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# CHAPTER 19. CAREER AND TECHNICAL EDUCATION PROGRAMS AND STANDARDS

## SUBCHAPTER 1. GENERAL PROVISIONS

### 6A:19-1.1 Purpose and scope

- (a) The rules in this chapter delineate the State system of career and technical education, which has as its purpose to:
1. Support developmental career education designed to provide students opportunities to enhance career awareness, exploration, preparation, and decision-making skills necessary for success in the workplace;
  2. Provide secondary and postsecondary students with career and technical education programs and programs of study in Department-recognized Career Clusters that, in fulfillment of the New Jersey Student Learning Standards, shall:
    - i. Include implementation of curriculum and instructional methods that incorporate academic and technical standards;
    - ii. Include structured learning experiences as defined at N.J.A.C. 6A:19-1.2, Definitions;
    - iii. Address industry standards, where available;
    - iv. Provide a variety of learning experiences to best serve the multiple learning styles of students;
    - v. Provide for multiple pathways to prepare for careers and gainful employment, and/or continuing education, such as college, postsecondary career and technical education, specialized certification, and/or registered apprenticeships;
    - vi. Encourage life-long learning and productive citizenship;

3. Support a comprehensive K-12 career education and counseling system; and
  4. Support the workforce development system by helping to ensure quality postsecondary educational opportunities for adult students.
- (b) This chapter establishes the general provisions governing career and technical education, and specifies the standards and procedures regarding career and technical education in the areas of:
1. Provision of career and technical education;
  2. Development, approval and delivery of career and technical education programs and programs of study;
  3. Provision of structured learning experiences;
  4. Implementation of the career and technical education accountability system;
  5. Development and implementation of safety and health standards; and
  6. Contracting of services of career and technical training providers.

### **6A:19-1.2 Definitions**

The following words and terms shall have the following meanings when used in this chapter unless the context clearly indicates otherwise. Specialized terms unique to a specific subchapter are defined within that subchapter. “Career and technical education” is used synonymously throughout this chapter with “vocational-technical education” in places where “vocational-technical education” must be retained due to its basis in State statute.

“Admissions policy” means the process established by a county vocational school district for admittance of students into a career and technical education program or program of study.

“Apprenticeship training” means a paid structured learning experience in which students enrolled

in an approved program are placed into an employer-sponsored training program to learn a skilled trade or technical occupation that is clearly identified and commonly recognized throughout an industry, and that is customarily learned in a practical way through a structured, systematic program of on-the-job supervised training. Apprenticeship training involves manual, mechanical, or technical skills and knowledge, and requires related theoretical instruction to supplement the on-the-job training. Apprentice training programs are registered with the New Jersey Department of Labor and Workforce Development and the U.S. Department of Labor, Bureau of Apprenticeship and Training, in compliance with 29 CFR §§ 29.29 and 29.30.

“Approved program” means career and technical education programs and programs of study that are developed and implemented in accordance with N.J.A.C. 6A:19-3.1, Program requirements, and 3.2, Program approval, and N.J.S.A. 18A:54-24, Approval of courses of study.

“Career and technical education” means organized educational activities that: offer a sequence of courses that provide individuals with the 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; provides technical skill proficiency, an industry-recognized credential, a certificate, or an associate degree; may include prerequisite courses (other than a remedial course) that meet the requirements of this definition; and 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.

“Career and technical education student” means a student who enrolls in an approved career and technical education program or program of study.

“Career and technical student organization” means an organization that engages students in career and technical education activities as an integral part of the instructional program. Such organizations must have State and national units that establish and coordinate the work and purposes of instruction in career and technical education at the local level.

“Career Clusters” means the 16 distinct groupings of occupations and industries based on the required knowledge and skills that are recognized by the U.S. Department of Education and by the New Jersey Department of Education.

"Classification of Instructional Programs (CIP)" means the taxonomic scheme that supports the accurate tracking, assessment, and reporting of fields of study and program completion activity. CIP was originally developed by the U.S. Department of Education's National Center for Education Statistics (NCES) in 1980, with revisions occurring in 1985 and 1990.

“Cooperative education experience” means a paid structured learning experience, which is a method of education for individuals who, through written cooperative arrangements between a school and employers, receive instruction, including required rigorous and challenging academic courses and related career and technical education instruction, by alternation of study in school with a job in any occupational field, that:

1. Shall be planned and supervised by the school and employer so each contributes to the education and employability of the individual; and
2. May include an arrangement in which work periods and school attendance may be on alternate half days, full days, weeks, or other periods of time in fulfilling the cooperative program.

“County vocational school district” means a school district established by a county board of

chosen freeholders, pursuant to N.J.S.A. 18A:54-2 and 18A:54-12, for the purpose of providing efficient occupational, technical and academic education opportunities to secondary and postsecondary students.

“Course” means an organization of subject matter and related learning experiences designed to meet a career and technical education objective provided for the instruction of students as part of an approved career and technical education program or program of study.

“Displaced homemaker” means an individual who:

1. Has worked primarily without remuneration to care for a home and family, and for that reason has diminished marketable skills; and
2. Is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment; and
  - i. Is a parent whose youngest dependent child will become ineligible to receive assistance under part A of Title IV of the Social Security Act (42 U.S.C. §§ 601 et seq.) not later than two years after the date on which the parent applies for assistance under this title; or
  - ii. Has been dependent on the income of another family member but is no longer supported by that income.

