

Readopt with amendment Ed 1301-Ed 1304.01, effective 7-14-11 (Doc #9954-A), Ed 1304.02, effective 7-14-11 (Doc #9954-B), Ed 1401-Ed 1409, effective 6-10-17 (Doc #12205, Interim), and Ed 1410, effective 8-25-17 (Doc #12371, Interim) and renumber as Ed 1300 to read as follows:

CHAPTER Ed 1300 ALTERNATIVE EDUCATION AND **REGIONAL** CAREER AND TECHNICAL EDUCATION

PART Ed 1301 DEFINITIONS

Ed 1301.01 Definitions. Terms defined in RSA 188-E:2 shall be used as reference in this rule, in addition to the following:

(a) “Department” means the New Hampshire department of education;

~~(b) “High school” means:~~

~~(1) A high school as defined in RSA 194:23 that is not designated as a regional center in Ed 1300; and~~

~~(2) An adult high school in Ed 700;~~

~~(e**b**) “Qualified project” means a qualified project~~ as defined in RSA 188-E:10, I(f);

~~(d**c**) “Receiving board” shall be means~~ the board of education in the receiving district where a high school has been designated under RSA 188-E to provide a regional career and technical education center to serve the region. The receiving district ~~may~~ **can** be a single district or a cooperative district in accordance with the organization of that particular region;

~~(e**d**) “Region” means a collection of sending and receiving districts and at least one regional~~ career and technical education center that are all parties to an agreement that defines the relationships among them;;

~~(f**e**) “Regional career and technical education center” means a receiving school district for~~ secondary education

~~(1) which has been designated by the commissioner under RSA 188-E:1 and Ed 1402.01 as part~~ of a high school regional career and technical education program;

~~(2) That qualifies for funding under RSA 188-E:3 and RSA 188-E:10, and~~

~~(3) That is listed in Ed 1403.05 Table 1403-1;~~

~~(g**f**) “Transportation cost” means the reimbursable amount of the total~~ transportation cost for a sending district student who attends a regional career and technical education center or who attends an alternative education program related to RSA 188-E:8, and as provided in Ed ~~1405~~ **1305.03**; and

~~(h**g**) “Tuition cost” means the reimbursable amount of education cost for a sending district student~~ who attends a regional career and technical education program or an alternative education program related to RSA 188-E:7, and as provided in Ed ~~1405~~ **1305.02**.

PART Ed 1302 PLANNING, DESIGNATION, AND IMPLEMENTATION OF A NEW REGIONAL **CAREER AND TECHNICAL EDUCATION** CENTER FOR CAREER AND TECHNICAL EDUCATION

Ed 1302.01 Purpose. The purpose of this ~~section~~ **part** is to implement the statutory provisions relative to planning new career and technical education facilities.

Ed 1302.02 Responsibility of School Boards for Receiving District.

(a) The receiving board, in accepting designation as a regional career and technical education center, shall agree to fully cooperate with the education personnel and citizens of the school districts within their region in the planning, designation, and implementation of the career and technical education programs and facilities of the regional ***career and technical education*** center.

(b) The region ***as defined in Ed 1301.01(d)*** shall establish a regional advisory committee according to RSA 188-E:4-a, to advise the receiving district school board on matters related to career and technical education including the planning, designation, and implementation of the career and technical education programs and facilities of the regional ***career and technical education*** center.

(c) In addition to 1302.02(a) and (b), the process for constructing a new regional career and technical education center shall follow the requirements in Ed 1303.

PART Ed 1303 RENOVATION OF EXISTING REGIONAL CAREER AND TECHNICAL EDUCATION CENTERS

Ed 1303.01 Purpose. The purpose of this ~~section~~ **part** is to implement the statutory provisions relative to planning renovations to existing career and technical education facilities.

Ed 1303.02 Application for Initial Project Approval.

