

CHAPTER 3505
DEPARTMENT OF EDUCATION
SECONDARY VOCATIONAL EDUCATION

RULES FOR VOCATIONAL TECHNICAL EDUCATION

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RULES FOR VOCATIONAL TECHNICAL EDUCATION

3505.1000 DEFINITIONS.

Subpart 1. **Scope.** For the purpose of parts 3505.1000 to 3505.5900, the words, phrases, and terms defined in this part shall have the meanings respectively ascribed to them.

Subp. 2. [Repealed, 12 SR 2746]

Subp. 2a. **Appropriately licensed staff.** "Appropriately licensed staff" means:

A. teachers holding secondary teaching licenses and teachers utilizing waivers or variances granted by the Professional Educator Licensing and Standards Board for teaching in state-approved secondary career and technical education programs as specified on the Table of Career and Technical Education Programs and Licenses maintained by the division within the Department of Education responsible for secondary career and technical education;

B. technical tutors holding technical tutor licensure granted under rules of the State Board of Education;

C. paraprofessionals meeting requirements as highly qualified under the Elementary and Secondary Education Act or its successor; and

D. individuals holding licensure as Local Vocational Program Director or, where no individual within a district holds such licensure, the superintendent.

Subp. 3. **Authorized local administrator.** "Authorized local administrator" means the licensed career and technical administrator who has major responsibility for career and technical education at the secondary level for a district or center and is assigned to provide management and leadership in secondary career and technical education. The superintendent may act as the authorized local administrator in the absence of a local career and technical administrator.

Subp. 4. **Bona fide sale.** "Bona fide sale" means the competitive sale of unneeded property which results in the highest possible investment return.

Subp. 4a. **Career and technical education.** "Career and technical education" means organized educational programs, services, and activities which are related to the preparation of individuals for paid or unpaid work or for additional preparation for a career requiring technical competencies or a postsecondary or higher education advanced degree.

Subp. 4b. **Career and technical instructional program.** "Career and technical instructional program" means an educational activity or a series of instructional components designed to meet the program objectives for the period of instruction.

Subp. 4c. **Career and technical program advisory committee.** "Career and technical program advisory committee" means a group of persons with competence or interests in an occupational field related to the program being served, selected for offering advice to teachers or administrators regarding career and technical education. At least 50 percent of the members shall be representatives of a directly related business, labor, or industry.

Subp. 4d. **Career and technical revenue.** "Career and technical revenue" means categorical state and federal funding or local levy revenue for secondary career and technical education programs meeting criteria set forth in rules.

Subp. 4e. **Career and technical student organization.** "Career and technical student organization" means organizations of career and technical education students which provide the opportunity for the development of leadership abilities, personal improvement of individual members, and aid in their transition from school to career.

Subp. 5. **Career education.** "Career education" means the process of helping individuals acquire and use those attitudes, skills, and knowledge needed to develop and manage a reasoned, socially purposeful, and personally valued life pattern in relation to work of whatever kind.

Subp. 6. **Center.** "Center" means a vocational or cooperative center.

Subp. 7. **Classroom instruction.** "Classroom instruction" means an in-school instructional method involving discussion, simulation, problem solving, decision making, computers, and other forms of communication.

Subp. 8. **Competencies.** "Competencies" means skills, knowledge, or attitudes necessary for functioning in a specific occupation.

Subp. 9. **Component.** "Component" means a unit of instruction that contributes to the accomplishment of the program objectives.

Subp. 10. **Cooperative center.** "Cooperative center" means two or more districts meeting all provisions of Minnesota statutes, which provide expanded educational options by sharing career and technical programs which have been approved by the commissioner of education.

Subp. 11. **Employment related community-based education.** "Employment related community-based education" (coop experience) means instruction enabling students to prepare for their tentative career objectives or develop general employability skills through the coordination of career related, in-school instruction and supervised part time on the job training.

Subp. 12. **Entrepreneurship.** "Entrepreneurship" means a school supervised business venture undertaken to teach the free enterprise system, including the functions of organizing and managing the factors of production or a distribution of goods or services.

Subp. 13. **Entry level skills.** "Entry level skills" means those basic occupational competencies and work readiness skills including application of basic skills, work attitudes, and problem solving skills which enable a person to enter initial employment.

Subp. 14. **Essential licensed personnel.** "Essential licensed personnel" means staff assigned to approved career and technical education programs who meet criteria for career and technical education licensure stated in career and technical rules of the Professional Educator Licensing and Standards Board and who have been issued the appropriate career and technical license.

Subp. 15. **Exploratory work experience.** "Exploratory work experience" means a school supervised career and technical program designed to provide students with paid or unpaid work experience in a variety of occupations, to help the students identify job traits in relation to their abilities and characteristics and to assist them in making realistic and appropriate occupational choices.

Subp. 16. **Extended employment.** "Extended employment" means paid time when staff is employed beyond the regular school calendar, which is necessary for job placement and coordination, development of training plans and training agreements, equipment maintenance, supply procurement, inventory and storage, curriculum development, staff development, or career and technical student organization activities.

Subp. 17. **Extended time student.** "Extended time student" means a student who is in attendance more than six hours but less than nine hours per day.

