

Written Testimony to Senate Education Committee

From: Jody Emerson, Superintendent/Director of the Central Vermont Career Center School District (CVCCSD)

April 27, 2023

Good afternoon, my name is Jody Emerson and I am the Superintendent/Director of the Central Vermont Career Center (CVCC). CVCC has 13 programs, some of which have two year options - Automotive, Baking & Culinary, Building Trades, Cosmetology, Design & Fabrication, Digital Media Arts, Electrical Tech, Emergency Services, Exploratory, Medical Professions, Natural Resources, Plumbing & Heating and Coop. I've been asked to discuss the Career and Technical Education (CTE) admissions process. First I'll let you know that not all 17 centers have the same process. This is an area where there is an opportunity for alignment across the state. Some of us have a very detailed admissions process and others have a system that is more like a lottery or first come, first serve model for applicants. As a reminder, no CTE center is a Local Education Authority (LEA), the sending school remains in that role and has many responsibilities as a result. In Vermont, CTE is considered a flexible pathway in Education as evidenced on the Agency of Education's [website](https://education.vermont.gov/student-learning/flexible-pathways/career-technical-education) and does not have the authority to grant diplomas.

(<https://education.vermont.gov/student-learning/flexible-pathways/career-technical-education>).

In addition, the Agency of Education provides several guiding documents for the admissions process.

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<https://drive.google.com/file/d/18y2fahwSxUQJygQJ6zeY-u5Hu2TOB8bd/view?usp=sharing>

The [admissions process](#) at the Central Vermont Career Center was updated last year as we came out of covid and wanted to get back to a more traditional approach. As I was new to the center at the time, our registrar, former Assistant Director and interested teachers met throughout the year to redesign the process that is linked above and attached with this testimony. Now that we have completed a year, we will likely refine that document.

I'll use the first round of applications as an example. Students who are interested in attending a program at CVCC are expected to tour the center first - there are opportunities to do so at our Open House, our Trades Fair, sending school visit days in the fall for interested 8-10th graders, and 8th grade tours in the spring, this year will be the first year that we have almost all of our sending schools participating in those tours. Applications open the night of our November open house and were due just before the December break. The application process is online and students fill out their name, address, grade level, parent information, sending school, programs they are interested in (first 2 choices), and why they want to attend. Their counselor then goes in and recommends (or not) the student and attaches attendance, behavior and report card data. There is a rubric that is used by staff, including program instructors, our school counseling coordinator and assistant director to score those applications. All students are invited in for shadow day and are able to shadow both their first and second choice program - this year they

shadowed their second choice from 9-10am and then their first choice from 10:15am-12:30pm and then were able to join our students for lunch before returning to their sending school. This year we added an additional component, program preview day. Instructors were able to invite applicants back to program preview day based on the application and shadow day information they had. Students who were invited to program preview day spent the entire program day 8:22-12:30 with the instructors in the classrooms and labs/shops. It was an opportunity to set some norms, ask students to complete some pre-assessments, interview students and share what the program is really like. We have found that a lot of students think that if they get into Automotive for example, that they will be able to work on cars all day, or if they get into Electrical they will be wiring and other hands-on activities all the time - this is generally not the case. Many of our heavy trades programs, for example, spend the morning in the classroom working on strengthening their literacy and math skills, learning code, and/or working through the curriculum, such as the National Center for Construction Education and Research (NCCER). From this year's application process we have determined we need to make adjustments to next year's process due to counselor and teacher feedback. We are also trying to follow the process of using a google form, which is what most tech. center's in the state are currently using. We are piloting this form this spring/summer with our third round of admissions.

All centers have what is called a "blind" admissions process when it comes to Individualized Education Plans or Special Education. We can not and do not ask for EST, 504 or IEP plans as part of our admissions process. The sending school case manager is responsible for ensuring a team meeting took place where the team determined that placement in a CTE was appropriate for the student prior to application and a transition meeting needs to be scheduled once the student has been accepted. In general 35%-40% of CTE students are on specialized education plans be they 504 or IEP.



