



**Massachusetts General Law**  
**Chapter 74**  
*Selected Sections*  
**and**  
**Vocational Technical Education**  
**Regulations**  
**603 CMR 4.00**  
**and**  
**Guidelines**

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## Overview - Chapter 74 Law

Chapter 74 is the Chapter in the Massachusetts General Laws that addresses vocational technical education. Chapter 74 may be also be appropriately referred to as Massachusetts General Law Chapter 74 or M.G.L.c. 74 for short. The Sections of Chapter 74 that are reprinted in this document are those that are used the most often. Chapter 74 in its entirety may easily be accessed at <http://www.mass.gov/legis/laws/mgl/gl-74-toc.htm>.

## Chapter 74 Section 1

### *Definitions*

The following words, as used in this chapter, shall have the following meanings unless the context otherwise requires:

**Commissioner:** the Commissioner of Education.

**Approved:** the approval of specific vocational technical programs by the commissioner of education, acting through the division of occupational education, following investigation and determining the appropriateness of programs as to organization, control, location, equipment, courses of study, qualifications of teachers, methods of instruction, conditions of admissions of students, employment of students and expenditures.

**State Board:** the Board of Education.

**Forms of Vocational Technical Education:** the classification of vocational technical educational programs which lead to employment of continuing preparation for employment associated with agriculture, allied health, automotive, construction, marketing, service occupations, industrial-manufacturing programs and technical programs.

**Agricultural Programs:** the preparation of students for occupations connected with agriculture, the care of domestic animals, forestry and other wage earning or productive work on farm land. The term agricultural supplies, horticulture and agricultural and natural resources.

**Allied health Programs:** the preparation of students for occupations connected with health, to include direct and indirect care of patients and other wage earning or productive work within the health care area and related services.

**Automotive Programs:** the preparation of mechanics and technicians for any type of engine-powered vehicle.

**Construction Programs:** the preparation of students for occupations in the areas of carpentry, plumbing, painting, electricity, heating, ventilation and air conditioning and other areas of construction.

**Marketing Education Programs:** the development of competent workers engaged in marketing, sales and such administrative supporting functions as buying, receiving, storing, shipping, promoting, financing, market research, and management. These activities are found in such areas as retail and wholesale trade, banking and finance, insurance, real estate, service trades, manufacturing, utilities and communications. Such phrase shall not include the following occupations: stenographer, secretary, typist nor industrial workers in transportation activities.

**Industrial-Manufacturing Programs:** the development of workers for occupations involving the manufacturing of fabrication of products in either heavy or light industry.

**Technology Programs:** the preparation of students for occupations or further education in such areas as: electronics, drafting, computers, electromechanical.

**Service Programs:** the preparation of students in the occupational areas of hotel and lodging, cosmetology, childcare.

**Part-Time Class:** towns, cities, regional and county school districts and independent schools may operate part-time and evening vocational technical classes approved by the commissioner under the state board.

**Cooperative education:** a program of vocational technical education for persons who, through a cooperative arrangement between the school and employers, receive instruction, including required academic courses and related vocational technical instruction, by the alternation of study in school with a job in any occupational field. Such instruction shall be planned and supervised by the school and the employer so that each contributes to the student's education and employability. Work

periods and school attendance may be on alternate half-days, full days, weeks or other coordinated periods of time.

**Articulation:** is the educational process whereby curricular interaction occurs across grade levels and links programs between educational levels.

*Horizontal articulation* provides the curricular process which serves to strengthen a student's mastery of interacting concepts and skills across all academic and educational levels.

*Vertical articulation* provides the curricular vehicle which allows a student to progress by competencies from a vocational technical program at one educational level to the same program at a higher educational level, for example, between secondary and post secondary education.

**Vocational Technical Education:** organized education programs offering sequences of courses designed to educate and prepare students for both employment and continuing academic and occupational preparation, Such programs shall integrate academic and vocational education and shall include competency based applied learning which contributes to an individual's academic knowledge, higher order reasoning, and problem solving skills, work attitudes, general employability skills and the occupational-specific skills necessary for economic independence as a productive and contributing member of society. Vocational technical education shall also include applied technology education to be taught by personnel certified in technology education. *Amended by St.1938, c.446. s.1; St.1941, s.617, s.1; St.1952, c.630, s.2; St.1965, c.572. s.20; St.1978. c.475, S.1; St. 1987, c.731, s.1; St.1993. c.71, s.56.*

## **Chapter 74 Section 2**

### *Commissioner of Education: Powers and Duties*

The commissioner, under the direction of the state board, shall investigate and promote vocational technical schools, and initiate and superintend the establishment of schools for the aforesaid form of education and shall supervise and approve such schools as provided in sections one to thirty-seven, inclusive.

The commissioner, under the direction of the state board, shall approve or disapprove vocational technical programs in accordance with regulations published by the board; provided, however, that said regulations shall more heavily favor an outcome-oriented approach for approval of such programs over a quantitative approach which solely measures time spent on lab instruction; provided, further, that said regulations shall consider a program's intention to integrate vocational and academic instruction and to train students in all aspects of a chosen industry. *Amended by St.1938, c.446, s.2; St.1952, c.630, s3; St.1957, c599, s.1; St.1978, c.475, s.1; St.1987, c.731, s.1; St.1993, c.71, s.57.*

## **Chapter 74 Section 2A**

### *Employment of Vocational Technical Students*

The commissioner shall establish rules and regulations to promote the employment of vocational technical students during their studies by the city or town in which said students attend school, or in the case of a regional or county agricultural school district, the cities and towns comprising said district. Students shall not be permitted to perform work on projects which are outside such city or town unless said projects have exceptional value as determined by the commissioner. *Added by St.1972, c.263; amended by St.1978, c.475, s.1; St.1987, c.731, s.1.*

## **Chapter 74 Section 2B**

### *Construction of Dwellings for Low Income Families by Vocational Students*

Notwithstanding any general or special law to the contrary, a city or town may provide for the construction of one and two family dwellings for persons of low income, by students in vocational technical schools enrolled in construction programs.

No such construction shall be undertaken without the approval of the division of occupational education and in a city with the prior approval of the mayor and council or in a town with the prior approval of the town council, or if there is no town council, with the approval of the town meeting and board of selectmen, *Added by St. 1990, c.284.*

### **Chapter 74 Section 3**

#### *Establishment of Schools by Towns*

Towns may, through school committees or boards of trustees elected for not more than five years, and known as local trustees for vocational technical education, establish and maintain independent or vocational technical schools. *Amended by St. 1938, c.446, s.3; St. 1957 c.599, s.2; St. 1978, c.475, s.1; St. 1987, c.731, s.1.*

### **Chapter 74 Section 4**

#### *Establishment by Two or More Towns*

Independent vocational technical schools may be established and maintained by districts composed of two or more towns, through boards to be known as district trustees for vocational technical education, consisting either of the chairman and two other members of the school committees of each town, to be appointed by such committees, or of three residents of each, to be elected by the town. *Amended by St. 1938, c.446 s.4; St. 1957, c.599, s.3; St. 1978, c.475, s.1; St. 1987, c.731, s.1.*

### **Chapter 74 Section 5**

#### *District Trustees; Powers and Duties*

District trustees under the preceding section shall adopt, for one year or more, plans or organization, administration and support of such schools, which shall be binding on the towns made parties thereto, and shall not be altered or annulled except by two-thirds votes of such trustees, with the consent of the commissioner under the direction of the state board. *Amended by St. 1952, c.630, s.4; St. 1987 c.731. s.1.*

### **Chapter 74 Section 5A**

#### *Establishment of Vocational Technical Schools by Regional School Districts*

Independent vocational technical schools maybe established under sections fourteen and fifteen of chapter seventy-one, if the agreement for the establishment of the regional school district, either as originally adopted or as subsequently amended, so provides, and for that purpose the regional district school committee shall have the powers and perform the duties conferred or imposed by law upon local trustees for vocational technical education, and may be known as a board of regional school district trustees for vocational technical education. *Added by St. 1952, c.471, s.3; amended by St. 1978, c.475, s.2; St. 1987, c.731, s.1.*

### **Chapter 74 Section 5B**

#### *Vocational Education in Collaboratives*

Regional school districts or cities and towns which are not members of vocational technical regional school districts, may through educational collaboratives formed under the provisions of section four E of chapter forty, conduct vocational technical education programs approved under the provision of this chapter. *Added by St. 1979, c.342, s.14; amended by St. 1987, c.731, s.1.*

### **Chapter 74 Section 6**

#### *Advisory Committees*

Each school district, county agricultural school, collaborative or municipality operating an approved vocational technical program shall, under a plan approved by the commissioner under the direction of the state board, appoint advisory committees composed of representatives of local business and industry related to the program, organized labor, parents and students, which shall consult with and advise the trustees and other school officials managing and supervising such schools. *Amended by St. 1938, c.446 s.5; St. 1952, c.630, s.5; St. 1957, c.599, s.4; St. 1978, c.476, s.3; St. 1987 c.731, s.1.*

## **Chapter 74 Section 7**

### *Admission of Nonresident Students*

Residents of towns in the commonwealth not maintaining approved independent distributive occupations, industrial, agricultural, vocational home economics and allied health occupations training schools offering the type of education desired, or children placed in such a town by the commissioner of social services or by the trustees of the Massachusetts training schools, may, upon the approval of the commissioner under the direction of the state board, be admitted to a school in another town. In making his decision, the commissioner under the direction of the state board shall take into consideration the opportunities for free vocational training where the applicant resides, the financial status of such place, the age, preparation, aptitude and previous record of the applicant, and other relevant circumstances. *Amended by St. 1938, c.446, s.6; St. 1952, c.630, s.6; St. 1957, c.599, s.5; St. 1978, c.475, s.4; St. 1978, c.552, s.22; St. 1979, c.717, s.5.*

## **Chapter 74 Section 7A**

### *Payment of Tuition of State Wards*

For the tuition in an approved vocational technical program of any regional or county agricultural school district, city, town, independent school or collaborative of any pupil placed in such school by the department of social services, the commonwealth or the city of Boston, as the case may be, shall pay to said school the tuition fee established by the commissioner under the direction of the state board. *Amended by St. 1952, c.630 s.9; St. 1973, c.925, s.8E; St. 1978, c.552, s.23; St. 1987, c.Z31, s.2.*

## **Chapter 74 Section 7B**

### *Vocational Technical Apprentices*

An apprentice, as defined in section eleven H of chapter twenty-three shall, upon the concurrence of the commissioner of labor and industries, be approved by the commissioner under the direction of the state board for related vocational technical training in any city, town, regional district, or independent school, regardless of residential qualification. Related classes for an approved apprenticeship program shall be conducted in a single school system, unless the commissioner, in agreement with the commissioner of labor and industries, determines that it would be in the best interest of said program to conduct such classes in more than one such school system. *Added by St. 1972, c.760; amended by St. 1987 c.731, s.2.*

## **Chapter 74 Section 7C**

### *Tuition Payment for Non-resident Students*

Notwithstanding the provisions of section twenty-seven C of chapter twenty-nine, or of any other general or special law to the contrary, a town where a person resides who is admitted to the school of another town under section seven shall pay a tuition fee to be fixed by the commissioner under the direction of the state board, and in default of payment shall be liable therefore in contract to such other town. If an approved vocational school accepts a student who resides in a town, other than a member town of said district, which does not maintain such a vocational school, the town in which such student resides shall pay a tuition fee to be fixed by the regional district school committee or by the board of trustees of a public independent vocational school and approved by the commissioner under the direction of the state board; provided, however, that a town shall not be required to pay any portion of the tuition of any student residing therein who is enrolled in a post-secondary vocational program.

Tuition shall be paid in two equal installments in each school year of attendance, one in January and one in June, or on a pro-rated monthly basis if a nonresident student fails to apply for his first year of admission on or before April first of the preceding school year. The commissioner may direct that the resident community's tuition payment for said first year be paid in full in July of the fiscal year after the student completes his first year of nonresident attendance including the penalties that the commissioner may determine.

No tuition shall be payable under this section with respect to a student who has satisfactorily completed the twelfth grade of courses equivalent thereto and whose personal income exceeds eighteen thousand dollars, said amount to be adjusted periodically as recommended by the commissioner of education.

