation of technology integration, along with academic content, into instructional content
Update Reference to KY Academic Standards	Page 3, Lines 10-11	Outdated regulatory guidance
Insert "Dual Credit" Language into Section 3(6)	Page 3, Lines 14-15	Recognizes dual credit as a postsecondary credit option, in addition to articulated credit
Delete Section 4(2)	Page 4, Lines 1-6	Certificate No Longer Being Awarded by KDE

Insert Reference to 705 KAR 4:041, Work-Based Learning (WBL) Standards	Page 4, Line 9	References Regulatory Requirements in Relation to WBL
Update Types of WBL Experiences	Page 4, Line 13 Page 4, Line 16 Page 4, Line 17-20	Alignment to Kentucky WBL Manual
Delete Reference to “704 KAR Chapter 20”	Page 5, Line 14	Ensures Alignment to all EPSB certification criteria
Insert term “credential” into Section 11	Page 5, Line 16	Students may earn an industry-recognized credential/certification, in addition to the KOSSA (KY Occupational Skill Standard Assessment) certificate
Delete term “vocational”	Page 5, Line 18	Outdated Terminology
Insert New Language for Section 14(1) and Section 14(2)	Page 6, Lines 4-9	Incorporated from 780 KAR 4:010 with amended language (recommended for repeal)
Renumber Section 14 to Section 15	Page 6, Line 10	Numerical Order
Insert Reference to 702 KAR 4:180, Implementation Guidelines for Kentucky School Facilities Planning Manual	Page 6, Line 22	References Regulatory Requirements in Relation to School Facilities

Delete Reference to Kentucky Department of Technical Education	Page 7, Line 15	Oversight and Audits of All Secondary Career and Technical Education Programs are Sole Responsibility of the KY Department of Education
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1 EDUCATION AND WORKFORCE DEVELOPMENT CABINET

2 Kentucky Board of Education

3 Department of Education

4 (Amendment)

5 705 KAR 4:231. General program standards for secondary career and technical education
6 programs.

7 RELATES TO: KRS [~~151B.025(5)~~], 156.029, 156.802, 20 U.S.C. 2301-2471

8 STATUTORY AUTHORITY: KRS [~~151B.025(5)~~], 156.029, 156.070, 156.802, 20 U.S.C. 2301-
9 2471

10 NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.802 [~~151B.025(5)~~] requires the
11 Kentucky Board of Education to establish program standards for secondary area vocational
12 education and technology centers. This administrative regulation establishes standards for
13 secondary career and technical education programs in local school districts and area centers
14 essential for compliance with the Carl D. Perkins Career [~~Vocational~~] and Technical Education
15 Improvement Act of 2006 [~~1998~~], 20 USC 2301-2471.

16 Section 1. (1) Secondary career and technical education programs shall be designed to serve
17 students enrolled in the following middle school and secondary program areas:

18 (a) Agricultural education;

19 (b) Business and marketing education;

20 (c) Construction technology [~~Health sciences~~];

21 (d) Engineering and technology education [~~Family and consumer sciences~~];

- 1 (e) Family and consumer sciences education [~~Industrial technology education~~];
 - 2 (f) Government and homeland security;
 - 3 (g) Health science education [~~Marketing education~~];
 - 4 (h) Information technology [~~Technology education~~]; [and]
 - 5 (i) Law and public safety; [~~Pathway to careers~~.];
 - 6 (j) Manufacturing Technology;
 - 7 (k) Media Arts;
 - 8 (l) Transportation education;
 - 9 (m) Pathway to careers; and
 - 10 (n) Other new and emerging business and industry needs.
- 11 (2) Instructional programs shall not discriminate on the basis of race, color, national origin, age,
- 12 religion, marital status, sex, or disability, in violation of state or federal statutes.
- 13 Section 2. Instruction shall be designed to:
- 14 (1) Assist students preparing for school to work transition in recognized occupations and new or
 - 15 emerging occupations including high technology industries;
 - 16 (2) Prepare students for advanced or highly skilled postsecondary technical education programs [;
 - 17 ~~including Tech Prep~~.] or entrance into community and technical colleges or universities; and
 - 18 [~~(3) Assist individuals in obtaining computer literacy skills; and~~]
 - 19 (3) [(4)] Provide career guidance and academic counseling in the development of the individual
 - 20 learning [graduation] plan as established in 704 KAR 3:305.
 - 21 (4) When needed, instruction shall be provided to upgrade and update individuals in their present
 - 22 occupations and to retrain existing workers.

Section 3. The content of the instruction in secondary career and technical education programs shall:

(1) Be aligned with state or national occupational skill standards that have been recognized by business and industry to include an understanding of all aspects of an industry;

(2) Be developed and conducted in consultation with employers and other individuals having skills and knowledge of the occupational fields or industry included in the instruction;

(3) Be developed to include a coherent sequence of academic and career or technical courses for each program, aligned with career clusters and pathways [~~majors~~];

(4) Be sufficiently extensive in duration and intensive within a scheduled unit of time to enable students to achieve the objectives of the instruction;

(5) Be structured to provide for the integration of technology and rigorous academic content relevant to the career area and aligned with the Kentucky Academic Standards, 704 KAR 3:303 [~~academic expectations, 703 KAR 4:060~~]; and

(6) Be linked to postsecondary education in order to provide smooth and seamless transition to postsecondary education in related technical fields. If possible, articulation of credit from secondary to postsecondary education shall be provided for students, as well dual credit opportunities.

Section 4. (1) A student completing the requirements for a career pathway [~~major~~] may receive a Career Pathway [~~Major~~] Certificate. Requirements for a Pathway [~~Major~~] Certificate shall include:

(a) Successful completion of high school graduation requirements to include four (4) career-related credits relevant to a career cluster or pathway [~~major~~];

(b) Participation in a structured work-based learning experience related to the career cluster or pathway [major]; and

(c) A culminating project related to the career cluster or pathway [major].