“Economically disadvantaged student” means a student who is a member of a household that meets Federal income poverty eligibility guidelines for free and reduced price meals or free milk established under the Richard B. Russell National School Lunch Act, 42 U.S.C. §§ 1758(b)(1) and 1766(c)(4) and the Child Nutrition Act of 1966 42 U.S.C. §§ 1772(a)(6) and 1773(e)(1)(A), incorporated herein by reference, as amended and supplemented. The U.S. Department of Agriculture annually issues the Income Eligibility Guidelines for free and reduced price meals

for the National School Lunch Program (7 CFR Part 210).

“Employer/agency agreement” means a written, signed agreement between a school district and an employer or agency in which the terms and conditions of a structured learning experience are detailed, as well as the responsibilities of the participating parties, including the school district, the host employer or agency, the student, and the parent or guardian.

“Hazard analysis” means a method of reviewing career and technical education program tools, equipment, materials, procedures, and processes to identify potential causes of injury or illness.

“Hazardous occupation” means occupations regulated by State and Federal child-labor and wage-and-hour laws, regulations, and hazardous orders as prohibited for minors with limited exemptions permitted for students who are enrolled in an approved career and technical education program or program of study and who are participating in a cooperative education experience or apprenticeship training.

“Hazardous structured learning experiences” means work-based activities regulated by State and Federal child-labor and wage-and hour-laws, regulations, and hazardous orders as prohibited for minors with limited exemptions permitted for students who are enrolled in an approved career and technical education program or program of study and who are participating in a cooperative education experience or apprenticeship training.

“Hazardous substance” means any substance or substance contained in a mixture included on the workplace hazardous substance list developed by the Department of Health, pursuant to N.J.S.A. 34:5A-5, introduced by an employer to be used, studied, produced, or otherwise handled at a facility.



“Incident reporting form” means the electronic form provided by the Department for school districts to identify reportable incidents for submission to the Department.

"Individual with limited English proficiency" means a secondary school student, an adult, or an out-of-school youth who has limited ability in speaking, reading, writing, or understanding the English language, and:

1. Whose native language is a language other than English; or
2. Who lives in a family or community environment in which a language other than English is the dominant language.

“Internship” means paid or unpaid structured learning experiences in non-hazardous occupations that are designed for career exploration and include supervised practical training.

“Job shadowing” means unpaid structured learning experiences in which students determine by observation, interview, and study the pertinent information related to an occupation or career.

“National and community service project” means unpaid structured learning experiences in nonhazardous settings in which students participate in any project, program, or undertaking designed to provide, or assist in providing, activities or services to promote conservation, restoration, or preservation of natural resources, open space of the environment, or public health, education and welfare among the general population or segments of the population having identifiable needs or deficiencies.

"Nontraditional fields" means occupations or fields of work in which individuals from one gender comprise less than 25 percent of the individuals employed in each such occupation or

field of work.

"Perkins Act" means the Carl D. Perkins Career and Technical Education Improvement Act of 2006, 20 U.S.C. §§ 2301 et seq., which has as its purpose to more fully develop the academic and career and technical skills of secondary and postsecondary education students who elect to enroll in career and technical education programs and programs of study.

"Postsecondary educational institution" means an institution legally authorized to provide postsecondary education within the State, including county colleges, county vocational school districts, and private career schools.

"Program of study" means career and technical content areas that: incorporate secondary and postsecondary education elements; include coherent and rigorous content aligned with challenging academic standards and relevant career and technical content in a coordinated, nonduplicative progression of courses that align secondary and postsecondary education to adequately prepare students to succeed in postsecondary education; may include the opportunity for secondary students to participate in dual- or concurrent-enrollment programs or acquire postsecondary credit in other ways; and lead to an industry-recognized credential at the postsecondary level, or an associate or baccalaureate degree.

"Reportable incident" means any injury or illness incurred by a student or teacher resulting from participation in a career and technical education program or program of study, occurring either on school premises or off-premises at an approved structured learning experience training site, including travel to or from the off-premises site, or any other individual who incurred an injury or illness in a career and technical education classroom, and that requires treatment by a licensed medical doctor.

“Rigorous activities” means student activities with identifiable educational goals that support the New Jersey Student Learning Standards.

“School-based enterprises” means structured learning experiences in nonhazardous settings that are part of enterprises that involve the production of goods and services by students for sale to or use by others.

“Service learning” means unpaid structured learning experiences in nonhazardous settings taking place in the community that are designed to foster students’ community service and civic responsibility.

"Special populations" means:

1. Individuals with disabilities;
2. Individuals from economically disadvantaged families, including foster children;
3. Individuals preparing for nontraditional fields;
4. Single parents, including single pregnant women;
5. Displaced homemakers; and
6. Individuals with limited English proficiency.

“State Board of Education” or “State Board” means the New Jersey State Board of Vocational Education. Under P.L. 109–270 and designated by N.J.S.A. 18A:59-5, the State Board of Vocational Education is established as the agent for the State in securing for the State the benefits of Federal career and technical education appropriations.