#### **Chapter 74 Section 8A**

##### *Transportation of Students*

Section 8A. A municipality, wherein a person resides who is admitted to a day school in another municipality under section 7, shall, through its school committee, when necessary, provide for the transportation of such person, and shall, subject to appropriation, be entitled to state reimbursement to the full extent of the amount so expended; provided, that such a municipality wherein a person is placed by the department of social services or the trustees of the Massachusetts training schools who is admitted as aforesaid to a day school in another municipality shall similarly provide for the transportation of such pupil to such school and shall, subject to appropriation, be entitled to state reimbursement to the full extent of the amounts so expended; provided further, that no transportation shall be provided for, or reimbursement made on account of, any pupil who resides less than 1 1/2 miles from the school which he attends. A municipality shall not be required under the provisions of this section to provide for the transportation of a person who has completed the twelfth grade of school or the equivalent thereto. *Amended by St. in 2004*

#### **Chapter 74 Section 13**

##### *Scheduling of Classes; Age Restriction*

Independent industrial, agricultural, vocational home economics and allied health occupations schools may offer instruction in day, part time and evening classes. Independent distributive occupations schools may offer instruction in part time and evening classes only. Attendance upon such day or part time classes shall be restricted to those over fourteen years of age; and upon such evening classes, to those over sixteen years of age. *Amended by St.1938, c.446. s8; St.1957, c.599, s.7; St.1978, c.475, s.6.*

#### **Chapter 74 Section 14**

##### *Practical Art Classes; Age Restriction*

Towns may, through school committees or trustees for vocational education, establish and maintain practical art classes. Such classes shall be open to persons over sixteen years of age, and maybe established and maintained as approved state aided practical art classes under sections one to twenty-two, inclusive, so far as not inconsistent therewith. Regional school districts established under sections fourteen and fifteen of chapter seventy-one, if the agreement for the establishment of the district, either as originally adopted or as subsequently amended, so provides, may through the regional district school committee establish and maintain such practical art classes. School committees or trustees for vocational education may in addition to the courses approved by the department of education establish and maintain such evening practical art courses as in their opinion they deem expedient and necessary, and may upon request to the state board and with its approval, hire provisionally in the absence of certified evening practical arts teachers such teachers who may not be certified but are qualified through experience to teach such practical arts courses until such time as such teachers are certified or certified evening practical arts teachers are available. *Amended by St. 1943, c.540; St.1952, c.471, s.6; St. 1969, c.364; St.1978, c.475, s.7.*

#### **Chapter 74 Section 14A**

##### *Federal Funding for Practical Art Classes*

The commissioner under the direction of the state board, in the name and on behalf of the commonwealth, may apply for and receive, and there after expend for any or all of the purposes of section fourteen any funds received for any of such purposes from the federal government or any of its agencies. *Added by St.1943, c.540; amended by St.1952, c.630, s.9.*

## **Chapter 74 Section 14B**

### *Revolving Funds for Culinary Arts and Other Vocational Technical Programs*

In any city or town which accepts the provisions of this section, any income received in a fiscal year not exceeding, in the aggregate, fifteen thousand dollars derived from the purchase and sale of products produced in the culinary arts subject area of the home economics program, or any other vocational technical program conducted in any public vocational technical high school shall be deposited in a special fund by the school committee in any banking institution in the commonwealth. Expenditures may be made from said fund by the school committee for purposes needs for the culinary arts subject area or in the case of a fund established for any other program, such finds may be expended for the purposes of such program area without further appropriation, notwithstanding the provisions of section fifty-three of chapter forty-four; provided, however, that said special fund shall not be used to pay the salary of any employee, and in any fiscal year no more than five thousand dollars from said fund shall be used in the purchase of equipment. Three years from the year a city or town accepts the provisions of this section, and every third year thereafter said city or town may act to rescind its original acceptance. The superintendent of a school district with such a fund shall submit annually a report of said fund to the mayor, city council, city manager, board of selectmen or town manager of each city and town in said district and a copy of said report shall be submitted to the director of the bureau of accounts. The provisions of this section shall be effective in any regional school district upon its acceptance by the school committee of said district and a majority of the towns and cities and said district by vote of the board of selectmen or city council of said cities and towns. *Added by St. 1978, c.546; amended by St. 1987, c.731, s.3.*

## **Chapter 74 Section 15**

### *Classes in Agriculture and Horticulture*

Cities may establish maintain schools for instructing families and individuals in day, part time or evening classes in gardening, fruit growing, floriculture, poultry raising, animal husbandry, and other branches of agriculture and horticulture. The location and organization thereof and the instruction given therein shall be subject to the approval of the commissioner. *Ter. Ed.*

## **Chapter 74 Section 16**

### *Agricultural Classes; Notice*

Before action taken under the preceding section, school committees shall circulate a description of the purposes and scope of the instruction to be given thereunder, and request applications for such instruction. *Ter. Ed.*

## **Chapter 74 Section 17**

### *Land for Agricultural Classes*

Boards or officers having power to take land for school purposes in cities may take, by eminent domain under chapter seventy-nine, land therein not already appropriated to public use, or lease or purchase land either within or without the city limits, for the purpose of section fifteen. A school committee may erect suitable building on land so acquired, and provide, on terms not involving loss to the city, for the use of plots of ground and for the temporary housing of pupils complying with its regulations and not having access to other land suitable for proper instruction. *Amended by St. 1987, c.731. s.4.*

## **Chapter 74 Section 18**

### *Standards for Training of Vocational Technical Instructors*

The state board shall establish basic competency-based vocational technical teacher training standards which shall serve as the fundamental, pedagogical requirements for beginning vocational technical instructors. The board shall further require that all persons seeking to meet the board's requirements shall have successfully passed performance and written tests in areas as determined by the board and shall have successfully completed an approved seminar on teaching skills and methods.

The commissioner under the direction of the state board shall encourage the establishment of a two-year certificate program and a four-year preservice program for the preparation of vocational technical teachers. Said board shall promulgate regulations governing the administration of the vocational technical education program and the establishment of criteria for the inclusion of the basic and two year programs. *Amended by St.1952, c.630, s.10; St.1987,c.731, s.4A.*

#### **Chapter 74 Section 20**

##### *Custodian of Federal Funds*

The state treasurer shall be the custodian of federal finds allocated to the commonwealth for vocational technical education. The finds so allocated from the federal government shall be expended with specific appropriation under the direction of the state board. *Amended by St.1947, c.652, s.9; St.1955. c.700, s.2; St.1956, c.602. s.7 St.1965. c.572. s.21; St.1978, c.475. s.8; St.1987, c.731. s.5.*

#### **Chapter 74 Section 21**

##### *Expenditure of Federal Funds*

Subject to section twenty, the funds received under the act of Congress may be paid out, on requisition of the state board, as reimbursement for expenses already incurred, to approved schools. *Amended by St.1938, c.446, s.10; St.1946. C.552, s.2; St.1947 c.652, s.10; St.1956, c.602, s.8; St.1965, c.572, s.22; St.1987, c.731, s.5.*

#### **Chapter 74 Section 22**

##### *Federal Funds; Authority of State Board*

The state board may use the funds received under the act of Congress mentioned in section twenty as supplementary to state aid for salaries of teachers of vocational technical subjects in schools complying therewith. It may also use such funds (1), for salaries of teachers giving types of training selected by it as especially needing stimulus; or (2), for competency-base programs for the pedagogical preparation of teachers of vocations selected by it; or (3), to arrange with schools and colleges to give the training to teachers of vocations under its supervision; or (4), to enable local school authorities to conduct, under its supervision, inservice training of vocational technical teachers; or (5), for travel as provided for under said act of Congress. Such payments shall be subject to conditions prescribed by said board. *Amended by St.1938, c.446, s.11; St.1947, c.652, s.11; St. 1956 c.602, s.9; St.1965, c.572. s.23; St.1987, c.731, s.5.*

#### **Chapter 74 Section 22D**

##### *Vocational Programs for Veterans*

Said state board is hereby directed to cooperate with the veterans administration in carrying out the provisions of federal laws and regulations relating to the rehabilitation of disabled veterans; to establish and maintain classes or courses for training as it is deemed advisable and necessary for the education, training and rehabilitation of disabled veterans and other veterans; to establish and maintain, or to assist in establishing or maintaining, with the consent of the commissioner of administration and finance, and with the approval of the governor, training facilities within the various institutions and departments of the federal government and of the commonwealth or any political subdivision thereof, located within the commonwealth; to cooperate with the veterans administration in the selection of the number of trainees to be placed in training, or otherwise to carry out the provisions of said federal laws and regulations. *Added by St.1946, c.552. s,3; amended by St.1965, c,572, s.24; St.1987, c.731, s.5A.*

#### **Chapter 74 Section 22E**

##### *Personnel, Conditions of Employment*

Any school committee or board of trustees for vocational education may elect a teacher who has served in its schools for not less than one school year to serve with professional teacher status under the same conditions and subject to the same limitations as is provided in sections forty-one, forty-two,

forty-two A, forty-two D, forty-three, forty-three A and forty-three B of chapter seventy-one, which sections shall also apply to teachers for educational programs under this chapter. The provisions of this section shall apply to school librarians, school psychologists, school adjustment counselors, and school social workers entitled to tenure pursuant to the provisions of chapter seventy-one. The provisions of chapter thirty-two B, section one hundred C of chapter forty-one, sections thirty-seven B, thirty-eight I, forty, forty-one A and forty-eight of chapter seventy-one, and of sections seventeen B, seventeen C and seventeen D of chapter one hundred and eighty shall also apply to school personnel granted certificates in accordance with section thirty-eight G of chapter seventy-one and employed for vocational educational programs. *Added by St. 1950, c.206; amended by St. 1969, c.233; St. 1985, c.491; St. 1990, c. 110.s.4; St. 1993, c.71, s.60.*

#### **Chapter 74 Section 24**

##### *Smith Agricultural School; Governance*

Smith Agricultural School, established under chapter one hundred and fifty-one of the Special Acts of nineteen hundred and eighteen, shall be maintained by the city of Northampton as a state-aided approved vocational technical school under and subject to sections one to twenty-two, inclusive; provided, however, that the superintendents of said school shall consist of the mayor and superintendent of schools of said city, ex-officios, and three other superintendents to be elected at its city election by ballot, as provided in the will of Oliver Smith, and that said superintendents shall have the powers of local trustees elected under section three. Upon the death or resignation of an elected superintendent of said school his successor shall be chosen by the city council and the remaining superintendents in joint convention, who shall serve until the next city election. *Amended by St. 1963, c.24; St. 1987, c.731, s.6.*

#### **Chapter 74 Section 24B**

##### *Coordination of Secondary Vocational Technical Programs and Higher Education*

The state board and the board of regents shall encourage the coordination of programs between public secondary vocational technical school districts and public institutions of higher education. Said boards shall establish policies and procedures for the standardization of articulation agreements between the aforementioned institutions and that said boards shall meet annually to review the implementation of such policies and procedures. *Added by St. 1987, c.73), s.6A.*

#### **Chapter 74 Section 37A**

##### *Technical Institutes*

If a school committee or the board of trustees of any industrial, technical, agricultural or vocational school subject to this chapter determines that sufficient need exists in such school for a course or courses beyond secondary school level and designed to prepare students for greater opportunities for employment in industrial, agricultural and technical occupations, it may submit in writing its plans for such course or courses to the board of higher education. Upon the written approval of said plans by said board, such school committee or board of trustees may establish and maintain such extended courses of instruction on a technical institute level, and public funds may be appropriated for said purpose; provided, that such courses of instruction conform to such standards as said board may establish, and are maintained by said school committee or said trustees under the general regulations of the board. Any such school may use the designation "technical institute" with respect to the maintenance of such courses at such school, and the school committee or trustees of such school may, subject to the approval of the state board and the board of higher education, grant the degree of Associate in Applied Science to persons who complete such course or courses of instruction. Tuition fees in an amount approved by the commissioner of education may be charged to students enrolled in a program leading to the degree of Associate in Applied Science offered by any such school. This section shall not be applicable to the board of regional community colleges, or any action of said board under section twenty-seven of chapter fifteen, or to any regional community college. *Added by St. 1963. c.562, s.1; amended by St. 1965, c.572. s.26; St. 1967, c.268, s.3; 1979, c.660.*

### **Chapter 74 Section 37B**

#### *Approval of Postsecondary Programs by Commissioner; Tuition*

The commissioner under the direction of the state board may approve nondegree granting vocational education programs at the post-secondary level. In making his decision, the commissioner shall take into consideration the availability of similar training opportunities at the secondary and public regional community college levels.

