

DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Sections 122(b) and 154(e)
(14 **Del.C.** §122(b) and §154(e))
14 **DE Admin. Code** 525

FINAL

Regulatory Implementing Order

525 Requirements for Career Technical Education Programs

I. Summary of the Evidence and Information Submitted

The Secretary of Education seeks the consent of the State Board of Education to amend 14 **DE Admin. Code** 525 Requirements for Career Technical Education Programs for alignment to the reauthorization of the Carl D. Perkins Career and Technical Education Act of 2006. The amended regulation reflects changes to be consistent with current laws, such as, career and technical rather than trade and industrial; inclusion of the Student Success Plan as a way to collect student occupational interests; and language to include provisions related to the Americans with Disabilities Act.

Notice of the proposed regulation was published in the *News Journal* and the *Delaware State News* on Tuesday, August 5, 2008, in the form hereto attached as *Exhibit "A"*. The Department received comments from both the Governor's Advisory Council for Exceptional Citizens and the State Council for Persons with Disabilities requesting clarification for eligibility of students with Individualized Education Programs and 504 Plans. The Department has made the suggested change.

II. Findings of Facts

The Secretary finds that it is appropriate to amend 14 **DE Admin. Code** 525 Requirements for Career Technical Education Programs to reflect changes to be consistent with current laws, such as, career and technical rather than trade and industrial; inclusion of the Student Success Plan as a way to collect student occupational interests; and language to include provisions related to the Americans with Disabilities Act.

III. Decision to Amend the Regulation

For the foregoing reasons, the Secretary concludes that it is appropriate to amend 14 **DE Admin. Code** 525 Requirements for Career Technical Education Programs. Therefore, pursuant to 14 **Del.C.** §122, 14 **DE Admin. Code** 525 Requirements for Career Technical Education Programs attached hereto as *Exhibit "B"* is hereby amended. Pursuant to the provision of 14 **Del.C.** §122(e), 14 **DE Admin. Code** 525 Requirements for Career Technical Education Programs hereby amended shall be in effect for a period of five years from the effective date of this order as set forth in Section V. below.

IV. Text and Citation

The text of 14 **DE Admin. Code** 525 Requirements for Career Technical Education Programs amended hereby shall be in the form attached hereto as *Exhibit "B"*, and said regulation shall be cited as 14 **DE Admin. Code** 525 Requirements for Career Technical Education Programs in the *Administrative Code of Regulations* for the Department of Education.

V. Effective Date of Order

The actions hereinabove referred to were taken by the Secretary pursuant to 14 **Del.C.** §122 on September 18, 2008. The effective date of this Order shall be ten (10) days from the date this Order is published in the *Delaware Register of Regulations*.

IT IS SO ORDERED the 18th day of September 2008.

DEPARTMENT OF EDUCATION

Valerie A. Woodruff, Secretary of Education

Approved this 18th day of September 2008

STATE BOARD OF EDUCATION

Jean W. Allen, President

G. Patrick Heffernan

Barbara Rutt

Dr. Terry M. Whittaker

Richard M. Farmer, Jr., Vice President

Jorge L. Melendez

Dennis J. Savage

525 Requirements for Career Technical Education Programs

1.0 Career Technical Education Programs

All Career Technical Education Programs shall meet the provisions of Delaware's State Plan for Career and Technical Education and meet the provisions of the content standards approved by the Department of Education or, if there are no approved state content standards, meet local program standards approved by the Department of Education.