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Career and Technical Education Center Admissions Decision Tree

Non-Regulatory Guidance

It is a violation of federal law for a program to enroll a disproportionate amount of, among other things, disabled students. It could be considered discriminatory if a disproportionate amount of a school's disabled students are encouraged (or discouraged) to enroll at a CTE center. Centers should carefully examine admission and academic criteria to ensure that they do not have the unintended effect of discriminating against disabled students, or any other protected group.

PRE-APPLICATION STAGE

Collaborative Process

CTE Center Process

- CTE center develops admissions criteria and academic requirements and provides them to sending school counselors.
- CTE center conducts promotional activity at/for the sending school(s).
- Sending school IEP team members review requirements and promotional materials.
- IEP team meets BEFORE student applies to CTE center to determine if the center can provide appropriate learning opportunities for the student.
- Parents and/or adult students should be informed when a representative from the center will be in attendance to provide information.
- A representative from the CTE center shall be available with information about the program to assist the IEP team in deciding whether the student is an appropriate referral based on criteria and requirements established by the center (See box 1 in the next column).
- IEP team decides whether or not the CTE center is an appropriate educational setting for the student based on information provided from the CTE center.

APPLICATION STAGE

CTE Center Process

- Student applies to CTE center on their own.
- CTE center reviews applications and makes an admissions decision based on available, objective information:
 - Does student meet established admissions criteria (i.e. entering appropriate grade level, credits, grade history, technical requirements, academic

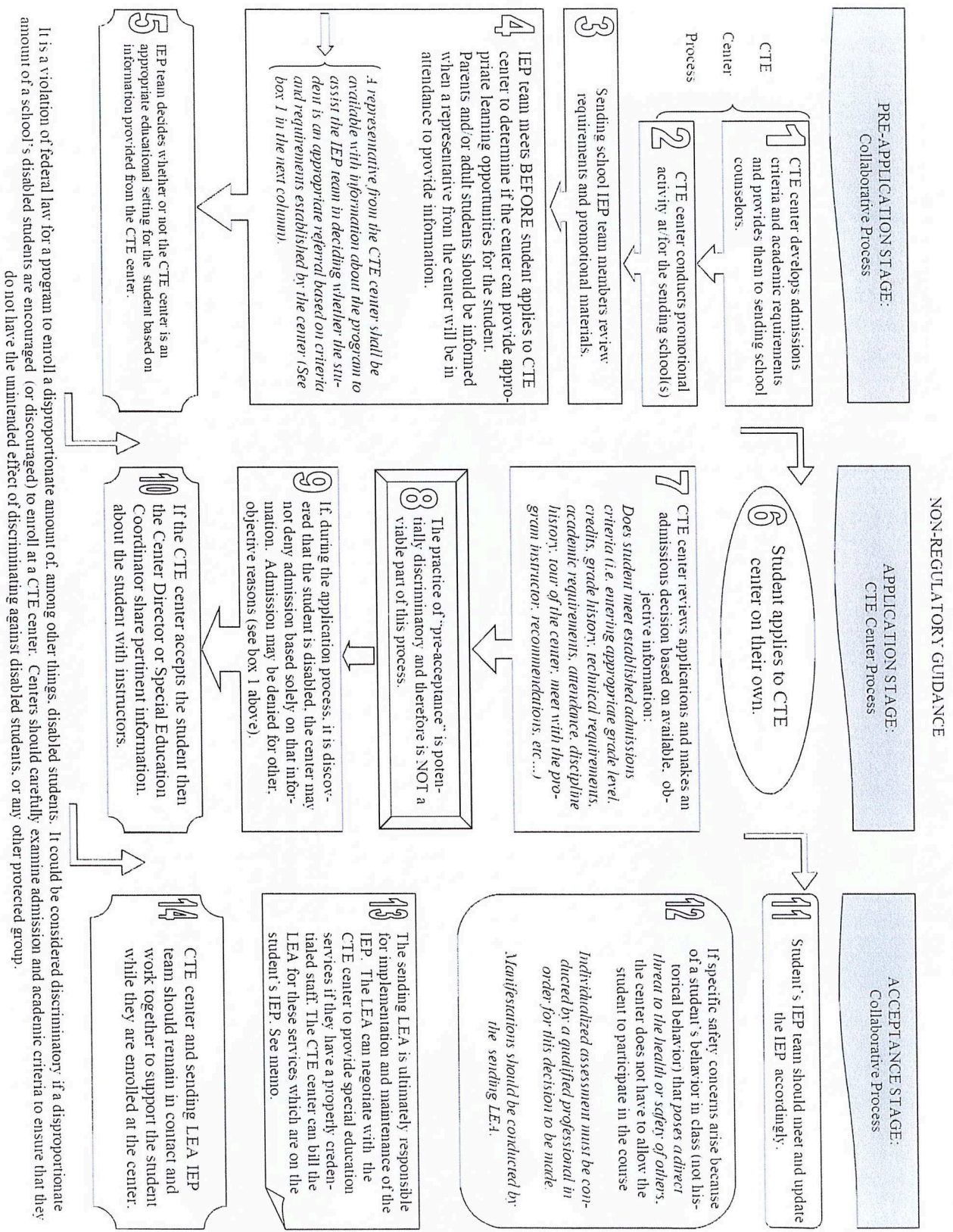
requirements, attendance, discipline history, tour of the center, meet with the program instructor, recommendations, etc.)?

