

2021 -- H 5836 SUBSTITUTE A

LC001824/SUB A/2

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO EDUCATION -- REGIONAL VOCATIONAL SCHOOLS (SEE TITLE 16  
CHAPTER 97 -- THE RHODE ISLAND BOARD OF EDUCATION ACT)

Introduced By: Representatives Shanley, McNamara, Shekarchi, Solomon, Bennett,  
Vella-Wilkinson, Barros, and Amore

Date Introduced: February 24, 2021

Referred To: House Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-45-6.1 of the General Laws in Chapter 16-45 entitled "Regional  
2 Vocational Schools [See Title 16 Chapter 97 - The Rhode Island Board of Education Act]" is hereby  
3 amended to read as follows:

4 **16-45-6.1. Career and technical education.**

5 (a) The general assembly finds that career and technical education ("CTE") programs that  
6 meet ~~rigorous~~ the CTE board of trustees' industry developed standards ~~and~~ prepare Rhode Island's  
7 students to succeed in a wide variety of employment settings are a critical component of the state's  
8 public education system and a necessary element of the state's economic development. CTE  
9 programs that meet the CTE board of trustees' standards are located in the regional career and  
10 technical education centers and comprehensive high schools and are helping students graduate high  
11 school with the skills to secure a job with a family sustaining wage.

12 (b) The general assembly further finds that the proportion of students now enrolled in such  
13 programs is inadequate. ~~Therefore, all Rhode Island school districts shall file a plan with the~~  
14 ~~Commissioner of Elementary and Secondary Education no later than January 1, 2006 setting forth~~  
15 ~~the means through which no fewer than forty (40) percent of their students enrolled in grades nine~~  
16 ~~(9) through twelve (12) shall be provided the opportunity to enroll in career and technical~~  
17 ~~programming that is certified by the Rhode Island Department of Education as meeting industry~~  
18 ~~standards by September 2007.~~ to meet the needs of Rhode Island's growing economy. Rhode

1 Island's employers are best positioned to assist in establishing a high quality system of secondary  
2 and postsecondary career and technical education. To assist in the development of a high-quality  
3 system of CTE, the CTE board of trustees shall review and annually provide recommendations to  
4 the board of education regarding issues impacting secondary and postsecondary career and  
5 technical education, including, but not limited to, program quality, industry alignment, the effective  
6 use of state and federal CTE funding, the allocation of CTE funding, and expenditures of CTE  
7 funding, program outcomes, work-based learning, transportation, and graduation requirements. The  
8 report and recommendations shall be provided to the board of education no later than October 15  
9 of each year.

10 ~~(c) To facilitate the development of additional career and technical program offerings for~~  
11 ~~Rhode Island students that meet industry standards the department of elementary and secondary~~  
12 ~~education shall, in furtherance of the reports and studies that have been developed since 2000~~  
13 ~~setting forth recommendations for an updated system of career and technical education for the State~~  
14 ~~of Rhode Island, develop a system design that includes site assessments of all current career and~~  
15 ~~technical programs and sets forth standards and procedures for the department of elementary and~~  
16 ~~secondary education to approve programs that are developed in cooperation with business, industry~~  
17 ~~and postsecondary institutions. The department shall also develop a system design for three~~  
18 ~~additional state-operated career and technical schools, in addition to the William H. Davies School~~  
19 ~~and the Metropolitan Career and Technical Center, including recommendations for a model for the~~  
20 ~~siting, building costs, operational costs and program design for each such school. The general~~  
21 ~~assembly shall appropriate funds to the department for purposes of their completion of the system~~  
22 ~~design for the statewide program approval process to industry standards and the development of~~  
23 ~~the models, siting and program design of the three additional state-operated career and technical~~  
24 ~~schools.~~

25 (d)(1) To sustain and advance the economic development of our communities, all students  
26 retain the right to enroll in a state approved career and technical education program approved by  
27 the CTE board of trustees in communities outside their community of residence. This right does  
28 not apply to locally developed CTE programs, locally approved CTE programs, pathway programs,  
29 or other programs that are not approved by the CTE board of trustees. Students shall have a right  
30 to request enrollment and to enroll in a CTE board of trustees' approved program outside of their  
31 community of residence when a substantially similar or same ("substantially similar") CTE board  
32 of trustees approved program is not offered within their community of residence.

33 (2) In determining whether two programs are substantially similar, the CTE board of  
34 trustees shall consider the following factors:

- 1           (i) Program type;  
2           (ii) Information on the occupation that the student will be prepared for;  
3           (iii) The credentials the student will earn;  
4           (iv) The type of work-based learning that the student will be provided access to;  
5           (v) The ability to access advanced course experiences; and  
6           (vi) Such additional factors as the CTE board of trustees deem to be relevant, including  
7 postsecondary attainment, industry partnerships and advisory boards, and program quality.

8           (3) Effective January 15, 2022, and every year thereafter, the CTE board of trustees and  
9 the department of elementary and secondary education shall publish a detailed list of substantially  
10 similar CTE programs for the upcoming school year. The list will be used to support students and  
11 their families in accessing CTE board of trustees approved career and technical education  
12 programs. There will be a thirty (30) day period for schools and districts to appeal the substantially  
13 similar designation to the board of education.