*[Second paragraph as amended by 1991, 138, Sec. 147. Governor's purported disapproval was invalid. See Opinion of the Justices, 411 Mass. 1201 (1991).]*

Upon the vote of the school committee or board of trustees of any industrial, technical, or vocational school, tuition and other related fees may be charged to students residing in its city, town or regional school district admitted to approved post-secondary vocational education programs for the full amount of the average per pupil cost of such program. *Added by St.1984, c.424. s.2; amended by St.1991, c.138, s.147.*

### **Chapter 74 Section 37C**

#### *Administration of Nonresidents; Tuition*

A student who resides in a city or town which does not offer approved vocational education programs at the post-secondary level may, upon the approval of the commissioner under the direction of the state board be admitted to such program in another city, town or regional district. In making his determination the commissioner shall take into consideration the opportunities for free vocational training where the applicant resides, the preparation, age, aptitude and previous record of the applicant, and other relevant circumstances, including the level of state assistance to such program. A student admitted under this provision shall be charged tuition and fees for the full amount of the average per pupil cost of such program, as approved by the commissioner under the direction of the state board. Such students shall be eligible to apply for state scholarship aid pursuant to section seven of chapter fifteen A. *Added by St.1984. c.424, s.2; amended by St.1991. c.138, s.148; St.1993, c.110, s.130.*

### **Chapter 74 Section 37F**

#### *Deposit of Receipts from Tuition*

All receipts from tuition and other related fees shall be paid to the school committee or board of trustees of the city, town, regional school district or independent vocational school admitting students under sections thirty-seven B and thirty-seven C, and shall be deposited with the treasurer of the city, town, regional school district or independent vocational school and held as a separate account. The receipts held in such separate accounts may be expended by said school committee or board of trustees without further appropriation for general educational purposes. *Added by St.1984. c.424, s.2.*

# Vocational Technical Education Regulations 603 CMR 4.00

The Vocational Technical Education Regulations are the Regulations under Chapter 74. The Vocational Technical Education Regulations may easily be accessed at <http://www.doe.mass.edu/lawsregs/603cmr4.html>.

## 603 CMR 4.00: Vocational Technical Education

### Section:

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Most recently amended by Board of Education: January 27, 2009

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### 4.01: Authority and Purpose

- (1) *Authority* 603 CMR 4.00 is promulgated pursuant to the authority of the Board of Education, under M.G.L. c. 69, s.1B, s.1D and c.74, §§ 2 & 2A, to supervise the operation of public vocational technical education programs in the commonwealth. 603 CMR 4.00 regulations govern the operation and approval of secondary and postsecondary vocational technical education programs offered in public school districts. They govern the licensure of vocational technical educators in public school districts.
- (2) *Purpose* The purpose of 603 CMR 4.00 is to ensure that all vocational technical education programs are of the scope and quality necessary to provide students with the knowledge and skills needed to compete in a dynamic, global workplace and in postsecondary education including registered apprenticeship programs.

### 4.02: Definitions

**Administrator Performance Assessment:** The assessment required for the Initial Vocational Technical Superintendent/Assistant Superintendent and the Initial Vocational Technical Principal/Assistant Principal licenses pursuant to 603 CMR 4.08.

**Board:** The Massachusetts Board of Education.

**Certificate of Occupational Proficiency:** The Certificate issued pursuant to M.G.L.c.69 § 1D (iii).

**Commissioner:** The Massachusetts Commissioner of Education or his/her designee.

**Communication and Literacy Skills Test:** The test of communication and literacy skills required pursuant to 603 CMR 7.00 and 603 CMR 4.08 and approved by the Board.

**Department:** The Massachusetts Department of Elementary and Secondary Education.

**Inactive Vocational Technical Educator License:** A vocational technical educator license that is not renewed within the five-year validity period. A license that is not renewed is deemed inactive for five years.

**Individual Professional Development Plan:** A five-year plan developed by an educator that outlines the professional development activities for the renewal of the vocational technical educator's professional license(s).

**Induction Program:** A planned program of professional support with a trained mentor for beginning educators during their first year of employment with a new license provided by the school district and approved by the Department.

**Initial Vocational Technical Educator License:** A vocational technical educator license issued to a person who has met the requirements established by the Board for an Initial Vocational Technical Administrator or Cooperative Education Coordinator license. The Initial license is valid for five years of employment.

**Internship:** A planned program providing the candidate for the Initial Vocational Technical Supervisor/Director license and the Initial Vocational Technical Cooperative Education Coordinator license with on the job training with a trained mentor in the role of the license sought.

**Invalid Vocational Technical Educator License:** A vocational technical educator license that is not renewed within the five-year validity period and that is not renewed within the five-year inactive period.

**Mentor:** An educator who has at least three full years of experience under an Initial or Professional license under 603 CMR 4.00 or 7.00 and who has been trained to assist a beginning educator in the same professional role with his or her professional responsibilities and general school district procedures. In addition, a mentor may assist an experienced educator who is new to a school, subject area, or grade level. A mentor may also assist an educator who is participating in a performance assessment or a district-based program for licensure.

**National Occupational Program Approval Standards:** Those standards established by an organization that is nationally recognized by a specific industry or industry cluster, and that is involved in the accreditation, approval and/or certification of vocational technical education programs.

**Occupational Clusters:** A group of vocational technical education programs that share certain common skills.

**Postgraduate Students:** Adults who enroll in the shop portion of a secondary vocational technical education program.

**Postsecondary Program:** A vocational technical education program at the grade 13 and/or grade 14 level.

**Professional Development Point (PDP):** A unit of measurement of professional development activities. One clock hour of new employment experience is equivalent to one PDP. One semester hour is equivalent to 15 PDPs. One continuing education unit is equivalent to 10 PDPs. Professional development activities sponsored or approved by the Department and advanced academic and vocational technical education subject matter studies will receive 1.5 PDPs per clock hour. Refer to 603 CMR 4.12 (8).

**Professional Vocational Technical Educator License:** A Vocational Technical Educator license issued to a person who has met the requirements established by the Board for a Professional Vocational Technical Teacher, Administrator or Cooperative Education Coordinator license. The Professional Vocational Technical Educator license is valid for five years and renewable for additional five-year terms pursuant to 603 CMR 4.12.

**Preliminary Vocational Technical Teacher License:** A Vocational Technical Educator license issued to a person who has met the requirements established by the Board for the Preliminary Vocational Technical Teacher license. The Preliminary Vocational Technical Teacher license is valid for five years of employment and may be extended at the discretion of the Commissioner for one additional five-year employment period.

**Related Instruction:** Instruction that introduces, explains and amplifies the conceptual and theoretical foundations of the knowledge and skills in the Vocational Technical Education Frameworks and the Massachusetts Curriculum Frameworks.

**School Committee:** A school committee or board of trustees of a school district or agricultural school or a board of trustees of an educational collaborative.

**Technical Communication and Literacy Skills Test:** The test of communication and literacy skills required pursuant to 603 CMR 4.07, 4.08 (6) and 4.09 and approved by the Board.

**Vocational Technical Educator:** A person employed in a school or school district under a Vocational Technical Educator license issued pursuant to 603 CMR 4.00.

**Vocational Technical Education Framework:** Framework approved by the Commissioner, consisting of six strands representing all aspects of the industry that students in the vocational technical education program are preparing to enter.

**Vocational Technical Education Program:** A program approved by the Commissioner that provides instruction based on the Vocational Technical Education Frameworks and the Massachusetts Curriculum Frameworks.

**Vocational Technical Education:** Education offered pursuant to M.G.L., c. 74.

**Written and Performance Tests for Prospective Vocational Technical Education Teachers:** Tests in the subject matter the candidate for a vocational technical teacher license will teach based on the applicable Vocational Technical Education Framework and the Massachusetts Curriculum Frameworks.

#### **4.03: Program Approval Criteria**

Each school district requesting approval of a vocational technical education program shall demonstrate that the program meets the following approval criteria:

(1) **Organization**

- (a) Each vocational technical school district and agricultural school shall employ a vocational technical superintendent and vocational technical principal licensed pursuant to 603 CMR 4.00.
- (b) Each school district that conducts five or more approved vocational technical education programs in public comprehensive high schools must employ a licensed vocational technical supervisor/director of vocational technical education to plan and supervise the programs. A supervisor/director of vocational technical education who is assigned to a single school within a district shall report to the principal of that school. The supervisor/director reports to the superintendent in cases where the supervisor/director supervises programs in more than one school in the district or supervises programs that are not under the principal.
- (c) Each school district seeking approval for a vocational technical education program shall demonstrate that the program has been planned in consultation with the following advisory committees:

**1. Program Advisory Committee**

Each school committee shall appoint a Program Advisory Committee for each program area under its control. The Program Advisory Committee shall consist of representatives of local business and industry related to the program, organized labor, postsecondary institutions, parents/guardians, students and representatives from registered apprenticeship programs if the program area has such registered programs; provided however, that no member of the school committee, or other school official or school personnel shall serve on the committee. Every effort shall be made to ensure that membership on the Advisory Committee includes females, racial and linguistic minorities, persons with disabilities and individuals in occupations nontraditional for their gender who are representative of the particular district or community served by the school. The members shall appoint a facilitator who in most cases would be a program teacher or a program supervisor/director. The Program Advisory Committee shall meet at least twice per year. Meetings shall comply with the Open Meeting Law, M.G.L. c. 39, § 23B. It shall be the responsibility of the Program Advisory Committee to advise, assist and support school personnel in order to improve planning, operation and evaluation in its program area. Such advice shall be based on adequate and timely information as to workforce and job development demands or job market trends, technological developments, training alternatives and other factors affecting the quality of the program.

**2. General Advisory Committee**

Each school committee shall appoint a General Advisory Committee for all vocational technical education programs under its control. The General Advisory Committee shall include, but not be limited to, chairpersons of the program advisory committees. Every effort shall be made to ensure that membership on the General Advisory Committee includes females, racial and linguistic minorities, persons with disabilities and individuals in occupations nontraditional for their gender who are representative of the particular district or community served by the school. The General Advisory Committee shall meet at least twice per year, provided that one of the meetings is with the school committee. Meetings shall comply with the Open Meeting Law, M.G.L. c. 39, § 23B. It shall be the responsibility of the General Advisory Committee to advise the school committee, based on adequate and timely information, as to the planning, operation and evaluation of vocational technical instruction provided by programs under its control. The chief administrative officer of the school committee, or designee, shall act as facilitator to the General Advisory Committee.

(2) **Control** Each school district that conducts one or more vocational technical education programs shall be under the control of a school committee.

**(3) Location (Facilities) and Equipment**

- (a) Each vocational technical education program shall be conducted in facilities that meet current occupational standards.
- (b) Equipment shall be industry validated to meet current occupational standards and be sufficient in quantity and variety to allow students to attain competencies necessary for the occupation and the Certificate of Occupational Proficiency and to enable each student, or student team, to work continuously.
- (c) The facilities shall meet all applicable building and safety codes and shall be inspected by building and safety officials per applicable local, state and federal laws and regulations.
- (d) The school shall develop and implement a comprehensive safety and health plan to safeguard the safety and health of all students and school personnel. The regulations

of the Occupational Safety and Health Administration (OSHA) governing work sites shall serve as the minimum standards for safety in the vocational technical education program. The plan should include provisions for safety inspections of all facilities, safety training for all students and staff and the use, storage and disposal of toxic and hazardous materials.

**(4) Program of Study and Methods of Instruction**

(a) The program of study shall:

1. be based on the applicable Vocational Technical Education Framework and the Massachusetts Curriculum Frameworks;
2. include competency-based applied learning that contributes to a student's higher order reasoning and problem solving skills;
3. integrate academic and technical instruction through the efforts of technical and academic teachers who share responsibility for the development of the knowledge and skills of their students;
4. be articulated, where appropriate, with postsecondary education programs including registered apprenticeship programs;
5. include program specific work-based experience wherever appropriate and feasible;
6. meet National Occupational Program Approval Standards as set forth in "Guidelines for Vocational Technical Education Programs and Educator Licensure;"
7. meet state board/agency approvals, accreditation association approvals as set forth in the "*Guidelines for Vocational Technical Education Programs and Educator Licensure;*"
8. include related instruction that shall be primarily taught by licensed vocational technical teachers in the specific program area. Academic teachers may assist in the delivery of related instruction components when their particular expertise will enhance the instruction;
9. be free of bias and stereotyping;
10. include a comprehensive safety and health plan, which includes safety training for all students and staff;
11. be taught by appropriately licensed teachers; and
12. be scheduled so that vocational technical shop instruction, if scheduled as a full school day, does not exceed ten consecutive full school days. Shop instruction scheduled for ten consecutive full school days or less must be scheduled for at least the same number of full school days of academic instruction before beginning another schedule of shop instruction. This provision is effective September 1, 2005.