6 DE Reg. 955 (2/1/03)

2.0 All Local School Districts and Charter Schools that Offer State Approved Career Technical Education Programs Shall:

- 2.1 Meet the requirements within the state plan for the Carl D. Perkins Career and Technical Education Act of 2006.
- 2.42 Have the approval of the Department of Education before implementing new ~~programs~~ CTE courses and or pathways.
- 2.23 ~~Have adequate funding to~~ Adequately fund. support and sustain the instructional program.
- 2.34 ~~Employ~~ Ensure all teachers are certified in the Career Technical Education Program areas in which they teach.
- 2.45 Make provisions for meeting the unique needs of all students.
- 2.56 Establish and maintain an active CTE advisory committee which includes labor and management personnel to assist in the development and operation of the program.
- 2.67 ~~Use present and projected labor market information, available from the Delaware Occupational Information Coordinating Committee,~~ Department of Labor market projections to determine the need for new and continuing Career Technical Education Programs.
- 2.78 ~~Survey local business and industry to determine their~~ Assess occupational needs and the availability of placement and employment opportunities for program completers with input from the local CTE advisory committee.

- 2.89 ~~Survey the student population to determine their occupational interests and needs. Use the information derived from the Student Success Plan (SSP) portfolio to determine student occupational interests, needs and educational program.~~
- 2.910 Organize and financially support Career Technical Student Organizations as integral components of Career Technical Education Programs in public schools that complement and enrich instruction. The following career technical student organizations are affiliated in Delaware:
- 2.910.1 Business Professionals of America (BPA)
 - 2.910.2 Technology Student Association (TSA)
 - 2.910.3 ~~Distributive Education Clubs of America (DECA)~~, an association of marketing students
 - 2.910.4 Family, Career and Community Leaders of America (FCCLA)
 - 2.910.5 The National FFA Organization
 - 2.910.6 Skills USA/VICA
 - 2.910.7 The Delaware Career Association (DCA)
- 2.4011 Integrate related academic content into individual career technical education courses, and guide students through a course selection process that supports the necessary academic preparation required by the student's career path and educational goals as documented in the student's SSP.
- 2.4112 ~~Schedule trade and industrial~~ skilled and technical sciences (trade and industrial) education programs, when offered, for a minimum of two consecutive periods a day or the equivalent, five days a week for two or more years.
- 2.4213 Establish no rules practices or regulations that interfere with, prohibit or otherwise prevent students from having the opportunity to learn about, enroll in and complete a Career Technical Education Program in a career technical school district.
- 2.4314 Use equipment and facilities comparable to that used by local business and industry for which the Career Technical Education Program is preparing students.
- 2.4415 Schedule Department of Education and Delaware Advisory Council on Career and Technical Education Program review and monitoring visits upon request.
- 2.16 Report CTE program data as required by the Delaware Department of Education.
- 1 DE Reg. 1196 (2/1/98)
 - 6 DE Reg. 955 (2/1/03)
 - 8 DE Reg. 1603 (5/1/05)
 - 9 DE Reg. 1070 (01/01/06)

3.0 Cooperative Education Programs

- Cooperative Education Programs provide senior Career Technical Education Program students with coordinated on the job training not ordinarily available in the classroom. During the student's senior year, or under unique circumstances as approved by the Department of Education, employers may provide this on the job training in occupations directly related to the Career Technical Education Program in which the student is enrolled. For the purpose of granting credit during the school year two hours of Cooperative Education Work Experience shall equal one hour of instructional time. In a summer Cooperative Education Work Experience Program one half unit of credit shall be granted and shall be counted toward the units of credit necessary for graduation.
- 3.1 In order to qualify for Career Technical Education funding units the Career Technical Education Program Teacher or Career Guidance Counselor shall be provided with a full class period, each day, for every fifteen (15) students enrolled in the Cooperative Education Work Experience Program in order to make at least quarterly visits to the student's place of employment to ensure coordination between the classroom and the on the job experience.
- 3.2 In order to qualify for career technical education funding units the students shall; possess minimum occupational competencies specified by the Career Technical Education Teacher Coordinator before being placed in cooperative employment, be in their senior year and be in a Cooperative Education Work Experience Program that relates directly to the student's current or completed career technical

education pathway, meet the requirements of 3.0 and be supervised through on site visits by an assigned Career Technical Education Program Teacher Coordinator or Career Guidance Counselor.

