

# ARKANSAS REGISTER

## Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

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For Office

Use Only:

Effective Date \_\_\_\_\_ Code Number \_\_\_\_\_

Name of Agency Office of Skills Development

Department Commerce Department

Contact Cody Waits E-mail cody.waits@arkansas.gov Phone 501-683-5895

Statutory Authority for Promulgating Rules Career Education and Workforce Development Board

Rule Title: Rules for Secondary Technical Centers

### Intended Effective Date

(Check One)

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☐ 10 Days After Filing (ACA 25-15-204)

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(Must be more than 10 days after filing date.)

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Date

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Kimberly Asther

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1-12-21

Contact Person

E-mail Address

Date

### CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted  
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

Signature

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Phone Number

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Director, Office of Skills Development

Title

01-12-21

Date

**RULES**

**FOR**

**SECONDARY TECHNICAL CENTERS**

Effective Date  
August 1, 2020

# RULES FOR SECONDARY TECHNICAL CENTERS

## I. Application/Approval

### A. Secondary Technical Center Approval

1. An application for a new secondary technical center must be submitted to the Office of Skills Development (OSD) Associate Director in the Department of Commerce on or before **October 1**, prior to the school year in which the center is scheduled to open. Guidelines and application for a new secondary technical center may be obtained online at <http://arcareered.org>. Questions may be directed to the Office of Skills Development at (501) 683-1152.
2. Priority shall be given to the following:
  - a region that is currently not being served by a center
  - program alignment with state and regional economic development strategies and workforce priorities.

A center will not be approved within 25 miles of an existing center unless it can be demonstrated that the creation of a new center will not adversely impact adjoining centers.

3. A sponsoring institution/entity (public high school, postsecondary technical institute, two-year college, or education service cooperative) that has been approved by the Career Education and Workforce Development Board (CEWDB) as a secondary technical center must begin operation with **three occupational specific programs. Only occupational specific programs will be eligible for secondary technical center funding.**
4. A secondary technical center or satellite that is approved by the CEWDB must serve multiple high schools in order to qualify for secondary technical center funding.
5. A secondary technical center that closes and desires to resume operation must submit a new application to the CEWDB for approval. A center that is approved by CEWDB for start-up but fails to begin operation within a two-year period shall be considered null and void and must reapply.

### B. New or Expanded Programs

1. For new or expanded program approval, the secondary technical center shall submit a proposal for new program start-up by **October 1** of the preceding year in which the program(s) is to be implemented. The application is available on the Office of Skills Development website.
2. Newly approved programs must be authorized by the Director of OSD to receive secondary technical center funding.

3. Programs of study offered at the centers must be selected from a list of approved programs as defined by the Department of Education, Division of Career and Technical Education. Programs of study will be reviewed every two years in accordance with Perkins V federal legislation. .

### C. Satellite Programs

1. An existing secondary technical center or proposed center, approved by the CEWDB, may provide satellite location(s) to school districts that are located **outside the 25 miles or 30 minutes of driving time**. Satellite locations must be shared by **more than one school district**. Satellite locations will be eligible for funding in the same manner as center programs.
2. A Memorandum of Understanding (MOU) shall be completed, signed by cooperating parties, and on file in the secondary technical center director's office concerning the operation of satellite locations.
3. All applications for a satellite location require the approval of the CEWDB.
  - a. The secondary technical center must complete an application to open a satellite program(s). The application shall be submitted to OSD along with all required documentation of support.
  - b. All satellite locations will be approved by the CEWDB prior to startup of the satellite.
  - c. Documentation from the secondary technical center's administration that indicates interest and approval in opening a satellite program is required. This documentation should include at a minimum (1) a letter from the center director to OSD stating the center's intent to open the location; (2) minutes from the secondary technical center's board of directors meeting showing the board's support; and (3) minutes from the secondary technical center's sponsoring entity showing the sponsoring entity's support.
  - d. Documentation from the participating schools indicating their support of the satellite program(s) is required. This should be in the form of (1) minutes from the participating school's board meetings indicating the school will support the program(s) at the satellite location; (2) a letter from each school's superintendent indicating the school district's support of the program(s).
  - e. The secondary technical center must show a need for the satellite program(s) through documentation including surveys of area business and industry, job outlook forecasts, projected enrollment, etc.
  - f. The host school agrees to provide the following: (1) facilities including classroom(s), lab(s), utilities, maintenance and janitorial services; (2) handle immediate issues involving discipline until the center director can address the situation; and (3) statement allowing the participation of other school districts.
  - g. The secondary technical center agrees to: (1) furnish the classroom(s) and lab(s) with equipment, furniture, etc.; (2) furnish supplies for the program; (3) handle discipline matters under the center's guidelines in a timely fashion; and (4) employ instructor(s) for approved center programs of study.
  - h. Each participating high school shall be guaranteed seats at the satellite program. The individual school's percentage of 10<sup>th</sup> grade enrollment calculated from the total 10<sup>th</sup> grade enrollment of all participating high schools shall be the method used to determine available seats.

