

603 CMR 4.00: VOCATIONAL TECHNICAL EDUCATION

Section

- 4.01: Purpose
- 4.02: Definitions
- 4.03: Program Approval Criteria and Operational Requirements
- 4.04: Program Approval Procedures and Policies
- 4.05: Program Outcomes
- 4.06: Unpaid Off-campus Construction and Maintenance Projects
- 4.07: Types of Vocational Technical Teacher Licenses, Requirements for Licensure, and Licenses Issued
- 4.08: Types of Vocational Technical Administrator Licenses and Requirements for Licensure
- 4.09: Types of Vocational Technical Cooperative Education Coordinator Licenses and Requirements for Licensure
- 4.10: Professional Standards
- 4.11: Extension of Preliminary Vocational Technical Teacher License
- 4.12: Professional Vocational Technical Educator License Renewal and Professional Development
- 4.13: General Provisions Regarding Educator Licensure
- 4.14: Certificate of Occupational Proficiency
- 4.15: Endorsements
- 4.16: Pilot Programs

4.01: Purpose

(1) 603 CMR 4.00 supervises the operation of public vocational technical education programs in the Commonwealth, and governs the operation and approval of secondary and postsecondary vocational technical education programs offered in public school districts. They govern the licensure of vocational technical educators in public school districts.

(2) Purpose. The purpose of 603 CMR 4.00 is to promote, for all vocational technical education programs, the scope and quality necessary to provide students with the knowledge and skills needed to compete in a dynamic, global workplace and in postsecondary education including registered apprenticeship programs.

4.02: Definitions

Administrator Performance Assessment. The assessment required for the Initial Vocational Technical Superintendent/Assistant Superintendent and the Initial Vocational Technical Principal/Assistant Principal licenses pursuant to 603 CMR 4.08.

Board. The Massachusetts Board of Elementary and Secondary Education.

Bilingual Education. An educational program that involves teaching academic content in two languages, English and another language. Program types determine the varying amounts of each language used in instruction. Bilingual education programs include dual language education or two-way immersion and transitional bilingual education programs, as defined in M.G.L. c. 71A, § 2, and any other bilingual program types that may be approved by the Department.

Career Vocational Technical Education Program. For purposes of Sheltered English Immersion, a career vocational technical education program shall include programs approved under M.G.L. c. 74; programs that meet the definition of career and technical education listed in the Carl D. Perkins Career and Technical Education Improvement Act of 2006, 20 U.S.C. § 2302(5), as amended by the Strengthening Career and Technical Education for the 21<sup>st</sup> Century Act and its implementing regulations; and any other programs that may be designated by the Commissioner.

Career Vocational Technical Subjects. For purposes of Sheltered English Immersion, such subjects shall include automotive technology, carpentry, culinary arts, engineering, exploratory, masonry, information technology, and any other subjects listed by the Department in guidance.

Career Vocational Technical Teacher. For purposes of Sheltered English Immersion, a teacher of a career vocational technical subject in a career vocational technical education program at the secondary level.

4.02: continued

Certificate of Occupational Proficiency. The Certificate issued pursuant to M.G.L. c. 69, §1D(iii). The Certificate of Occupational Proficiency shall include a determination that the recipient has demonstrated mastery of a core set of skills, competencies and knowledge in a particular trade or professional skill area set by established industry standards.

Chapter 74 Vocational Exploratory Program. A program approved by the Commissioner that provides students an opportunity to explore programs approved pursuant to M.G.L. c. 74.

Commissioner. The Massachusetts Commissioner of Elementary and Secondary Education or his or her designee.

Communication and Literacy Skills Test. The test of communication and literacy skills required pursuant to 603 CMR 4.08, 603 CMR 7.00: *Educator Licensure and Preparation Program Approval*, and approved by the Board.

Cooperative Education. A vocational technical education program for students enrolled in programs approved pursuant to M.G.L. c. 74 that alternates study in school with a work-based learning opportunity in a related occupational field.

Department. The Massachusetts Department of Elementary and Secondary Education.

District of Residence. The school district of the city or town where a student resides.

Inactive Vocational Technical Educator License. A professional vocational technical educator license that is not renewed within the five-year validity period. A license that is not renewed is deemed inactive for five years.

Individual Professional Development Plan. A five-year plan developed by an educator that outlines the professional development activities for the renewal of the vocational technical educator's professional license(s).

Induction Program. A planned program of professional support with a trained mentor for beginning educators during their first year of employment with a new license provided by the school district and approved by the Department.