Subp. 18. [Repealed, 12 SR 2746]

Subp. 19. **Instructional site.** "Instructional site" means a facility or location where students have an opportunity to achieve educational goals and individual program objectives.

Subp. 20. **Internship.** "Internship" means a training program involving class instruction followed by a supervised, full-time or part-time position at an approved training station.

Subp. 21. **Laboratory instruction.** "Laboratory instruction" means an in school instructional method involving the practice of skills with appropriate equipment and supplies used within the occupation.

Subp. 22. **Local education agency.** "Local education agency" means a public educational agency, at the local level, which exists primarily to operate schools or to contract for educational services.

Subp. 23. **Necessary equipment.** "Necessary equipment" means items of equipment that meet the criteria as defined in the Uniform Financial Accounting and Reporting Standards (UFARS), and are identified by the local school district as essential to support the teaching of occupational competencies in approved career and technical programs.

Subp. 24. **Nonexpendable personal property.** "Nonexpendable personal property" means tangible personal property having a useful life of more than one year and an acquisition cost of \$500 or more, per unit.

Subp. 25. **Occupation.** "Occupation" means paid or unpaid work including, but not limited to, salaried jobs, self-employment, and homemaking.

Subp. 26. **Occupational relations.** "Occupational relations" means learning experiences including work adjustment concepts, interpersonal skills involving relationships with other workers and supervisors, understandings and attitudes common to all work stations, and specific instruction as identified in a training plan.

Subp. 27. [Repealed, 12 SR 2746]

Subp. 28. **Postsecondary career and technical education.** "Postsecondary career and technical education" means career and technical education for persons who have completed or left high school and who are enrolled in organized programs of study.

Subp. 29. **Pre-career and technical education.** "Pre-career and technical education" means programs, services, or activities designed to provide youth and adults with orientation, guidance, exploration, and instruction to assist them in making meaningful career decisions.

Subp. 29a. **Programs of study.** "Programs of study" are sets of aligned academic and technical courses that begin no later than grade 11 and preferably by grade 9, and continue through at least two years of college and culminate in a certificate, diploma, or degree. The elements of a program of study are:

- A. competency-based curricula tied to industry expectations and skills standards;
- B. sequential course offerings that provide manageable "stepping stones" of skill building, including high school graduation and postsecondary education completion;
- C. flexible course and program formats convenient for various learner segments;

D. course portability for seamless progression; and

E. connections among high school and postsecondary education, skill progression, and career opportunities that align academic credentials with job advancement in high skill, high wage, or high demand occupations.

Subp. 30. **Secondary career and technical course.** "Secondary career and technical course" means one or more components of a secondary career and technical instructional program.

Subp. 31. **Secondary career and technical education.** "Secondary career and technical education" means programs for grades 9 through 12 that meet the requirements of part 3505.2500, items A to C, and work experience/career exploration programs.

Subp. 31a. **Secondary career and technical teacher full-time equivalent (FTE).** "Secondary career and technical teacher full-time equivalent (FTE)" means a licensed career and technical teacher who teaches the equivalent of six hours per day for 175 days per year within an approved career and technical education program.

Subp. 32. **Simulation.** "Simulation" means an in school instructional method involving the application of skills with a realistic flow of work and in a realistic setting for the occupation.

Subp. 33. **Student full-time equivalent (FTE).** "Student full-time equivalent (FTE)" means a student enrolled full-time in an approved educational program, six hours per day for 175 days per year or its equivalent.

Subp. 34. **Student staff ratio.** "Student staff ratio" means the relationship between the number of FTE students and the number of FTE teachers in each approved career and technical program.

Subp. 35. **Students with special needs.** "Students with special needs" means students with disabilities or students who are disadvantaged.

A. Students with disabilities are defined in Minnesota Statutes, section 125A.02, and are more likely to succeed in regular career and technical programs with additional supports as specified in the students' individual educational program (IEP).

B. Disadvantaged students are those who have academic or economic disadvantages and require special programs, modified programs or supportive services to assist them to succeed in a career and technical education program.

(1) An academically disadvantaged student may lack reading, writing, and mathematic skills and perform below grade level. A student is academically disadvantaged by meeting one or more of the criteria of the graduation incentives program under Minnesota Statutes, section 124D.68, subdivision 2.

(2) An economically disadvantaged student is one for whom the family income is at or below national poverty level, the student or the student's parents or guardian is unemployed, the student or the student's parents are recipients of public assistance, or the student is institutionalized or under the state's guardianship. A student is economically disadvantaged if the student qualifies for free or reduced price meals under the Richard B. Russell National School Lunch Act.

Subp. 36. **Support service.** "Support service" means noninstructional activities, services, and functions carried out to aid and improve the quality of career and technical education programs.

Subp. 37. [Repealed, 33 SR 1857]

Subp. 38. **Third-party appraisal.** "Third-party appraisal" means establishing a price for nonexpendable personal property by an independent appraiser who is free from any conflicting interests.

Subp. 39. **Training agreement.** "Training agreement" means an agreement signed by the employer, the student, the parent or guardian when student is below 18, and the instructor coordinator, which defines their respective responsibilities, and includes pertinent information regarding supervision of the student at the training station.

Subp. 40. **Training plan.** "Training plan" means a written plan developed by the instructor coordinator, the employer and/or supervisor, and the student that indicates what is to be learned by that student and whether it is to be learned in the classroom or at the training station after a careful analysis of the student's career objective and the learning opportunities available at the training station.