"State Employment and Training Commission" means the State commission established under

P.L.1989, c.295, to develop and assist in the implementation of a State employment and training policy with the goal of creating, in concert with the efforts of the private sector, a coherent, integrated system of employment and training programs and services that will provide each citizen of the State with equal access to the learning opportunities needed to attain and maintain high levels of productivity and earning power.

"State Plan" means the State Plan for Career and Technical Education that: describes the career and technical education programs, programs of study, and activities to be carried out by the State as authorized by the State Board; is accepted by the U. S. Department of Education; and is required under P.L. 109-270.

“Structured learning experience (SLE)” means experiential, supervised, in-depth learning experiences aligned to the New Jersey Student Learning Standards that are designed to offer students the opportunity to more fully explore career interests within one or more of the Career Clusters. SLEs are designed as rigorous activities that are integrated into the curriculum and that provide students with opportunities to demonstrate and apply a high level of academic, and/or technical skills, and develop personal, academic and career goals.

“Student training plan” means a written plan describing the student learning objectives, activities, and assessments as part of a structured learning experience.

"Student with a disability" means a student who is eligible for special education and related services pursuant to N.J.A.C. 6A:14.

“Supervised agriculture experience” means activities for students who are enrolled in approved agriculture, food, and natural resources programs that are designed to promote career

exploration; research, experimentation, and analysis; and business ownership and entrepreneurship; and placements into paid and unpaid external, work-based, supervised structured learning experiences in agriculture-related businesses.

“Technical skills assessment” means a written and/or performance assessment that may result in licensure, an industry certification, or a credential related to a specific career.

“Volunteer experience” means an unpaid structured learning experience where individuals donate their services to nonprofit or public-sector employers for civic, religious, or humanitarian objectives.

“Work Experience Career Exploration Program (WECEP)” means a school-supervised or -administered work experience program designed to permit students between the ages of 14 and 16 to explore career possibilities while they earn credit for both in-school related instruction and on-the-job experience. The program allows for the employment of minors, whom authoritative school district personnel identify as being able to benefit from the program, in otherwise prohibited circumstances for up to 23 hours per week when school is in session and for no more than three hours in any one day. WECEP programs must follow Department guidelines as approved by the U.S. Department of Labor, Employment and Training Administration, Wage and Hour Division.

## **SUBCHAPTER 2. PROVISION OF CAREER AND TECHNICAL EDUCATION**

### **6A:19-2.1 Administration of career and technical education programs and programs of study**

- (a) Career and technical education programs shall be conducted within the framework of the State Plan and delivered through a coordinated system that includes State, county, and local programs.
- (b) Career and technical education shall be provided by district boards of education (including county vocational boards of education), charter schools, State agencies, or schools for the disabled, or under contract with approved private career schools, pursuant to N.J.A.C. 6A:19-2.4.
- (c) A district board of education shall not apply the term “career and technical” or “vocational-technical” to any of its schools, programs, or programs of study unless those schools, programs or programs of study are approved by the Department and meet the general requirements included in the approved State Plan for Career and Technical Education.
- (d) A district board of education seeking to receive State and/or Federal funds for activities in any career and technical education program or program of study included in N.J.S.A. 18A:54-1 et seq. shall meet the program requirements established pursuant to N.J.A.C. 6A:19-3.1.
- (e) A district board of education may establish career and technical education programs and programs of study approved pursuant to N.J.A.C. 6A:19-3.1 as part of a separate career and technical high school or as part of a comprehensive high school curriculum.
- (f) A district board of education shall file with the Commissioner annual financial and statistical reports on activities in a career and technical education program or program of study to be eligible to receive State or Federal aid.
- (g) A district board of education operating a career and technical education program or program of study shall account for and credit to the career and technical education account of the school district all proceeds from the sale or resale of any articles, materials, or services produced in the various classes and shops maintained under the

career and technical education program or program of study.

- (h) A district board of education, State agency, or private school for students with disabilities operating a career and technical education program or program of study shall maintain evaluation procedures designed to ensure that an applicant student's health-related condition does not present an impairment to the student's safety or the safety of other students or teachers in the program.
- (i) A district board of education operating a career and technical education program or program of study shall comply with all requirements pursuant to N.J.A.C. 6A:19-6, Safety and Health Standards, in the administration and operation of the programs.

**6A:19-2.2 Delivery of career and technical education programs and programs of study by county vocational school districts**

- (a) County vocational school district career and technical education programs and programs of study shall provide a broad range of relevant programs for students.
- (b) The county system for career and technical education shall include secondary and postsecondary programs identified by the county board of vocational education as needed.
- (c) Approval of county vocational school district programs shall be based upon satisfaction of the requirements under N.J.A.C. 6A:19-3.1.