Initial Vocational Technical Educator License. A vocational technical educator license issued to a person who has met the requirements established by the Board for an Initial Vocational Technical Administrator or Cooperative Education Coordinator license. The Initial license is valid for five years of employment.

Internship. A planned program providing the candidate for the Initial Vocational Technical Supervisor/Director license and the Initial Vocational Technical Cooperative Education Coordinator license with on-the-job training with a trained mentor in the role of the license sought.

Invalid Vocational Technical Educator License. A professional vocational technical educator license that is not renewed within the five-year validity period and that is not renewed within the five-year inactive period.

Mentor. An educator who has at least three full years of experience under an Initial or Professional license under 603 CMR 4.00, or 603 CMR 7.00: *Educator Licensure and Preparation Program Approval*, and who has been trained to assist a beginning educator in the same professional role with his or her professional responsibilities and general school district procedures. In addition, a mentor may assist an experienced educator who is new to a school, subject area, or grade level. A mentor may also assist an educator who is participating in a performance assessment or a district-based program for licensure.

National Occupational Program Approval Standards. Those standards established by an organization that is nationally recognized by a specific industry or industry cluster, and that is involved in the accreditation, approval and/or certification of vocational technical education programs.

4.02: continued

Nonresident Student. A student who has been, or seeks to be, admitted to a Chapter 74-approved program outside of his or her district of residence.

Occupational Clusters. A group of vocational technical education programs that share certain common skills.

Pilot Vocational Technical Education Program. A program approved by the Commissioner for the purpose of determining the feasibility of establishing a new vocational technical education program under M.G.L. c. 74.

Postgraduate Students. Adults who enroll in the shop portion of a secondary vocational technical education program.

Postsecondary Program. A vocational technical education program at the grade 13 and/or grade 14 level.

Preliminary Vocational Technical Teacher License. A Vocational Technical Educator license issued to a person who has met the requirements established by the Board for the Preliminary Vocational Technical Teacher license. The Preliminary Vocational Technical Teacher license is valid for five years of employment and may be extended at the discretion of the Commissioner for one additional five-year employment period.

Professional Development Point (PDP). A unit of measurement of professional development activities. One clock hour of new employment experience is equivalent to one PDP. One semester hour is equivalent to 15 PDPs. One continuing education unit is equivalent to ten PDPs. Professional development activities sponsored or approved by the Department and advanced academic and vocational technical education subject matter studies will receive 1.5 PDPs per clock hour. Refer to 603 CMR 4.12(8).

Professional Vocational Technical Educator License. A Vocational Technical Educator license issued to a person who has met the requirements established by the Board for a Professional Vocational Technical Teacher, Administrator or Cooperative Education Coordinator license. The Professional Vocational Technical Educator license is valid for five years and renewable for additional five-year terms pursuant to 603 CMR 4.12.

Receiving School. The school in which a nonresident seeks to enroll or enrolls.

Related Instruction. Instruction that introduces, explains and amplifies the conceptual and theoretical foundations of the knowledge and skills in the Vocational Technical Education Frameworks and the Massachusetts Curriculum Frameworks.

School Committee. A school committee or board of trustees of a school district or agricultural school or a board of trustees of an educational collaborative.

Scope. Curricular scope refers to the depth and breadth of skills and content addressed in that curriculum in total.

Sequence. Curricular sequence refers to the order in which the skills and content addressed in a program's curriculum are taught.

Sheltered English Immersion (SEI). Shall have the meaning set forth in M.G.L. c. 71A, § 2.

Vocational Technical Literacy Skills Test. The test of communication and literacy skills required pursuant to 603 CMR 4.07(2), 4.08(6) and 4.09(2) and (3) and 603 CMR 4.13(4), and approved by the Board.

Vocational Technical Educator. A person employed in a school or school district under a Vocational Technical Educator license issued pursuant to 603 CMR 4.00.

## 4.02: continued

Vocational Technical Education Framework. Framework approved by the Commissioner, consisting of six strands representing all aspects of the industry that students in the vocational technical education program are preparing to enter.

Vocational Technical Education Program. A program approved by the Commissioner that provides instruction based on the Vocational Technical Education Frameworks and the Massachusetts Curriculum Frameworks.

Vocational Technical Education. Education offered pursuant to M.G.L. c. 74.

Waitlist. A list of students who have completed the admissions application process to a school offering programs approved pursuant to M.G.L. c. 74 and are not selected for admission. A completed application means all criteria used in the district's Department-approved admission policy have been met.