Subp. 41. **Training station.** "Training station" means that site at which a student acquires actual work experience.

Subp. 42. [Repealed, 12 SR 2746]

Subp. 43. [Repealed, 33 SR 1857]

Subp. 44. [Repealed, 12 SR 2746]

Subp. 45. [Repealed, 33 SR 1857]

Subp. 46. [Repealed, 33 SR 1857]

Subp. 47. [Repealed, 33 SR 1857]

Subp. 48. [Repealed, 33 SR 1857]

Statutory Authority: *MS s 121.11; 124.573; 124.574; L 2007 c 146 art 7 s 3*

History: *L 1987 c 258 s 12; 12 SR 2746; L 1998 c 397 art 11 s 3; L 1998 c 398 art 5 s 55; L 2003 c 130 s 12; L 2005 c 56 s 2; 33 SR 1857; L 2017 1Sp5 art 12 s 22*

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3505.1100 STANDARDS FOR PROGRAM APPROVAL.

Written application for the approval of career and technical programs by local education agencies shall be made to the commissioner of education. The commissioner's approval to establish career and technical programs shall be conditioned on meeting the following minimum standards:

A. all programs shall be assigned appropriately licensed instructional staff as specified in the state plan for career and technical education;

B. sufficient and suitable facilities including laboratories, shops, classrooms, equipment, supplies, and adequate storage for the course to be offered shall be provided;

C. class size conducive to efficient teaching and not exceeding the number which the space and equipment will safely accommodate;

D. programs shall comply with federal and/or state civil rights laws, labor laws, and wage and hour statutes where applicable; and

E. school districts and centers shall maintain accounting and reporting records according to a Uniform Financial Accounting and Reporting Standards (UFARS) and all such records shall be available to the Department of Education.

A student shall not be denied access to career and technical education programs because of disability or disadvantaged status. A person with special needs shall be defined as disabled or disadvantaged to be eligible for enrollment in special needs career and technical programs. Special needs career and technical programs for students with disabilities (transition-disabled programs) shall be eligible for aid assistance. The authorized local administrator shall be responsible for coordinating career and technical education programs with youth programs conducted under the Workforce Investment Act. Programs shall also meet appropriate level (secondary, postsecondary, or adult) criteria designated in parts 3505.1000 to 3505.5900.

Statutory Authority: *MS s 121.11; 124.573; 124.574; L 2007 c 146 art 7 s 3*

History: *L 1995 1Sp3 art 16 s 13; L 1998 c 397 art 11 s 3; L 2003 c 130 s 12; L 2005 c 56 s 2; 33 SR 1857*

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3505.1150 AWARDING SCIENCE, MATHEMATICS, OR ARTS CREDITS THROUGH CAREER AND TECHNICAL EDUCATION.

Subpart 1. **Ability to grant credit.** A school district may grant a science, mathematics, or arts credit to a student who meets appropriate standards as part of a career and technical education program when:

A. the school board concludes that the standards will be delivered with integrity in the career and technical education program; and

B. the career and technical education teacher meets subject matter competence for the core academic subject as identified in Minnesota Statutes, section 122A.16.

Subp. 2. **Minimum standards for granting credit.** If a district chooses to grant credit for science, mathematics, or art credit for participation in career and technical education, pursuant to Minnesota Statutes, section 120B.024, paragraph (c), it may do so provided that the program for which the credit is offered meets the following criteria:

A. the instructor is appropriately licensed under part 3505.1000 and is not operating under a waiver or variance from the Professional Educator Licensing and Standards Board;

B. the instructor has successfully passed the Subject Assessment and Specialty Area Test required for Minnesota licensure in the science, mathematics, or arts area for which credit is to be granted; and

C. the district has identified the academic standards that will be met through participation in the career and technical education program.

Statutory Authority: *L 2007 c 146 art 7 s 3*

History: *33 SR 1857; L 2017 1Sp5 art 12 s 22*

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3505.1200 OPPORTUNITY TO APPEAL.

Districts or centers whose career and technical programs or courses have been disapproved by the commissioner of education may appeal in writing to the commissioner of education for reconsideration. Upon completion of the review, the decision of the commissioner and the reasons for the decision will be made in writing and transmitted to the local education agency. The decision of the commissioner shall be the final state action.

Statutory Authority: *MS s 121.11; 124.573; 124.574; L 2007 c 146 art 7 s 3*

History: *12 SR 2746; L 1995 1Sp3 art 16 s 13; L 2003 c 130 s 12; 33 SR 1857*

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3505.1300 EVALUATION BY BOARD OF TRUSTEES OF THE MINNESOTA STATE COLLEGES AND UNIVERSITIES.

