

SPECIAL POLICIES AND PROCEDURES

FOR

SECONDARY TECHNICAL CENTERS

Effective Date
August 24, 2018

SPECIAL POLICIES AND PROCEDURES 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 (ARCareerEd) 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 ARCareerEd website under the Career & Technical Education Funding/Accountability tab.
2. Newly approved programs must be authorized by OSD and the Deputy Director of Career and Technical Education 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 Career Education. This list will be reviewed annually.

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 ARCareerEd 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 the ARCareerEd 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 10th grade enrollment calculated from the total 10th 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).

D. Regional Technical Center

A secondary technical center to be designated as a regional technical center shall be approved by CEWDB.

II. Finance

A. Funding

1. **Vocational center aid** will be calculated and distributed by the Department of Career Education based upon each secondary technical center's eligible student FTE count.
2. The minimum training fee is set in accordance with ACA 6-20-2305(2)(A) and shall be calculated from the eligible student FTE.
3. The secondary technical center will bill each participating high school based upon current enrollment verified by OSD.
4. 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 **Program Policies and Procedures for Career and Technical Education**.
2. Secondary technical centers may from time-to-time be eligible for federal funds. ACE will inform secondary center directors of these as soon 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 ARCareerEd OSD each fall and spring. The Course Instructor/Reporting Form is available on the ARCareerEd website.
2. Enrollment reports shall be submitted to ARCareerEd OSD each semester. Enrollment will then be verified by OSD using Department of Education eSchool enrollment data. The Enrollment Report and verification forms are available on the ARCareerEd website.

B. Yearly Reports

1. The Annual Expenditure Report shall be completed and sent to ARCareerEd 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 ARCareerEd OSD. The Annual Concurrent Credit and Industry Credentials Report is available on the ARCareerEd website.
3. Each center shall complete and submit to ARCareerEd 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 or training fees. 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 10th grade-enrollment calculated from the total 10th 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 located on the campus of a secondary school must employ directors who hold a secondary technical center director endorsement (175). 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 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 must have a minimum of an associate degree within the area of instruction or related area. (Institutional (or HLC) requirement)
2. Technical instructors must have completed Arkansas State Police and, 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. Centers will annually submit a list of instructors providing concurrent credit and upon meeting the above requirement; these instructors will be given an annual waiver from teacher licensure requirements.
4. 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 Department of Career Education to implement course designs and class lengths.

H. Instruction

1. Programs shall align with curriculum frameworks 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 closely align to ARCareerEd curriculum frameworks. One 3-hour college course will equate to one Carnegie units.
2. An active **advisory committee** is required for each occupational program area. The council 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 Department of Career Education. The ARCareerEd 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.
- **Capacity** of a secondary technical center is determined by multiplying the number of blocks of occupation-specific programs (two or three hours) by 20.
- **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.
- **Private and/or home-schooled students** are eligible to participate in secondary technical center programs through the local school district in which they officially reside.
- **Regional technical center** is defined as a secondary technical center having the same expanded service area as approved by CEWDB.
- **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 technical 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 postsecondary 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)
- **Training fees** are the fees set in accordance with ACA 6-20-2305(2)(A) and shall be calculated from the eligible student FTE count. The secondary technical center shall bill the sending schools for these fees in the fall and spring semesters.
- **Vocational center aid** is calculated and distributed by the Department of Career Education based upon each secondary technical center's eligible student FTE count once the sending schools have been reimbursed from the previous school year's training fees.

QUESTIONNAIRE FOR FILING PROPOSED RULES AND REGULATIONS
WITH THE ARKANSAS LEGISLATIVE COUNCIL

DEPARTMENT/AGENCY Department of Career Education
DIVISION Office of Skills Development
DIVISION DIRECTOR Cody Waits
CONTACT PERSON Cody Waits
ADDRESS 3 Capitol Mall, Room 209, Little Rock, AR 72201
PHONE NO. 501-683-1152 FAX NO. 501-682-1509 E-MAIL cody.waits@arkansas.gov
NAME OF PRESENTER AT COMMITTEE MEETING Cody Waits
PRESENTER E-MAIL cody.waits@arkansas.gov

INSTRUCTIONS

- A. Please make copies of this form for future use.
B. Please answer each question **completely** using layman terms. You may use additional sheets, if necessary.
C. If you have a method of indexing your rules, please give the proposed citation after "Short Title of this Rule" below.
D. Submit two (2) copies of this questionnaire and financial impact statement attached to the front of two (2) copies of the proposed rule and required documents. Mail or deliver to:

Donna K. Davis
Administrative Rules Review Section
Arkansas Legislative Council
Bureau of Legislative Research
One Capitol Mall, 5th Floor
Little Rock, AR 72201

1. What is the short title of this rule? Special Policies and Procedures for Secondary Technical Centers
2. What is the subject of the proposed rule? policy updates
3. Is this rule required to comply with a federal statute, rule, or regulation? Yes ☐ No ☒
If yes, please provide the federal rule, regulation, and/or statute citation. _____
4. Was this rule filed under the emergency provisions of the Administrative Procedure Act? Yes ☐ No ☒
If yes, what is the effective date of the emergency rule? _____
When does the emergency rule expire? _____

Will this emergency rule be promulgated under the permanent provisions of the Administrative Procedure Act?