**6A:19-2.3 Access to county vocational schools**

- (a) Each resident district board of education shall ensure that resident students may apply to and, if accepted, attend a county vocational school pursuant to N.J.S.A. 18A:54-20.1.  
The existence of the same career and technical education program at the resident district

board of education shall not negate a student's right to apply to and, if accepted, attend a county vocational school, subject to the following limitations:

1. The resident district board of education shall be responsible for the tuition and transportation costs of any resident student admitted to the county vocational school in which the school district is located, unless the resident district board of education maintains a vocational school pursuant to N.J.S.A. 18A:54-5 et seq., and such school offers the same program as the county vocational school where the student has been admitted. A program shall be deemed the same, for purposes of this section, if it is approved by the Department in accordance with N.J.A.C. 6A:19-3.1 and 3.2, is assigned the same Classification of Instructional Programs (CIP) code, and meets or exceeds all applicable program performance standards; and
  2. The resident district board of education shall be responsible for the tuition, transportation costs, and nonresident fee (where applicable) of any resident student admitted to a county vocational school outside the county in which the resident school district is located, unless the district board of education maintains a vocational school pursuant to N.J.S.A. 18A:54-5 et seq., or the county in which the resident school district is located maintains a county vocational school, and either of these schools offers the same program as the non-resident county vocational school where the student has been admitted. A program shall be deemed the same, for purposes of this section, if it is approved by the Department in accordance with N.J.A.C. 6A:19-3.1 and 3.2, is assigned the same Classification of Instructional Programs (CIP) code, and meets or exceeds all applicable program performance standards.
- (b) A county vocational school district shall admit resident students based on board-approved policies and procedures that ensure equity and access for enrollment that shall be posted



on the school district's website. A county vocational school district shall similarly admit non-resident students to the extent that space is available, pursuant to N.J.S.A. 18A: 54-20.1.b.

- (c) County vocational school districts receiving students from a district board of education shall enter into written contractual agreements for estimated tuition rates not to exceed the limitations imposed by N.J.S.A. 18A:54-23.4.
- (d) A district board of education shall provide a county vocational school district and its designated representative(s) with reasonable opportunity, during school hours, to present information about the county vocational school district's programs to all students, grades K-12, in the schools of the district board. No district board of education may in any manner inhibit student access to such information.

#### **6A:19-2.4 Career and technical instruction under contract**

- (a) A district board of education may contract with a private career school for a program or portion of a program on an individual or group basis. Such contract shall be entered into upon a determination by the district board of education of satisfactory assurance that:
  - 1. The contract is in accordance with State or local law;
  - 2. The instruction being sought is not offered at a comparable cost by a district board of education within reasonable proximity of the district board of education seeking the career and technical education;
  - 3. The instruction to be provided under contract will be conducted as a part of a Department-approved career and technical education program and will constitute a reasonable and prudent use of available funds;
  - 4. The private career school holds a current certificate of approval, as defined in N.J.A.C. 6A:19-7.2, jointly issued by the Department of Education and the

Department of Labor and Workforce Development to enroll students in the subject to be taught, and such approval must have been held by the private career school for at least two consecutive years immediately preceding the contract's execution; and

5. The private career school has conducted criminal history record checks pursuant to N.J.S.A. 18A:6-7.1.

### **SUBCHAPTER 3. DEVELOPMENT, APPROVAL, AND DELIVERY OF CAREER AND TECHNICAL EDUCATION**

#### **6A:19-3.1 Program requirements**

- (a) A district board of education intending to offer a career and technical education program or program of study shall meet the following requirements:
  1. Document a need for the program in a high-skill, high-wage, or high-demand current or emerging occupation;
  2. Establish a career and technical education program advisory committee that includes parents, students, career and technical education teachers licensed in the program area, school counseling staff, representatives of business and industry with content expertise in the program area, labor organizations, school district representatives of special populations, postsecondary institutions, and other interested individuals representing the appropriate programs;
  3. Establish admission requirements that include equity and access for all populations, including special populations and special education students;
  4. Hire instructional staff holding the appropriate certificates;
  5. Develop enrollment projections of the program for the first three years of the

program's operation;

6. Develop a program curriculum, which shall include:
  - i. A coherent sequence of courses of not fewer than three identifiable courses;
  - ii. Classroom instruction combined and coordinated with field, shop, or laboratory experiences, structured learning experiences, or other experiences which are appropriate to the competencies of the career clusters;
  - iii. Academic content that is aligned to the New Jersey Student Learning Standards for secondary programs;
  - iv. Content that meets industry-approved or nationally-recognized skill standards;
  - v. Industry-recognized credentials and skill certificates, when available;
  - vi. A valid third-party technical skills assessment, when available;
  - vii. Opportunities to participate in structured learning experiences implemented in accordance with N.J.A.C. 6A:19-4;
  - viii. Opportunities to participate in career and technical student organizations;  
and
  - ix. A career and technical education safety and health program and plan if the program is in a hazardous occupation;
7. Provide adequate resources required to operate the program, including sufficient and appropriate instructional and support staff, facilities, and equipment;
8. Establish relevant postsecondary education and training linkages; and
9. Establish procedures for the evaluation of student and program performance and methods to improve programs based upon evaluation results.

### **6A:19-3.2 Program approval and re-approval**

A district board of education that seeks to operate or continue operating a career and technical education program or program of study and that seeks to place or supervise students in apprenticeship training or cooperative education experiences, and/or apply for or receive Carl D. Perkins funds or its successor to support the program or programs shall meet all of the requirements under N.J.A.C. 6A:19-3.1, and shall apply to the Department for initial program approval and re-approval every five years.

