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Bureau of Special Education FY'13 Memo #4A

Date: September 14, 2012

To: Superintendents, Special Education Directors, Career and Technical Education Directors

From: Office of the Commissioner, Deputy Commissioner
Division of Instruction, Bureau of Special Education
Division of Career Technology and Adult Learning, Bureau of Career Development

RE: Enrolling students with IEPs in a Career and Technical Education Center (CTE)

The intent of this memo is to clarify the purposes and goals of Special Education and Career and Technical Education and how these affect students with Individualized Education Programs (IEPs) enrolling at Career and Technical Education Centers (CTEs). The memo is also intended to provide guidance to school districts struggling to balance the competing goals of Perkins IV, which are to provide all students, including special populations, with access to CTE programs while developing challenging academic and technical standards to prepare students for high skill, high wage, or high demand occupations in current or emerging professions.

Purposes of Career and Technical Education and Special Education

Career and Technical Education

In order to address the career expectations of students, Career and Technical Education has upgraded expectations. The "vocational-education" of the early 20th century emerged in response to the industrial era and was designed to train individuals with job specific skills. Today, career and technical education (CTE) must prepare individuals for a wide range of careers in fields as diverse as health care, biotechnology, hospitality, engineering, law enforcement, and information technology. Since the careers that students can pursue with their career and technical education experience often require a postsecondary credential or degree, high quality CTE programs must incorporate rigorous academic and technical standards as well as critical workplace skills. In New Hampshire, CTE centers were built with taxpayer money and the support of the State legislature, with the understanding that the programs offered at these centers would generate skilled, knowledgeable workers for New Hampshire businesses. Consequently, the CTE programs offered in New Hampshire's area career and technical education centers are built around core program competencies that are consistent throughout the State, that describe the minimum content to be covered in each program, and that are designed to provide students with a solid foundational skill set that prepares them for success in the given field.

Career and Technical Education programs are electives that are part of the general curriculum available to all students at the high school level. The purpose of these programs is to develop the academic and career and technical skills of secondary education students in preparation for postsecondary career and technical education programs and eventually the workplace. The primary funding source for CTE is the federal Carl D. Perkins Act ("the Perkins Act"). One of the many goals of the Perkins Act is to demonstrate continual improvement in outcomes across all CTE programs, as well as consistent improvement in access for all students, including special populations. Students with IEPs are *one such* special population. The most recent reauthorization of the Perkins Act, from Perkins III to Perkins IV, has significantly "raised the bar" regarding expected outcomes for CTE program graduates.

Special Education

The purpose of the Individuals with Disabilities Education Act (IDEA) and New Hampshire Rules for the Education of Children with Disabilities is to ensure that all children with disabilities have a free, appropriate public education (FAPE). Under IDEA, local education agencies (LEAs) must ensure that students with IEPs have access, participation and progress under the general curriculum. Students with IEPs have access to CTE's programs, since CTE programs are electives under the general curriculum.

Understanding Career and Technical Education and Special Education

Career and Technical Education

Federal law requires each school receiving Carl D. Perkins funds to offer at least one career and technical education Program of Study (POS). A program of study is a pathway for students to follow to:

- Reach their career goals through secondary CTE courses
- Give students opportunities for postsecondary credit while in high school
- Provide secondary credit for academic course work
- Offer a smooth transition to postsecondary education and advanced training

In New Hampshire, many CTE programs have Career Pathways Plans of Study (CPPOS) that outline an appropriate course-taking schedule, beginning in grade nine and continuing through a two- or four-year college degree. These provide students with a step-by-step process to prepare them for their career goals. Students, along with their guidance counselors, are encouraged to use these documents to develop a career plan. The plan will not only outline the courses that they will take to assist in moving them toward meeting the objectives in their chosen career, but will also assist them in meeting their high school graduation requirements and will provide them with a solid foundation to support further education and advanced training.

The Carl D. Perkins Act of 2006 requires that CTE address the following [sec.2 -122(2)(F)(i)]:

"(i) promote continuous improvement in academic achievement; (ii) promote continuous improvement of technical skill attainment; and (iii) identify and address current or emerging occupational opportunities; (G) how programs at the secondary level will prepare career and technical students, including special populations, to graduate from school with a diploma; (H) how such programs will prepare students, including special populations, academically and technically for opportunities in postsecondary education or entry into high skill wages or emerging occupations, and how those participating will be made aware of such opportunities."

The Carl D. Perkins Act defines "special population" in sec 3 (29) as:

"(A) individuals with disabilities; (B) individuals from economically disadvantaged families including foster children; (C) individuals preparing for non-traditional fields; (D) single parents, including single pregnant women; (E) displaced homemakers; and (F) individuals with limited English proficiency. "

According to the federally approved Five Year Plan for NH Career and Technical Education "state-level analysis will determine how well special populations of students access programs and meet performance accountabilities. The Career Development Bureau will report on how students from each of the special populations perform on the indicators. Each local recipient will use disaggregated data to identify poorly performing special population subgroups and generate remediation plans, where needed, to ensure that students in special populations are meeting or exceeding the state (or local) performance goals. "

Special Education

Students who are found eligible may receive special education and related services as identified in the IEP.