(a) The receiving board shall submit an application for funding as a qualified project which contains all the required criteria specified in RSA 188-E:10, I(f)(1)-(9) in addition to the following:

(1) An analysis for each program to be included in the regional ***career and technical education*** center providing assurances that:

a. A ~~business and industry~~ need ***related to the labor market*** exists for new skills and competencies of students that is directly linked to new equipment requirements or other requests for renovation; ~~and~~

b. The program is best provided via a school-based career and technical education program; and

c. The program is supported through local community and regional and program advisory committees', ***pursuant to RSA 188-E:4-a***, validation; ~~and~~

(2) A program design description for each program to be included in the regional ***career and technical education*** center which:

a. Specifies the equipment needed to provide for the learning activities based on the curriculum; and

b. Describes the space and configuration needed based on the learning activities; ~~and~~

- (3) The proposed site of the renovation; and
- (4) The total cost of renovations *taking into account the specific financial responsibilities of the receiving district, which includes the following:*
 - a. Acquisition of sufficient land for construction or expansion of the center including any easements or rights-of-way that might be necessary;*
 - b. Acquisition of sufficient land for parking or long term agreements to utilize off-site parking;*
 - c. Environmental and geotechnical studies necessary to ensure that the proposed construction can be completed at the site;*
 - d. Permits for construction required by authorities having jurisdiction including, but not limited to, the NH department of environmental services, NH department of transportation, NH department of health and human services, and municipal code enforcement authority;*
 - e. Site work outside the building footprint including, but not limited to, clearing and grubbing, earth moving, blasting, removal of unsuitable materials, cut and fill work, soil testing, compaction, grading, site drainage, and landscaping;*
 - f. Planning, design, and construction of utilities including electrical power, water, sewer, natural gas, and communications to a point one foot outside the building entrance for each specific utility;*
 - g. Planning, design, and construction of roadways and sidewalks;*
 - h. Planning, design, and construction of parking facilities;*
 - i. Other site requirements as identified by the department based on Ed 321;*
 - j. Provision of a clerk of the works to manage the construction project;*
 - k. Legal review of construction contracts;*
 - l. Builders risk and accident liability insurance during construction;*
 - m. Property and liability insurance following construction; and*
 - n. Development of equipment specifications lists and purchasing.*

(b) The receiving board shall provide the site for parking and other related areas for the regional *career and technical education* center pursuant to RSA 188-E:3, II ~~and other necessary items not covered~~ under the state grant for construction of regional career and technical education centers ~~and initial equipment~~. Such site shall be the property of the school district, or there shall be positive assurance of the continued availability of the site for the reasonable life of the regional *career and technical education* center, *such as a long-term agreement, an easement, or right-of-way*.

(c) The application shall include the final plans, program descriptions, equipment lists, and total

cost for the construction or renovation of a regional *career and technical education* center and shall be submitted to the department, for recommendation to the state board of education, 18 months prior to the availability of funds in the capital budget.

Ed 1303.03 Application Approval.

(a) The department, in cooperation with the receiving district, shall complete a thorough review of the application, with particular emphasis upon need *as related to the labor market*, enrollment and programs. The allotment of specific funds shall be determined after a review of the application by the department as provided in Ed ~~1302-402~~ and in consultation with representatives of the regional *career and technical education* center.

(b) *The department shall approve and recommend the project and the final plan for legislative action as a qualified project pursuant to the capital budget timeline identified in RSA 188-E:10, I (c) and capital budget procedure identified in RSA 9:3-a* when the plan, as set forth in the application, appears to be both educationally and fiscally acceptable, *as defined by Ed 1303.02*. ~~the department shall approve and recommend the project and the final plan for legislative action as a qualified project~~

(c) Prioritization of funds of approved renovation projects shall follow the timeline established in Ed ~~1403.05~~ 1303.05.

Ed 1303.04 Signed Agreement. If funding is approved by the legislature, all the school board chairpersons in the region and the commissioner of the department shall sign an agreement containing at a minimum the following elements:

- (a) The cost of the qualified project and the payment *reimbursement* schedule;
- (b) The commitment and responsibilities of the receiving and sending district;
- (c) The commitment and responsibilities of the department;
- (d) An assurance that the school district shall include only programs which conform to the approved qualified project;
- (e) A designation of enrollment quotas for individual programs in each district *as determined by the parties to the agreement*;
- (f) The end date of the agreement *as determined by mutual agreement of the parties*;
- (g) Assurances of cooperation with the master plans of both the sending and receiving district required under Ed 512;
- (h) Assurances of ongoing maintenance *of* the facilities and equipment for the purposes approved in the qualified project; and
- (i) Any special conditions to which all parties agree.

