

1. District boards of education seeking to establish any new vocational courses or programs shall request planning recommendations from the Workforce Investment Board to eliminate unnecessary duplication of programs and to foster a unified delivery system in the labor market area.

2. Upon verification of the program need and recommendation from the Workforce Investment Board, district boards of education shall submit the request for the new course or program to the county superintendent of schools.

3. The county superintendent of schools shall review the course or program request and the verification and recommendation of the Workforce Investment Board, and submit a recommendation to the Vocational Education Program Review Panel within 30 days of receipt of the request.

4. The Vocational Education Program Review Panel shall review the county superintendent's recommendation based upon a review of the occupational supply and demand needs and local or regional availability of the proposed courses or programs. The panel shall recommend approval or disapproval within 45 days of receipt of the county superintendent's recommendation and submit their recommendation to the Director, Office of School-to-Career and College Initiatives.

5. The Director, Office of School-to-Career and College Initiatives shall review the panel's recommendation and approve or disapprove the course or program request. The district board of education, the county superintendent, the local Workforce Investment Board, and the Vocational Education Program Review Panel will be notified of the decision within 10 days.

(b) District boards of education dissatisfied with the final decision on the request for program or course approval may appeal the decision to the Commissioner. The Commissioner's decision may be appealed as set forth in N.J.A.C. 6:24, Controversies and Disputes.

Amended by R.1999 d.51, effective February 16, 1999. See: 30 N.J.R. 3623(a), 31 N.J.R. 537(a).

In (a), substituted references to the Workforce Investment Board for references to the private industry council throughout, and substituted references to the Director, Office of School-to-Career and College Initiatives for references to the Assistant Commissioner for Vocational Education in 4 and 5.

SUBCHAPTER 9. APPRENTICE TRAINING

Subchapter Historical Note

Subchapter 9, Apprentice Training, was recodified from N.J.A.C. 6:46-3 by R.1998 d.528, effective November 2, 1998. See: 30 N.J.R. 2855(a), 30 N.J.R. 3945(a).

6:43-9.1 Apprentice program responsibility

The Department is the recognized State agency responsible for the administration of the related training and instruction portion of apprentice programs. This training and instruction must comply with federal standards of apprenticeship as published in Labor Standards for the Registration of Apprenticeship Programs, 29 C.F.R. Sec. 29.1-13 (1977).

6:43-9.2 Approval of related training and instruction

Upon receipt of the Apprenticeship Agreement Joint Approval form from the Federal Bureau of Apprenticeship and Training, the Department will evaluate the related training and instruction component of the apprenticeship. Within 30 days of receipt of the form, the Department shall notify the Federal Bureau of Apprenticeship and Training of its approval or disapproval of the related training and instruction.

SUBCHAPTER 10. CONTRACTING FOR EDUCATIONAL SERVICES WITH ELIGIBLE PRIVATE VOCATIONAL SCHOOLS

Subchapter Historical Note

Subchapter 10, Contracting for Educational Services with Eligible Private Vocational Schools, was recodified from N.J.A.C. 6:46-6 by R.1998 d.528, effective November 2, 1998. See: 30 N.J.R. 2855(a), 30 N.J.R. 3945(a).

6:43-10.1 Contracts to provide vocational education courses; qualifications

(a) For the purpose of providing vocational education courses on an individual or group basis, district boards of education may, provided the provisions of N.J.A.C. 6:8-7.1 et seq. are met, enter into contracts with private vocational schools under the following conditions:

1. When such courses cannot be provided by the county or regional vocational schools or other school districts; or
2. A private vocational school can provide substantially equivalent training at a lesser cost as substantiated and certified by the local education agency subject to the review and approval of the commissioner. Said course shall meet the requirements of the Public School Education Act of 1975 (N.J.S.A. 18A:7A-1 et seq.).

6:43-10.2 Eligibility of private vocational schools

(a) A private vocational school shall be deemed eligible to enter contracts with a district board of education if it is approved by the Commissioner pursuant to N.J.A.C. 6A:18-3.

(b) A license or certificate of approval must have been held by the private vocational school for at least two consecutive years preceding execution of the contract. The two-

year period of operation requirement will apply to courses offered by a subsidiary branch or extension of a school.

i. Additional facilities acquired by a school because of space limitations will not be considered to be a subsidiary branch or extension and will not be subject to the two-year limitations if all of the following conditions are met:

- (1) The school has reached the limit of its enrollment capacity in its present facilities;
- (2) The courses to be offered at the additional facilities are the same as those given in the present facilities; and
- (3) The additional facilities are within normal commuting distance of the present facilities.

(c) A private vocational school shall meet all provisions of N.J.A.C. 6A:18-3, except that in addition all facilities and instructional equipment to be used in meeting the terms and conditions of the proposed contract shall be approved by the county superintendent of schools of the county in which the school is located. Facility approval criteria, as a minimum, shall be those used for emergency approval for public schools.

(d) Such contracting schools shall be subject to all of the provisions of N.J.A.C. 6A:18-3.

Amended by R.1998 d.528, effective November 2, 1998.
See: 30 N.J.R. 2855(a), 30 N.J.R. 3945(a).
Changed N.J.A.C. references throughout.

6:43-10.3 Records

Pupil progress and attendance records shall be furnished to the contracting board of education in a timely fashion to coincide with existing public school reporting procedures. Final payment to a private vocational school may be withheld until course completion results, on an individual basis, are received by the contracting board of education.

6:43-10.4 Contracts; terms; approval

(a) Each contract entered into shall:

1. Assure that all parties and all contractual criteria referenced therein be in accordance with all applicable Federal and State laws and regulations;
2. Be approved in writing by the commissioner prior to its execution. Requests for approval shall be presented at least 60 days prior to the proposed execution date; and
3. Be executed in a format developed and approved by the commissioner.

(b) Appended to each contract shall be a copy of the proposed curriculum, applicable pupil schedules, rules of the private vocational school concerning participating pupils, current comparative programmatic and cost analyses demonstrating that training offered is equivalent in nature and is being provided at a lesser per capita cost than could be provided by the contracting board of education, statement of qualifications of teaching personnel and any other appendages deemed appropriate by the contracting parties, county superintendent of schools or the commissioner.

6:43-10.5 Pupil attendance

Pupils failing to attend, without sufficient cause, that portion of the school program provided in the public or nonpublic sending school, shall be prohibited from participation in the contracted portion of the program.

6:43-10.6 Course credit

Course credit shall be assigned in keeping with the provisions of N.J.A.C. 6:8-7.1(d), except that no course at a private vocational school shall receive more than 10 credits.

6:43-10.7 Other requirements

The provisions of this subchapter are subject to the monitoring, supervision and other requirements of the Public School Education Act of 1975 (N.J.S.A. 18A:7A-1 et seq.).