The Board of Trustees of the Minnesota State Colleges and Universities will evaluate, in quantitative terms, the effectiveness of each formally organized program or project supported by federal, state, and local funds. The local education agency shall supply, upon request, the data necessary to make the evaluations. These evaluations shall be in terms of:

A. planning and operational processes, such as:

- (1) quality and availability of instructional offerings;
- (2) guidance, counseling and placement, and follow-up services;
- (3) capacity and condition of facilities and equipment;
- (4) employer participation in cooperative programs of career and technical education;
- (5) teacher/pupil ratios; and
- (6) teacher qualifications;

B. results of student achievement as measured, for example, by standard occupational proficiency measures, criterion referenced tests, and other examinations of student's skills, knowledge, attitudes, and readiness for entering employment successfully;

C. results of student employment success as measured, for example, by rates of employment and unemployment, wage rates, duration of employment, and employer satisfaction with performance of career and technical education students as compared with performance of persons who have not had career and technical education;

D. other results as measured by services to special populations, such as women, members of minority groups, persons with disabilities, and disadvantaged persons.

Statutory Authority: *MS s 121.11; 124.573; 124.574; L 2007 c 146 art 7 s 3*

History: *L 1998 c 397 art 11 s 3; L 2005 c 56 s 2; 33 SR 1857*

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3505.1400 LOCAL ADVISORY COMMITTEE.

Subpart 1. **Establishment of local advisory committee.** Each eligible recipient local education agency or postsecondary educational institution which receives federal assistance shall establish a local advisory committee on career and technical education. The local advisory committee may be established for schools, the community, or the region in which the eligible recipient is located.

The local advisory committee shall be composed of representatives of the general public including representatives of directly related business, industry, and labor.

Representatives from several program committees, or representatives of several school committees within a local education agency, having the requisite representation in the above paragraph, may join together to form a general local advisory committee.

Subp. 2. **Duties of local advisory committee.** The local advisory committee shall advise the eligible recipient on the current job needs and the relevance of programs (courses) being offered by the local education agency or postsecondary educational institution in meeting current job needs. The local advisory committee shall assist the eligible recipient in developing its application for funds.

Statutory Authority: *MS s 121.11; 124.573; 124.574; L 2007 c 146 art 7 s 3*

History: *L 1998 c 397 art 11 s 3; 33 SR 1857*

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3505.1500 CENTER APPROVAL.

Commissioner of education approval is necessary if a cooperative center is to be eligible for secondary categorical career and technical revenue or other aid available to approved cooperative centers. The superintendent representing a district school board or a center governing board may submit a request to the commissioner of education for approval by the commissioner when the following criteria have been met.

Career and technical programs shall be shared by one of the following methods: two or more Minnesota school districts operating a cooperative center having met provisions of applicable

Minnesota Statutes, or intermediate school districts established by the legislature to serve two or more independent school districts.

A licensed secondary career and technical administrator or the superintendent for a district shall be responsible for the career and technical programs.

Statutory Authority: *MS s 121.11; 124.573; 124.574; L 2007 c 146 art 7 s 3*

History: *12 SR 2746; L 1995 1Sp3 art 16 s 13; L 1998 c 397 art 11 s 3; L 1998 c 398 art 5 s 55; L 2003 c 130 s 12; 33 SR 1857*

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3505.1600 LOCAL APPLICATIONS FOR CAREER AND TECHNICAL EDUCATION REVENUE.

To be eligible for revenue, the local education agency shall submit the following to the commissioner of education:

- A. assurances of compliances, signed by the authorized local administrator;
- B. local labor market information on employee demand which is supplemental to data available from the state;
- C. an approved evaluation document which reports secondary and postsecondary program output;
- D. information concerning enrollments; enrollments and costs of current programs in the fiscal year indicating the expansion of present programs and new program plans; enrollments and costs for services to special needs programs.

Statutory Authority: *MS s 121.11; 124.573; 124.574; L 2007 c 146 art 7 s 3*

History: *L 1995 1Sp3 art 16 s 13; L 1998 c 397 art 11 s 3; L 2003 c 130 s 12; 33 SR 1857*

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3505.1700 ALLOTMENT AVAILABILITY OF FEDERAL FUNDS.

A cooperative agreement between the commissioner of education and Minnesota State Colleges and Universities will annually provide for the distribution of federal funds between secondary and postsecondary career and technical programs.

Distribution to local education agencies must be determined by state and federal law.

Statutory Authority: *MS s 121.11; 124.573; 124.574; L 2007 c 146 art 7 s 3*

History: *12 SR 2746; L 1990 c 375 s 3; L 1998 c 397 art 11 s 3; L 1998 c 398 art 5 s 55; L 2003 c 130 s 12; 33 SR 1857*

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3505.1800 ANNUAL REPORTS.

Local education agencies and teacher education institutions shall submit annual reports in accordance with these rules indicating expenditures and enrollments for which aid is requested. The commissioner of education may require other statistical and descriptive reports as required for federal reporting.

Statutory Authority: *MS s 121.11; 124.573; 124.574*

History: *L 1995 1Sp3 art 16 s 13; L 1998 c 397 art 11 s 3; L 2003 c 130 s 12*

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3505.1900 SUBMISSION OF WRITTEN PLANS; USE OF MATCHING FUNDS.

Written plans for the use of federal and state appropriated matching funds shall be submitted to the commissioner of education by eligible agencies or institutions conducting career and technical education programs. Claims for expenditures available for aid may be submitted to the commissioner of education requesting reimbursement upon funds already expended. Recommendations regarding payment shall be made by the commissioner of education.

Statutory Authority: *MS s 121.11; 124.573; 124.574; L 2007 c 146 art 7 s 3*

History: *12 SR 2746; L 1995 1Sp3 art 16 s 13; L 1998 c 397 art 11 s 3; L 1998 c 398 art 5 s 55; L 2003 c 130 s 12; 33 SR 1857*

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3505.2000 APPORTIONING FUNDS.