### **6A:19-3.3 Programs and services for students with specialized needs**

Career and technical education programs, programs of study, and services for special education students and students who are members of special populations shall be provided in accordance with N.J.A.C. 6A:14, Special Education, 6A:15, Bilingual Education, and 6A:17, Education for Homeless Children and Students in State Facilities, and other relevant State and Federal laws and regulations.

### **6A:19-3.4 Career education and counseling**

A district board of education, in fulfillment of the New Jersey Student Learning Standards, shall develop and implement a comprehensive guidance and academic counseling program for all students to facilitate career awareness, exploration, and preparation, in accordance with N.J.A.C. 6A:8-3.2. The program shall be designed to: assist students in making and implementing informed educational and career choices, including opportunities to change career focus; and support students' academic attainment, career development, and personal/social development.

## SUBCHAPTER 4. STRUCTURED LEARNING EXPERIENCES

### 6A:19-4.1 Requirements of structured learning experiences

- (a) Each district board of education shall offer all high school students opportunities to explore career interests through participation in structured learning experiences linked to the New Jersey Student Learning Standards.
- (b) Students participating in structured learning experiences shall be a minimum of 16 years of age, pursuant to N.J.A.C. 12:58-1, Child labor, and N.J.A.C. 12:56-18, Wage and Hour, with the following exceptions:
  - 1. Students of any age shall be permitted to participate in job-shadowing structured learning experiences, which do not include hands-on activities; and
  - 2. Students who are a minimum of 14 years of age shall be permitted to participate in a Work Experience Career Exploration Program (WECEP) pursuant to 29 CFR Part 570.35a.
- (c) District boards of education shall maintain appropriate records for the structured learning experience, and may destroy such records once the student reaches the age of 21, pursuant to N.J.S.A. 34:2-21.12, Child labor.
- (d) Transportation of the student to and from the structured learning experience site shall be the responsibility of the student, unless otherwise required pursuant to N.J.A.C. 6A:14.
- (e) District boards of education shall develop structured learning experiences in compliance with all Federal and State statutes, regulations, and hazardous orders. All Federal and State statutes, regulations, and hazardous orders can be found in the New Jersey Structured Learning Experience Manual.

**6A:19-4.2 Requirements and authority of structured learning experience coordinating personnel**

- (a) Each district board of education shall ensure that students enrolled in approved programs and participating in cooperative education experiences or apprenticeship training are supervised by school personnel who meet the requirements at N.J.A.C. 6A:9B-12.19, Cooperative education coordinator--hazardous occupations, or 12.20, Cooperative education coordinator, as appropriate.
- (b) Each district board of education shall ensure that structured learning experiences other than apprenticeship training and cooperative education experiences shall be coordinated by school personnel who are assigned by the chief school administrator of the employing district board of education and who meet the following requirements:
  - 1. Holds a standard instructional certificate;
  - 2. Presents evidence of one year of full-time, successful classroom teaching experience;
  - 3. Completes training in child-labor, wage-and-hour, and wage-payment laws and regulations, as required by the Department of Labor and Workforce Development and the U.S. Department of Labor in accordance with N.J.S.A. 34:2-21 and 57, N.J.S.A. 34:11-4 and 56, N.J.A.C. 12:56 and 12:58, and 29 CFR 570 and 1900. Courses that fulfill these training requirements are identified in the New Jersey Structured Learning Experience Manual; and
  - 4. Completes a minimum of 20 hours of training or a Department-approved equivalent program in safety and health, and training on the required Department procedures and planning for SLEs. Courses that fulfill these training requirements are identified in the New Jersey Structured Learning Experience Manual.
- (c) The assigned staff member shall have full responsibility for the student's structured

learning experience to ensure that the placement is appropriate to the student's skills, abilities, and career goals pursuant to N.J.A.C. 6A:8-5.1(a)2. The site assignment shall constitute a training and learning situation, be free of student exploitation, and shall comply with applicable safety and health standards and Federal and State child-labor laws, regulations, and hazardous orders.

## **SUBCHAPTER 5. CAREER AND TECHNICAL EDUCATION ACCOUNTABILITY SYSTEM**

### **6A:19-5.1 Performance targets and core indicators**

- (a) Each district board of education and State agency that offers career and technical education programs and programs of study established and operated in accordance with N.J.A.C. 6A:19-3.1 shall be responsible for achieving the Statewide performance targets for a series of core indicators for secondary and postsecondary career and technical education students, and other indicators of performance for career and technical education activities authorized under this chapter.
  1. Each district board of education and State agency shall achieve the levels of performance prescribed by the Department in the following areas:
    - i. For secondary students:
      - (1) Academic attainment in reading/language arts;
      - (2) Technical skill attainment;
      - (3) Student graduation rates;
      - (4) Academic attainment in mathematics;
      - (5) Placement—employment, postsecondary education, or advanced training, or military service;
      - (6) Non-traditional student participation; and

- (7) Non-traditional student completion.
      - ii. For postsecondary students in county vocational school districts or in two- or four-year institutions of higher education:
        - (1) Technical attainment;
        - (2) Credential, certificate, or degree attainment;
        - (3) Placement--employment, further education, or military service;
        - (4) Retention--education, employment, or military service;
        - (5) Non-traditional student participation; and
        - (6) Non-traditional student completion.
    2. District boards of education and State agencies, as described under (a)1 above, shall also identify in the local plans the level of performance targeted for each of the core indicators of performance.
  - (b) District boards of education and State agencies that offer career and technical education programs and programs of study established and operated in accordance with N.J.A.C. 6A:19-3.1 and that receive Federal and/or State funds in support of the programs shall be responsible for the appropriate and timely expenditure of those funds for career and technical education instructional activities.