Ed 1303.05 Criteria for Priority of Renovation Projects. The commissioner of the department shall use the following criteria for determining the priority of renovation projects:

(a) The opening date of the regional *career and technical education* center as set forth in Table 1403-1 **1303-1** below shall be the determining factor in prioritizing the order in which renovation projects are to be included in the capital budget request:

Table 1403-1 **1303-1** Opening Dates for Regional *Career and Technical Education* Centers

Regional <i>Career and Technical Education</i> Center	Opening Date
Nashua Technology Center – Nashua	Fall 1974
The Cheshire Career Center – Keene	Fall 1976
Portsmouth Career Technology Center #19 - Portsmouth	Fall 1977
Berlin Regional Career and Technology Center – Berlin	Fall 1977
Concord Regional Technology Center Concord	Fall 1980
Mt. Washington Valley Career Technology Center North Conway	Fall 1980
Seacoast School of Technology – Exeter	Fall 1980
Manchester School of Technology – Manchester	Fall 1982
J. Oliva Huot Technical Center – Laconia	Fall 1983
Hugh Gallen Regional Vocational Center – Littleton	Fall 1983
Plymouth Applied Technology Center - Plymouth	Fall 1983
Region 9 Vocational Technical Center - Wolfeboro	Fall 1983
Pinkerton Academy	Fall 1984
White Mountain Regional High School - Whitefield	Fall 1985
Salem High School Vocational Center – Salem	Fall 1989
Dover Career Technical Center – Dover	Fall 1990
Creteau Regional Technology Center - Rochester	Fall 1991
Somersworth Career Technology Center - Somersworth	Fall 1991
Wilbur H. Palmer Vocational Technical Center - Hudson	Fall 1992
Sugar River Valley Regional Technology Center - Claremont	Fall 1993
Sugar River Valley Regional Technology Center - Newport	Fall 1993
Winnisquam Regional High School – Tilton	Fall 1993
Region 14 Applied Technology Center - Peterborough	Spring 1996
Milford High School and Applied Technology Center - Milford	Fall 1997

(b) If more than one regional *career and technical education* center opened in a given year, priority shall be established based on the date of governor and council approval.

Ed 1303.06 Substantial Changes to an Approved Project. The receiving board shall notify the department of any substantial changes to a renovation project approved under this section. Substantial changes *shall* include, ~~but not be limited to,~~ a change in project cost of 5% or greater, ~~and or~~ the addition or removal of a career and technical education program, *or any substantial change which alters the scope of the project.*

PART Ed 1304 ADVISORY COMMITTEES

Ed 1304.01 Advisory Committees. Regions and regional career and technical education centers shall establish and maintain the regional advisory committees and program advisory committees, *respectively, per RSA 188-E:4-a.*

PART Ed 1305 TUITION AND TRANSPORTATION COST DETERMINATIONS

Ed 1305.01 Purpose. The purpose of this ~~section~~ *part* is to implement the statutory provisions relating to the formula for determining the tuition and transportation costs for approved career and

technical education programs and alternative education programs and the procedures for disbursement of funds.

Ed 1305.02 Tuition Cost Determination.

(a) The per student rate as outlined in RSA 188-E:7, II used for tuition payment related to this section shall be equal to the balance of appropriation for tuition and transportation available divided by the total number of students, where:

(1) The balance of appropriation available equals the tuition and transportation total appropriation, minus;

- a. The total payments made for transportation reimbursements;
- b. The total payments made for alternative education tuitions that are less than full per student rate determined in this section;
- c. All differential fees paid under RSA 188-E:7, IV; and
- d. Any adjustments made to the budget; *and*

(2) The total number of students equals the sum of all the sending districts' total number of students formally reported to, and verified by, the department.

(b) ~~(3)~~ In any case, the tuition payment related to this section shall not exceed the previous year average cost per student in the ~~Receiving~~ ~~D~~district, as determined by the department.

Ed 1305.03 Transportation Cost Determination.

(a) The per student transportation cost shall be equal to the number of days a student attended the program multiplied by the round trip distance in miles from a student's sending high school to the regional career and technical education center multiplied by the per mile reimbursement rate, which ~~is~~ *shall be* either:

- (1) \$0.10 per mile for students who have access to regularly scheduled district transportation or public transportation; or
- (2) \$0.25 per mile for students who self-transport and whose sending district do not provide regularly scheduled transportation.