Written and Performance Tests for Prospective Vocational Technical Education Teachers. Tests in the subject matter the candidate for a vocational technical teacher license will teach based on the applicable Vocational Technical Education Framework and the Massachusetts Curriculum Frameworks.

4.03: Program Approval Criteria and Operational Requirements

Each school district requesting full approval of a vocational technical education program shall demonstrate that the program meets the following approval criteria:

(1) Organization.

(a) Each vocational technical school district and agricultural school shall employ a vocational technical superintendent and vocational technical principal licensed pursuant to 603 CMR 4.00.

(b) Each school district that conducts five or more approved vocational technical education programs in public comprehensive high schools must employ a licensed vocational technical supervisor/director of vocational technical education to plan and supervise the programs. A supervisor/director of vocational technical education who is assigned to a single school within a district shall report to the principal of that school. The supervisor/director reports to the superintendent in cases where the supervisor/director supervises programs in more than one school in the district or supervises programs that are not under the principal.

(c) Each school district seeking approval for a vocational technical education program shall demonstrate that the program has been planned in consultation with the following advisory committees:

1. Program Advisory Committee. Each school committee shall appoint a Program Advisory Committee for each program area under its control. The Program Advisory Committee shall consist of representatives of local business and industry related to the program, organized labor, postsecondary institutions, parents/guardians, students and representatives from registered apprenticeship programs if the program area has such registered programs; provided however, that no member of the school committee, or other school official or school personnel shall serve on the committee. Every effort shall be made to promote membership on the Advisory Committee that includes females, racial and linguistic minorities, persons with disabilities and individuals in occupations nontraditional for their gender who are representative of the particular district or community served by the school. The members shall appoint a facilitator who in most cases would be a program teacher or a program supervisor/director. The Program Advisory Committee shall meet at least twice per year. Meetings shall comply with the Open Meeting Law, M.G.L. c. 30A, §§ 18 through 25. It shall be the responsibility of the Program Advisory Committee to advise, assist and support school personnel in order to improve planning, operation and evaluation in its program area. Such advice shall be based on adequate and timely information as to workforce and job development demands or job market trends, technological developments, training alternatives and other factors affecting the quality of the program.

## 4.03: continued

2. General Advisory Committee. Each school committee shall appoint a General Advisory Committee for all vocational technical education programs under its control. The General Advisory Committee shall include, but not be limited to, chairpersons of the program advisory committees. Every effort shall be made to promote membership on the General Advisory Committee that includes females, racial and linguistic minorities, persons with disabilities and individuals in occupations nontraditional for their gender who are representative of the particular district or community served by the school. The General Advisory Committee shall meet at least twice per year, provided that one of the meetings is with the school committee. Meetings shall comply with the Open Meeting Law, M.G.L. c. 30A, §§ 18 through 25. It shall be the responsibility of the General Advisory Committee to advise the school committee, based on adequate and timely information, as to the planning, operation and evaluation of vocational technical instruction provided by programs under its control. The chief administrative officer of the school committee, or designee, shall act as facilitator to the General Advisory Committee.

(2) Control Each school district that conducts one or more vocational technical education programs shall be under the control of a school committee.

(3) Location (Facilities) and Equipment.

(a) Each vocational technical education program shall be conducted in facilities that meet current occupational standards.

(b) Equipment shall be industry validated to meet current occupational standards and be sufficient in quantity and variety to allow students to attain competencies necessary for the occupation and the Certificate of Occupational Proficiency and to enable each student, or student team, to work continuously.

(c) The facilities shall meet all applicable building and safety codes and shall be inspected by building and safety officials per applicable local, state and federal laws and regulations.

(d) The school shall develop and implement a comprehensive safety and health plan to safeguard the safety and health of all students and school personnel. The regulations of the Occupational Safety and Health Administration (OSHA) governing work sites shall serve as the minimum standards for safety in the vocational technical education program. The plan should include provisions for safety inspections of all facilities, safety training for all students and staff and the use, storage and disposal of toxic and hazardous materials.

(4) Program of Study and Methods of Instruction.