In apportioning funds among local education agencies, the commissioner of education shall assure that no local education agency which is making a reasonable tax effort shall be denied funds for establishing new career and technical programs solely because it is unable to pay the nonfederal share of the cost of the programs.

Statutory Authority: *MS s 121.11; 124.573; 124.574; L 2007 c 146 art 7 s 3*

History: *12 SR 2746; L 1998 c 397 art 11 s 3; L 1998 c 398 art 5 s 55; L 2003 c 130 s 12; 33 SR 1857*

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3505.2100 PROPERTY MANAGEMENT STANDARDS.

A uniform property management system must be used by the districts and centers to:

A. maintain individual item control for continuing verification on nonexpendable personal property in which the commissioner of education has provided state or federal funds; and

B. maintain a source of information for future purchasing and capital budgeting for nonexpendable personal property, long term capital financing, and program cost computing.

Statutory Authority: *MS s 121.11; 124.573; 124.574*

History: 12 SR 2746; L 1998 c 397 art 11 s 3; L 1998 c 398 art 5 s 55; L 2003 c 130 s 12

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3505.2200 STANDARDS AND PROCEDURES GOVERNING OWNERSHIP.

This part lists standards and procedures governing ownership, use, and disposition of nonexpendable personal property purchased in whole or in part with state or federal funds. Title must not be taken by the commissioner of education but must be vested in the local education agency subject to the following restrictions on use and disposition of the property:

A. Nonexpendable personal property with an acquisition cost of less than \$500 and used four years or more: the local education agency may divert the property to any approved career and technical program, career and technical administration, or support service or sell the property and retain the proceeds for career and technical education programs.

B. All other nonexpendable personal property with an acquisition cost of \$1,000 or less: the local education agency may use the property for its intended career and technical purpose. If approved career and technical use of the property is discontinued or the property is sold or diverted in some other manner, the commissioner of education is to be credited with its proportionate share of the current fair market value of the property. The current fair market value shall be determined by the sale price in the case of a bona fide sale or by a third party appraisal in the case of some other diversion. The commissioner of education's proportionate share of the property shall be computed by applying the percentage of state funding participation in the property to the current fair market value of the property.

C. Nonexpendable personal property with an acquisition cost of over \$1,000: if the property is not needed for its intended career and technical purpose, the local education agency shall request disposition instructions from the commissioner of education. If instructions are not received within 120 days, the local education agency may dispose of the property at its discretion.

A physical inventory of nonexpendable personal property shall be taken by the local education agency and the results reconciled with the local education agency property records at least once every two years to verify the existence, current use, and continued need for the property. Property records shall be retained for three years after final disposition of the property. The commissioner of education or an authorized representative shall have access to any pertinent property records for the purpose of making examinations.

In addition, when personal property is purchased in whole or in part with federal funds furnished by the commissioner of education, the local education agency shall comply with the appropriate federal regulations regarding standards and procedures governing ownership, use, and disposition of personal property.

Statutory Authority: MS s 121.11; 124.573; 124.574; L 2007 c 146 art 7 s 3

History: 12 SR 2746; L 1995 1Sp3 art 16 s 13; L 1998 c 397 art 11 s 3; L 1998 c 398 art 5 s 55; L 2003 c 130 s 12; 33 SR 1857

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3505.2300 STUDENT ELIGIBILITY FOR PROGRAMS.

All students shall be eligible for enrollment in career and technical education programs regardless of race, color, creed, religion, sex, national origin, marital status, age, or status with regard to public assistance or disability providing that no federal or state statute or rule specifically provides for valid exclusions for such things as health conditions, age, or certain physical conditions.

Statutory Authority: *MS s 121.11; 124.573; 124.574; L 2007 c 146 art 7 s 3*

History: *L 1998 c 397 art 11 s 3; 33 SR 1857*

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SECONDARY VOCATIONAL EDUCATION**3505.2400 SCOPE.**

To be eligible for career and technical revenue, local education agencies shall meet the requirements in parts 3505.2400 to 3505.5900.

Approval requests shall be submitted annually by the local education agency to the commissioner of education. Only approved programs shall be eligible for career and technical revenue. Local education agencies submitting new program approval or alteration requests shall be notified in writing regarding approval, disapproval, recommended alteration, or delay of action within 20 working days after receipt of the request. When the program is disapproved or recommended for alteration, the notification shall include reasons for denial or changes. When applicable, the notice shall outline corrective actions for the program to qualify for approval upon resubmission. Approved programs and administrative services shall be supervised by the authorized local administrator. The local education agency shall resubmit each approved program for evaluation by the commissioner of education at least once every five years.

Statutory Authority: *MS s 121.11; 124.573; 124.574; L 2007 c 146 art 7 s 3*

History: *12 SR 2746; L 1995 1Sp3 art 16 s 13; L 1998 c 397 art 11 s 3; L 1998 c 398 art 5 s 55; L 2003 c 130 s 12; 33 SR 1857*

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3505.2500 INSTRUCTIONAL PROGRAM APPROVAL.