PART Ed 1306 OTHER CAREER AND TECHNICAL EDUCATION PROGRAM REQUIREMENTS

Ed 1306.01 Requirements for Pre- Engineering and Technology Programs.

(a) In order to secure funding to develop and implement a pre-engineering and technology program and curriculum pursuant to RSA 188-E:14, the school shall:

- (1) Submit to the department a ~~new program application~~ *“NH Pre-Engineering and Technology Application,” June 2017 edition, which is aligned to the 7 engineering design process principles identified in the New Hampshire Technology/Engineering*

Education Curriculum Guide that includes course content, competency and curricular requirements, equipment requirements, and space requirements;

- (2) Demonstrate the statutorily required 50/50 match of public and private funds which:
 - a. Shows how receiving district expenditures complement the development of the engineering technology program; ~~and~~
 - b. Provides a list of expenditures by the receiving district and includes a rationale for using these as match funds; and
 - c. Includes equipment items purchased for use not earlier than one year prior to the project start date for the engineering technology program; and
- (3) Assure that certified educators delivering the program are trained to teach the engineering and technology program.

(b) In order to secure funding to develop and implement a pre-engineering and technology program and curriculum pursuant to RSA 188-E:14, the department shall:

- (1) Provide technical assistance in the planning and development of the pre-engineering and technology program;
- (2) Receive and review the department's new program approval application that the school submits under ~~this subsection~~ *Ed 1306.01 (a)(1) above* to determine that the school meets the criteria for approval;
- (3) Submit the proposed program content and curriculum to the pre-engineering and technology advisory council for review; and
- (4) Release state funds up to limits determined by the pre-engineering and technology advisory council.

Ed 1306.02 Requirements for Automotive Technology Programs.

(a) In order to secure funding to develop and implement an automotive technology curriculum the regional *career and technical education* center shall:

- (1) Establish a program advisory committee as set forth in RSA 188-E:20;
- (2) Submit to the department new program approval application that includes course content, curricular requirements, equipment requirements, and space requirements *that are aligned to the standards established by the National Automotive Technicians Education Foundation (NATEF)*; and
- (3) Demonstrate the statutorily required 50/50 match of public and private funds which:
 - a. Shows how receiving district expenditures complement the development of the automotive technology program;

b. Provides a list of expenditures by the receiving district and include a rationale for using these as match funds; and

c. Includes equipment items purchased for use not earlier than one year prior to the project start date for the automotive technology program; and

(4) Assure that certified educators delivering the program are trained to teach in the automotive technology program.

(b) In order to secure funding to develop and implement an automotive technology curriculum the department shall:

(1) Provide technical assistance in the planning and development of the automotive technology program;

(2) Receive and review the department's new program approval application that the regional *career and technical education* center submits to determine that the program meets the criteria for approval; and

(3) Submit the proposed program content and curriculum to the automotive advisory council for review.

PART Ed 1307 RULES FOR THE ROBOTICS EDUCATION FUND

Ed 1307.01 Purpose of the Robotics Education Fund. The purpose of the robotics education fund is to motivate public school and chartered public school students in New Hampshire to pursue education and career opportunities in science, technology, engineering, and mathematics while building critical life and work-related skills.

Ed 1307.02 Scope. Grants from the robotics education fund shall be available to any eligible public school or chartered public school for the purpose of financing the establishment of a robotics team and its participation in competitive events.

Ed 1307.03 Definitions.

(a) "Competitive event" means an event administered by a national or international organization whose mission is to promote and organize robotics competitions.

(b) "Eligible public school or chartered public school" means any public school which meets the minimum standards or a chartered public school as defined in RSA 194-B:1, **III** in the state of New Hampshire.

(c) "Technical resources" means mentors, space, equipment, travel to events, use of office equipment, use of computers, and other similar forms of assistance.

Ed 1307.04 Uses of Grant Funds for the Robotics Education Fund.

(a) Grant funds administered through the robotics education fund shall be limited to the purchase of robotics kits, stipends for coaches, and the payment of associated costs from participation in

competitions *which shall include, but not be limited to, registration fees, supplies and equipment necessary for competition. Travel costs are not permitted. Grant recipients shall submit a report to the department detailing how the grant funds were spent at the end of each fiscal year for which grant funds are received.*

(b) Grant funds shall only be used to cover direct costs associated with the cost of the robotics team.