Yes ☐

No ☒

5. Is this a new rule? Yes ☐ No ☒

If yes, please provide a brief summary explaining the regulation. _____

Does this repeal an existing rule? Yes ☐ No ☒

If yes, a copy of the repealed rule is to be included with your completed questionnaire. If it is being replaced with a new rule, please provide a summary of the rule giving an explanation of what the rule does. _____

Is this an amendment to an existing rule?

Yes ☒

No ☐

If yes, please attach a mark-up showing the changes in the existing rule and a summary of the substantive changes. **Note: The summary should explain what the amendment does, and the mark-up copy should be clearly labeled "mark-up."**

6. Cite the state law that grants the authority for this proposed rule? If codified, please give the Arkansas Code citation. ACA 25-30-102

7. What is the purpose of this proposed rule? Why is it necessary? Update of information and clarification of wording

8. Please provide the address where this rule is publicly accessible in electronic form via the Internet as required by Arkansas Code § 25-19-108(b). http:// http://arcareereducation.org/looking-for/public-review-documents

9. Will a public hearing be held on this proposed rule? Yes ☐ No ☒

If yes, please complete the following:

Date: _____

Time: _____

Place: _____

10. When does the public comment period expire for permanent promulgation? (Must provide a date.)

July 5, 2018

11. What is the proposed effective date of this proposed rule? (Must provide a date.)

July 16, 2018

12. Please provide a copy of the notice required under Ark. Code Ann. § 25-15-204(a), and proof of the publication of said notice. _____

13. Please provide proof of filing the rule with the Secretary of State and the Arkansas State Library as required pursuant to Ark. Code Ann. § 25-15-204(e). _____

14. Please give the names of persons, groups, or organizations that you expect to comment on these rules?
Please provide their position (for or against) if known. _____

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT Arkansas Department of Career Education

DIVISION Office of Skills Development

PERSON COMPLETING THIS STATEMENT Cody Waits

TELEPHONE 501-683-1152 **FAX** 501-682-1509 **EMAIL:** cody.waits@arkansas.gov

To comply with Ark. Code Ann. § 25-15-204(e), please complete the following Financial Impact Statement and file two copies with the questionnaire and proposed rules.

SHORT TITLE OF THIS RULE Special Policies and Procedures for Secondary Technical Centers

1. Does this proposed, amended, or repealed rule have a financial impact? Yes ☐ No ☒
2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule? Yes ☒ No ☐
3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes ☒ No ☐

If an agency is proposing a more costly rule, please state the following:

- (a) How the additional benefits of the more costly rule justify its additional cost;

- (b) The reason for adoption of the more costly rule;

- (c) Whether the more costly rule is based on the interests of public health, safety, or welfare, and if so, please explain; and;

- (d) Whether the reason is within the scope of the agency's statutory authority; and if so, please explain.

4. If the purpose of this rule is to implement a federal rule or regulation, please state the following:

- (a) What is the cost to implement the federal rule or regulation? **N/A**

Current Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____

Next Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____

Special Revenue _____
 Other (Identify) _____
 Total _____

Special Revenue _____
 Other (Identify) _____
 Total _____

(b) What is the additional cost of the state rule? N/A

Current Fiscal Year

General Revenue _____
 Federal Funds _____
 Cash Funds _____
 Special Revenue _____
 Other (Identify) _____
 Total _____

Next Fiscal Year

General Revenue _____
 Federal Funds _____
 Cash Funds _____
 Special Revenue _____
 Other (Identify) _____
 Total _____

5. What is the total estimated cost by fiscal year to any private individual, entity and business subject to the proposed, amended, or repealed rule? Identify the entity(ies) subject to the proposed rule and explain how they are affected.

Current Fiscal Year

\$ N/A

Next Fiscal Year

\$ N/A

6. What is the total estimated cost by fiscal year to state, county, and municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

Current Fiscal Year

\$ N/A

Next Fiscal Year

\$ N/A

7. With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars (\$100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?

Yes ☐ No ☒

If YES, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

- (1) a statement of the rule's basis and purpose;
- (2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;
- (3) a description of the factual evidence that:
 - (a) justifies the agency's need for the proposed rule; and

- (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;
- (4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
 - (5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
 - (6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and
 - (7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
 - (a) the rule is achieving the statutory objectives;
 - (b) the benefits of the rule continue to justify its costs; and
 - (c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.