### **6A:19-5.2 Program evaluation and reporting**

District boards of education and State agencies that offer career and technical education programs and programs of study established and operated in accordance with N.J.A.C. 6A:19-3.1 shall report to the Department the results of an annual evaluation of the programs conducted in accordance with N.J.A.C. 6A:19-5.1.



## **SUBCHAPTER 6. SAFETY AND HEALTH STANDARDS**

### **6A:19-6.1 Applicability and implementation of safety and health standards for career and technical education**

All safety and health standards contained in this subchapter apply to career and technical education programs, programs of study, and structured learning experiences.

### **6A:19-6.2 Safety and health standards: adoption by reference**

- (a) The standards contained in N.J.A.C. 12:100, Safety and Health Standards for Public Employees, are adopted as safety and health standards for career and technical education students, programs, and programs of study.
- (b) The standards are available for review at the New Jersey Department of Labor and Workforce Development, Office of Public Employees' Occupational Safety and Health, PO Box 386, Trenton, NJ 08625-0386.

### **6A:19-6.3 Other applicable environmental, safety, and health rules**

All district boards of education and other institutions and agencies operating career and technical education programs, programs of study, and structured learning experiences, shall comply with all applicable environmental, safety, and health laws, including child labor laws, where applicable, not referenced in this subchapter that have been adopted by the New Jersey Department of Education, the New Jersey Department of Community Affairs, the New Jersey Department of Labor and Workforce Development, the New Jersey Department of Environmental Protection, the New Jersey Department of Health and Senior Services, the United

States Environmental Protection Agency, and the United States Department of Labor.

**6A:19-6.4 Safety and health plan for career and technical education**

- (a) All district boards of education and other institutions and agencies operating a career and technical education program, program of study, cooperative education experience, and/or apprenticeship training in a hazardous occupation shall organize, adopt, and implement a written Career and Technical Education Safety Health Plan describing the safety and health program being used to protect students and staff from safety and health risks in the career and technical education classroom or at a school-sponsored cooperative education experience or apprenticeship training worksite. The Career and Technical Education Safety Health Plan shall be aligned to the self-inspection checklists contained in the New Jersey Safe Schools Manual for career and technical education. The self-inspection checklists were developed by the Environmental and Occupational Health Sciences Institute for this purpose, and are based upon statutes, regulations, and hazardous orders impacting career and technical education, cooperative education experiences, and apprenticeship training promulgated by the State Department Labor and Workforce Development, among others, and Federal agencies such as the Department of Labor and the Occupational Safety and Health Administration, among others. The self-inspection checklists may be downloaded from the Department's website. A copy of the Career and Technical Education Safety and Health Plan, indicating the district board of education, the agency, or institution's adoption and approval, shall be retained on file by the agency or institution and made available, upon request, to the Department.
- (b) As changes are made to the school district's safety and health program, the Career and Technical Education Safety and Health Plan shall be updated to reflect the changes. The plan shall be readopted by the district board of education every five years from the date

of the plan's initial approval by the district board of education.

- (c) Each district board of education and other institution or agency operating a career and technical education program, or program of study in a hazardous occupation shall designate a person or persons who shall oversee updating and implementation of the approved Career and Technical Education Safety Health Plan.
- (d) The Career and Technical Education Safety and Health Plan shall contain, as a minimum, the following:
  - 1. A statement of the general policies for the safe and healthy operation of all career and technical education programs, programs of study, cooperative education experiences, and apprenticeship training in hazardous occupations;
  - 2. The individuals and/or groups responsible for implementing the Career and Technical Education Safety and Health Plan;
  - 3. District board of education objectives for the Career and Technical Education Safety and Health Plan;
  - 4. The procedures required for conducting a safety and health hazard analysis for each career and technical education program, program of study, cooperative education experience, and apprenticeship training in a hazardous occupation in operation, pursuant to the requirements of the State and Federal departments and agencies identified in N.J.A.C. 6A:16-6.4(a). Guidance for developing these procedures is contained in the New Jersey Safe Schools Manual for career and technical education. Procedures should include, but are not limited to:
    - i. Periodic inspections and maintenance of facilities, tools, machines, equipment, personal protective devices, and hazardous substances, and for the elimination of potential or identified hazards; and
    - ii. Specific statements of practices and precautions required for safe and healthy operation within each program;