#### 4. Existing Satellite Programs

All existing satellite programs shall be required to submit an MOU identifying the program, location, participating schools, and projected enrollment from participating schools. Host schools will be required to submit a letter of support for the satellite program. Existing satellite programs will be subject to the same guidelines as new satellite programs to be reviewed at the end of a five-year period.

#### 5. Consolidation

All satellite program(s) affected by school consolidation that are reduced to single school status will be re-evaluated as to the status of a satellite program(s).

## II. Finance

### A. Funding

1. Vocational center aid will be calculated and distributed by the Department of Education based upon each secondary technical center's eligible student FTE count once verified by OSD. The Department of Education will distribute two payments, during the fall and spring semesters, to each secondary center.
2. A three-tiered funding system shall be established by OSD and approved by the CEWDB to determine the amount of vocational center aid for each program of study. Program of study tier placement shall take into account the different funding needs and costs of individual programs of study, along with the workforce needs of the State of Arkansas.
3. Funds not expended in accordance with ACA 6-51-305 shall be carried forward into the succeeding year. Unexpended funds shall be carried forward for the sole purpose of conducting summer programs and community-based education centers or supporting secondary technical center operations in succeeding years.

### B. Supplemental Funds

1. Secondary technical centers shall be eligible for new program start-up funds as outlined in the Secondary Technical Center **Special Policies and Procedures for Secondary Technical Centers**.
2. Secondary technical centers may from time-to-time be eligible for federal funds. Department of Education, Division of Career and Technical Education will inform secondary center directors of these as they become available.
3. Secondary technical centers may apply for and receive on their own merit any special grant funds from other agencies. All revenue shall be disclosed on the revenue page of the annual expenditure report. Funding of secondary centers is not limited to state funding as described above.

### **III. Reports**

#### **A. Semester Reports**

1. The Course/Instructor Reporting Form shall be submitted to OSD each fall and spring. The Course Instructor/Reporting Form is available on the ARCareerEd website.
2. Enrollment reports shall be submitted to OSD each semester. Enrollment will then be verified by OSD in collaboration with the Division of Career and Technical Education who will collect Arkansas Department of Education eSchool enrollment data. The Enrollment Report is available on the ARCareerEd website.

#### **B. Yearly Reports**

1. The Annual Expenditure Report shall be completed and sent to OSD. The Annual Expenditure Report is available on the ARCareerEd website.
2. The Annual Concurrent Credit and Industry Credentials Report shall be completed and sent to OSD in collaboration with the Division of Career and Technical Education. The Annual Concurrent Credit and Industry Credentials Report is available on the ARCareerEd website.
3. Each center shall complete and submit to OSD a proposed budget. The Budget Template is available on the ARCareerEd website.

### **IV. Operations**

#### **A. Secondary Technical Center Responsibility**

1. The management, maintenance, and operation of a secondary technical center shall be the financial responsibility of the sponsoring institution or entity in accordance with the policies established by the CEWDB. Expenses associated with the maintenance and operations of a secondary technical center/satellite shall not be paid with vocational center aid funding. Failure to comply with this policy may result in a reduction of vocational center aid to the secondary technical center.
2. Failure to properly maintain and operate a secondary center may result in, by recommendation to the CEWDB, closure of the center.
3. Each participating high school shall be guaranteed seats in each program. The individual school's percentage of 10<sup>th</sup> grade-enrollment calculated from the total 10<sup>th</sup> grade enrollment of all participating high schools shall be the method used to determine available seats. Any school not fulfilling its quota shall relinquish the unfilled seats to other schools.

#### **B. Designation of Secondary Technical Center Director**

1. Each secondary technical center, regardless of location, must employ a secondary technical center director on full-time basis.

2. Secondary technical centers that are not located on the campus of a secondary school may, but need not, employ directors who hold a secondary technical center 175 endorsement.
3. The secondary technical center director should have a minimum of 3 years' experience (in areas including, but not limited to, teaching, supervision, and administration) at the secondary or post-secondary levels. However, subject to the requirements for secondary technical center directors stated elsewhere in these policies and procedures, equivalent experience may be substituted on a case by case basis.