(b) A Program of Studies including both academic and technical programs and courses and the admission policy shall be published and a copy shall be provided to each student and parent/guardian.

(c) The vocational technical education program shall include a process for assessing and documenting the attainment by each student of the technical and academic

competencies. Assessment methods may include portfolio and performance assessment.

- (d) Career guidance and placement services shall be provided to each student and shall include assessment of all vocational technical students to determine individual vocational technical and academic aptitude, interest and learning styles and assistance with the development of a four-year career plan based on the assessments. Services shall be provided to assist each student in making the transition to the workforce, postsecondary education and apprenticeship programs.
- (e) School districts that offer five or more approved vocational technical education programs shall provide a minimum of a one half year exploratory program approved by the Department for all incoming ninth graders. The programs shall meet the standards in the guidelines for exploratory programs included in the "Guidelines for Vocational Technical Education Programs and Educator Licensure."

**(5) Qualifications of Personnel**

- (a) All personnel in the vocational technical education program including academic teachers shall have an appropriate educator license in accordance with the requirements set forth in 603 CMR 4.00 and 7.00.
- (b) Non-licensed substitute teachers and teacher (instructional) aides shall be supervised by an appropriately licensed vocational technical teacher while serving in a vocational technical laboratory and shall not be allowed to supervise students using hazardous equipment.
- (c) The Commissioner may exempt a school district for any one school year from the requirement to employ individual vocational technical education personnel licensed under 603 CMR 4.00 upon the request of a superintendent for a waiver and demonstration to the Commissioner that the district has made a good-faith effort to hire licensed personnel. Persons employed under waivers must demonstrate that they are making continuous progress toward meeting the requirements for licensure in the field in which they are employed. During the time that a waiver is in effect, service of an employee of a school district to whom the waiver applies shall not be counted as service in acquiring Professional Technical Teacher status.
- (d) The Commissioner may deem a district to have a critical shortage of licensed vocational technical teachers for the purpose of M.G.L. c. 32, § 91 upon request of a superintendent and demonstration that the district has made a good-faith effort to hire personnel who have not retired under M.G.L. c. 32. A district deemed to have a critical shortage of licensed technical teachers for the purposes of M.G.L. c. 32, § 91(e) may employ retired vocational technical teachers subject to all laws, rules and regulations governing the employment of teachers. The period of determination of a critical shortage of licensed vocational technical teachers shall not exceed one year, but a district may seek to invoke this provision in consecutive years upon a new demonstration of a good-faith effort to hire personnel who have not retired. The Commissioner shall notify the Teachers' Retirement Board of each determination of a critical shortage made for the purposes of M.G.L. c. 32, § 91(e). In each instance when, after a good-faith effort, a district is unable to hire a licensed vocational technical teacher who has not retired under M.G.L. c. 32, the superintendent of the district has discretion to choose whether to seek a waiver, pursuant to 603 CMR 4.03(5)(c) or to seek a determination of critical shortage, pursuant to 603 CMR 4.03(5)(d).
- (e) Persons with special expertise related to the vocational technical area of instruction who can strengthen the vocational technical education program may be employed without a vocational technical teacher license. Such persons shall work in concert with,

and under the direct supervision of, an appropriately licensed vocational technical teacher at all times.

**(6) Admission of Students**

- (a) Each vocational technical school and comprehensive school which is selective in terms of admission to its secondary vocational technical programs shall develop and implement an admission policy that is consistent with the Department's "*Guidelines for Admission Policies of Vocational Technical Secondary Schools and Comprehensive Secondary Schools*" that are incorporated into 603 CMR 4.00 by reference. The policy must be approved by the Department prior to implementation. The policy shall be published in the Program of Studies and a copy shall be provided to each student applicant and their parent/guardian. The policy must include the following:
1. The criteria to be used in selecting students and the process for application and admission to the school. Each selective vocational technical secondary school in Massachusetts shall use a combination of selection criteria to determine which applicants have an ability to benefit, and therefore be admitted to the school unless the school opts to use first come-first served or a lottery for admissions. The criteria used shall include academic grades, attendance record, discipline/conduct record, recommendations from sending-school personnel and may include student interview, provided however, that no one criterion exceeds 50% of the total. Schools shall condition admission on a student having been promoted to the grade that they have been admitted to enter. Schools may condition admission on a student having passed courses in English Language Arts or its equivalent and mathematics for the school year immediately preceding their enrollment in a selective vocational technical school or program;
  2. A description of the Exploratory Program;
  3. The criteria and process to be used in selecting students for admission to particular vocational technical education programs commonly referred to as vocational technical majors within the selective vocational technical secondary school or comprehensive secondary school; and
  4. A Review Process and an Appeal Process. A process at the school district level for students and parents/guardians to review and appeal the decision to deny the student admission to the school or program shall be included.
- (b) Students who reside in cities and towns not maintaining approved vocational technical education programs in the vocational technical program area sought by the student may apply for admission to a school of another city, town or district offering the desired instruction as set forth in M.G.L. c. 74, § 7. Non-resident students shall be subject to the admissions criteria of the school to which they are applying. Admitted student's tuition shall be paid by the city or town where the student resides in accordance with the Department's tuition rates for such programs and the Department's "*Vocational Technical Education Nonresident Policy*." The school to which the student has applied but has been denied nonresident tuition by the city or town of residence may request that the Commissioner review the denial of tuition. The Commissioner may appoint a review panel to assist him/her in the review. The request for a review of the denial shall be submitted in writing to the Commissioner within the timelines set forth in the Department's "*Vocational Technical Education Nonresident Policy*." The decision of the Commissioner shall be final.
- (c) Each school shall have a code of conduct which shall include standards and procedures for suspension and expulsion of students in accordance with M.G.L c. 71, § 37H. The code shall be published in the Student Handbook and a copy shall be

provided to each student, parent/guardian. Expulsion for reasons not included in the code shall not be allowed.

- (d) Each school with postsecondary vocational technical education programs shall develop and implement an admission policy for the postsecondary programs. The policy must be approved by the Department prior to implementation.
- (e) Each school that admits postgraduate students shall develop and implement an admission policy for the postgraduate openings. The policy must be approved by the Department prior to implementation.

**(7) Employment of Students (Cooperative Education)**

- (a) Vocational Technical Cooperative Education Programs must be approved by the Department prior to implementation.
- (b) Each approved program shall:
  1. be supervised by a person holding a Vocational Technical Cooperative Education Coordinator license or Vocational Technical Teacher license in the cooperative education program area;
  2. enroll only those students who are enrolled in an approved vocational technical education program and who have demonstrated the acquisition of the knowledge and skills in the applicable Vocational Technical Education Framework and the Massachusetts Curriculum Frameworks associated with at least one and one half years of full time study in the vocational technical cooperative education program area, and in no case enroll students earlier than midway through the junior year;
  3. be offered only during time not scheduled for academic classes during the school year, and may include summer programs;
  4. provide students the opportunity to acquire knowledge, and develop skills not acquirable in a school-based setting but acquirable in a work-based setting;
  5. provide competency-based assessments;
  6. provide students with continuous supervision by the employer;
  7. provide students with vocational technical credit;
  8. provide a written agreement between the school, employer, student and parent/guardian delineating the conditions of the employment including, but not limited to, hours, wages and time-off. The agreement shall include the skills to be acquired by the student. The employer shall agree to meet all applicable requirements of state and federal labor laws and regulations including, but not limited to, those addressing worker compensation insurance, equal employment opportunity and occupational safety and health;
  9. provide a safety and health orientation specific to the site for all employee-students; and
  10. provide sufficient supervisory visit time between the student, employer and the school's cooperative education coordinator or appropriate vocational technical teacher. Supervision shall be coordinated to allow for the joint participation by all parties including the vocational technical teacher. The school's cooperative education coordinator or vocational technical teacher shall conduct regular

supervisory activities at the work site to ensure that the agreement is being followed and to update the student's competency attainment file.

**(8) Expenditures**

Each school that conducts one or more vocational technical education programs shall ensure that resources are adequate to enable the programs to meet current industry and Occupational Safety and Health Administration (OSHA) regulations with respect to facilities, safety, equipment and supplies.

**4.04: Program Approval Procedures and Policies**

- (1) In order to receive vocational technical education program approval, the Superintendent shall submit an application to the Commissioner that demonstrates the labor market outlook for the program and compliance with the approval criteria.
- (2) The Department shall periodically monitor compliance of an approved program with applicable laws and regulations.
- (3) The Commissioner may deny approval of, or revoke approval from, any program when the Commissioner determines that the program does not meet the requirements of one or more of the approval criteria set forth in 603 CMR 4.03, fails to meet the Program Outcome Standards under 603 CMR 4.05, or violates any provision of applicable laws and regulations.
  - (a) Any program that fails to demonstrate that it satisfies all of the requirements set forth in 603 CMR 4.03 and/or 4.05 shall be subject to review and possible revocation of approval.
  - (b) The Department may initiate a review of such a program and request a corrective action plan. The Department shall offer technical assistance where appropriate.
  - (c) The Superintendent shall submit a corrective action plan to the Department for programs that are under review. The Department will monitor progress in meeting the goals of the plan. If, after one year under review, a program has not made satisfactory progress, its approval may be revoked.
  - (d) The Commissioner may extend the review for a second year. The Commissioner will make the final determination regarding revocation of approval of an individual program.
- (4) Substantial changes in any approved program shall be approved in writing by the Commissioner prior to implementation.
- (5) A school district that seeks to discontinue an approved vocational technical education program shall submit a closure plan to the Department that includes a timetable for program closure, information outreach to affected students and their parents/guardians, and options for students to complete the vocational technical education program.
- (6) A program that has been discontinued or has had its approval revoked may not be offered as a regular education program.

**4.05: Program Outcomes**

The school district shall report program outcomes to the Department. Failure to meet program outcome standards may result in program approval being revoked pursuant to 603 CMR 4.04.

- (3). Specific minimum outcome standards as percentages for each outcome will be set by the Board every three years. The required outcomes are:

- (1) **Outcome I** - Effective with the Class of 2003, the percentage of vocational technical education students who receive a high school diploma.
- (2) **Outcome II** - Upon the development of the Certificate of Occupational Proficiency Assessment System, the percentage of vocational technical education students who receive a Certificate of Occupational Proficiency.
- (3) **Outcome III** - The percentage of vocational technical education program graduates who are employed in a field related to their program of study, in a military program related to their program of study, or who are enrolled in postsecondary education or advanced training twelve months after graduation.

**4.06: Unpaid Off-Campus Construction and Maintenance Projects**

- (1) 603 CMR 4.06 applies to off-campus construction and/or maintenance projects in which students acquire academic and vocational technical skills on an unpaid basis.
- (2) A licensed teacher in that approved vocational technical education program area shall provide continuous supervision at the job site.
- (3) School districts shall ensure that the school district has adequate liability coverage and that participating students have been provided with insurance coverage (either directly or through other acceptable alternatives such as municipal self-insurance) for: medical benefits, loss of life, dismemberment or loss of sight, liability coverage for bodily injury, assumption by the school district of the cost of any deductible.
- (4) Students shall not be required to waive their legal rights as a condition of participation in the project.
- (5) Only those students who are enrolled in an approved vocational technical education program and who have demonstrated those academic, technical and employability competencies associated with at least one and one half years of full time study in the vocational technical education program project area, and in no case shall students be allowed to participate in such projects without a minimum enrollment of at least one year in the vocational technical program.
- (6) Prior to participation, students shall receive appropriate safety and health training and shall have demonstrated sufficient safety competency attainment as determined by the school district. Projects shall comply with the standards set forth in M.G.L.c.149 and the regulations of the Occupational Safety and Health Administration (OSHA) regarding workplace safety and health.

