SENATE BILL 190-FN

AN ACT relative to payment of costs for career and technical education center programs and administration by the department of education.


COMMITTEE: Education

AMENDED ANALYSIS

This bill modifies the determination of financial responsibility for tuition for career and technical education center programs and the administration of CTE programs by the department of education.

Explanation: Matter added to current law appears in bold italics.
Matter removed from current law appears [in brackets and struckthrough.]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.
CHAPTER 252
SB 190-FN – FINAL VERSION

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03/26/2015 0981s
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06/24/2015 2222EBA

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fifteen

AN ACT
relative to payment of costs for career and technical education center programs and administration by the department of education.

Be it Enacted by the Senate and House of Representatives in General Court convened:

252:1 Purpose. The provision of an adequate education in New Hampshire includes career and technical education. New Hampshire career and technical education centers are established for the purpose of developing a competitive workforce to support local business, industry, and economic growth. The program provides high school students the opportunity to explore career options that apply academic concepts to real-world situations using the most current business and industry-based technologies. Through a commitment to developing the knowledge and skills required for successful performance in the current and future workplace, the program further provides advanced training leading to skill certification and postsecondary education with career pathways for lifelong learning and opportunity.

252:2 Chapter Title; Community and Technical Education. Amend the chapter title of RSA 188-E to read as follows:

CHAPTER 188-E
REGIONAL VOCATIONAL CAREER AND TECHNICAL EDUCATION (CTE)

252:3 Designation of Centers and Programs. Amend RSA 188-E:1 to read as follows:

188-E:1 Designation of Regional Centers and Programs. The commissioner, department of education, is hereby authorized and directed to designate high schools, and public academies as defined in RSA 194:23, II, offering vocational career and technical education programs as vocational career and technical education centers. In instances where it is educationally and economically feasible to do so, the commissioner may designate individual vocational courses career and technical education programs in other than the vocational career and technical education centers as regional courses programs. An out-of-state school or course program may be designated, when it is in the best interest of the state, as a part of the New Hampshire regional vocational career and technical education plan.

252:4 Definitions. RSA 188-E:2 is repealed and reenacted to read as follows:

188-E:2 Definitions. In this chapter:

I. “Alternative education program” means a program providing at-risk students with a
variety of options with a goal of graduation or completion by focusing on the student’s individual social needs and the academic requirements for a high school diploma, including:

(a) A program offered at a regional career technical education center or other comprehensive high school.

(b) An adult high school diploma program administered pursuant to rules of the department.

(c) An adult basic education program administered pursuant to rules of the department.

II. “At-risk student” means a high school student who has been evaluated by the local school district staff and deemed to be an individual in jeopardy of dropping out of school prior to graduation.

III. “Career and technical education” or “CTE” means organized educational activities that:

(a) Offer a sequence of courses that:

   (1) Provides individuals with coherent and rigorous content aligned with challenging academic standards and relevant technical knowledge and skills needed to prepare for further education and careers in current or emerging professions;

   (2) Provides technical skill proficiency, an industry-recognized credential, a certificate, or an associate degree; and

   (3) Might include prerequisite courses, other than a remedial course; and

   (b) Include competency-based applied learning that contributes to the academic knowledge, higher-order reasoning and problem-solving skills, work attitudes, general employability skills, technical skills, and occupation specific skills, and knowledge of all aspects of an industry, including entrepreneurship, of an individual.

IV. “Construction” means the actual construction of facilities and provision of initial equipment.

V. “Receiving district” means a school district operating a comprehensive high school or public academy pursuant to RSA 194:23 which is designated as a regional center or offers a designated regional program.

VI. “Regional career and technical education student” means a student attending a regional center or a regional program, for career and technical education purposes, which is in a high school other than one the student would normally attend for his or her regular education program.

VII. “Renovation” means an upgrade and/or addition of career and technical education space, facility, and/or equipment at designated regional career and technical education centers.

VIII. “Sending district” means:

   (a) A school district where students reside who attend a regional center, regional program, or alternative education program other than within the district itself; or

   (b) If a student attends a chartered public school, the sending district shall be the school district in which the student resides.
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252:5 Construction or Renovation. Amend RSA 188-E:3 to read as follows:

188-E:3 Construction or Renovation of Regional [vocational] Career and Technical Education Centers.

I. The commissioner, department of education, shall make grants available to designated regional centers for construction of [vocational] career and technical education facilities or renovation of existing regional [vocational] career and technical education centers. The state board shall adopt rules, pursuant to RSA 541-A and RSA 21-N:9, II, which the commissioner shall carry out, relative to requirements for approval of regional [vocational] career and technical education centers to receive funds for construction or renovation of such facilities. The rules shall include criteria which guarantee potential sending districts an opportunity to enroll students in the regional [vocational] career and technical education program, and basic criteria for planning such facilities through cooperative development of plans by the [vocational] career and technical education staff of the state department of education and the local school district’s staff. When such plans appear to be both educationally and financially acceptable, the department’s [vocational] career and technical education staff shall recommend to the commissioner that they be approved for funding.