- The practice of “pre-acceptance” is potentially discriminatory and therefore is NOT a viable part of this process.
- If, during the application process, it is discovered that the student is disabled, the center may not deny admission based solely on that information. Admission may be denied for other, objective reasons (see box 1 above).
- If the CTE center accepts the student then the Center Director or Special Education Coordinator share pertinent information about the student with instructors.

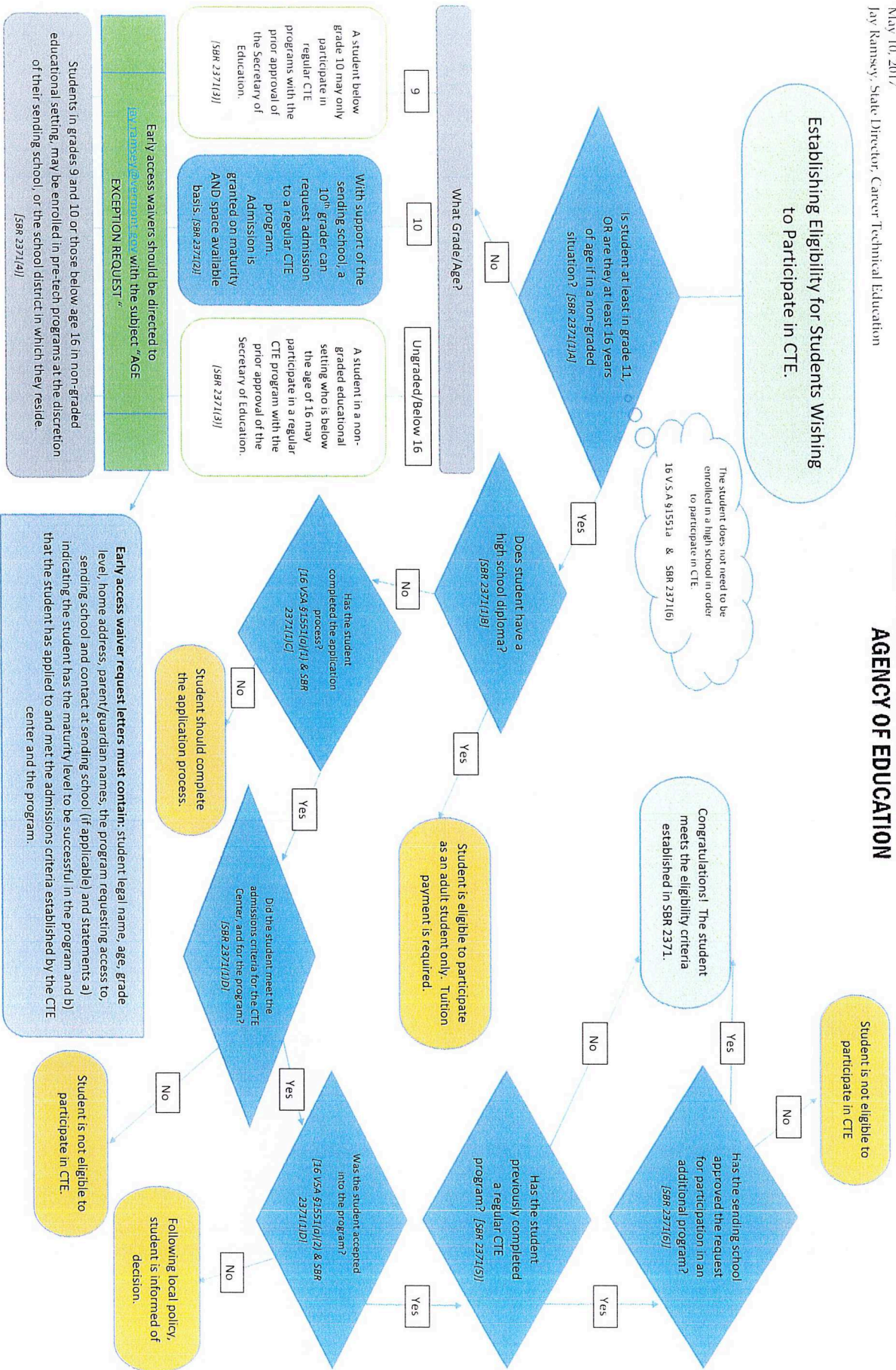
ACCEPTANCE STAGE

Collaborative Process

- Student’s IEP team should meet and update the IEP accordingly.
- If specific safety concerns arise because of a student’s behavior in class (not historical behavior) that poses a direct threat to the health or safety of others, the center does not have to allow the student to participate in the course.
- Individualized assessment must be conducted by a qualified professional in order for this decision to be made.
- Manifestations should be conducted by the sending LEA.
- The sending LEA is ultimately responsible for implementation and maintenance of the IEP. The LEA can negotiate with the CTE center to provide special education services if they have a properly credentialed staff. The CTE center can bill the LEA for these services which are on the student’s IEP. See memo.
- CTE center and sending LEA IEP team should remain in contact and work together to support the student while they are enrolled at the center.



Establishing Eligibility for Students Wishing to Participate in CTE.





Admissions Process:

Outreach Coordinator visits sending schools and shares information, including video tour (September) - also reaches out to other schools that may have interested students.