**4.07: Types of Vocational Technical Teacher Licenses, Requirements for Licensure, and Licenses Issued**

- (1) **Types**
  - (a) Preliminary
  - (b) Professional
- (2) **Requirements for the Preliminary Vocational Technical Teacher License**
  - (a) Evidence of sound moral character.
  - (b) Education:
    1. Candidates for the following licenses must document an associate's degree or higher degree related to the subject matter and skills they will teach:
      - a. Dental Assisting
      - b. Design & Visual Communications

- c. Drafting
  - d. Electronics
  - e. Hospitality Management
  - f. Programming and Web Development
  - g. Information Support Services & Networking
  - h. Medical Assisting
  - i. Medical Laboratory Technology
  - j. Office Technology
  - k. Radio and Television Broadcasting
  - l. Telecommunications - Fiber Optics
2. Candidates for the following licenses must document a bachelor's degree or higher degree related to the subject matter and skills they will teach:
    - a. Animal Science
    - b. Biotechnology
    - c. Early Education and Care
    - d. Engineering Technology
    - e. Environmental Science & Technology
    - f. Health Assisting
    - g. Horticulture
    - h. Marketing
    - i. Operating Room Technology
    - j. Practical Nursing (LPN)
  3. All other vocational technical teacher license candidates must document a high school diploma or the equivalent.
- (c) Massachusetts and/or federal government or industry issued licenses or certifications required by industry or government to work in the technical area and by the Department to teach the vocational technical subject matter and skills as set forth in "*Guidelines for Vocational Technical Education Programs and Educator Licensure*."
- (d) Passing scores on the written and performance tests in the vocational technical subject matter and skills the candidate will teach.
- (e) Passing score on the Technical Communication and Literacy Skills Test.
- (f) Employment Experience: All vocational technical teacher license candidates must document recent employment experience directly related to the subject matter and skills they will teach. Recent employment experience is defined as employment experience within seven years of the date of an application for a vocational technical teacher license.
1. Candidates for a vocational technical teacher license for which a bachelor's degree is required must document a minimum of three years recent, full-time employment experience, provided however, that a master's degree related to the subject matter and skills to be taught may substitute for one of the three years of required employment experience.
  2. Candidates for a vocational technical teacher license for which an associate's degree is required must document a minimum of four years recent, full-time employment experience, provided however, that a bachelor's degree related to the subject matter and skills to be taught may substitute for one of the four years of required employment experience and a master's degree related to the subject matter and skills to be taught may substitute for one of the four years of required employment experience.
  3. Vocational technical teacher candidates who are required to possess a minimum of a high school diploma must document a minimum of five years of recent, full-time employment experience, provided however, that an associate's degree related to

the subject matter and skills to be taught may substitute for one of the five years of employment experience and a bachelor's degree related to the subject matter and skills to be taught may substitute for two of the five years of required employment experience.

4. Actual time spent on cooperative education employment by a graduate of a vocational technical education program may be counted toward meeting a portion of the employment experience requirement.

**(3) Requirements for the Professional Vocational Technical Teacher License**

- (a) Evidence of sound moral character.
- (b) Possession of a Preliminary Vocational Technical Teacher License pursuant to 603 CMR 4.00.
- (c) Massachusetts and/or federal government or industry issued licenses or certifications required by industry or government to work in the technical program area and by the Department to teach the vocational technical subject matter and skills as set forth in "*Guidelines for Vocational Technical Education Programs and Educator Licensure.*"
- (d) Completion of a one-year induction program with a trained mentor.
- (e) The completion of at least three full years of employment in the role of licensed vocational technical teacher in the program area of the license.
- (f) The completion of 39 college degree credits or the equivalent as follows:
  1. Six college degree credits in English to include three college degree credits in English Composition 101 or a higher level and three additional college degree credits in higher level English.
  2. 12 college degree credits in mathematics and science to include a minimum of three college degree credits of college mathematics and a minimum of three college degree credits of college science. The remaining six college degree credits may be earned in college mathematics and/or science.
  3. 21 college degree credits in professional education courses approved by the Department including a three college degree credit seminar specifically designed for new teachers to be taken during their first year of teaching. These courses shall address the Professional Standards for Vocational Technical Teachers set forth in 603 CMR 4.10.

**(4) Vocational Technical Teacher Licenses Issued.** Licenses listed under the following occupational clusters will be issued.

- (a) **Agriculture and Natural Resources Cluster.**
  1. Agricultural Mechanics
  2. Animal Science
  3. Environmental Science and Technology
  4. Horticulture
- (b) **Arts and Communication Services Cluster.**
  1. Design and Visual Communications
  2. Graphic Communications
  3. Radio and Television Broadcasting
- (c) **Business and Consumer Services Cluster.**
  1. Cosmetology
  2. Fashion Technology

3. Marketing
4. Office Technology
- (d) **Construction Cluster**
  1. Facilities Management
  2. Cabinetmaking
  3. Carpentry
  4. Electricity
  5. Heating - Air Conditioning - Ventilation - Refrigeration
  6. Masonry and Tile Setting
  7. Painting and Design Technologies
  8. Plumbing
  9. Sheet Metalworking
  10. Construction Craft Laborer
- (e) **Manufacturing, Engineering & Technological Cluster**
  1. Biotechnology
  2. Drafting
  3. Electronics
  4. Engineering Technology
  5. Machine Tool Technology
  6. Major Appliance Installation/Repairing
  7. Metal Fabrication and Joining Technologies
  8. Stationary Engineering
  9. Telecommunications - Fiber Optics
  10. Welding
- (f) **Health Services Cluster.**
  1. Dental Assisting
  2. Health Assisting
  3. Medical Assisting
  4. Medical Laboratory Technology
  5. Operating Room Technology
  6. Practical Nursing (LPN)
- (g) **Hospitality and Tourism Cluster.**
  1. Baking
  2. Culinary Arts
  3. Hospitality Management
- (h) **Education Cluster.**
  1. Early Education and Care
- (i) **Information Technology Services Cluster.**
  1. Programming and Web Development
  2. Information Support Services and Networking
- (j) **Transportation Cluster.**
  1. Automotive Collision Repair and Refinishing
  2. Automotive Technology
  3. Diesel Technology
  4. Marine Service Technology
  5. Power Equipment Technology

#### **4.08: Types of Vocational Technical Administrator Licenses and Requirements for Licensure**

- (1) **Types**
  - (a) Initial
  - (b) Professional
- (2) **Requirements for the Initial Vocational Technical Superintendent/Assistant Superintendent License**
  - (a) Evidence of sound moral character.

- (b) Evidence that the candidate meets the current requirements for the Initial Superintendent/Assistant Superintendent license under 603 CMR 7.00.
  - (c) Completion of at least three full years of employment in vocational technical education or career and technical education or workforce training acceptable to the Department.
- (3) Requirements for the Professional Vocational Technical Superintendent/Assistant Superintendent License**
- (a) Evidence of sound moral character.
  - (b) Possession of an Initial Vocational Technical Superintendent/Assistant Superintendent license pursuant to 603 CMR 4.00.
  - (c) Completion of a one-year induction program with a trained mentor.
  - (d) Completion of at least three full years of employment under the Initial Vocational Technical Superintendent/Assistant Superintendent license.
- (4) Requirements for the Initial Vocational Technical Principal/Assistant Principal License**
- (a) Evidence of sound moral character.
  - (b) Evidence that the candidate meets the current requirements for the Initial Principal/Assistant Principal license under 603 CMR 7.00.
  - (c) Completion of at least three full years of employment in vocational technical education or career and technical education or workforce training acceptable to the Department.
- (5) Requirements for the Professional Vocational Technical Principal/Assistant Principal License**
- (a) Evidence of sound moral character.
  - (b) Possession of an Initial Vocational Technical Principal/Assistant Principal license pursuant to 603 CMR 4.00.
  - (c) Completion of a one-year induction program with a trained mentor.
  - (d) Completion of at least three full years of employment under the Initial Vocational Technical Principal/Assistant Principal license.
- (6) Requirements for the Initial Vocational Technical Supervisor/Director License**
- (a) Evidence of sound moral character.
  - (b) Possession of a bachelor's degree.
  - (c) Possession of a Professional Vocational Technical Teacher or Professional Vocational Technical Principal/Assistant Principal license or Professional Vocational Technical Superintendent/Assistant Superintendent license pursuant to 603 CMR 4.00.
  - (d) Completion of at least three full years of employment in vocational technical education in a role in which the candidate holds a license.
  - (e) Completion of a Department-approved one-year supervisory internship based on the Professional Standards for Vocational Technical Administrators set forth in 603 CMR 4.10 in the Supervisor/Director role with a trained mentor.

- (f) Passing score on the Technical Communication and Literacy Skills Test pursuant to 603 CMR 7.00.

**(7) Requirements for the Professional Vocational Technical Supervisor/Director License**

- (a) Evidence of sound moral character.
- (b) Possession of an Initial Vocational Technical Supervisor/Director Administrator license pursuant to 603 CMR 4.00.
- (c) Completion of a one-year induction program with a trained mentor.
- (d) Completion of at least three full years of employment in the role of licensed vocational technical supervisor/director.

**Validity** The Vocational Technical Supervisor/Director Administrator license is valid for employment as a vocational technical supervisor/director, director, coordinator, department head, division head and curriculum specialist. Persons employed for one-half time or more in these roles must be licensed as a Vocational Technical Supervisor/Director as set forth in 603 CMR 4.07 (6) or (7).

**4.09: Types of Vocational Technical Cooperative Education Coordinator Licenses and Requirements for Licensure**

**(1) Types**

- (a) Initial
- (b) Professional

**(2) Requirements for the Initial Vocational Technical Cooperative Education Coordinator License - Option I**

- (a) Evidence of sound moral character.
- (b) Possession of a Professional Vocational Technical Teacher or Professional Vocational Technical Administrator license pursuant to 603 CMR 4.00 or Professional Guidance Counselor license pursuant to 603 CMR 7.00.
- (c) Completion of a Department-approved one-year supervisory internship based on the Professional Standards for Vocational Technical Cooperative Education Coordinators set forth in 603 CMR 4.10 in the Vocational Technical Cooperative Education Coordinator role with a trained mentor.
- (d) Passing score on the Technical Communication and Literacy Skills Test pursuant to 603 CMR 4.00.

**(3) Requirements for the Initial Vocational Technical Cooperative Education Coordinator License - Option II**

- (a) Evidence of sound moral character.
- (b) Completion of at least five years, full-time, recent employment experience in business or industry in a role related to workforce education and training acceptable to the Department.
- (c) Completion of a Department-approved one-year supervisory internship based on the Professional Standards for Vocational Technical Cooperative Education Coordinators set forth in 603 CMR 4.10 in the Vocational Technical Cooperative Education Coordinator role with a trained mentor.

- (d) Passing score on the Technical Communication and Literacy Skills Test pursuant to 603 CMR 4.00.

**(4) Requirements for the Professional Vocational Technical Cooperative Education Coordinator License**

- (a) Evidence of sound moral character.
- (b) Possession of an Initial Vocational Technical Cooperative Education Coordinator license pursuant to 603 CMR 4.00.
- (c) Completion of a one-year induction program with a trained mentor.
- (d) The completion of at least three full years of employment in the role of licensed Vocational Technical Cooperative Education Coordinator.

**4.10: Professional Standards**

**(1) Professional Standards for Vocational Technical Teachers**

- (a) **Application.** The Standards for Vocational Technical Teachers define pedagogical and other professional knowledge and skills required for all teachers. These standards are used by teacher preparation providers in preparing their candidates, by the Department in reviewing courses seeking approval, and by the Department as a basis of written and performance assessments of candidates. Candidates shall demonstrate that they meet the Standards 1) by passing the written and performance tests required for the preliminary license and, 2) as part of the preparation for the professional license.

**(b) Standards**

**1. Plans Curriculum and Instruction**

- a. Seeks resources from business, industry, colleagues, families and the community to enhance learning. Coordinates with academic teachers to integrate subject matter to fulfill the goals of the learning standards in the Massachusetts Curriculum Frameworks and the Vocational Technical Education Frameworks.
- b. Draws on the vocational technical competencies of the applicable Vocational Technical Education Framework and Massachusetts Curriculum Frameworks to plan activities addressing standards that will advance students' level of subject matter knowledge and skills.
- c. Plans and provides instruction combining manipulative skills with the technical knowledge needed to perform job tasks.
- d. Plans student activities to include, but not be limited to, research, documentation, task performance, record keeping and evaluation of job performance.
- e. Plans and uses work-based activities to enhance student learning.
- f. Draws on results of formal and informal assessments as well as knowledge of human development and student learning styles to plan learning activities appropriate for the full range of students within a classroom and laboratory.
- g. Employs appropriate sheltered English or subject matter strategies for English learners.

