

“Private vocational school” means a business enterprise operated either for profit or not-for-profit 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 improvement plan” means a written document covering a two-year period describing how the district will mobilize resources and act to overcome program deficiencies which have resulted in below minimum job placement rates.

“Related instruction” means one or more courses in a school in which the cooperative vocational education pupil acquires concepts, competencies, understanding, and attitudes appropriate to training station assignments, occupational program areas and career objectives.

“Review panel” means the Vocational Education Program Review Panel established by the Commissioner of Education to assess the State’s needs for new programs based upon labor market demand, advise on the continuation of programs, review job placement standards, and provide recommendations for the State Plan.

“State Council” means the New Jersey Council on Vocational Education established in accordance with the Carl D. Perkins Vocational and Applied Technology Education Act, P.L. 101-392.

“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 a coherent, integrated system of employment and training programs and services which, in concert with the efforts of the private sector, 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 Vocational Education.

“Technical education” means a program of instruction that provides pupils with the skills and knowledge needed for entry level employment and/or entry into post-high

school education programs which require relatively complex and detailed information, considerable proficiency in college preparatory mathematics and the extensive application of laboratory physical science.

“Technology education” means a comprehensive action-based educational program concerned with the evolution, utilization, and significance of technology and its impact on industry, including its organization, personnel, systems, techniques, resources, products, and sociocultural aspects. Technology education emphasizes career and self-awareness, consumer knowledge, consequences of technology, creative problem-solving techniques, understanding of technical systems, application of science, mathematics and computers, activity oriented experiences in technology, and an interdisciplinary approach to education.

“Trade and industrial education” means a program of instruction that provides pupils with the skills and knowledge needed for entry level employment in a specific trade or service occupation.

“Unemployed individual” means a vocational pupil who is not working.

“Vocational/career guidance and counseling” means those programs which pertain to the body of subject matter and related techniques and methods organized for the development in individuals of career awareness, career planning, career decision making, placement skills, and knowledge and understanding of local, State and national occupational, educational, and labor market needs, trends, and opportunities which assist them in making and implementing informed educational and occupational choices.

“Vocational education” means organized educational programs offering a sequence of courses which are directly related to the preparation of individuals for paid or unpaid employment in current or emerging occupations in such fields as agriculture/agribusiness, business occupations, health occupations, home economics, marketing occupations, technical occupations, and trade and industrial occupations or for additional preparation for a career in such fields and in other occupations requiring less than a baccalaureate or advanced degree. Vocational education programs include competency-based applied learning which contributes to a pupil’s academic knowledge, higher-order reasoning and problem-solving skills, work attitudes, general employability skills, and the occupationally-specific skills necessary for economic independence as a productive and contributing member of society. Vocational student organization activities are an integral part of the programs.

“Vocational pupil” means that pupil enrolled in a sequence of vocational education courses leading to certification of competencies for occupational placement.

“Vocational student organizations” means those organizations for pupils enrolled in vocational education programs

and industrial arts/technology education programs which engage in activities as integral parts of the appropriate instructional programs. Such organizations may have State and national units which complement the development of leadership and career-related competencies in vocational education at the local level.

Amended by R.1991 d.404, effective August 5, 1991.

See: 23 N.J.R. 1246(a), 23 N.J.R. 2331(c).

Amendments pursuant to Federal law P.L. 101-392 and the State Quality Education Act (P.L.1990 c. 52).

## SUBCHAPTER 2. VOCATIONAL AND TECHNICAL EDUCATION

### 6:43-2.1 Vocational and technical education programs

(a) Any vocational and technical education program of less than college grade shall be conducted within the framework of a State Plan for Vocational Education approved by the State Board of Education and accepted by the United States Department of Education.

(b) The balance of vocational funds, which is matched with State funds and is available at the close of the school year, shall only be expended for support in the particular field for which such funds were originally appropriated.

(c) State and Federal funds for activities in any program of vocational education included in N.J.S.A. 18A:54 shall be withheld from local school districts when it appears to the satisfaction of the Commissioner that any of the following conditions exist:

1. The approved courses of study are not carried out;
2. There is exploitation of pupils participating in cooperative vocational education programs, or pupils in cooperative vocational education programs are illegally employed or employed under conditions which do not safeguard the pupils;
3. Teachers are not properly certificated for the subject they are teaching;
4. The program is not operated in conformity with the current State Plan for Vocational Education which has been adopted by the State Board of Education.

Amended by R.1990 d.451, effective September 4, 1990.

See: 22 N.J.R. 1705(a), 22 N.J.R. 2694(a).

Recodified from N.J.A.C. 6:43-1.1; editorial changes.

#### Case Notes

Statute having effect of excluding only particular city from county taxes to support county vocational school violated prohibition on special legislation. *Town of Secaucus v. Hudson County Bd. of Taxation*, 133 N.J. 482, 628 A.2d 288 (1993), certiorari denied 114 S.Ct. 1050, 127 L.Ed.2d 372.

### 6:43-2.2 General program requirements

(a) The proceeds from the sale or resale of any articles, materials or services produced in the various classes and shops maintained under a vocational program of any district shall be accounted for and credited to the vocational account of that district.

(b) The board of education shall keep separate accounts of all local, State and Federal funds used for vocational education.

(c) No application for State or Federal aid shall be approved until the annual financial and statistical reports on activities in any program of vocational education have been filed with the Commissioner.

(d) No application for State or Federal aid shall be approved unless the adequacy and suitability of the equipment for carrying out the courses of study in any program of vocational education has been approved by the Commissioner.

(e) It shall be the duty of every district board of education maintaining courses in any program of vocational education to provide all equipment, mechanical and electrical, now in service or which may hereafter be placed in service in such courses, with guards or other protective devices which shall meet the safety standards specified in N.J.A.C. 6:53.

(f) The terms "vocational," "technical," or "apprentice" shall not be applied to any schools or classes unless they shall meet the requirements included in the current approved State Plan for Vocational Education and are approved by the State Board of Education.

(g) District boards of education shall not establish or conduct any courses included in the State Plan for Vocational Education unless such courses conform to the requirements included in the current approved State Plan for Vocational Education and are approved by the State Board of Education.

(h) In any school district in which there is a plan of cooperation whereby the pupils spend part time in school and part time in employment, the district board of education shall submit for the approval of the Commissioner plans for protecting the pupils from illegal employment and exploitation. Pupils participating in these cooperative vocational education programs shall receive wages commensurate with wages paid to other employees for similar work, and shall be protected by provisions of the Workers' Compensation Act and any other acts of the State pertaining to such training and employment.

(i) School districts in which shared-time and full-time vocational education classes are in operation shall maintain an approved medical inspection service for applicants for admission to such schools and classes.