Sending School Planning Meetings - For students who are on plans and indicate an interest in CTE, hold a team meeting and invite Carrie Cook so as to ensure the center is an appropriate placement for the student according to the Team (September/October)

Tour: Students interested in attending CVCC should tour the center prior to submitting an application, these should be coordinated with the sending school counselors and the CTE counseling coordinator (Week of November 7th). Parents, guardians, and students are encouraged to attend open house (November 17, 2022). If the student has toured already, they should note the date of tour in their application.

Apply: Submit a complete application to CVCC (which includes 1st & 2nd choice programs). Apply online: <https://cvccc.org/cvccc--apply-to-cvccc.html> Applications are open the day of Open House (November 17, 2022) and the deadline is December 19, 2022. *(Disclaimer: applicants must be 16 years old or 10th grade by the time of enrollment to attend any of our programs, with the exception of pre-tech)*

A complete application includes:

- Application
- Transcript
- Attendance
- Discipline records

(Program instructors use applications and shadow day to identify "qualified" applicants who can be invited CTE Program Preview)

Shadow: Shadow the program(s) you applied for (Week of January 23, 2023)
(Program instructors use applications and shadow day to identify "qualified" applicants who can be invited Program Preview)

Program Preview: Qualified applicants are invited to attend CTE program preview day at CVCC which is held on February 24, 2023 (Snow date of March 10, 2023). This can include individual interviews, pre-assessments, skills-based, hands-on activities, etc.