- h. Plans units of study with clear objectives and relevant measurable outcomes.
- i. Plans the pedagogy appropriate to the specific discipline and to the age, cognitive level and learning styles of the students in the classroom and laboratory.
- j. Develops student career decision-making and employability skills by creating opportunities for students to gain understanding of workplace cultures and expectations.
- k. Incorporates appropriate technology and media in planning the unit of study.
- l. Uses information in Individualized Education Programs (IEPs) to plan strategies for integrating students with disabilities into general education classrooms and laboratories.
- m. Develops a sequential curriculum design that promotes the identification of academic subject area skills utilized within the vocational technical discipline.
- n. Plans and provides a sequential scope of technical knowledge instruction in the areas of materials, processes and procedures of the technical discipline.
- o. Develops a curriculum that supports the successful transition of students from secondary to postsecondary education including registered apprenticeship programs.

**2. Delivers Effective Instruction**

- a. Communicates high standards and expectations:
  - i. Makes learning objectives clear to students.
  - ii. Communicates clearly in writing and speaking.
  - iii. Uses engaging ways to begin a new unit of study.
  - iv. Builds on students' prior knowledge and experience.
- b. Communicates high standards and expectations when carrying out the unit of study:
  - i. Uses a balanced approach to teaching skills and concepts of reading, writing and speaking.
  - ii. Employs a variety of teaching techniques from more teacher-directed strategies such as direct instruction and practice to less teacher-directed approaches such as discussion, problem solving, applied learning, cooperative learning, research projects (among others) as they apply to the subject matter and skills being taught.
  - iii. Employs a variety of reading and writing strategies for addressing learning objectives.
  - iv. Relates appropriate mathematics, science and technology/engineering concepts to the vocational technical program.
  - v. Uses questioning to stimulate thinking and encourages all students to respond.
  - vi. Uses instructional technology appropriately.
- c. Communicates high standards and expectations when extending and completing the unit of study:
  - i. Assigns and evaluates homework that furthers student learning.
  - ii. Provides ongoing feedback to students on their progress.
  - iii. Provides varied opportunities for students to achieve competence.
  - iv. Communicates high standards and expectations when evaluating student learning.

- v. Measures student achievement of, and progress toward, the learning objectives with a variety of formal and informal assessments and uses results to plan further instruction.
- vi. Translates evaluations of student work into records that accurately convey the level of student achievement to students, parents or guardians and school personnel.

**3. Manages Classroom Climate and Operation**

- a. Creates a safe environment conducive to learning.
- b. Creates a physical environment appropriate to a wide range of learning activities.
- c. Assures that students have adequate training in health and safety issues pertaining to the vocational technical program and that safety guidelines are followed at all times.
- d. Maintains appropriate standards of behavior and mutual respect.
- e. Manages classroom routines and procedures without loss of significant instructional time.

**4. Promotes Equity**

- a. Encourages all students to believe that effort is a key to achievement.
- b. Promotes achievement by all students without exception.
- c. Assesses the significance of student differences in home experiences, knowledge, learning skills, learning pace and proficiency in the English language for learning curriculum and uses professional judgment to determine if instructional adjustments are necessary.
- d. Develops students' character, leadership and sound personal, social and civic values and ethics.

**5. Meets Professional Responsibilities**

- a. Understands his or her legal and moral responsibilities.
- b. Conveys knowledge of and enthusiasm for her/his technical discipline to students.
- c. Remains current in research or developments in the vocational technical discipline and exercises judgment in accepting findings as valid for application in classroom and laboratory practice.
- d. Collaborates with colleagues to improve instruction, assessment and student achievement. Involves parents/guardians in their child's learning and communicates clearly with them. Develops partnerships with business and industry to extend and enrich the learning opportunities available to students.
- e. Assists in the development of partnerships with postsecondary institutions and apprenticeship programs for the development and implementation of high school to postsecondary education and apprenticeship programs.
- f. Makes appropriate use of the Program Advisory Committee to improve the vocational technical program and incorporate modern workplace skills.
- g. Makes appropriate use of vocational technical student organizations to improve student learning and develop student leadership skills.
- h. Reflects upon his or her teaching experience, identifies areas for further professional development as part of a professional development plan that is linked to grade level, school, and district goals and is receptive to suggestions for growth.
- i. Understands legal and ethical issues as they apply to responsible and acceptable use of the Internet and other resources.

**(2) Professional Standards for Vocational Technical Administrators**

- (a) **Application.** The Standards for Vocational Technical Administrators define pedagogical and other professional knowledge and skills required for all administrators. The Professional Standards for Administrators set forth in 603 CMR 7.00 also apply to

Vocational Technical Administrators. Candidates shall demonstrate that they meet the Standards by passing the Administrator Performance Assessment for the Initial license, as a part of the induction phase of the preparation for the Professional license.

(b) **Standards.**

1. **Leadership**

- a. Articulates the role of vocational technical education in the United States.
- b. Articulates the vision and mission of vocational technical education.
- c. Reviews, evaluates, revises and initiates vocational technical education programs on the basis of sound labor market information and input from advisory committees.
- d. Understands how to connect the curriculum to authentic learning experiences.
- e. Leads staff in effective curriculum development activities and helps staff to align curriculum with the Vocational Technical Education Frameworks and the Massachusetts Curriculum Frameworks.
- f. Leads staff in the development and implementation of high school to postsecondary education including registered apprenticeship programs.
- g. Leads staff in the development of integrated academic and technical instruction.
- h. Leads staff in the development and implementation of a comprehensive school improvement plan based upon sound data analysis and the school vision statement.

2. **Safety and Health**

Understands safety and health requirements of vocational technical education and assures that the school develops and follows an appropriate health and safety plan.

3. **Promotes Equity**

- a. Assures presence and quality of educational programs that address the needs, interests and abilities of all students.
- b. Provides programs or activities that help all students acquire a positive civic identity and see themselves as integral members of our civic communities.
- c. Fosters understanding that effort is a key factor in achievement.
- d. Helps all students see themselves as unique individuals responsible for their own actions.
- e. Assures high academic expectations for all students.
- f. Holds teachers, students and self to high standards of performance and behavior.

4. **Community Involvement**

- a. Develops partnerships with business and industry and postsecondary institutions and apprenticeship programs to extend and enrich the learning opportunities available to students.
- b. Makes appropriate use of the general advisory committee to continually improve vocational technical education programs and incorporate current workplace skills.

5. **Professional Responsibilities**

Understands the laws and regulations that govern vocational technical education.

(3) **Professional Standards for Vocational Technical Cooperative Education Coordinators**

- (a) **Application.** The Standards for Vocational Technical Cooperative Education Coordinators define pedagogical and other professional knowledge and skills required for all Cooperative Education Coordinators. Candidates shall demonstrate that they

meet the Standards as part of the induction phase of the preparation for the Professional license.

(b) **Standards.**

1. **Implements curriculum and instruction during the Cooperative Education Program.**

- a. Draws on the Vocational Technical Education Frameworks and the Massachusetts Curriculum Frameworks to plan the cooperative program.
- b. Ensures that manipulative skills are combined with the technical knowledge needed to perform job tasks during the cooperative education program.
- c. Ensures that student activities include, but are not be limited to, research, documentation, task performance, record keeping and evaluation of job performance during the cooperative education program.
- d. Draws on results of formal and informal assessments as well as knowledge of human development and student learning styles to ensure that learning activities are appropriate for students during the cooperative education program.
- e. Seeks resources to enhance learning. Cooperates with academic teachers to integrate academic and technical education to the greatest possible extent during the cooperative education program.
- f. Uses information in Individualized Education Programs (IEPs) to plan strategies for integrating students with disabilities into cooperative education programs.
- g. Develops a cooperative education program that supports the successful transition of students from secondary to postsecondary education including registered apprenticeship programs.

2. **Promotes the Delivery of Effective Instruction**

- a. Communicates high standards and expectations when implementing the cooperative education program:
  - i. Makes learning objectives clear to students.
  - ii. Communicates clearly in writing and speaking.
  - iii. Builds on students' prior knowledge and experience.
  - iv. Relates appropriate mathematics, science and technology/engineering concepts to the cooperative education program.
- b. Communicates high standards and expectations when conferencing with students:
  - i. Provides ongoing feedback to students on their progress.
  - ii. Provides opportunities for students to achieve competence.
  - iii. Communicates high standards and expectations when evaluating student learning.
  - iv. Measures student achievement of, and progress toward, the learning objectives with a variety of formal and informal assessments and uses results to plan further instruction.
  - v. Translates evaluations of student work into records that convey the level of student achievement to students, parents or guardians and school personnel.

3. **Promotes Safety**

- a. Assures that students have adequate training in safety and health issues pertaining to the vocational technical program and that safety guidelines are followed at all times.
- b. Encourages appropriate standards of behavior and mutual respect.

**4. Promotes Equity**

- a. Requires all employers to adhere to non-discrimination and equal opportunity requirements.
- b. Encourages all students to believe that effort is a key to achievement.
- c. Works to promote achievement by all students without exception.
- d. Assesses the significance of student differences in home experiences, knowledge, learning skills, learning pace and proficiency in the English language for learning curriculum and uses professional judgment to determine if adjustments are necessary during the cooperative education program.
- e. Develops students' self-awareness and confidence, character, leadership and sound personal, social and civic values and ethics.

**5. Meets Professional Responsibilities**

- a. Understands his or her legal and moral responsibilities.
- b. Develops partnerships with business and industry to extend and enrich the learning opportunities available to students.
- c. Collaborates with colleagues to improve instruction, assessment and student achievement.
- d. Involves parents in their child's activities and performance and communicates clearly with them.
- e. Ensures that cooperative education employers abide by Child Labor laws as they apply to the cooperative education program.
- f. Assists in the development of partnerships with postsecondary institutions and apprenticeship programs for the development and implementation of high school to postsecondary education including registered apprenticeship programs.
- g. Makes appropriate use of the program advisory committee to continually improve the cooperative education program.
- h. Reflects critically upon his or her professional experience, identifies areas for further professional development as part of a professional development plan that is linked to school and district goals and is receptive to suggestions for growth.
- i. Assesses the success of the program annually through aggregate data analysis and evaluation.

**4.11: Preliminary Vocational Technical Teacher License Renewal**

- (1) The Preliminary Vocational Technical Educator license is valid for five years and may, for a showing of extreme hardship such as serious illness or other catastrophic circumstances that are beyond the control of the educator, be renewed at the discretion of the Commissioner for one additional five year term. The decision of the Commissioner shall be final.
- (2) In order to be eligible for such a renewal the candidate shall:
  - (a) Present evidence of sound moral character.

- (b) Submit an application detailing the extreme hardship, and a plan outlining how the candidate will fulfill requirements for the professional license.

#### **4.12: Professional Vocational Technical Educator License Renewal and Professional Development**

- (1) All Full Approvals issued under previous regulations shall be deemed comparable to professional licenses on September 1, 2003 and must be renewed five years from the licensee's next birthday.
- (2) The Professional Vocational Technical Educator license is valid for five years and is renewable for additional five-year terms.
- (3) The decision of the Commissioner shall be final.
- (4) **Application Process.** All applicants for license renewal shall submit the following to the Department:
  - (a) completed application.
  - (b) required fee
  - (c) evidence of sound moral character.
  - (d) (for teachers) - evidence of the possession of Massachusetts and/or national professional government or industry issued licenses or certifications required by the government or industry to work in the technical program area and by the Department to teach in the vocational technical program area as set forth in "*Guidelines for Vocational Technical Education Programs and Educator Licensure.*"
  - (e) statement, signed under penalties of perjury, that the candidate has successfully completed the requisite number of PDPs under a professional development plan.
  - (f) Applicants who are employed by Massachusetts public schools shall submit a supervisor's endorsement of the completed professional development plan, unless the educator receives an approval of a modification or waiver of this requirement by 603 CMR 4.12(7).
- (5) **Documentation and Record Keeping**
  - (a) Each vocational technical educator shall maintain the following materials to verify completion of license renewal requirements:
    - 1. an individual professional development plan, to be achieved over the five year period, that includes the educator's goals for strengthening content area knowledge and professional skills resulting in improvements in teaching.
    - 2. reasonable documentation that validates the completion of each activity and the number of points accrued.
    - 3. record log of completed license renewal activities, that at a minimum includes the topic and type of professional activities completed, the dates of such activities and the number of points completed.
  - (b) Each vocational technical educator shall maintain the documentation, record log, professional development plan and application for five years from the date of license renewal. This documentation is subject to audit by the Department and review by the vocational technical educator's supervisor.
- (6) **Reconsideration**
  - (a) An applicant for license renewal may request that the Commissioner reconsider the Department's decision not to renew such applicant's license. An applicant may also

appeal a supervisor's decision not to approve or endorse a professional development plan to the Commissioner after seeking any review available at the local school district pursuant to 603 CMR 4.12(8)(e). The applicant shall submit a written request for reconsideration to the Commissioner within 30 days of the date that the applicant received notice that his or her application for license renewal has been denied or that the individual professional development plan was rejected at the highest available level of local review. The decision of the Commissioner shall be final.

