| **Proposed Regulation Change** | **Rationale for change** |
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| **4.01 Purpose** |  |
| Changes “ensure” to “promote” | We have revised the regulatory language throughout to replace “ensure” with language that more accurately describes the relationships among the Department, school districts, licensees, etc. |
| **4.02 Definitions** |  |
| Adds reference to Strengthening Career and Technical Education for the 21st Century Act (Perkins V) | Added to note the name change in the amendment to and reauthorization of the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV), the applicable federal law governing career and technical education. |
| Adds to the Certificate of Occupational Proficiency definition | Includes the awarding of industry-recognized credentials in the definition of the Certificate of Occupational Proficiency, which is intended to acknowledge mastery of a core set of skills, competencies, and knowledge in vocational technical education. |
| Adds a definition for Cooperative Education | Added for clarity due to the term’s use in 4.03(7). |
| Adds a definition for Chapter 74 Vocational Exploratory Program | Added for clarity due to the term’s use in 4.03. |
| Adds “professional” to definitions of Inactive Vocational Technical Educator License and Invalid Vocational Technical Educator License. | Clarifies that these terms relate to professional licensure status. |
| Adds a definition for Pilot Vocational Technical Education Program | Definition needed for use of this term in new section 4.16, Pilot Programs. |
| Adds a definition for Scope | Definition needed for addition of requirement under Program Approval Criteria 4.03(4)(a)2. See below. |
| Adds a definition for Sequence | Definition needed for addition of requirement under Program Approval Criteria 4.03(4)(a)3. See below. |
| Revises the definition of the Vocational Technical Literacy Skills Test | Corrects an error in the name of this test, and updates cross-references to its use. |
| Adds a definition for Waitlist | Definition needed for the addition of a Waitlist section under 4.03(9). |
| **4.03 Program Approval Criteria** | |
| 4.03. Revises the section heading to include “and Operational Requirements” | Conveys the content of the section, which includes operational requirements. |
| 4.03(4)(a)2. Adds a requirement that a program of study be of sufficient scope to address the applicable vocational framework and provide a minimum of 900 program hours. | Includes in regulation the existing Department standard for approving new Chapter 74 programs. The Department has determined, after consulting with its stakeholders, that 900 hours is the minimum needed to address the VTE Frameworks, including the earning of industry-recognized credentials, hours required for students to obtain specific licenses, and hours that can be counted toward registered apprenticeship programs. |
| 4.03(4)(a)3. Adds a requirement that a program of study include a sequence of courses that build on past knowledge/skills across grade levels. | Puts into regulation a policy already in place at the Department and required by the Perkins Act. |
| 4.03(4)(e) Requires that exploratory programs, which permit vocational students to explore different fields of study before committing to a particular major, be based on the applicable Vocational Technical Education Framework and Massachusetts Curriculum Frameworks. | Clarifying this in regulations is intended to provide all exploratory students with comparable experiences and opportunities to select program majors, and to align exploratory programs with their corresponding vocational technical programs (majors). |
| 4.03(4)(e) Clarifies that districts cannot report an exploratory program to the Department as eligible for vocational program state funding unless they operate at least five Chapter 74 programs, with the exception of the agricultural schools. | Current regulations require districts that operate five or more Chapter 74 programs to offer an exploratory program. This proposed addition would cover a district that used to operate five or more Chapter 74 programs and now operates fewer. Districts may still offer an exploratory program if they drop below five programs, but they will not be eligible for vocational program state funding to operate their exploratory programs. The exception for agricultural schools reflects the fact that only four programs exist within the agricultural and natural resources cluster. |
| 4.03(5)(f) New language related to the qualifications of teachers in pilot programs. | The proposed regulation on pilot programs is a way for districts to test out new fields of study with the ultimate goal of state approval. For these new kinds of programs, no applicable educator license yet exists. The proposed regulation would require teachers hired for pilot programs to meet current industry standards, and the Commissioner would approve such teachers for hire. |
| 4.03(6)(b)1. Adds that the grade 9 exploratory exception, which already permits students to apply to exploratory programs in other districts for agricultural and natural resources programs, includes concentrations within those programs, and includes the new program for aviation maintenance technology. | Addresses expressed concerns of stakeholders that the current regulations do not clearly permit grade 9 students to explore the full range of concentrations uniquely offered at agricultural high schools. Adds aviation maintenance technology to better position students to meet the number of hours required by federal law to receive a certificate in aviation maintenance technology. |
| 4.03(6)(b)2. New language that explains student and school district responsibilities when a student moves to a new district after the April 1 non-resident vocational tuition application deadline. | The new language closes a loophole that previously allowed districts to reject as “late” all non-resident tuition applications from students who moved residences after April 1. Such students are now permitted to use the appeals process already used by other students whose (timely) tuition applications are rejected. To balance these interests with those of their new districts of residence, the Department has added a new factor (relative burdens) that the Commissioner may take into consideration when deciding whether to uphold or overturn the appealed rejection. |