5. Emergency procedures to be followed in the event of an injury, illness, hazardous spill, fire, or other emergency situation involving a student, teacher, or any other individual in the career and technical education classroom;
6. Methods to be used to ensure that all students participating in career and technical education programs, programs of study, cooperative education experiences, and apprenticeship training in hazardous occupations are provided safety and health education and training. Such education and training shall include, but not be limited to, the following:
  - i. Hazards and hazardous equipment, supplies, and materials associated with the career and technical education program, program of study, cooperative education experience, or apprenticeship training, including methods for incorporating the results of hazard analysis;
  - ii. Safe practices and precautions to be used to prevent injury and illness; and
  - iii. Procedures and methods to be used to document and assess students' knowledge of safety and health practices and procedures;
7. A system, which may include disciplinary action, to ensure that students comply with safe and healthy practices;
8. Procedures to ensure that all new career and technical education staff and students receive appropriate initial safety and health program training prior to working or participating in any career and technical education program, program of study, cooperative education experience, or apprenticeship training in a hazardous occupation; and
9. Procedures required for the investigation of all reportable incidents under N.J.A.C. 6A:19-6.5, Reporting requirements, and for implementation of a corrective action plan.

### **6A:19-6.5 Reporting requirements**

- (a) District boards of education shall notify the Department of any reportable incident involving career and technical education program students, or staff, or others participating in any career and technical education program, program of study, cooperative education experience, or apprenticeship training. The report shall be made within five working days of the occurrence on the electronic incident reporting form supplied by the Department.
- (b) District boards of education shall investigate reportable incidents and shall implement corrective action, as needed, to prevent similar incidents from being repeated in the future. The corrective action that is implemented shall be recorded on the electronic incident reporting form.

### **6A:19-6.6 Securing machines and equipment**

- (a) Each machine shall be so constructed, installed, and maintained as to be free from excessive vibration.
- (b) Arbors and mandrels shall be so constructed, installed and maintained as to have firm and secure bearing and be free from play.
- (c) Machines and equipment requiring the presence of an operator shall not be left unattended while in operation or still in motion.
- (d) An electrical power control shall be provided on each machine to make it possible for the operator to cut off the power without leaving the operating position.
- (e) On all nonportable motorized equipment and machinery, a magnetic-type switch shall be provided to prevent machines from automatically restarting upon restoration of power after an electrical failure or electric cutoff.

- (f) Power controls and operating controls shall be located within easy reach of the operator while the operator is at the regular work location, thereby making it unnecessary to reach over the point of operation to make adjustments.
- (g) Each machine operated by electrical power shall be provided with positive means for rendering it inoperative while repairs or tool changes are being made.
- (h) Push-type emergency cutout switches shall be provided at appropriate locations within shops to de-energize the electrical supply to nonportable machinery in accordance with N.J.A.C. 6A:26-6.3(f)1.
- (i) Power tools and machines in shops which generate dust shall be provided with dust collecting equipment in accordance with N.J.A.C. 6A:26-6.3(b)5.

#### **6A:19-6.7 Storage of flammable and combustible materials**

- (a) Flammable and combustible liquids in storage shall be kept in the original closed container supplied by the manufacturer or in approved safety cans.
- (b) Flammable or combustible liquids not in storage and ready for use shall be transferred from the original closed container to approved safety cans. This does not apply to finishing or other materials designed to be used from the original closed container, provided the container is resealed immediately after use.
- (c) Approved oily waste cans shall be provided for the disposal of materials that have come into contact with flammable or combustible liquids or other materials that can support spontaneous combustion.
- (d) Flammable or combustible liquids shall be stored in accordance with the requirements as specified in the 2003 National Fire Protection Association (NFPA) 30, "Flammable and Combustible Liquids Code," which is incorporated herein by reference, as amended and supplemented. This document may be purchased from the National Fire Protection

## **SUBCHAPTER 7. PRIVATE CAREER SCHOOLS**

### **6A:19-7.1 Purpose and authority**

The rules in this subchapter define the programmatic requirements for private career schools, which are qualifying schools as defined in N.J.S.A. 34:15C-10.1, to award certificates to students to participate in the workforce development system, in accordance with N.J.S.A. 34:15D-1 et seq. and N.J.A.C. 12:41.

### **6A:19-7.2 Definitions**

The following words and terms shall have the following meanings when used in this subchapter unless the context clearly indicates otherwise.

“Advisory board” means a group selected by the private career school consisting of three or more experts proficient in the subject area of the curriculum to be taught, whose responsibility is to evaluate the curriculum for reliability and validity and to make recommendations for revisions, if necessary.

“Certificate of approval” means the document that provides evidence of the private career school’s approval to operate issued by the Commissioners of the Departments of Education and Labor and Workforce Development, as prescribed in N.J.S.A. 34:15C-10.1 and more fully delineated in this subchapter.

“Clock hour” means 50 to 60 minutes of class lecture, recitation, faculty supervised laboratory, shop training, clinical experience, and/or internship in a 60-minute period. It also means 60 minutes of preparation in a correspondence course or distance learning as defined by Section 600.2, Higher Education Act of 1965 as amended.

“Course” means an organization of subject matter and related learning experiences designed to meet an occupational objective offered for the instruction of students on a systematic basis. It does not mean workshops, seminars, or conferences that last no longer than three days and, although designed to teach specific skills that may be applicable in a work setting and may incidentally lead to or enhance employment opportunities, are not sufficient in themselves to be considered a component of an instructional program.

“Director” means the director of the private career school who is on site during the hours of operation and who is responsible for the total administration of only one school site.