**(7) Hardship Waiver or Modification**

- (a) Upon a showing of extreme hardship, the Commissioner may waive or modify the requirement of completion of the requisite number of PDPs as set forth in 603 CMR 4.12. A showing of extreme hardship may include serious illness or other catastrophic circumstances that are beyond the control of the educator. No modification or waiver will be granted without satisfactory evidence that the educator has made a good faith effort to obtain the required number of PDPs but that extreme hardship has prevented the educator from doing so.
- (b) The Commissioner, in his or her discretion, may impose reasonable conditions upon any modification or waiver granted.
- (c) The decision of the Commissioner shall be final.

**(8) Professional Development Points (PDPs):**

- (a) For the renewal of a Professional Vocational Technical Teacher license, professional development points (150 points) must be earned in a minimum of four areas: subject matter knowledge and skills, pedagogy, academic and vocational technical curriculum integration and safety and health for the educator's primary license. The primary license is the license so designated by an educator who has more than one license. The primary license is usually the license under which the educator is employed. If the educator is employed in a position that requires more than one license, the educator may designate which of the licenses is the primary license. Professional development must include an additional 30 PDPs in the subject matter and skills of any additional educator license to be renewed.
- (b) For the renewal of a Professional Vocational Technical Administrator or Professional Vocational Technical Cooperative Education Coordinator license, professional development points (150 points) must be earned for the primary license. Professional development must include an additional 30 PDPs in the area of any additional educator license to be renewed.
- (c) Professional development points may be earned by vocational technical educators in the following ways:
  - 1. Registered providers may award PDPs to license holders who complete a professional development activity and demonstrate proficiency in the relevant area through an appropriate end-of-course assessment.
  - 2. PDPs may be awarded by, or under the auspices of, the Department, school districts, or educational collaboratives upon an educator's completion of a professional development activity.
  - 3. Educators may accrue up to 75 PDPs through an educator-designed professional development such as new employment activities (work experience) as outlined in the "*Guidelines for Vocational Technical Programs and Educator Licensure*." One clock hour of new employment experience will equal one PDP.

4. Achieving an additional occupational technical license or certificate approved by the Commissioner in a licensed occupation will earn a vocational technical teacher a maximum of 50 PDPs in the technical subject matter and skills of the educator's license as outlined in the "*Guidelines for Vocational Technical Education Programs and Educator Licensure.*"
  5. Achieving a passing score on a validated performance assessment approved by the Commissioner will earn a vocational technical teacher a maximum of 50 PDPs in the subject matter and skills of the license as set forth in "*Guidelines for Vocational Technical Education Programs and Educator Licensure.*"
- (d) The Department shall develop and maintain a registry of professional development providers to facilitate access to information about professional development programs.
- (e) Approval of Professional Development Plans. Vocational Technical educators employed in a Massachusetts public school must obtain approval of their proposed professional development plans from their supervisors by the timelines set out in 603 CMR 4.12(8)(e).
1. Approval for proposed individual professional development plans shall be from the vocational technical educator's direct supervisor or an appropriate designee. In most instances, this will mean that the plans of teachers and other educators who report to the principal will be approved by the principal, a principal's plan will be approved by the superintendent, and a superintendent's plan will be approved by the chairperson of the school committee.
  2. Approval of a plan shall be based on whether the PDPs in the plan are consistent with the educational needs of the school and/or district and whether the plan is designed to enhance the ability of the educator to improve student learning. A supervisor may consider whether the plan requires an educator to earn PDPs regularly throughout the five year period when evaluating a plan.
  3. Approval of individual professional development plans shall not be unreasonably withheld. In the event that a plan is rejected by a supervisor, teachers and other educators who report to the principal may seek review of the denial from the superintendent, principals may seek review from the school committee chairperson, and superintendents may seek review from the Department. An educator may then seek additional review from the Department, according to the provisions of 603 CMR 4.12(6).
  4. A supervisor shall review each individual professional development plan at least every two years. A supervisor shall review the professional development plan of any educator new to the district or school within three months of the educator's beginning employment in the new position. A supervisor may require an educator to amend the plan or may withdraw approval for a plan that had been previously approved, provided, however, that any PDPs that were earned consistently with an approved plan shall be deemed approved in applying for license renewal. Any PDPs that are earned prior to the approval of a plan may be subject to disapproval, if in the opinion of the educator's supervisor, the PDPs are not consistent with the educational improvement goals of the school and/or district.
  5. Vocational technical educators who are employed in a Massachusetts public school shall include in their license renewal application their supervisor's approval of their completed professional development plans. A supervisor's approval will indicate that the supervisor has reviewed the log of professional development activities maintained by the educator to ensure that the reported activities are consistent with the approved professional development plan. Vocational technical educators who are not employed in Massachusetts public schools at the time that

they apply for license renewal shall submit their plans directly to the Department, without a supervisor's endorsement.

**(9) Inactive and Invalid Licenses**

- (a) A license that is not renewed within the five-year validity period is deemed inactive for a period of five years. At the end of that time, the license is invalid, except as provided in 603 CMR 4.12 (b) or (c).
- (b) An educator who is not currently employed in a position requiring licensure and who is to be employed in a position for which he or she holds an inactive license, shall have two years from the start of such employment to complete the professional development requirements for the professional license.
- (c) An educator who is currently employed in a position requiring licensure for which he or she holds an active license, and who is to be employed in a position for which he or she holds an inactive additional license, shall have two years from the start of such employment to complete the professional development requirements for the inactive license. The educator may renew such additional license upon the completion of 30 PDPs, provided that the educator has renewed his or her primary license.
- (d) An educator may not be employed under an inactive license, except as provided in 603 CMR 4.12 (b) or (c), until he or she renews the license, unless the school district receives a waiver from the Department pursuant to 603 CMR 4.03. An educator may not be employed under an invalid license, until he or she renews the license, unless the school district receives a waiver from Department pursuant to 603 CMR 4.03 (5) (c).
- (e) If a license has become inactive or invalid under 603 CMR 4.12 (a), the educator may renew the license after completing the license renewal and professional development requirements contained in 603 CMR 4.12.

**4.13: General Provisions**

- (1) Fees. License fees will be charged for each original license and each renewal.
- (2) Previous Employment. Previous employment in any role covered by the licenses issued under 603 CMR 4.00 does not exempt a candidate from the provisions of 603 CMR 4.00.
- (3) Additional Licenses. Teachers holding vocational technical teacher licenses may earn additional Vocational Technical licenses as follows:
  - New Field: Teachers holding a Preliminary or a Professional Vocational Technical license will qualify for a different license by achieving passing scores on the appropriate written and performance tests, showing proof of appropriate employment experiences and state, national and/or industry licenses and/or certifications as required by the Department in 603 CMR 4.00.
- (4) Prerequisite Licenses. The requirement that an applicant for vocational technical educator licensure hold a Massachusetts vocational technical educator license may be waived by the Department for an applicant who has earned an equivalent license based on the same level of preparation in another state or jurisdiction.
- (5) Reconsideration. An applicant for vocational technical educator licensure may request that the Commissioner reconsider the Department's decision not to issue a license. The applicant shall submit a written request for reconsideration to the Commissioner within 30 days of the date that the applicant received notice that his or her application for licensure was denied. The decision of the Commissioner shall be final.

**(6) Revocation, Suspension, Limitation, and Denial of Licenses**

**(a) Grounds for License Action.**

1. The Commissioner may suspend or limit, either indefinitely or for a fixed period of time, or revoke a license if after investigation any of the following is determined:
  - a. The license was obtained through fraud or misrepresentation of a material fact;
  - b. The holder of the license is unfit to perform the duties for which the license was granted;
  - c. The holder of the license has pleaded guilty, received deferred adjudication, or been convicted in a court of law of a crime involving moral turpitude or of any other crime of such nature that in the opinion of the Commissioner the person so convicted discredits the profession, brings the license into disrepute, or lacks good moral character;
  - d. The holder has had one or more licenses or certificates revoked, suspended, surrendered, or otherwise limited as part of an administrative proceeding in another jurisdiction or by another licensing body for reasons that are sufficient for limitation of a Massachusetts license, regardless of whether or not the holder obtained a Massachusetts license through the NASDTEC Interstate Contract.
  - e. There exists other good cause to revoke, suspend, or limit the license including, but not limited to, gross misconduct or negligence in the conduct of the license holder's professional duties and obligations, commitment of an offense against any law of the Commonwealth related to the license holder's professional duties and responsibilities, willful action in violation of Board regulations or Department orders, or dismissal for just cause from a position in a school or child care facility.
2. If any of the above grounds are determined, the Commissioner may put limitations on a license that may include:
  - a. Restrictions on the ages of students with whom the certificate or license holder may work;
  - b. Additional supervision requirements;
  - c. Education, counseling, or psychiatric examination requirements;
  - d. Notification to the employer of the circumstances surrounding the Commissioner's decision to put limitations on the license holder.

**(b) Investigatory Subpoenas.**

1. At any stage of the investigation, the Department may request that the Commissioner or his designee issue a subpoena requiring the attendance and testimony of a witness, including the license holder, and the production of any evidence, including files, records, correspondence, or documents, relating to any matter in question in the investigation. The request shall be made in writing.
2. The subpoena shall require a witness to appear at the Department at a specified date and time and shall specify any evidence to be produced. The licensee shall not be entitled to be present, but the Department shall provide the licensee with a copy of any recorded testimony prior to any hearing under 603 CMR 4.13(6)(e).
3. Failure of a license holder to comply with a duly issued investigatory subpoena shall be grounds for revocation, suspension, limitation, or denial of a license.

**(c) Procedure.** No license may be revoked, suspended, or limited until:

1. The Department has determined that there is probable cause to find that the holder's license may be revoked, suspended, or limited for one or more of the grounds set forth in 603 CMR 4.13(6)(a); and
  2. The Department sends written notice to the license holder of its determination of probable cause and of the holder's right to request a hearing before the Commissioner in accordance with M.G. L. c. 30A and 801 CMR 1.00: Adjudicatory Rules of Practice and Procedure. Notice shall be sent by certified mail and regular mail to the holder's last known address. The holder shall have 21 days from receipt of the notice to make a written request for a hearing. If no written request for a hearing is received by the Commissioner in accordance with the above, the holder's license shall be deemed to be revoked, suspended, or limited and the holder shall be so notified by certified mail.
- (d) **Surrender.** A license holder may surrender a license by submitting documentation to the Commissioner in an approved manner. If a license holder surrenders a license after the Department has found probable cause to revoke, suspend, or limit the license, the surrender will be treated as a revocation.
- (e) **Hearing.**
1. If the Commissioner receives a request for a hearing from the license holder in accordance with 603 CMR 4.13 (6) (c), the Commissioner or his designee shall schedule a hearing no later than 60 days after receipt of the request. The hearing shall be conducted in accordance with M.G.L. c. 30A and 801 CMR 1.00: Adjudicatory Rules of Practice and Procedure. The hearing shall not be open to the public unless the license holder requests a public hearing.
  2. Within 30 days of the date the hearing concludes, the Commissioner or his designee shall render a written decision determining whether or not the holder's license shall be revoked, suspended, or limited. The decision shall comply with the requirements of M.G.L. c. 30A, § 11 and 801 CMR 1.00: Adjudicatory Rules of Practice and Procedure.
  3. The Commissioner shall send a copy of the decision to the license holder along with a notice informing him or her of the right of appeal in accordance with the provisions of M.G.L. c. 30A, § 14.
- (f) **Notice of License Action.** The Department shall send notice of the revocation, suspension, limitation, or surrender of a license to all Massachusetts superintendents of schools and to the certification or licensure officers of every state.
- (g) **Reinstatement.**
1. A person whose license has been revoked in accordance with 603 CMR 4.13(6) may again be licensed in Massachusetts only upon a 2/3 vote by the Board.
  2. The Department may reinstate a suspended license upon determination by the Commissioner that the condition causing the suspension has been corrected.
  3. License limitations or conditions shall remain in effect as determined by the Commissioner.
- (h) **Administrators' Obligation to Report.** Any administrator who has dismissed, declined to renew the employment of, or obtained the resignation of any educator for any of the reasons cited in 603 CMR 4.13 (6) (a) shall report in writing such resignation or dismissal and the reason therefor to the Commissioner within 30 days. This obligation to report also applies when an administrator acquires relevant information after an educator's dismissal, resignation, or non-renewal. Failure to make such reports shall be grounds on which the Commissioner may revoke the administrator's license.