Decision: First Round admissions decisions will be made by March 31st.

Program Acceptance Celebration will be incorporated into the Trades Fair on May 11, 2023



Second Round:

| | |
|----------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| If student participated in above, and was not selected | If student didn't participate in first round process |
| Student is automatically moved to second round for second choice program | Student should call CVCC (802) 476-6237 to schedule a tour and, after the tour, complete the application available online: https://cvtcc.org/cvcc--apply-to-cvcc.html (due March 17, 2023, 2nd round applications open January 17, 2023). |
| Shadow/interview appointment (Week of April 3, 2023) access via sending school bus. Second Round Preview (May 12, 2023) | |
| 2nd Round Acceptances will be determined by May 19, 2023. | |

Third round:

Students who missed the first and second round application windows may complete their tour after application for this round due to the possibility of applying over the summer. Applications for this round close on August 18, 2023. Interview takes place on the day before the first day of school for students.

Waiting List:

At any point in the admissions process, if a program is filled, additional qualified applicants will be placed on a waiting list.



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MEMORANDUM

TO: Special Education Administrators, Career and Technical Education (CTE) Center Directors, Special Educators and CTE Special Needs Coordinators
FROM: Karin Edwards, Co-Director Special Education, John Fischer, Secondary and Adult Division Director
SUBJECT: Non-Regulatory guidance for CTE center admissions procedures, IEP teams and students eligible for special education and related services under the IDEA
DATE: September 2011

The purpose of this memo is to clarify the role of Individualized Education Program (IEP) teams for students who are eligible for special education and related services ("special education") under the Individuals with Disabilities Education Act (IDEA). This memo does not, nor is it intended to, address legal requirements for public access and accommodation for individuals with disabilities (which may include students who are eligible for special education under IDEA), as may be applicable to CTE centers under federal and state laws, such as Section 504 of the Rehabilitation Act and the Americans with Disabilities Act.¹

What follows is a set of guidelines that the department recommends high schools and CTE centers follow, to promote successful participation in technical education, for students eligible for special education under the IDEA. A flowchart is attached that summarizes the content of this memo.

Vermont State Board of Education (VSBE) Rule 2387.2

VSBE Rule 2387.2 states that enrollment in career and technical education shall be considered for a student who is eligible for special education and related services under the IDEA when that student's IEP Team determines that this would benefit the student. The rule also states that if such a student participates in career and technical education, the student's IEP team shall include representatives from the CTE center that the student attends. This is to ensure that the student's IEP incorporates the student's participation in career and technical education, and accurately reflects the special education and related services that the student will receive with regard to the CTE center classes and program(s) in which the student is enrolled.

Providing CTE Information to Students

Each CTE center should provide information about its programs, application procedures and opportunities to tour the center and its programs (including accommodations for disabilities) to all high schools and students in their region, incorporating admissions criteria, and any programmatic or academic prerequisites and technical requirements in all admissions materials. This is a critical piece of information

for IEP teams to have so that they can determine whether CTE is the right educational setting for the student and it assists the CTE center to make sure that its prerequisites and requirements are applied equally to all students, regardless of disability. By the same token, school districts must provide opportunities and support for high school students to learn about and participate in regional CTE programs.

CTE Programs and IEP Teams

When a student who is eligible for special education under the IDEA expresses interest in a CTE program, or when a student's IEP team determines career and technical education may be appropriate for the student, the student's IEP team should meet to discuss this. The team should review the regional CTE center's specific admissions criteria, academic prerequisites and technical requirements for programs, and discuss how to implement special education and related services if the student were admitted to a CTE program. If the IEP team wants more information on a CTE center or a particular program (e.g., details on academic prerequisites and technical requirements, what a typical day in the program looks like, competency lists, occupational licensing/certification requirements), they may invite a representative (with consent from the 18+ student or parent) from the CTE center who is knowledgeable about the center and specific programs to the IEP meeting where the team is discussing whether or not CTE is an appropriate match for the student. Specific, identifiable information about the student should not be disclosed to the CTE center representative.