The commissioner of education shall approve programs on the following basis. Approval shall be on the basis of a complete program as defined in part 3505.2550. The local education agency shall provide evidence that its curriculum is designed to meet career and technical objectives which shall include:

- A. in-depth exploration of occupations to assist in the career planning process;
- B. development of occupational competencies designed to be recognized for advanced placement in postsecondary programs; and
- C. development of occupational competencies necessary to enter an occupation.

Each program shall have a career and technical program advisory committee to advise the teacher, the local authorized administrator, and the local board; the advisory committee shall meet at least two times a year.

Statutory Authority: *MS s 121.11; 124.573; 124.574; L 2007 c 146 art 7 s 3*

History: *12 SR 2746; L 1995 1Sp3 art 16 s 13; L 1998 c 397 art 11 s 3; L 2003 c 130 s 12; 33 SR 1857*

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3505.2550 MINIMUM STANDARDS FOR INSTRUCTIONAL PROGRAM APPROVAL.

Subpart 1. **Required standards.** A secondary career and technical education program shall provide evidence that the standards in subparts 2 to 8 are met.

Subp. 2. **Community involvement.** Each program shall have an advisory committee that discusses current industry practices, program issues and needs, and curriculum. The committee shall meet formally with a planned agenda at least twice per year. Agendas and minutes shall be kept on file. Ongoing communication shall occur between career and technical education program staff and advisory committee members.

Subp. 3. **Personnel.** Each career and technical education program shall utilize appropriately licensed staff who shall follow requirements for renewal of credentials governed by the Minnesota Professional Educator Licensing and Standards Board or Minnesota Board of School Administrators as appropriate. Teachers, administrators, and support staff are aware of professional, industry, occupational, or other organizations that can assist them in their work. Individuals working in instructional support positions shall either hold licensure as a technical tutor or shall meet highly qualified paraprofessional requirements under the Elementary and Secondary Education Act.

Subp. 4. **Program administration.** Administrators responsible for career and technical education programs shall have knowledge of school law, school finance, and the appropriate use of funds; shall ensure equal access and full participation of students who are members of special populations as defined in the Carl D. Perkins Career and Technical Education Act; shall submit reports to the department as required; shall maintain internal records as necessary for the proper implementation of the programs; and shall oversee the recruitment, retention, and replacement of staff. Administrators shall work within their school districts to utilize the uniform financial accounting and reporting system (UFARS) and to follow federal Education Department General Administrative Regulations (EDGAR).

Subp. 5. **Program assessment.** The district shall evaluate program performance using accountability indicators specified in the Carl D. Perkins Career and Technical Education Act and shall include the program in its curriculum review cycle. The district shall identify and utilize a process for continuous program improvement.

Subp. 6. **Program design.** The program shall provide opportunities for career awareness, career exploration, and career preparation. The program reflects an understanding of programs of study, and provides guidance that reflects current labor market information. The curriculum addresses

career development, technological literacy, and workplace skills, is aligned to local standards for career and technical education programs, and supports a broad understanding of the industry. Safety instruction is based on federal, state, and local health and safety laws, regulations, and policies. Curriculum is developmentally appropriate, gender and culturally neutral, and is reviewed at least once each five years. Students have access to work-based learning opportunities and, where utilized, such activities are guided by training agreements and training plans. Instruction provides a balance of classroom and laboratory activities and utilizes technology. Authentic assessment is used to measure knowledge and skill proficiency. Students have access to leadership development opportunities through student organizations or other means.

Subp. 7. **Resources.** Instructional materials and supplies are appropriate to allow students to meet program objectives. Equipment is adequate to address program goals and objectives, and is properly installed, shielded, guarded, and ventilated. Adequate material storage and waste disposal is provided. Both school-based and community-based instructional settings are suitable for effective learning and are barrier free. Class size and facilities are appropriate for safe student learning. First aid equipment is available and signage reflects an emphasis on safety.

Subp. 8. **Support services.** The district has policies to ensure that the learning environment is barrier free and accessible to members of special populations. Basic accommodations are made where necessary to address the needs of members of special population groups. Instructional staff are involved in decisions pertaining to individual educational programs and guidance pertaining to secondary to postsecondary transitions.

Statutory Authority: *L 2007 c 146 art 7 s 3*

History: *33 SR 1857; L 2017 1Sp5 art 12 s 22*

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3505.2600 PROGRAM COMPONENTS.

All program components and learner outcomes for specific program areas as specified in part 3505.2550 must be addressed to qualify for approval; however, emphasis shall be at the discretion of the local education agency with guidance from the program advisory committee.

Statutory Authority: *MS s 121.11; 124.573; 124.574; L 2007 c 146 art 7 s 3*

History: *12 SR 2746; L 1998 c 397 art 11 s 3; 33 SR 1857*

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3505.4300 COMMUNITY-BASED EDUCATION.

When a career and technical program includes a segment in which students are placed on a paid or unpaid experience outside the career and technical class or laboratory for more than 40 hours during the program, the local education agency shall meet the requirements for the employment related community-based education option of a program as stated in part 3505.2550.

Statutory Authority: *MS s 121.11; 124.573; 124.574; L 2007 c 146 art 7 s 3*

History: *12 SR 2746; L 1998 c 397 art 11 s 3; 33 SR 1857*

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3505.4800 ADMINISTRATIVE SERVICES.