IDEA has defined Individual Education Program as:

"A written statement for each child with a disability that is developed, reviewed, and revised in a meeting in accordance with §§300.32 and 300.324, and that it must include: (1) a statement of the child's present levels of academic achievement and functional performance, including (i) How the child's disability affects the child's involvement and progress in the general curriculum (i.e., the same curriculum as for nondisabled children). Also, (4) A statement of the special education and related services and supplementary aids to be provided to the child, or on behalf of the child, and statement of the program modifications or supports for school personnel that will be provided to enable the child—(ii) to be involved and make progress in the general curriculum in accordance with paragraph (a) (1) of this section."

Enrolling in a CTE program

Career and Technical Education

Enrollment in a CTE program may be considered as part of a student's transition services. However, when putting the CTE program as part of the transition services the student must meet the CTE program requirements including prerequisites, availability, and enrollment capacity in the program.

CTE programs are generally two years in duration. With double block scheduling, some programs may be completed in one year. Program durations can vary from center to center, but the core competencies are uniform for each program throughout the State.

Special Education

The transition services in the IEP for a student with disability are developed based on the student's interest; what the student's plans are after graduation; and what the career goals are of the student. In addition the IEP team must include the strengths of the child; concerns of parents for enhancing the education of their child; the results of any recent evaluations; and the academic, developmental, and functional needs of the student.

Students must also be provided with transition services that meet the requirements of 34 CFR 300.320:

(b) "beginning no later than the first IEP to be in effect when the child turns 16, or younger if determined appropriate by the IEP Team, and updated annually, Thereafter, the IEP must include: (1) Appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and (2) The transition services (including courses of study) needed to assist the child in reaching those goals."

Career and Technical Education Competencies

Career and Technical Education

The program competencies used in New Hampshire's CTE centers are drafted in conjunction with business, industry and postsecondary representatives, with alignment to national standards. They are updated every four years. As technology and innovation reconfigure the business landscape, CTE must keep pace to ensure that the academic and technical rigor demonstrated at area CTE centers prepare students to become skilled participants in the ever-evolving world of business and industry. That said, the competencies vetted with business, industry and postsecondary are core competencies, meaning they are the minimum in which a student must be proficient to be successful in that field. They cannot be modified without affecting their validity.

In addition to the regular two year CTE programs, exploratory classes or introductory classes may be offered by CTE centers. Since these classes are exploratory in nature, a CTE program's core competencies may not need to be met in the coursework. Exploratory classes are generally one semester long and must have an approved curriculum since students will be able to earn elective credits for these classes. Exploratory or introductory classes are offered only at the discretion of the CTE Director and the district administration. They are not required as part of federal Perkins funding and Perkins funding may not be used for the delivery of these classes. Further, these classes cannot be implemented at the same time as the CTE program; the class must meet at a time that is exclusive for that particular class.

Special Education

Once the course of study is determined for the student with a disability, the IEP Team should look at the competencies listed for the CTE course and determine what annual goals, objectives, accommodation and/or modification may need to be addressed in the IEP.

- The IEP team should write a statement of measureable annual goals, including academic and functional goals designed to meet the child's needs that are based on the student's disability to enable the student to be involved in and make progress in the general curriculum.
- The objectives are the steps of the annual goal. They break down the annual goal into smaller pieces. The measurable objectives are critical to the strategic planning process used to develop and implement the IEP for each child with a disability. They are the intermediate steps that will enable parents, students, and educators to monitor progress during the year.
- The IEP team should address the accommodations that the student with a disability may need to reduce or eliminate the effects of the student's disability. Accommodations are the changes in instruction or evaluation. They do not impact the rigor and/or validity of

the subject matter being taught or addressed. Keep in mind, accommodations should take place but modifications are not permitted since the competencies are core and cannot be altered.

- It is the responsibility of the sending school district to provide the CTE teacher with a copy of the student's IEP prior to the student starting in the CTE program. Ideally, CTE should be included as part of the IEP Team prior to the application if a student is considering CTE or if CTE has been written into an IEP as a possibility.

Note: Vocational Rehabilitation may be an additional resource for transitional services to assist with individual transition plans for student with disabilities. For additional information, please contact Lisa Hatz, 603-271-7080 / Lisa.Hatz@doe.nh.gov.

For further information on this technical assistance, please contact:

- Santina Thibedeau, State Director of Special Education, Santina.Thibedeau@doe.nh.gov
- Lisa Danley, State Director, Career and Technical Education, Lisa.Danley@doe.nh.gov