

For context, I have attached two documents, the first is the **current Adult Diploma Program pilot guidance** with the relevant CTE section highlighted. AOE cites 16 V.S.A. section 1522(2)

ADP students cannot be enrolled in a public or approved independent school, postsecondary institution, or home study program, which means that they are ineligible for most other education programs that require such enrollment. This includes:

- *those enrolled in a secondary CTE program, even if they are not currently enrolled in a high school, and have their tuition covered by their district of residence. These students are thus enrolled in the district that is paying tuition and are ineligible for AEL (and the ADP as part of the state AEL program). Under Chapter 037: Career Technical Education, an “adult student” enrolled in a secondary CTE program is defined in 16 V.S.A. § 1522(2) as one who has “completed high school” and is therefore not eligible for the Adult Diploma Program;*

16 V.S.A.1522 (2) “Adult student” means a resident of this State, of any age, who has completed high school and who needs additional career technical education for entry into the labor force or who needs to upgrade skills to qualify for higher pay or for more dependable employment.

The second document is the **High School Completion Program guidance from FY 2022** with the relevant CTE section highlighted.

Career Technical Education (CTE)

Students in the HSCP may also participate in CTE programs. Students will need to apply to their regional CTE center for daytime programs; if the student’s regional CTE center does not offer the program in which they wish to enroll or they are not able to enroll in the program of their choice (generally because admission requirements are not met or because the program is full), they may apply for enrollment into programs offered at a technical center outside of their designated CTE service region. Enrollments in both cases are funded through tuition charged by the CTE center to the student’s school district of residence. Each high school within a CTE region receives state support in order to provide transportation to and from the CTE center. Transportation using this method should be coordinated with the high school in the student’s district of residence. Transportation to a center outside of the assigned region may be a reimbursable expense, see additional information in the Technical Center Reimbursement section below.

Enrollments in both cases are funded through tuition charged by the CTE center to the student’s school district of residence.

The issue is that AOE staff are interpreting the tuition being paid by the DISTRICT as enrollment in the SCHOOL, which is an interpretation that we believe is false. As Beth St.James shared with Chris Hardy, NEKLS AEL Director and Marina Cole, NEKLS

Center Manager.ADP Plan Manager, shared at Monday's zoom meeting with us, enrollment in the district is NOT enrollment in a high school.

If the AOE is recognizing ADP students as enrolled in a high school for this purpose then they must also identify ADP students as enrolled in a high school for the purposes of being able to attend/participate in a High School class/course, sport, driver's education, etc. ADP students cannot be recognized as "enrolled" for one purpose and "not enrolled" for other purposes.

We are looking for clarifying language in legislation, if needed, or at minimum, clarification being given to the AOE regarding their interpretation in regards to ADP students being able to access daytime CTE courses paid for by sending district funds and the ADP policy guidance being amended to reflect this correction.

Another important note, AEL only receives 26% of the base education rate, which seems to make the argument that having a district pay for CTE course double dipping questionable as the AEL system does not receive 100% of base education funding to support 100% of CTE daytime courses being paid.

Here is some additional information that I also thought might be helpful:

Basically, what happened with the change to ADP was that if a student wanted to enroll in a daytime CTE program, they had to pay the tuition. That tuition could be covered by VSAC advancement grants, but that was problematic for all of these reasons: a student can't access VSAC until they've been unenrolled from school for three months, grants may not cover full tuition, and some students just don't qualify. It wasn't equitable, either, because current legislation allows any other adult without a diploma to attend for free, *including someone who has a GED*, but not an adult in ADP - which is our main concern. That part is currently regulated by this legislation below, where you can see that a student of any age without a high school diploma can attend daytime CTE programs and have their tuition paid by their school district of residence, while adults with diplomas can attend by paying 40% of announced tuition, and currently ADP students are precluded from this because ADP students cannot be enrolled in school, and AOE staff are interpreting CTE attendance paid for by the district as school enrollment, thus pushing ADP students into the paying 40% category. It appears that is the AOE's interpretation, and the proposed language that the AEL providers are seeking is to change this interpretation with clear language that corrects the payments/enrollment issue - a full win for ADP students!