II. Upon completion, the constructed or renovated facility shall become the property of the school district or public academy, [as the case may be] for use by the career and technical education center exclusively. Provision of the site, parking, and other related areas shall be the responsibility of the local community. Site work, including but not limited to cut and fill work, compaction, demolition, relocation of utilities, relocation of roadways and sidewalks, and similar work within an area extending to one foot beyond the outside edge of the exterior walls of the building, shall be eligible for grants under paragraph I. Nothing shall prohibit the inclusion of the site and related facilities which are not funded as part of construction cost by the state under this chapter from being included in a regular building aid grant application of the district as provided in RSA 198:15-b. However, no school district which receives any funding under this chapter shall be eligible to receive school building aid grants under RSA 198:15-b for the same project. Maintenance, repair, and upkeep of the constructed or renovated facility, including all classroom and laboratory spaces, shall be the responsibility of the school district or public academy, as the case may be.

252:6 CTE Program. RSA 188-E:5 is repealed and reenacted to read as follows:

188-E:5 Program.

I. The program in the regional career and technical education centers shall be broad enough to serve the reasonable business and industry needs of the area, and provide for a substantial career and technical offering in the region.

II. Career and technical education of consistent quality shall be equally available to students and across the state. Each career and technical education program pathway shall include embedded
rigorous academic skills and technical core competencies aligned with national business and industry standards delivered through a relevant sequence of courses.

III. Each center shall make maximum utilization of cooperative arrangements with special education and vocational rehabilitation in providing career and technical education for disadvantaged and disabled persons. Opportunities for out-of-school youths, including “drop outs” and others, and adult education will be provided whenever possible.

IV. The regional career and technical education centers, as an integral part of each career and technical offering, may provide opportunities in leadership development through participation by students in appropriate corresponding and nationally recognized career and technical student organizations.

V. Regional career and technical education centers shall, on a space available basis, enroll any student requesting enrollment who has attended 2 years of high school regardless of the number of academic credits earned, except that the Manchester school district shall, on a space available basis, enroll and bear the associated costs for any Manchester school district student in grades 9-12 who resides in the city of Manchester and who requests enrollment in a regional career and technical education center within the district, provided that in either case:

(a) The student has successfully completed any courses required as a prerequisite for the career and technical education program selected; or
(b) The prerequisites have been waived by the regional career and technical education center director. Such a waiver shall not be unreasonably withheld.

VI. The receiving district shall be responsible for determining the student’s qualifications for admission and space availability.

VII. (a) All career and technical education students shall be given access to career and technical education programs for the entire instructional time required for those programs.

(b) Upon a joint application by a student’s career and technical education center and his or her sending district, the commissioner may grant a waiver from the requirement of subparagraph (a) on a case-by-case basis.

VIII. Programs shall demonstrate alignment of curriculum to national technical core competencies to assess and demonstrate achievement through evidence documented by course and learning experiences using multiple measures, such as, but not limited to, examinations, quizzes, portfolios, performances, exhibitions, industry certifications, projects, and community service.

IX. An approved career and technical education program shall be designed to enable a student to meet industry standards applicable to the respective career field.

X. To the greatest extent possible, a career and technical education program offered at a center or region shall provide students the opportunity to take advantage of any applicable career pathways, including career pathways set forth in an articulation agreement with a postsecondary
institution or in a collaborative agreement with publicly supported secondary and postsecondary educational institutions that form a dual enrollment career and technical education program.

252:7 Costs of Attendance. Amend RSA 188-E:6 to read as follows:

188-E:6 [Reimbursement] Costs for Students Attending Career and Technical Education Programs.

I. The state shall [reimburse the state’s] pay a portion of the cost of tuition and reimburse transportation costs, as provided in this section, for a sending district student attending an approved career and technical education (CTE) program.

II. A student’s sending district shall be financially responsible for [an amount equal to] 25 percent of the career and technical education portion of the receiving district’s cost per pupil for the prior school year, as calculated by the department of education.

III. Any sending district student who attends an approved CTE program that provides instruction in subject areas approved by the state board of education shall be eligible for reimbursement payment of tuition and reimbursement of transportation costs. Students enrolled in introductory CTE [programs] courses, pre-CTE [programs] courses, or other CTE programs offering instruction in subject areas not approved by the state board of education shall not be eligible for payment of tuition and transportation reimbursement.

IV. In consultation with the house and senate committees responsible for education policy and financial matters, the state board of education shall, in rules adopted pursuant to RSA 541-A, develop a formula for determining the tuition and transportation costs for approved career technical education programs and procedures for disbursement of funds.