#### **C. Secondary Technical Center Council**

1. Each secondary technical center shall have an active secondary technical center council. The council shall meet twice annually, and minutes, sign-in sheets, agendas, and any other supporting documentation shall be kept. The council shall be comprised of superintendents of the sponsoring and local school districts participating in the secondary technical center along with the director of the center. When a postsecondary institution is designated as a secondary technical center, the director or president/chancellor of that institution shall be a member. Additionally, where secondary technical centers are sponsored by an education service cooperative, the director shall be a member of the council. The secondary technical center council shall serve in an advisory capacity for the secondary technical center in all areas of administration and operation, e.g., scheduling, student discipline, program design, etc. The center council may also assist with determining the capacity of a center.
2. The council serves in advisory capacity only. The local board of the host institution serves as the governing authority of the secondary technical center.

#### **D. Instructor Qualifications**

1. Technical instructors teaching at a college-based secondary technical center or a high-school based secondary technical center must have a minimum of a technical permit in the area of instruction or an associate's degree within the area of instruction or related area. Tested experience may substitute for an earned credential or portions thereof. (Institutional (or HLC) requirement)
2. Technical instructors must have completed Arkansas State Police, FBI, and the Arkansas Child Maltreatment Registry background checks and meet all college accrediting standards for instructors. These background checks must be completed every five years. Instructors shall submit documentation of these records to their employer.
3. Instructors not meeting these requirements or instructors teaching non-concurrent credit classes must hold an Arkansas Teacher's License/Technical Permit.

#### **E. Employee Policies**

The sponsoring institution/entity shall adopt official employee policies and procedures, including a salary schedule, sick leave, inclement weather, grievance, benefits, and other policies. These must be adopted by the start of the second semester of operation.

## F. Student Handbook

The sponsoring institution/entity shall adopt a student handbook outlining the rules and regulations relating to discipline, attendance, hand tools, textbooks, OCR Grievance Procedures, and other matters. These must be adopted by the start of the second semester of operation.

## G. Class Periods

Class periods shall conform to the minimum class hours established by the Standards for Accreditation of Public Schools and AdvanceEd. Travel time shall not be counted in the time on task determination. In order to restructure a program of study, the secondary technical center may work with the Arkansas Department of Education, Division of Career and Technical Education to implement course designs and class lengths.

## H. Instruction

1. Programs shall align with program of study standards and meet requirements as established for each program of study.
2. Concurrent credit classes offered for secondary career and technical credit in a college-based secondary technical center shall align to Department of Education, Division of Career and Technical Education standards. One 3-hour college course shall equate to one Carnegie unit.
3. An active **advisory committee** is required for each occupational program area. The committee shall meet twice annually and minutes, sign-in sheets, agendas, and any other supporting documentation shall be kept.

## I. Transportation

The secondary technical center director and the administration of the local school district shall determine responsibility for transporting students to and from the local school to a secondary technical center.

## J. Exceptions

Expansion of secondary technical centers into areas not being served is a priority of the OSD. The OSD Director may, upon request, make exceptions to the stated policies when such requests are supported by adequate justification.

## V. Definitions

- **Access** is an attempt for every high school student in Arkansas to have the opportunity to participate in any of a minimum of three occupation-specific technical programs offered within 25 miles or 30 minutes of the home school.
- **Concurrent credit** is received by high school career and technical education students who take classes offered through an institution of higher education. These classes will be transcribed by the local high school for secondary credit and by the institution of higher education for college credit.
- **Eligible student** is a student enrolled in grades 10-12 and who is pursuing a program of study in a secondary technical center.



- **Full-Time Equivalent (FTE)** shall be considered the equivalent of one student attending class for six class periods per day per year, e.g., one student attending a three period class the full year would be equal to one-half FTE. Travel time cannot be included in FTE count.
- **Local districts** are the districts in the locality, which are eligible to participate in secondary technical center programs.
- **Occupation-specific programs** are technical programs, which have paid employment in specific occupations as their objectives.
- **Satellite location** is the extension of a secondary technical center located outside the boundaries of an existing center (25 miles or 30 minutes of driving time) or to students in isolated areas. Satellite locations will be provided by an approved secondary technical center and must be shared by more than one school district. All satellite locations require the approval of the CEWDB.
- **Secondary technical center** is a public secondary or post-secondary institution organized for the specific purpose of educating high school students in specific occupational/technical programs. A center will serve students from more than one participating high school. Students eligible to attend a secondary technical center will generally come from a twenty-five (25) mile radius or thirty (30) minute driving time from the local school.
- **Sponsoring institution** is a comprehensive high school, a post-secondary technical institute, a two-year or community/technical college, an education service cooperative, or any other entity authorized by law that has been approved by the CEWDB. The sponsoring institution will function as the fiscal agent and will manage and administer the secondary technical center. (Reference ACA 6-51-301 to 6-51-305)
- **Vocational center aid** is calculated and distributed by the Department of Education based upon each secondary technical center's eligible student FTE count.