| 4.03(6)(b)3 Adds language clarifying that non-resident vocational students have a right to remain in their current vocational school, unless they change programs or move out of their district of residence. | This language clarifies existing Department policy that a non-resident student’s right to remain in the current vocational school does not persist if they change programs or move to a new district. Such students will need to submit new non-resident tuition applications. |
| 4.03(9) Adds requirement that schools maintain waitlists and report that data to the Department. | Enables the Department to collect data to help inform capital planning and investments across the state, and help determine where additional vocational program capacity may be needed. |
| **4.04 Program Approval Procedures and Policies** | |
| 4.04(6) Permits programs closed through approved closure plans to operate as general education programs. This means those programs no longer receive state vocational funding but they may, with Department approval, continue to operate and be eligible for federal vocational Perkins funding. | Currently, programs that are closed through a Department-approved closure process and programs whose approval the Department revokes for cause may both continue to operate in schools and be eligible for federal Perkins funding, even though they no longer qualify for state vocational funding.  Permitting programs that go through an approved closure process to run (with Department approval) as federally-funded vocational programs gives more educational options to students, and may serve needs not met by state-run programs. Chapter 74 programs are industry-specific, and often sought by students who wish to pursue a career in that industry. For students who are interested in studying a technical field, but do not necessarily want to pursue it as a career, or who have broader or different interests not covered by a Chapter 74 program, a federally-funded program may offer a better fit.  In contrast, if the Department revokes a program’s approval for cause, the program would not be permitted to continue operating, in the interest of student safety and program quality. |
| **4.05 Program Outcomes** | |
| 4.05(3) Clarifies for the indicators of Outcome III that post-secondary education or training must be related to the program of study. | This clarification is consistent with current Department policy. |
| **4.06 Unpaid Off-Campus Construction and Maintenance Projects** (No substantive changes) | |
| **4.07 Types of Vocational Technical Teacher Licenses, Requirements for Licensure and Licenses Issued** | |
| 4.07(2)(b)2i Changes title of Operating Room Technology to Surgical Technology. | Change reflects the current program name. |
| 4.07(2)(e) Clarifies that licensure candidates must pass one of two available test options. | Licensure candidates are (and have been) allowed to take either the Vocational Technical Literacy Skills Test or the Communication and Literacy Skills Test. This change corrects an error in the current regulation, which indicated only one option was available. |
| 4.07(2)(f) Removes requirement that employment experience be “recent.” | This change is aimed at creating opportunities for potential vocational educators who possess the required years of industry experience and for whom teaching vocational students is a career change. It will give districts seeking teachers for their vocational programs the ability to consider a wider pool of qualified candidates. |
| 4.07(2)(g) Removes a licensing exemption for Criminal Justice teachers. | When the Criminal Justice program was created, there was no regulatory process in place for the creation of new Chapter 74 program fields, so the exemption was needed. Because Criminal Justice is now a state-approved program and we have proposed the addition of a new Pilot Program section, this exemption is unnecessary. |
| 4.07(4)(e) Removes reference to Criminal Justice exemption discussed above. | See above rationale for 4.07(2)(g). |
| 4.07(4)(g)1. through 7. Reduces the number of college degree credits required for professional licensure from 39 to 36, and builds in more flexibility for credit requirements. | The required credits are reduced because courses once offered separately have since been combined into single courses.  This also applies the recommendations of the Sheltered English Immersion (“SEI”) working group on how to incorporate the SEI endorsement content into the vocational licensure requirements. Vocational educators who earn college credit for completing an SEI course will be able to have those credits applied to the requirements for a Professional license.  Adding flexibility, such as by permitting educators with higher-than-required degrees to use those degrees to meet certain credit requirements, will reduce the burden on qualified candidates seeking licensure. |
| 4.07(4)(g)8. Adds new language reducing the number of college credits required for educators seeking professional licensure in a field operated only at the post-secondary level. | Adds exception for educators seeking a professional license for a vocational program that operates only at the post-secondary level. Educators in these post-secondary-only fields typically come to the programs with advanced degrees and/or coursework in education. This higher level of education covers much of the content found in the vocational education pedagogy courses.  Currently these post-secondary-only fields include medical laboratory technology, practical nursing (LPN), and surgical technology (operating room technology). Each of these programs has specific state or national credentialing requirements for teachers, and these standards serve as a floor for educator requirements. |
| 4.07(5) Changes “will be” issued to “may be” issued. | Change reflects that the issuing of such licenses is not mandatory. |