- 3.3 In order to qualify for career technical education funding units the school shall have on file, for each student; a training agreement that includes training objectives and is signed by a parent, guardian or Relative Caregiver, the employer, the student and a representative of the district or charter school. A State Work Permit for Minors in accordance with State Department of Labor regulations shall also be on file.

- 3.4 ~~For an Individuals with Disabilities Education Act (IDEA) eligible student, the student's Individualized Education Plan (IEP) team, in consultation with the Career Technical Education Teacher Coordinator, may authorize the student's participation in this program irrespective of lack of senior year status if necessary to provide the student a free, appropriate public education. **[Students whose education plans are guided by an Individualized Education Program (IEP) or a 504 plan through the Americans with Disabilities Act (ADA) may participate in Cooperative Education programs without senior year status if participation is necessary to provide the student a free appropriate public education and if approved by the IEP team and Career and Technical Education Teacher Coordinator.]**~~ Students whose education is guided by an Individualized Education Program (IEP), or a Section 504 or ADA accommodation plan, may participate in Cooperative Education programs without senior year status if approved by the IEP or multidisciplinary team responsible for the plan in consultation with the Career and Technical Education Teacher Coordinator.]

2 DE Reg. 111 (07/01/98)

6 DE Reg. 955 (02/01/03)

9 DE Reg. 1070 (01/01/06)

4.0 Diversified Occupations Programs

Diversified Occupations Programs provide students with coordinated on the job training not ordinarily available in the classroom. During the student's junior or senior year or under unique circumstances as approved by the Department of Education, employers provide this on the job training. For the purpose of granting credit during the school year, two hours of work experience in a Diversified Occupations Work Experience Program shall equal one hour of instructional time. In a summer Diversified Occupations Work Experience Program one half unit of credit shall be granted and that credit shall be counted toward the units of credit necessary for graduation.

- 4.1 In order to qualify for career technical education funding units a Career Technical Education Program Teacher or Career Guidance Counselor shall be provided with a full class period, each day, for every fifteen (15) students enrolled in the Diversified Occupations Work Experience Program in order to make at least quarterly on site visits to the student's place of employment to ensure coordination between the classroom and the on the job experience.
- 4.2 In order to qualify for career technical education funding units the students shall; possess minimum readiness competencies as specified by the Career Technical Education Program Teacher Coordinator before being placed in a Diversified Occupations Work Experience Program employment situation, meet the requirements of 4.0 and be actively enrolled in a Diversified Occupations Work Experience Program and meets for at least one class period per week.
- 4.3 In order to qualify for career technical education funding units the school shall have on file, for each student; a training agreement that includes training objectives and is signed by a parent, guardian or Relative Caregiver, the employer, the student and a representative of the district or charter school. A State Work Permit for Minors in accordance with State Department of Labor regulations shall also be on file.
- 4.4 For an Individuals with Disabilities Education Act (IDEA) eligible student, the student's Individualized Education Plan (IEP) team, in consultation with the Career Technical Education Teacher Coordinator, may authorize the student's participation in this program irrespective of lack of junior or senior year status if necessary to provide the student a free, appropriate public education. **[Students whose education plans are guided by an Individualized Education Program (IEP) or a 504 plan through**

~~the Americans with Disabilities Act (ADA) may participate in Cooperative Education programs without junior or senior year status if participation is necessary to provide the student a free appropriate public education and if approved by the IEP team and Career and Technical Education Teacher Coordinator.~~ Students whose education is guided by an Individualized Education Program (IEP), or a Section 504 or ADA accommodation plan, may participate in Diversified Occupations programs without junior or senior year status if approved by the IEP or multidisciplinary team responsible for the plan in consultation with the Career and Technical Education Teacher Coordinator.]

2 DE Reg. 111 (07/01/98)

6 DE Reg. 955 (02/01/03)

9 DE Reg. 1070 (01/01/06)

12 DE Reg. 439 (10/01/08 (Final))