252:8 Tuition. Amend RSA 188-E:7 to read as follows:

188-E:7 Tuition.

I. The department of education is authorized to pay from its regular budget tuition for full or part-time sending district students, attending programs at designated vocational career and technical education centers or designated vocational educational courses career and technical education programs at other comprehensive high schools, whose residence is in a district where the high school of normal attendance does not offer a similar vocational education course career and technical education program.

II. The department of education shall pay only those districts designated as regional career and technical education centers for sending district tuition at a per student rate calculated by dividing the total number of students into the balance of appropriation available.

III. The department is authorized to pay from its budget for at-risk students who reside in a school district in which the high school does not offer an alternative education program, to attend an alternative education program at a [regional vocational education center or the associated] comprehensive high school within New Hampshire.
[IV.][II.] IV. The liability of the state and local school districts for tuition shall be determined by the state board under rules adopted pursuant to RSA 541-A, provided that a receiving district may charge a student from a sending district a differential fee for career and technical education not to exceed 3 percent of the receiving district’s cost per pupil for the prior school year, as calculated by the department of education, and provided that the receiving district shall deposit the differential fee into its capital reserve account to be used for career and technical education program development, improvement, and equipment.

[V.] V. The state’s tuition liability for a student enrolled in an alternative education program shall not exceed the per student cost of a student enrolled in a career and technical education program, as calculated by the department of education.

252:9 Transportation. Amend RSA 188-E:8 to read as follows:

188-E:8 Transportation. The department of education is authorized to reimburse from its regular budget the cost of transportation for (a) regional vocational career and technical education students who attend regional career and technical education centers and for (b) at-risk students who attend alternative education programs located at a regional vocational career and technical education center or the associated other comprehensive high school. Transportation costs shall not exceed the rate adopted pursuant to RSA 541-A by the state board. The sending district shall be responsible for paying the transportation costs and shall be reimbursed from state funds.

252:10 New Section; Advisory Council on Career and Technical Education. Amend RSA 188-E by inserting after section 10-a the following new section:

188-E:10-b Advisory Council on Career and Technical Education.

I. There is established an advisory council on career and technical education (CTE). The members of the council shall be as follows:

(a) One member of the senate, appointed by the president of the senate.

(b) Two members of the house of representatives, appointed by the speaker of the house of representatives.

(c) The state director of career and technical education.

(d) The commissioner of the department of resources and economic development, or designee.

(e) The chancellor of the community college system, or designee.

(f) Three CTE directors, one member of a school board, and one SAU administrator, appointed by the commissioner of education.

(g) A representative of the Business and Industry Association of New Hampshire, appointed by the association.

(h) Three representatives of skilled trades or businesses related to CTE programs, appointed by the commissioner of education.
II. Legislative members of the council shall receive mileage at the legislative rate when attending to the duties of the council.

III. Members of the advisory council appointed under subparagraphs I(f) –(h) shall serve for terms of 3 years and may be reappointed, except that terms of initial appointments by the commissioner under subparagraphs (f) and (h) shall be staggered.

IV. The council shall study career and technical education, and make recommendations concerning:

(a) The delivery system of career and technical education in New Hampshire;

(b) Increasing access to career and technical education programs;

(c) Increasing partnerships between businesses, skilled trades, advanced manufacturing, and CTE programs;

(d) The establishment and implementation of individual learning plans beginning in grade 6; and

(e) Other barriers as may be identified that restrict the delivery of career and technical education to all interested students.

V. The members of the advisory council shall elect a chairperson from among the members. Meetings of the advisory council shall be called by the chairperson as necessary. Seven members of the council shall constitute a quorum.

VI. The advisory council shall file an annual report of its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1.

252:11 Reference Changed. Amend RSA 21-N:9, II(m) to read as follows:

(m) Standards for approval of regional [vocational] career and technical education centers, as authorized by RSA 188-E:3.

252:12 Reference Changed. Amend RSA 189:25-a to read as follows:

189:25-a Universal Service Fund; Definition of “School.” For the purpose of obtaining discounts pursuant to the universal service fund, otherwise known as “E-rate” discounts, as established by section 254 of the Telecommunications Act of 1996, “school” means any public or private elementary or secondary school, and any regional [vocational] career and technical educational [school] center designated under RSA 188-E, including educational programs offered at such [vocational] career and technical educational [schools] centers for pre-kindergarten, adult education programs, and juvenile justice programs.

252:13 Reference Changed. Amend RSA 194:23, II-a to read as follows:

II-a. In this section, the term “high school” shall include [any] the regional [vocational] career and technical education center in the Manchester school district which complies with the provisions of RSA 188-E.
252:14 Effective Date. This act shall take effect July 1, 2015.

Approved: July 13, 2015

Effective Date: July 1, 2015