~~[(2) A student may earn the Department of Education Career and Technical Certificate of Achievement by:~~

~~(a) Earning four (4) credits within a career major; or~~

~~(b) Enrolling in a specific occupational area (in high school programs or vocational/technical schools) and successfully obtaining the competencies identified for a major (DOT) Dictionary of Occupational Title.]~~

Section 5. A secondary career and technical education program shall provide opportunities for students to participate in high quality work-based learning experiences related to the program in which they are enrolled and shall comply with 705 KAR 4:041. These work-based learning experiences may include:

(1) Job shadowing;

(2) Mentoring;

(3) Service Learning [Internships];

(4) School-based enterprises;

(5) Entrepreneurship;

(6) Internships [Clinicals];

(7) Cooperative education; or

~~[(8) Service learning;]~~

~~(8) [(9)] Pre-Apprenticeship. [; or]~~

~~[(10) Work experience.]~~

1 Section 6. A secondary career and technical education program shall be designed to accommodate
2 students with special learning needs, i.e., the disadvantaged, the disabled and individuals with
3 limited English proficiency.

4 Section 7. A secondary career and technical education program shall provide a variety of learning
5 experiences. Programs in grades six (6) through eight (8) shall be designed to allow students to
6 become aware of and explore clusters of occupations. Programs in grades nine (9) through twelve
7 (12) shall provide in-depth exploration, specialized skill development and preparation for advanced
8 education. Students enrolled in public or private schools shall be permitted to enroll in a state-
9 operated career and technical program consistent with that school district's enrollment quota.

10 Section 8. A career and technical preparation program shall provide a curriculum of sufficient
11 length to permit students to secure entry level skills in the occupation for which they are training.

12 Section 9. Recognized career and technical student organizations shall be an integral part of a
13 career and technical education program and shall be supervised by qualified career and technical
14 education personnel. All students shall be provided an opportunity to participate in leadership
15 development activities.

16 Section 10. Instructional and administrative personnel shall meet the certification requirements as
17 specified by the Education Professional Standards Board [~~in 704 KAR Chapter 20~~].

18 Section 11. Opportunities in secondary career and technical education programs shall be provided
19 for students to receive an industry-recognized skill standard certificate and/or credential based on
20 skill standards and assessments.

21 Section 12. A [~~vocational~~] career and technical education program area shall have an active
22 program advisory committee comprised of business and industry representatives, parents,

1 education representatives, and, if applicable to the program area, labor organizations
2 representatives to assist in planning, implementing, and evaluating programs.

3 Section 13. Requests for exceptions to any standards for career and technical instructional
4 programs shall be submitted in writing by the local educational agency to the chief state school
5 officer.

6 Section 14. (1) Assessment of the career and technical education programs shall be conducted in
7 accordance with requirements and instruments approved by the Office of Career and Technical
8 Education.

9 (2) Staff from the Office of Career and Technical Education shall conduct annual evaluations of
10 career and technical education programs and identify programs for technical assistance and
11 continuous improvement visits.

12 Section 15[14]. (1) The maximum number of students per class shall be based on the class setting.

13 (a) For a classroom setting, the maximum enrollment shall be thirty-one (31).

14 (b) For a laboratory or shop setting, the number of students enrolled in a class shall not exceed the
15 number of work stations available in the facility.

16 (2)(a) A program shall provide classrooms, laboratories, and other facilities including instructional
17 equipment, supplies, teaching aids, and other materials in sufficient quantity and quality to meet
18 the objectives of the instructional programs.

19 (b) Equipment used in career and technical education programs shall be similar to that used in
20 business and industry.

21 (c) An inventory of all equipment with an original purchase price of \$500 or more shall be
22 maintained by the local school district or area technology center.

23 (d) The facilities for each program shall be:

1 1. In compliance with 702 KAR 4:180 and be of [Of] adequate size to accommodate the activities
2 and the number of work stations unique to the program; and

3 2. Approved by the chief state school officer or his/her designee.

4 Section 15. (1) A career and technical education program shall meet the performance indicators in
5 accordance with the requirements of the Carl Perkins Career and Technical Education

6 Improvement Act of 2006 [~~Vocational Technical Education Act of 1998~~], 20 USC 2301-2471,
7 which include:

8 (a) State established academic and vocational technical skill achievement;

9 (b) Attainment of a secondary diploma;

10 (c) Placement in postsecondary education or employment;

11 (d) Nontraditional training and employment; and

12 (e) Issuance of a Career Pathway [~~Major~~] Certificate or Career and Technical Certificate of
13 Achievement to students.

14 (2) The performance indicators shall be used to determine the effectiveness of the program in terms
15 of its objectives and shall include annual follow-up data as well as annual enrollment reports.

16 (3) An audit of the utilization of federal and state funds shall be conducted by the Kentucky
17 Department of Education [~~or Department of Technical Education~~] to assure that eligible recipients
18 meet the requirements for each approved career and technical education program.

19 Section 16. Federal funds to be received by a local school district under the Carl D. Perkins Career
20 and Technical Education Improvement Act of 2006 [~~Vocational and Technical Education Act of~~
21 ~~1998~~], 20 USC 2301-2471, may be withheld for noncompliance with this administrative regulation
22 or with the Carl D. Perkins Career and Technical Education Improvement Act of 2006 [~~Vocational~~

- 1 ~~and Technical Education Act of 1998~~. (20 Ky.R. 3391; Am. 21 Ky.R. 348; eff. 8-4-94; 27 Ky.R.
- 2 865; 1261; eff. 11-17-2000.)