(a) The program of study shall:

1. be based on the applicable Vocational Technical Education Framework and the Massachusetts Curriculum Frameworks;

2. be of sufficient scope to address the applicable Vocational Technical Education Framework, and provide a minimum of 900 program hours, or as otherwise specified in the applicable Vocational Technical Education Framework;

3. include a sequence of courses building on past knowledge and skills across grade levels;

4. include competency-based applied learning that contributes to a student's higher order reasoning and problem solving skills;

5. integrate academic and technical instruction through the efforts of technical and academic teachers who share responsibility for the development of the knowledge and skills of their students;

6. be articulated, where appropriate, with postsecondary education programs, including registered apprenticeship programs;

7. include program specific work-based experience wherever appropriate and feasible;

8. meet National Occupational Program Approval Standards as set forth in Department guidelines;

9. meet state board/agency approvals, accreditation association approvals as set forth in Department guidelines;

10. include related instruction that shall be primarily taught by licensed vocational technical teachers in the specific program area. Academic teachers may assist in the delivery of related instruction components when their particular expertise will enhance the instruction;

## 4.03: continued

11. be free of bias and stereotyping;
  12. include a comprehensive safety and health plan, which includes safety training for all students and staff;
  13. be taught by appropriately licensed teachers; and
  14. be scheduled so that vocational technical shop instruction, if scheduled as a full school day, does not exceed ten consecutive full school days. Shop instruction scheduled for ten consecutive full school days or less must be scheduled for at least the same number of full school days of academic instruction before beginning another schedule of shop instruction.
- (b) A Program of Studies, including both academic and technical programs and courses and the admission policy, shall be published and a copy shall be provided to each student and parent/guardian.
- (c) The vocational technical education program shall include a process for assessing and documenting the attainment by each student of the technical and academic competencies. Assessment methods may include portfolio and performance assessment.
- (d) Career guidance and placement services shall be provided to each student, consistent with the requirements of 603 CMR 26.04: *Career and Educational Guidance* and shall include assessment of all vocational technical students to determine individual vocational technical and academic aptitude, interest and learning styles and assistance with the development of a four-year career plan based on the assessments. Services shall be provided to assist each student in making the transition to the workforce, postsecondary education and apprenticeship programs.
- (e) School districts that offer five or more approved vocational technical education programs shall provide a minimum of ½ year exploratory program approved by the Department for all incoming ninth graders. The programs shall meet the standards in the Department's guidelines for exploratory programs. The exploratory program must be based on the applicable Vocational Technical Education Framework and the Massachusetts Curriculum Frameworks. If a district no longer offers five or more programs approved pursuant to M.G.L. c. 74, it may not report itself as having an approved exploratory program, unless it is an agricultural school.
- (5) Qualifications of Personnel.
- (a) All personnel in the vocational technical education program including academic teachers shall have an appropriate educator license and endorsement, if needed, in accordance with the requirements set forth in 603 CMR 4.00, 603 CMR 7.00: *Educator Licensure and Preparation Program Approval* and 603 CMR 14.00: *Education of English Learners*.
- (b) Non-licensed substitute teachers and teacher (instructional) aides shall be supervised by an appropriately licensed vocational technical teacher while serving in a vocational technical laboratory and shall not be allowed to supervise students using hazardous equipment.
- (c) The Commissioner may exempt a school district for any one school year from the requirement to employ individual vocational technical education personnel licensed under 603 CMR 4.00 upon the request of a superintendent for a waiver and demonstration to the Commissioner that the district has made a good-faith effort to hire licensed personnel. Persons employed under waivers must demonstrate that they are making continuous progress toward meeting the requirements for licensure in the field in which they are employed. During the time that a waiver is in effect, service of an employee of a school district to whom the waiver applies shall not be counted as service in acquiring Professional Technical Teacher status.
- (d) The Commissioner may deem a district to have a critical shortage of licensed vocational technical teachers for the purpose of M.G.L. c. 32, § 91(e) upon request of a superintendent and demonstration that the district has made a good-faith effort to hire personnel who have not retired under M.G.L. c. 32. A district deemed to have a critical shortage of licensed technical teachers for the purposes of M.G.L. c. 32, § 91(e) may employ retired vocational technical teachers subject to all laws, rules and regulations governing the employment of teachers. The period of determination of a critical shortage of licensed vocational technical teachers shall not exceed one year, but a district may seek to invoke this provision in consecutive years upon a new demonstration of a good-faith effort to hire personnel who have not retired. The Commissioner shall notify the Teachers' Retirement Board of each determination of a critical shortage made for the purposes of M.G.L. c. 32, § 91(e). In each instance when, after a good-faith effort, a district is unable to hire a licensed vocational technical teacher who has not retired under M.G.L. c. 32, the superintendent of the district has discretion to choose whether to seek a waiver, pursuant to 603 CMR 4.03(5)(c) or to seek a determination of critical shortage, pursuant to 603 CMR 4.03(5)(d).