Possible alternatives for the CTE center to provide information widely are:

- Conduct an informational night for students and parents. This informational event would inform students and parents what the academic pre-requisites and technical requirements are for various CTE programs
- Conduct outreach presentation to all 11th and 12th grade students at the sending schools to provide information to all students
- Conduct an open house for interested students and families, and selected sending school staff at the center that is geared toward educating them about the center, its programs, and admission requirements

Based on available information, including the information provided by the CTE center, the IEP team will make an affirmative recommendation when it feels that the student would benefit from career and technical education. If the team (including the student) does not feel that the student would benefit from career and technical education, the LEA should offer other educational opportunities for the student (not a CTE program).

CTE Center (Program) Admissions Procedures

CTE centers should not ask applicants to disclose information regarding eligibility for special education under the IDEA; however, an applicant may be asked whether he or she has the ability to perform certain functions required for participation.¹¹ If a student applicant discloses in the application process that he or she is eligible for special education under IDEA, the CTE center shall not deny that student enrollment if the

student otherwise meets the CTE center and program prerequisites and technical requirements.

CTE Center (Program) Acceptance and Enrollment

When a CTE center accepts a student who is eligible for special education, a meeting of the student's IEP team should be called to determine what, if any, special education and related services the student will need to be successful in the CTE center and program, and update the student's IEP goals and services accordingly. As per VSBE Rule 2387.2, representatives from the CTE center and program should be invited to the student's IEP team meetings, as long as the student is enrolled at the CTE center. These representatives may include the CTE center's special needs coordinator and an instructor from the program that the student will attend/attends.

The local educational agency (LEA) (i.e., school district or supervisory union) in which the student resides is responsible implementing and maintaining the student's IEP in accordance with the IDEA and its implementing federal and state laws, regulations and rules. Amendments to the student's IEP to reflect changes to the student's enrollment at the CTE center and program, such as the student's schedule and the site where the student is being educated (spending a half-day or whole-day at the CTE center versus the high school), should be discussed and determined by the IEP team, and implemented by the LEA.

The LEA may negotiate with the CTE center in providing special education services using the bill back process outlined in VSBE Rule 2390 part 3. It is important to remember that in order for the cost to be reimbursable to the LEA the service must be administered by a properly credentialed, licensed special educator (see VSBE rule 2366.2.1 on allowable expenditures).

A note on Change of Placement - When a student who is on an IEP is accepted and enrolled into a CTE center, it is only a "change of placement" under the IDEA if there is "substantial and material alteration" to the services being offered in the IEP. For example if the only specialized instruction that student has in his/her IEP is speech/language services and these will not change when the student attends the CTE center then it is not a change of placement.

Keys to Success

CTE centers and programs offer students opportunities that are not typically available in Vermont's high schools. For students who are eligible for special education, these opportunities increase knowledge and provide experiences that ultimately better enable them to make the transition into the postsecondary world. To this end, it is important that CTE centers, LEAs and IEP teams work together and communicate effectively, and that all staff involved clearly understand their roles and responsibilities – everyone plays a part in ensuring successful student outcomes.

Applicable Rules and Regulations

VSBE: 2366.2 Allowable Special Education Expenditures
2371 Entitlement to Technical Education
2387.2 Student Services
2390 Part 3 Establishing Costs for Technical Education

16 V.S.A § 1541 (c)(5) Responsibility of Local Boards which manage centers

16 V.S.A § 1541 (a)

ⁱ IDEA (20 U.S.C. 1400, as implemented by 34 C.F.R. Part 300); Section 504 of the Rehabilitation Act (29 U.S.C. 794); the Americans with Disabilities Act (42 U.S.C. 12101-12213 and 47 U.S.C. 225 and 611)

ⁱⁱ This is not addressed in IDEA but relates back to the other federal laws referenced above.