14           (4) Students enrolled in, accepted to, or attending a state CTE board-approved program  
15 (the "program of choice") prior to January 1, 2022, which program is outside of their home district  
16 but which is considered to be substantially similar to a program in their home district, shall be  
17 allowed to remain enrolled in that program of choice as set forth in subsection (j) of this section.

18           (e) Students may request access to state CTE board-approved career preparation programs  
19 outside their school district if their home district does not provide a substantially similar state  
20 approved CTE program. If a discrepancy exists as to whether two (2) state approved programs are  
21 substantially similar, the state CTE board shall use state CTE board program quality criteria set  
22 forth in subsection (d) of this section to determine if the two (2) state CTE board-approved  
23 programs are substantially similar programs. The decision of the CTE board shall be final.

24           (f)(1) A student's request to enroll in an out of district state CTE board-approved career  
25 and technical program shall not be denied, provided that:

26           (i) A substantially similar program is not available in the student's home district;

27           (ii) The student meets any other criteria required of all students for admission to the out of  
28 district program and the center; and

29           (iii) When there is more than one recognized CTE program in a transportation region, the  
30 student is applying to the center which is geographically the closest program to the student's  
31 residence.

32           (g)(1) Students requesting access to state CTE board-approved career preparation programs  
33 outside their established school transportation region may enroll in such programs which are not  
34 substantially similar to a program in their home district. In such event, with respect to transportation

1 costs, the resident's local education agency shall only be responsible for paying the resident  
2 district's average per pupil expenditure for student transportation for all students in the district. The  
3 receiving district shall pay any remaining balance due for transportation costs associated with the  
4 particular student.

5 (2) The sending district shall pay the average of the per-pupil expenditure of the receiving  
6 district and sending district when paying out-of-district tuitions for students in CTE programs.

7 (3) When two or more substantially similar programs are available within a student's  
8 transportation district, that student may enroll in the program that is not geographically closest only  
9 if the receiving district agrees to pay all the transportation costs to and from the receiving district.

10 (h) All eligible CTE programs shall align to CTE board of trustees' program standards.  
11 Programs that do not meet this standard shall not be eligible to enroll out-of-district students and  
12 receive state or federal CTE funding.

13 (i) All state CTE board-approved programs shall align to industry standards or be  
14 associated with a nationally recognized CTE board-approved program.

15 (j) Students enrolled in, accepted to, or attending a state CTE board-approved program of  
16 choice outside of the students' home district as of January 1, 2022, shall be exempt from the  
17 substantially similar provisions of this section and may continue to matriculate in grades nine (9)  
18 through twelve (12) in their program of choice so that students and parents who made educational  
19 decisions prior to January 1, 2022, shall retain the rights that were in place when they made those  
20 decisions. If a substantially similar state-approved program is established in a student's home  
21 district after the student has enrolled in a program of choice, the student may continue to matriculate  
22 in grades nine (9) through twelve (12) in the student's program of choice provided the student  
23 remains enrolled in the program. The sending district may request, and shall be provided by the  
24 district with the chosen CTE program, information on the students' progress in programs, including  
25 attendance and grades. The provisions of this subsection shall also apply and extend to other  
26 siblings in the family who apply to attend the same program of choice.

27 (k) Career and technical funds allocated under § 16-7.2-6 shall be used solely for the  
28 purpose of funding improvements to state CTE board-approved career and technical education  
29 programs and facilities or for funding related to the establishment of new career and technical  
30 programs in our state.

31 (l) The limitations related to enrollment in CTE programs contained within this chapter  
32 shall not apply to the Metropolitan Regional Career and Technical Center or the William M. Davies,  
33 Jr. Career and Technical High School. All eligible students, from any and all Rhode Island cities  
34 and towns, have the right to pursue enrollment and enroll in, subject to applicable enrollment

- 1 [procedures, the Metropolitan Regional Career and Technical Center or the William M. Davies, Jr.](#)
- 2 [Career and Technical High School's programs.](#)
- 3       SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO EDUCATION -- REGIONAL VOCATIONAL SCHOOLS (SEE TITLE 16  
CHAPTER 97 -- THE RHODE ISLAND BOARD OF EDUCATION ACT)

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1           This act would ensure that all students who wish to pursue an educational pathway in career  
2 and technical education ("CTE") have access to high quality programs both within and outside of  
3 their community of residence. This act would provide that the CTE board of trustees would  
4 annually review and provide recommendations to the board of education on a range of career and  
5 technical education issues, including but not limited to, program quality, the alignment of CTE  
6 education programs to the program industry, and graduation requirements. The act also includes a  
7 process and criteria whereby the CTE board of trustees would evaluate CTE programs to determine  
8 which programs are substantially similar to each other. The act provides that a student could access  
9 a state CTE board-approved program anywhere outside of their school district if their home district  
10 does not provide a substantially similar state-approved CTE program. The act also provides for a  
11 sharing of transportation costs between a sending and a receiving district when a student attends a  
12 CTE program outside of the student's transportation region.

13           This act would take effect upon passage.

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