

CHAPTER 46

PRIVATE VOCATIONAL SCHOOLS

Authority

N.J.S.A. 18A:1-1, 18A:4-10, 18A:4-15, 18A:4-16, 18A:4-24, 18A:4-25, 18A:7A-1 et seq., 18A:54-1 et seq., 18A:69-1 et seq., and 34:1A-38.

Source and Effective Date

R.1992 d.203, effective April 10, 1992.
See: 24 N.J.R. 541(a), 24 N.J.R. 1793(a).

Chapter Expiration Date

Pursuant to Executive Order No. 22(1994), Chapter 46, Private Vocational Schools, expires on October 10, 1998. See: 26 N.J.R. 3783(a) and 3942(a).

Chapter Historical Note

This chapter was adopted in accordance with the provisions of the State Plan for Vocational Education, N.J.S.A. 18A, P.L. 90-576, and the rules and regulations of the State Board of Education. The provisions of this chapter apply to Area Vocational Technical Schools, Apprenticeship Training, Art Schools, Business and Correspondence Schools, Trade Schools, Music Schools and Nonprofit Private Schools.

1971 Revisions: Revisions became effective July 23, 1971 as R.1971 d.127.

1973 Revisions: Amendments became effective March 13, 1973 as R.1973 d.71. See: 5 N.J.R. 35(a), 5 N.J.R. 104(a).

1978 Revisions: Amendments became effective March 7, 1978 as R.1978 d.86. See: 10 N.J.R. 56(a), 10 N.J.R. 142(b). Subchapter 9 became effective May 12, 1978 as R.1978 d.148. See: 10 N.J.R. 96(a), 10 N.J.R. 227(c).

1982 Revisions: Subchapter 1 became effective January 4, 1982 as R.1982 d.495. See: 13 N.J.R. 635(b), 14 N.J.R. 41(c). These rules completely replaced the rules previously codified in this subchapter. Further amendments became effective April 19, 1982 as R.1982 d.118. See: 14 N.J.R. 9(b), 14 N.J.R. 385(b).

1986 Revisions: 1986 Waiver: The Governor granted a waiver of Executive Order No. 66(1978) expiration date for N.J.A.C. 6:46-1 through 6:46-9. The waiver extended the expiration date from December 1, 1986 through December 1, 1987. See: 18 N.J.R. 1996(b).

1987 Revisions: This chapter Area Vocational Technical and Private Schools renamed Local Area Vocational School Districts and Private Vocational Schools was readopted pursuant to Executive Order 66(1978), effective October 5, 1987, with amendments that completely revised the chapter, effective November 2, 1987 as R.1987 d.434. See: 19 N.J.R. 1368(a), 19 N.J.R. 1989(a).

This chapter has been recodified effective November 2, 1987. Below is a Cross Reference Chart reflecting recodification changes.

Subchapter 2, Local Area Vocational School Districts, was repealed by R.1991 d.405, effective August 5, 1991. See: 23 N.J.R. 1247(a), 23 N.J.R. 2332(a).

Prior rulemaking in Subchapter 2, Local Area Vocational School Districts, is as follows:

6:46-2.3 Criteria for eligibility for designation as a local area vocational school district

Correction: Changes were made to (a)7 and (a)9 in the 19 N.J.R. 1989(c). These amendments were not picked up at that time.

See: 20 N.J.R. 1296(b).

Chapter 46, Private Vocational Schools, pursuant to Executive Order No. 66(1978), was readopted by R.1992 d.203, effective April 10, 1992. See: 24 N.J.R. 541(a), 24 N.J.R. 1793(a).

See section annotations for specific rulemaking activity.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. DEFINITIONS

6:46-1.1 Words and phrases defined

SUBCHAPTER 2. (RESERVED)

SUBCHAPTER 3. APPRENTICE TRAINING

6:46-3.1 Apprentice program responsibility
6:46-3.2 Approval of related training and instruction

SUBCHAPTER 4. PRIVATE VOCATIONAL SCHOOLS

6:46-4.1 General provisions
6:46-4.2 Name of school
6:46-4.3 Private vocational school facilities and equipment
6:46-4.4 Private vocational school personnel qualifications
6:46-4.5 School ownership and financial responsibility
6:46-4.6 Courses or programs offered
6:46-4.7 Tuition, fees and other charges
6:46-4.8 Enrollment agreement
6:46-4.9 Refund policy
6:46-4.10 School bulletin
6:46-4.11 School records
6:46-4.12 Conduct of the school
6:46-4.13 Publicity, advertising and solicitation of students
6:46-4.14 Scholarships and financial assistance
6:46-4.15 Period of approval of school and school personnel
6:46-4.16 Violations of rules
6:46-4.17 Conformity with existing rules
6:46-4.18 Procedures for monitoring private vocational schools
6:46-4.19 Fees required for administering the registration and approval process of private vocational schools
6:46-4.20 Recognition of accrediting agencies