| 4.07(5)(e) Renames Machine Tool Technology as Advanced Manufacturing Technology. | Title change aligned to the development of the Advanced Manufacturing Technology Framework. |
| 4.07(5)(f) Renames Operating Room Technology as Surgical Technology. | Title change aligned to the development of the Surgical Technology Framework. |
| 4.07(5)(j) Adds Aviation Maintenance Technology. | Reflects addition of Aviation Technology as a state-approved vocational education program. |
| **4.08 Types of Vocational Technical Administrator Licenses and Requirements for Licensure** | |
| 4.08(6)(f) As above for 4.07(2)(e), clarifies that licensure candidates must pass one of two available test options. | See above rationale for 4.07(2)(e). |
| **4.09 Types of Vocational Technical Cooperative Education Coordinator Licenses and Requirements for Licensure** | |
| 4.09(2)(d) As above for 4.07(2)(e), clarifies that licensure candidates must pass one of two available test options. | See above rationale for 4.07(2)(e). |
| 4.09(3)(a) Adds “A high school diploma, the equivalent, or higher degree” to requirements for initial vocational technical cooperative education coordinator license. | The vocational technical cooperative education coordinator license has a licensure pathway that allows an individual to come into this role straight from industry. Since a candidate may not hold an educator license in another field, adding this provision requires candidates seeking an Initial Vocational Technical Cooperative Education Coordinator license to have a high school diploma, the equivalent, or a higher degree. |
| 4.09(3)(c) Removes requirement that employment experience be “recent.” | See above rationale for 4.07(2)(f). |
| 4.09(3)(e) As above for 4.07(2)(e), clarifies that licensure candidates must pass one of two available test options. | See above rationale for 4.07(2)(e). |
| **4.10 Professional Standards** (no substantive changes) | |
| **4.11 Preliminary Vocational Technical Teacher License Renewal** | |
| 4.11 Changes section title from “Preliminary Vocational Teacher License Renewal” to “Extension of a Preliminary Vocational Technical Teacher License.” | Better aligns the title with existing practices and the academic licensure renewal regulations. |
| 4.11(1) Deletes language that permits licenses to be renewed only in cases of extreme hardship, and adds language permitting Preliminary vocational educator licenses to be extended when an educator requires additional time to complete the necessary coursework. | Revised to align more closely with the requirements and options for academic education licensure. |
| 4.11 (2) Specifies conditions under which licenses may be extended. | Revised to align more closely with the requirements for academic education licensure. |
| **4.12 Professional Vocational Technical Educator License Renewal and Professional Development** | |
| 4.12(8)(3) Starting July 1, 2021, requires vocational administrators and cooperative coordinators (those who supervise vocational students in work-based learning opportunities) to earn at least 15 Professional Development Points (“PDPs”) in the field of their license. | Current Massachusetts regulations require vocational teachers and academic administrators to earn these kinds of PDPs but a gap exists for vocational administrators and cooperative coordinators. This change closes that gap. |
| **4.13 General Provisions Regarding Educator Licensure** | |
| 4.13(1) Adds language permitting the collection of fees on license extensions. | Because these regulations propose to add license extensions (where previously, only license renewals existed), this addition makes clear that fees may be collected on license extensions as well as renewals. |
| 4.13(4) Adds a new section creating pathways for vocational administrators to earn new licenses. | Currently there is no regulatory pathway for vocational administrators to add new licenses, so every vocational administrator who wants to obtain a new administrator license must essentially start from scratch. This process would provide a pathway for licensed vocational administrators to more efficiently add new licenses, and generally aligns to regulations for academic administrators. |
| 4.13(13) Adds language that permits individuals who apply and complete all requirements for Vocational Technical Education licensure prior to July 1, 2021, to qualify for their license by meeting the requirements under 603 CMR 4.00 in effect prior to June 26, 2018. | This language is designed to give potential licensees fair notice of the regulatory changes, and to keep in place the current standards for candidates seeking licensure prior to July 1, 2021. |
| **4.14 Certificate of Occupational Proficiency** | |
| 4.14 Removes the requirement that a student must receive a passing score, as determined by the Commissioner, on the written test and the performance test for the Certificate of Occupational Proficiency. | The Department has proposed expanding the definition of the Certificate of Occupational Proficiency to include how mastery in a vocational field is recognized in practice — specifically, the awarding of industry-recognized credentials. Because neither the written nor performance test were developed or used in practice, we propose deleting this language but retaining the remaining language concerning competencies. |
| **4.15 Endorsements** (no substantive changes) | |
| **4.16 Pilot Programs** | |
| Adds a new section that provides a roadmap for districts to pilot new vocational technical education programs that have potential for statewide approval. | The proposed section lists requirements that districts would need to meet for pilot program approval, including the establishment of a preliminary advisory committee, the submission of a needs analysis, budget information, progress reports, and the completion of the piloting process within a six-year period. The proposed section also addresses teacher qualifications/requirements, criteria for the Commissioner’s approval, and next steps for programs to transition to state approval. |