(c) Said grants shall not exceed the following amounts per year:

(1) For elementary school, the amount of the grant that can be applied toward the cost of the kit shall not exceed \$1,000 per year and the amount of the grant that can be applied toward the stipend shall not exceed \$250 per year;

(2) For middle school, the amount of the grant that can be applied toward the cost of the kit shall not exceed \$1,500 per year and the amount of the grant that can be applied toward the stipend shall not exceed \$750 per year; and

(3) For high school, the amount of the grant that can be applied toward the cost of the kit shall not exceed \$5,000 per year and the amount of the grant that can be applied toward the stipend shall not exceed \$1,500 per year.

Ed 1307.05 Eligibility Criteria. A public school or chartered public school which is applying for a grant from the robotics education fund shall demonstrate that:

(a) It has established, or is in the process of establishing, a *its first* robotics team or club that is associated with the school;

(b) It has at least one coach or adult advisor;

(c) It has established a partnership with, or has a valid letter of commitment from, at least one sponsor, business entity, institution of higher education, or technical school for the purpose of participation in a robotics competition;

(d) A sponsor, business entity, institution of higher education, or technical school will contribute funds, technical resources, or both to allow for the school to participate in the competition;

(e) It has developed a ~~two~~2-year budget for the current year of the application;

(f) It has not received a grant from the ~~R~~robotics ~~E~~education ~~D~~development ~~P~~program in the prior year; and

(g) It has identified at least one competitive event in which the team or club will participate in and that it meets all criteria for participation in the competitive event(s).

Ed 1307.06 Robotics Education Development Program Grant Application.

(a) A public or chartered public school shall *complete and* submit a grant application on the ~~“New Hampshire Robotics Education Application Form,” July 2017 edition, electronically to the~~

~~department of education, division of career technology and adult learning, bureau of career development~~
“Student Support and Academic Enrichment Application for Funds,” form October 2017 edition, by email as indicated on the application.

(b) The grant application period shall start on September 1 and will close on September 30 of each year.

(c) The amount of each grant shall be sufficient to cover the costs of establishing and supporting a team for ~~two~~ 2 years as set forth in Ed ~~1410.04~~**1307.04(c)**.

(d) Pursuant to RSA 188-E:25, **VII**, no school shall receive more than one grant every two years, however, a school district may receive multiple grant awards. A school may support multiple teams through the use of a single grant. **However, it shall not support more than one team in any one of the 3 areas enumerated in Ed 1307.04(c)(1)-(3).**

Ed 1307.07 Review of Robotics Education Development Program Grant Application.

(a) The bureau of career development shall review all grant applications within 15 working days of the September 30 date as established in Ed ~~1410.06(b)~~**1307.06(b)**, ~~with recommendation from the commissioner or designee.~~ In making a decision the bureau of career development shall approve an application if the school has met all the criteria set forth in ~~1410.05(a)-(h)~~**Ed 1307.05**.

(b) If the amount of grant funds requested exceeds the balance in the fund that is available in any year, preference shall be given to schools that have a higher percentage of students in the school’s average daily membership in attendance who are eligible for a free or reduced-price meal ~~as defined in RSA 198:38, VII~~**as reported pursuant to Ed 306.23**. Secondary preference shall be given to schools which did not receive a grant in the previous year due to lack of funds.

Ed 1307.08 Robotics Education Development Program Grant Disbursement.

(a) Grants ~~will~~**shall** be awarded and funds made available by October 31 of each year.

(b) ~~Grants will~~ **The department shall** be disbursed **grant funds** as a single payment each year of the grant ~~through the business office of the department of education~~**after approval of the robotics program.**

Appendix I

RULE	STATUTE
Ed 1301	RSA 188-E:2
Ed 1302	RSA 188-E:3, I
Ed 1303	RSA 188-E:3, I
Ed 1304	RSA 188-E:4-a
Ed 1305.01-1305.02	RSA 188-E:6, IV; RSA 188-E:9
Ed 1305.03	RSA 188-E:8; RSA 188-E:9
Ed 1306.01	RSA 188-E:18, II

Ed 1306.02	RSA 188-E:18, II; RSA 188-E:20
Ed 1307.01 – Ed 1307.08	RSA 188-E:25