Career and technical administrative services shall be designed to assist students to meet career and technical objectives. When a local education agency provides career and technical administrative services, students in career and technical programs shall be provided administrative services which are available to all students in the district(s) in addition to the career and technical administrative services.

Statutory Authority: *MS s 121.11; 124.573; 124.574; L 2007 c 146 art 7 s 3*

History: *L 1995 1Sp3 art 16 s 13; L 1998 c 397 art 11 s 3; L 1998 c 398 art 5 s 55; L 2003 c 130 s 12; 33 SR 1857*

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3505.4900 SUPPORT SERVICES.

Special needs supportive services shall assist students with special needs enrolled in career and technical instructional programs.

Statutory Authority: *MS s 121.11; 124.573; 124.574; L 2007 c 146 art 7 s 3*

History: *12 SR 2746; L 1998 c 397 art 11 s 3; 33 SR 1857*

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3505.5200 CAREER AND TECHNICAL REVENUE.

Career and technical revenue for secondary career and technical education programs consists of the following:

A. Federal career and technical education aid provided to school districts and consortia of school districts under the Carl D. Perkins Career and Technical Education Act and distributed according to the Minnesota state plan for career and technical education.

B. Local revenue generated by a district's career and technical education levy under Minnesota Statutes, section 124D.4531.

C. Transition-disabled aid provided under Minnesota Statutes, section 124D.454.

The state shall annually calculate a district's career and technical education levy authority from item B based on an estimated budget submitted from approved career and technical education programs operated in accordance with parts 3505.4300 to 3505.4900. Levy authority for salary, contracted instructional services, travel, curriculum development activities, and specialized instructional supplies and equipment shall be based on the estimated budget and prior year district enrollment. A levy correction shall be calculated based on actual expenditures and actual district enrollment.

When state and federal career and technical revenue is not adequate to pay the state share identified in career and technical education aid and levy laws, statewide proration of funds shall take place for all eligible estimated budget categories.

Statutory Authority: *MS s 121.11; 124.573; 124.574; L 2007 c 146 art 7 s 3*

History: *12 SR 2746; L 1998 c 397 art 11 s 3; L 2005 c 56 s 2; 33 SR 1857*

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3505.5300 REVENUE FOR SALARIES.

Subpart 1. **Eligibility of local education agency.** A local education agency is eligible for revenue according to Minnesota Statutes, section 124D.4531.

Subp. 2. **Eligibility for revenue for extended employment.** A district or center is eligible for career and technical revenue for extended employment at a maximum rate of:

- A. FTE teacher, six days;
- B. FTE teacher coordinator, 20 days.

Revenue must be prorated for a less than full-time equivalent teacher.

Subp. 3. **Eligibility for revenue for preparation time.** To be eligible for preparation time revenue, each teacher for whom a district claims the revenue must teach at least one career and technical period.

Revenue shall be available for up to a maximum of one hour of preparation time for a full-time equivalent teacher. Revenue must be prorated for a less than full-time equivalent teacher.

Subp. 4. **Eligibility for substitute staff.** A district or center shall be eligible for career and technical revenue for substitute staff holding career and technical licensure appropriate for responsibility when revenue is not being requested for salary for regular staff for the same time as the substitute.

Statutory Authority: *MS s 121.11; 124.573; 124.574; L 2007 c 146 art 7 s 3*

History: 12 SR 2746; L 1998 c 397 art 11 s 3; 33 SR 1857

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3505.5400 ELIGIBLE COST CATEGORIES.

Subpart 1. **UFARS object or program dimensions.** A district or cooperative center is eligible for revenue for the following costs. The object or program dimensions in the current edition of the Manual for the Uniform Financial Accounting and Reporting Standards (UFARS) for Minnesota Schools, State of Minnesota, Minnesota Department of Education must be used to define each category.

Subp. 2. **Contracted services.** Contracted services provided by a public or private agency other than a Minnesota public school district or cooperative center for instructional education services. Revenue is available for:

A. A resource specialist or a guest speaker employed by an entity described in this subpart who teaches part of a program under the supervision of a licensed secondary career and technical teacher. Contracted services for programs for persons with disabilities must be preapproved by the state program specialist. UFARS object dimensions 303 to 305 must be complied with.

B. A public or private agency other than a Minnesota school district or cooperative center that provides career and technical instructional education services. In order to be eligible for revenue:

(1) a binding contract must exist and be submitted with the annual program budget for approval; and

(2) the public or private agency must comply with all rules governing secondary career and technical education except for teacher-student ratios.

Subp. 3. **Necessary travel.** Necessary travel by career and technical staff in approved career and technical programs defined in parts 3505.2600 to 3505.4900 is eligible for revenue as follows:

A. necessary travel between career and technical instructional sites as defined in UFARS object dimension 365 or 366;

B. necessary travel by licensed secondary career and technical education personnel for career and technical student organization activities held within the state for instructional purposes related to the career and technical program and as defined in UFARS object dimension 365; and

C. necessary travel by licensed secondary career and technical education personnel for noncollegiate credit bearing professional development related to the career and technical program area as defined in UFARS object dimension 366.

Subp. 4. **Curriculum development.** Curriculum development that is part of a five-year plan for improvement based on program assessment as defined in UFARS program dimension 610.