“Instructional program” means the planned sequence of courses, services or activities designed to meet educational and employment objectives.

“Internship” means a period of supervised practical training that is part of an approved program and offered at a site other than the private career school and meets the following criteria:

1. The internship is of a fixed duration, established prior to the outset of the internship;
  2. The internship experience is for the benefit of the student;
  3. The employer that provides the training derives no immediate advantage from the activities of the student and on occasion its operations may actually be impeded;
- and



4. The student does not displace regular employees of the internship site, but works under close supervision of existing staff.

“Private career school” is a privately owned postsecondary school that offers one or more occupational training programs and is a qualifying school as defined by P.L. 2005, c. 354.

### **6A:19-7.3 Application for instructional program approval and renewal**

- (a) Pursuant to N.J.S.A. 34:15C-10.1, the Department of Education is responsible for approving the following components of a private career school:
  1. Curriculum; and
  2. Personnel and professional credentialing.
- (b) To be approved, a private career school shall provide evidence of the following in the application submitted for instructional program approval using forms provided in the Private Career School Manual:
  1. An instructional program that is based on specific occupational objectives and competencies, and is aligned with nationally recognized industry skill standards or certifications, or other nationally recognized curriculum sources. Where no such skill standards or certifications exist, the private career school shall establish an advisory board to evaluate each curriculum for reliability and validity.
  2. A course of study comprising:
    - i. The major elements of instruction;
    - ii. The number of instructional hours;
    - iii. A description of the method of instruction;
    - iv. A delineation of the educational space;

- v. A list of equipment, tools and text materials that shall be aligned to the competencies and skills that will be taught; and
  - vi. Assessment instruments to measure student and instructor performance in accordance with State, national or industry standards including, where applicable, the national or State license or certification examination.
- 3. Owner(s)' and director(s)' resumes and letters of reference.
  - 4. A school catalog as prescribed by N.J.A.C. 12:41-2.2(b)13.
- (c) The application for renewal of a certificate of approval to operate a private career school or correspondence school shall be submitted by the approved private career school not less than 90 calendar days prior to the expiration of the existing Certificate of Approval in accordance with N.J.A.C. 12:41-2.4.

#### **6A:19-7.4 Application for facilities approval**

Prior to the issuance of a certificate of approval, private career schools shall obtain verification by the New Jersey Departments of Education and Labor and Workforce Development that the facilities, instructional equipment, text books, and supplies identified in the application for instructional program approval are available and support the curriculum.

#### **6A:19-7.5 Operations**

- (a) A private career school shall ensure that education and training programs are designed and delivered in such a way that all students are able to demonstrate the knowledge and skills specified in the approved program application according to N.J.A.C. 6A:19-7.3.

- (b) A private career school shall ensure the quality of education and training facilities through the use of nationally recognized standards of operation approved by one of the national accrediting agencies recognized by the U.S. Secretary of Education.
- (c) A private career school shall assure the Department of the quality of education in the following areas:
1. Curricula;
  2. Grading policies;
  3. Program length in clock hours or credit hours (if accredited), the subject matters taught, and the objectives of the certificates or credentials offered;
  4. Success with respect to student achievement in relation to mission, including, as appropriate, consideration of course completion, State licensing examination passing rates, and job placement rates; and
  5. Personnel:
    - i. The private career school director shall have completed six years of academic, military, and/or job-related experience beyond high school graduation that includes a minimum of two years of practical experience in a supervisory, administrative, or teaching position;
    - ii. Faculty of the private career school shall meet the following qualifications:
      - (1) Proof of a high school diploma or GED;
      - (2) Proof of successful completion of a curriculum and instruction course offered through an accredited college; and
      - (3) Competency in the subject(s) to be taught as demonstrated by possession of one of the following:
        - (A) An appropriate instructional certificate issued by the State Board of Examiners, or a comparable teaching certificate

- issued by a recognized certifying authority in another state with which the State Board of Examiners has reciprocity;
- (B) An industry certification in the occupational area to be taught and at least two years of documented full-time employment experience in the occupational area within the past 10 years;
  - (C) A baccalaureate degree from a recognized institution with a major or specialization in the subject to be taught;
  - (D) Evidence of attainment of a journeyperson's status by possessing a certificate of completion of a registered apprenticeship training in the subject to be taught, with at least two years of documented full-time employment experience within the past 10 years;
  - (E) A certificate of completion in the occupational area to be taught from an approved private career school or hold the appropriate State-issued occupational license in the occupational area to be taught, and a minimum of two years of documented full-time employment in the occupation, within the past 10 years;
  - (F) An associate degree from an accredited college, with a major or specialization in the subject to be taught, and a minimum of two years of documented full-time employment in the occupational area to be taught within the past 10 years; or

- (G) A minimum of four years of documented full-time employment in the occupational area to be taught within the past 10 years.

#### **6A:19-7.6 Monitoring and site visits**

Each approved private career school shall be monitored by the Department of Education a minimum of once every two years, or according to a schedule established by the Commissioner. The Commissioners of the Departments of Education and Labor and Workforce Development shall review monitoring reports when determining the continuation or suspension of the certificate of approval held by the private career school for the institution or its program.