SUBCHAPTER 5. CORRESPONDENCE SCHOOLS

6:46-5.1 Basic information concerning certificates of approval for correspondence schools located in New Jersey
6:46-5.2 Standards for correspondence schools
6:46-5.3 Licensure of field representatives or agents
6:46-5.4 Qualifications of field representatives or agents
6:46-5.5 Revocation of the field representative or agent license
6:46-5.6 through 6:46-5.14 (Reserved)

SUBCHAPTER 6. CONTRACTING FOR EDUCATIONAL SERVICES WITH ELIGIBLE PRIVATE VOCATIONAL SCHOOLS

6:46-6.1 Contracts to provide vocational education courses; qualifications
6:46-6.2 Eligibility of private vocational schools
6:46-6.3 Records
6:46-6.4 Contracts; terms; approval
6:46-6.5 Pupil attendance

6:46-6.6 Course credit
6:46-6.7 Other requirements

SUBCHAPTER 1. DEFINITIONS

6:46-1.1 Words and phrases defined

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

“Apprentice” means an employee of legal working age who meets the qualifications established by the apprentice sponsor and who is employed under a written agreement which provides that related training and on-the-job experience received be in accordance with approved standards of apprenticeship.

“Apprentice sponsor” means an employer who is a party to a written training agreement with an apprentice that includes the components of the training in accordance with approved standards of apprenticeship.

“Apprentice training” means a program of adult vocational education requiring a written training agreement between full-time paid apprentices and their apprentice sponsors. The program must include a component of related instruction which is coordinated by an individual who holds a current administrative certificate of Coordinator: Apprentice Programs.

“Apprenticeship agreement joint approval” means a written training agreement between an apprentice and an apprentice sponsor in accordance with approved standards of apprenticeship. This agreement includes the components of the training and is signed by the apprentice, apprentice sponsor, apprentice coordinator, State Department of Education representative and Federal Bureau of Apprenticeship and Training representative.

“Commissioner” means the Commissioner of Education.

“Course” means an organization of subject matter and related learning experiences designed to meet a vocational objective provided for the instruction of pupils on a systematic basis, usually for a predetermined period of time.

“Department” means the New Jersey Department of Education.

“Instructional hour” in a private vocational school means 60 consecutive minutes of which a minimum of 50 minutes is dedicated to instruction.

“On-the-job training” means one of two major components of apprentice training. This part of training is experiential in nature and is usually directly supervised by the apprentice sponsor.

“Private vocational school” means a business enterprise operated for either profit or nonprofit which maintains a place of business within the State of New Jersey and which:

1. Solicits pupils from the general public;
2. Charges tuition and/or other fees;
3. Offers instruction to a group or groups of four or more pupils at one time; and
4. Offers preparatory instruction to pupils for entry level employment or for upgrading in a specific occupational field. The occupational fields include those listed in the Classification of Instructional Programs (C.I.P.) requiring less than a baccalaureate degree. This document is available from the United States Department of Education, Office of Educational Research and Improvement, Center for Educational Statistics, 400 Maryland Avenue, S.W., Washington, D.C. 20202.

“Program” means the planned sequence of courses, services or activities designed to meet a vocational objective.

“Related training” means one of two major components of apprentice training. This part of training includes the theoretical and technical subjects related to the apprentice trade and is provided in a classroom or individualized setting at a vocational education institution or at the work site.

“Supervisor of correspondence instruction” means the individual responsible for grading papers sent to the correspondence school by the pupils and guiding the pupils in their study.

“Termination” means the removal of a pupil from enrollment in a course or program in a private vocational or correspondence school by the director of the school prior to completion of the course or program in which the pupil is enrolled.

“Withdraw” means the voluntary discontinuation of enrollment by a pupil accepted into a private vocational or correspondence school prior to completion of the course or program in which the pupil is enrolled.

Amended by R.1990 d.150, effective March 5, 1990.
See: 21 N.J.R. 3700(a), 22 N.J.R. 799(a).

Term “clock hour of instruction” changed to “instructional hour.”
Amended by R.1991 d.405, effective August 5, 1991.
See: 23 N.J.R. 1247(a), 23 N.J.R. 2332(a).

Definitions related specifically to local area vocational school districts were deleted pursuant to P.L. 1990 c.52 (QEA).