A. The five-year plan must be submitted to the state program specialist for the career and technical program for approval. Yearly amendments are required if the plan or timelines deviate from the approved five-year plan.

B. The plan must identify the assessment process. The assessment must be a formal process involving teachers, administrators, business and industry, and the community. Program Evaluation and Reporting (PER), North Central Evaluation, Career and Technical Education Evaluation, or other evaluation process may be used.

C. The plan must be comprehensive and must consider the following:

- (1) mission of career and technical education;
- (2) coordination with district staff development plan;
- (3) Department of Education Curriculum Frameworks for the career and technical program;
- (4) update relevant to labor market information; and
- (5) articulation between levels and across subject matter areas.

D. The plan must include work to be accomplished, title of person involved, and estimated timelines.

E. The five-year plan must be approved by the local program advisory committee.

Subp. 5. **Specialized career and technical instructional supplies.** Revenue is available for specialized career and technical instructional supplies that are unique and essential to the instructional programs as defined in UFARS object dimension 433.

Statutory Authority: *MS s 121.11; 124.573; 124.574; L 2007 c 146 art 7 s 3*

History: *12 SR 2746; L 1995 1Sp3 art 16 s 13; L 1998 c 397 art 11 s 3; L 2003 c 130 s 12; L 2005 c 56 s 2; 33 SR 1857*

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3505.5500 AID FOR EQUIPMENT IN CAREER AND TECHNICAL EDUCATION PROGRAMS FOR STUDENTS WITH DISABILITIES (TRANSITION-DISABLED PROGRAMS).

A local education agency shall be eligible for aid at a rate up to the percentage rate set by the legislature for expenditures to lease or purchase equipment to develop occupational competencies in an approved instructional program. Equipment requests shall be preapproved by the commissioner of education to be eligible for aid.

Statutory Authority: *MS s 121.11; 124.573; 124.574; L 2007 c 146 art 7 s 3*

History: *12 SR 2746; L 1995 1Sp3 art 16 s 13; L 1998 c 397 art 11 s 3; L 2003 c 130 s 12; L 2005 c 56 s 2; 33 SR 1857*

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3505.5600 AID LIMITATIONS.

Expenditures jointly funded by career and technical and special education or other sources (not including general education revenue and local levy) shall be eligible for revenue at a rate not to exceed the maximum of either revenue. When a district or center sells products or services produced in an approved program, the revenue from sales shall be recognized. This revenue may be used for expenditures which are directly related to an approved secondary career and technical program. If the revenue from sale of products or services exceeds the cost to produce those products or services in any fiscal year, the excess revenue shall be used in another career and technical program.

Statutory Authority: *MS s 121.11; 124.573; 124.574; L 2007 c 146 art 7 s 3*

History: *12 SR 2746; L 1998 c 397 art 11 s 3; 33 SR 1857*

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3505.5700 CAREER AND TECHNICAL LEVY APPLICATION PROCEDURE.

Subpart 1. **Submission of annual program budget.** The authorized local administrator shall be responsible for submitting the annual program budget, program budget amendments, program final expenditure report, and annual report.

Subp. 2. **Eligibility for career and technical levy.** To be eligible for career and technical levy, the annual program budget shall be submitted by May 15 prior to the fiscal year for which levy authority is requested. Districts or centers shall be notified of program budget approval or disapproval by June 15. To be eligible for career and technical levy, annual program budgets must be approved by the commissioner of education. When personnel are assigned instructional responsibilities outside the approved career and technical program or general supervisory responsibilities, the salary request shall be prorated on the program budget.

Districts or centers whose career and technical budgets have been disapproved by the commissioner of education may appeal in writing to the commissioner of education for review. The results of the review shall be transmitted to the local board of education in writing.

Subp. 3. [Repealed, 33 SR 1857]

Statutory Authority: *MS s 121.11; 124.573; 124.574; L 2007 c 146 art 7 s 3*

History: *12 SR 2746; L 1995 1Sp3 art 16 s 13; L 1998 c 397 art 11 s 3; L 2003 c 130 s 12; 33 SR 1857*

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3505.5800 ANNUAL REPORT.

Districts and centers shall maintain records of revenue and disbursements for programs, administrative and support services for which career and technical revenue is requested in accordance with the Uniform Financial Accounting and Reporting Standards (UFARS). Final report data shall be submitted to the commissioner of education by October 30 of each year.

Statutory Authority: *MS s 121.11; 124.573; 124.574; L 2007 c 146 art 7 s 3*

History: *L 1995 1Sp3 art 16 s 13; L 1998 c 397 art 11 s 3; L 2003 c 130 s 12; 33 SR 1857*
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3505.5900 STUDENT ELIGIBILITY.

A student who is eligible to attend a Minnesota senior secondary public school is eligible to enroll in the career and technical programs of the school. A student enrolled in a work experience/career exploration (WE/CEP) program is excepted from this student eligibility requirement. Students from other states or provinces may be served. When nonresidents of Minnesota are provided approved instructional programs, administrative and support services in Minnesota districts or centers, revenue requests shall be prorated to reflect only the percentage of Minnesota students being served.

Statutory Authority: *MS s 121.11; 124.573; 124.574; L 2007 c 146 art 7 s 3*

History: *L 1998 c 397 art 11 s 3; 33 SR 1857*

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