- (i) **License Holder's Obligation to Report.** Any license holder who has been convicted of a crime in a court of law shall notify the Department of such conviction in writing within ten days of such conviction. The term "convicted of a crime" shall include any guilty verdict, admission to or finding of sufficient facts, and any plea of guilty or nolo contendere, whether or not a sentence has been imposed. Any license holder who is the subject of an enforcement action by the Massachusetts Ethics Commission shall notify the Commissioner of such action in writing within ten days of such action. Any license holder who has surrendered an educator license or any professional license or certificate or who has had such a license or certificate revoked, suspended, or limited in any jurisdiction or by any agency shall notify the Commissioner of such action in writing within ten days of such action. Failure to do so shall be grounds on which the Commissioner may revoke the holder's license.
  - (j) **Records.** Nothing herein shall be construed to require the Department to disclose, under the Massachusetts public records law M.G.L. c. 66, § 10 and M.G.L. c. 4, § 7 Clause Twenty-sixth, any information, documents, or evidence sought by or provided to the Commissioner pursuant to his responsibilities under 603 CMR 4.13(6) until final disposition of the matter.
  - (k) **License Denial.** The Commissioner may deny an applicant's application for a license for the reasons set forth above and for reasons enumerated in 603 CMR 4.00. If the Commissioner denies an application for a license, an applicant may request reconsideration by the Commissioner under 603 CMR 4.13 (5). All of the above rules pertaining to investigatory subpoenas apply to license applicants. Failure of an applicant to comply with a duly issued investigatory subpoena shall be grounds for denial of a license.
- (7) General Provisions for Employment
- (a) **Legal Employment:** To be eligible for employment by a school district in any position covered by 603 CMR 4.00, a person must have been granted a vocational technical educator license by the Commissioner that is appropriate for the role or be serving under an exemption according to the provisions of 603 CMR 4.00 for that role. Other professional staff in the school or school district required to be licensed under 603 CMR 7.00 shall be so licensed.
  - (b) **District Requirements:** Nothing in 603 CMR 4.00 shall be construed to prevent a school district from prescribing additional qualifications beyond those established in 603 CMR 4.00.
  - (c) **Preliminary Licenses:** Persons holding Preliminary licenses are permitted to seek employment in teaching positions requiring licensure in school districts that have an approved induction program for the Preliminary license.
- (8) **Role.** The role covered by each license is defined by the title and requirements of the vocational technical educator license. Superintendents and principals intending to employ a professional educator in a role not obviously defined by an existing license must determine the most appropriate vocational technical educator license by comparing the actual duties and responsibilities of that role with the vocational technical educator license requirements.
- (9) **Public Record.** Each school district shall maintain as a public record, in a central location or in each school, a list of all staff members whose employment is governed by 603 CMR 4.00, indicating the role in which each is employed and the credential that authorizes such employment.
- (10) **Waivers.** A school district may submit in writing a proposal for approval by the Commissioner for the satisfaction of any requirement in 603 CMR 4.00 in a manner

different from that specified in 603 CMR 4.00. The Commissioner may approve such proposal if it shows substantial promise of contributing to improvements in the methods for meeting the goals of 603 CMR 4.00 and if such proposal does not conflict with any provision of law. No such proposal shall be implemented until approved by the Commissioner.

(11) Implementation

- (a) These regulations become effective on September 1, 2003.
- (b) All vocational educator approvals issued by the Board prior to September 1, 2003 will remain valid as issued unless limited, suspended, or revoked for cause. All Provisional Vocational Teacher approvals issued by the Board prior to September 1, 2003 are comparable to a Preliminary Vocational Technical Teacher license, and all Full Vocational Educator approvals issued by the Board prior to September 1, 2003 are comparable to a Professional Vocational Technical Educator license.
- (c) Between September 1, 2003 and September 1, 2004 candidates may qualify for a Preliminary Vocational Technical Teacher license either by meeting the requirements for provisional approval under 603 CMR 4.10 in effect prior to September 1, 2003 or by meeting the requirements for a Preliminary Vocational Technical Teacher license under 603 CMR 4.00.
- (d) Between September 1, 2003 and September 1, 2006 vocational teachers with Provisional Vocational Teacher approval may qualify for a Professional Vocational Technical Teacher license by meeting the requirements for full approval under 603 CMR 4.10 in effect prior to September 1, 2003 or by meeting the requirements for a Professional Vocational Technical Teacher license under 603 CMR 4.00.
- (e) Between September 1, 2003 and September 1, 2004 candidates may qualify for a Professional Vocational Technical Administrator license by meeting the requirements for full approval under 603 CMR 4.10 in effect prior to September 1, 2003 or by meeting the requirements for a professional license under 603 CMR 4.00.
- (f) Between September 1, 2003 and September 1, 2004 candidates may qualify for a Professional Vocational Technical Cooperative Education Coordinator license by meeting the requirements for full approval under 603 CMR 4.10 in effect prior to September 1, 2003 or by meeting the requirements for a professional license under 603 CMR 4.00.
- (g) An educator must apply for licensure by September 1, 2004 in order to qualify for licensure under the provisions of 603 CMR 4.10 in effect prior to September 1, 2003.

- (12) Commissioner's Determination. The Commissioner, for good cause, may determine which specific requirements for licensure set forth in 603 CMR 4.07, 4.08, 4.09, 4.11, 4.12 and 4.13 (3) shall apply and/or be modified for applicants who have submitted evidence that they have either substantially met the requirements for licensure prior to a change in the regulations or that they would have met the requirements but were unable to do so because of extreme hardship. No modification of the requirements will be granted without satisfactory evidence that the applicant has made a good faith effort to complete the requirements for licensure. The Commissioner, at his discretion, may impose reasonable conditions upon any modification granted. The decision of the Commissioner shall be final.

#### **4.14 Certificate of Occupational Proficiency**

- (1) Criteria for Candidacy for the Certificate of Occupational Proficiency  
In order to qualify as a candidate for the Certificate of Occupational Proficiency in a specific vocational technical education program, a student must possess a portfolio containing at a

minimum a competency profile demonstrating the acquisition of the knowledge and skills associated with at least two years of full-time study in the program, as well as a career plan, safety credential and a resume.

(2) **Criteria for Receiving the Certificate of Occupational Proficiency**

In order to receive the Certificate of Occupational Proficiency, a student must qualify as a candidate for the Certificate of Occupational Proficiency, have acquired a state competency determination for high school graduation, and be in good standing to graduate from the high school in which he/she is enrolled. The 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.

## APPENDIX A

### Guidelines for Vocational Technical Education Programs and Educator Licensure

for Implementation September 1, 2003

Filed with the Secretary of State - August 2003

Amended Version Filed with the Secretary of State - February 2009

Massachusetts vocational technical education regulations (603 CMR 4.00) reference the Guidelines for Vocational Technical Education Programs and Educator Licensure. Listed below are the sections of the regulations that reference these Guidelines along with the specific guidelines.

**Section 4.03(4) (a) 6** states that the Program of Study shall meet National Program Approval Standards as set forth in "**Guidelines for Vocational Technical Education Programs and Educator Licensure.**" Guidelines: Each school with M.G.L.c.74 603 CMR 4.00 (Chapter 74 - approved CTE programs) must meet National Program Approval Standards approval for a minimum of one program per three-year period. The first three year period will be September 1, 2003 - September 1, 2006. National Program Standards approval received prior to September 1, 2003 cannot be counted toward meeting this requirement.

**Section 4.03(4) (a) 7** states that the Program of Study shall meet state board/agency approvals, accreditation association approvals as set forth in the "**Guidelines for Vocational Technical Education Programs and Educator Licensure.**" Guidelines: The list of programs and the required approvals is given below.

**Early Education and Care** - Massachusetts Department of Early Education and Care

**Cosmetology** - MA Board of Registration of Cosmetologists

**Electricity** - MA Board of State Examiners of Electricians

**Health Assisting** - (Certified Nursing Components) MA Department of Public Health (Nurse Aide Registry)

**Plumbing** - MA Board of State Examiners of Plumbers & Gas Fitters

**Practical Nursing (LPN)** - MA Board of Registration in Nursing

**Section 4.03 (4)(e)** states that the programs shall meet the standards in the guidelines for exploratory programs included in the "**Guidelines for Vocational Technical Education Programs and Educator Licensure.**" Guidelines: Students to be made aware of the opportunities in a variety of vocational technical program areas including those nontraditional for their gender. Beginning vocational technical students should be assessed at the commencement of their vocational technical education for academic skills, learning styles, aptitudes and interests. At the same time they should be acquainted with as many of the school's vocational technical programs e.g., laboratories, shops or majors as possible. The time spent in each program should be sufficient to allow for the student to be adequately assessed. In addition it should be ample to allow for the student to become aware of the program requirements and the opportunities for employment and further education extended by the program. Students should explore nontraditional for his or her gender programs. Of critical importance is that the students receive appropriate safety training while exploring programs. The criteria and process to be used in selecting students for admission to particular vocational technical education programs as submitted and approved by the Department shall be published in the Program of Studies with a copy provided to each student and parent/guardian prior to beginning an exploratory program.

**Section 4.07(2)(c), Section 4.07(3)(c), and Section 4.12(4) 4** requires that candidates for vocational technical teacher licensure possess Massachusetts and/or federal government or industry issued licenses or certifications required by industry or government to work in the technical area and by the Department to teach the vocational technical subject matter and skills as set forth in "**Guidelines for Vocational Technical Education Programs and Educator Licensure.**" Guidelines:

The following Massachusetts and/or federal government or industry issued licenses or certifications

required by industry or government to work in the technical area and by the Department to teach the technical subject matter and skills.

**Automotive Collision Repair and Refinishing** - National Automotive Services Excellence Certification (2 areas of automotive collision repair)

**Automotive Technology** - National Automotive Services Excellence Certification (3 areas of automotive technology)

**Baking** - Food Sanitation Certification

**Carpentry** - MA Construction Supervisor License

**Cosmetology** - MA Cosmetologist License and Instructor License

**Culinary Arts** - Food Sanitation Certification

**Dental Assisting** - Dental Assisting Certification

**Diesel Technology** - National Automotive Services Excellence (1 area of diesel technology)

**Early Education and Care** - MA Department of Early Education and Care (Lead Teacher License)

**Electricity** - MA Master & Journeyman Electrician Licenses

**Heating, Air Conditioning, Refrigeration** - MA Refrigeration Technician License & Section 608 EPA Certification at Universal Level

**Health Assisting** - MA RN License

**Horticulture** - MA Pesticide Applicator License

**Hospitality Management** - Food Sanitation Certification

**Major Appliance Installation/Repairing** - Section 608 EPA Certification at Universal Level

**Medical Assisting** - National Certification as a Medical Assistant or Medical Assistant/Secretary

**Natural Resources** - MA Pesticide Applicator License

**Plumbing** - MA Master & Journeyman Plumber Licenses

**Practical Nursing (LPN)** - MA RN License

**Stationary Engineering** - MA First, Second or Third Class Boiler Engineer License

**Welding** - National Welding Certification

**Section 4.12(8)(c) 3** states that educators may accrue up to 75 PDPs through an educator-designed professional development such as new employment activities (work experience) as outlined in the "**Guidelines for Vocational Technical Programs and Educator Licensure.**" One clock hour of new employment experience will equal one PDP.

**Section 4.12(8)(c) 4** states that achieving an additional occupational technical license or certificate approved by the Commissioner in a licensed occupation will earn a vocational technical teacher a maximum of 50 PDPs in the technical subject matter and skills of the educator's license as outlined in the "**Guidelines for Vocational Technical Education Programs and Educator Licensure.**" Guidelines: The licenses/certifications required by 603 CMR 4.07(2) (c) are approved by the Commissioner for the purposes of this section i.e. acquiring one of them after Professional licensure will earn 50 PDP's if it is in the area of the Professional license.

**Section 4.12(8)(c) 5** states that achieving a passing score on a validated performance assessment approved by the Commissioner will earn a vocational technical teacher a maximum of 50 PDPs in the subject matter and skills of the license as set forth in "**Guidelines for Vocational Technical Education Programs and Educator Licensure.**" These guidelines provide that a validated performance assessment approved by the Commissioner is one that is validated and measures academic or occupational skills i.e., achieving such after Professional licensure will earn 50 PDP's if it is in the area of the Professional license.