## 4.03: continued

(e) Persons with special expertise related to the vocational technical area of instruction who can strengthen the vocational technical education program may be employed without a vocational technical teacher license. Such persons shall work in concert with, and under the direct supervision of, an appropriately licensed vocational technical teacher at all times.

(f) The qualifications of the Pilot Program Teacher(s) shall be subject to approval by the Commissioner according to industry standards. Employment as an approved Pilot Program Teacher may be counted towards Professional Teacher Status.

(6) Admission of Students.

(a) Vocational technical schools and vocational programs at comprehensive high schools shall develop and implement an admission policy that is consistent with federal and state law and any relevant guidelines issued by the Department or the U.S. Department of Education. Vocational schools and programs shall condition admission on a student having been promoted to the grade that they have been admitted to enter. Vocational schools and programs whose admission policies include selective criteria may apply the criteria only when there are more applicants than available seats. Such criteria may not consider a student's record of excused absences from school, or minor behavior or disciplinary infractions. Resident students who meet the minimum requirements for admission shall be admitted prior to acceptance of any nonresident students seeking the same program.

Beginning with the 2021-22 school year, each school and program shall annually submit its admissions policy to the Department by August 15<sup>th</sup>, publish it in its *Program of Studies*, post a copy on the school website, and provide a copy to each student applicant and their parent/guardian. Vocational schools and programs shall ensure that all admissions materials are in both English and the primary language of the home, if such primary language is other than English.

Each policy shall include the following:

1. The process for application and admission to the school, as well as admission to particular programs within the school, including any criteria, lotteries, or other processes to be used in selecting students;
2. A plan that includes deliberate, specific strategies to promote equal educational opportunities and attract, enroll, and retain a student population that, when compared to students in similar grades in sending districts, has a comparable academic and demographic profile;
3. A description of the exploratory program, if such program is required by 603 CMR 4.03(4)(e); and
4. A process for prospective students and parents/guardians to appeal to the superintendent or their designee the decision to deny the prospective student admission to the school or program. The superintendent or their designee shall maintain documentation as to the specific admission requirements that were used to deny admission, and shall provide such documentation to the Department or to the prospective student's parent/guardian upon request.

Vocational schools and programs that use selective criteria shall not use criteria that have the effect of disproportionately excluding persons of a particular race, color, national origin, sex, gender identity, sexual orientation, religion, or disability, unless they demonstrate that such criteria have been validated as essential to participation in vocational programs; and alternative equally valid criteria that do not have such a disproportionate adverse effect are unavailable. Selective criteria shall be approved annually by the school's board of trustees or school committee.

Vocational technical schools and programs shall maintain a record of all students who apply for admission, enroll in the school, or are placed on a waitlist, and their score on admission criteria, if used, to facilitate an analysis and evaluation of the admissions system and its compliance with 603 CMR 4.03(6). The school or program shall provide such information to the Department upon request.

The Department may intervene in cases where the admissions policies and practices of vocational technical schools and programs do not comply with applicable state and federal laws and regulations, and order compliance actions, including revisions to, or replacement of, existing admission policies. Such intervention may include a requirement that such vocational technical schools and programs institute an admissions lottery.

## 4.03: continued

Sending districts shall offer vocational schools and programs opportunities to provide middle school students with information about vocational programs and careers on-site at their middle schools, as well as through mail and email. Sending districts may not count middle school student tours of vocational schools or programs during the school day as unexcused absences if the vocational school or program confirms the student's participation.

(b) Nonresident Students. Students who reside in cities and towns not maintaining approved vocational technical education programs in the vocational technical program area sought by the student may apply for admission to a school of another city, town or district offering the desired instruction as set forth in M.G.L. c. 74, § 7.

1. Students who reside in cities and towns that do not maintain a ninth grade exploratory program may apply for admission to a school of another city, town or district offering an exploratory program. Ninth grade students who reside in cities and towns that offer an approved exploratory program shall attend the exploratory program provided by the district of residence; provided however, that students may apply for nonresident admission for the purpose of exploring aviation maintenance technology, or specialized agriculture and natural resources programs, or concentrations therein, designated by the Commissioner, and not available in the student's district of residence.

2. Nonresident students shall submit an application of admission to the receiving school no later than March 15<sup>th</sup> of the preceding school year and shall be subject to the admissions criteria of the receiving school. A nonresident student must submit the Chapter 74 Vocational Technical Education Program Nonresident Student Tuition Application to the district of residence no later than April 1<sup>st</sup> of the preceding school year. If a student moves to a nonresident district after April 1<sup>st</sup>, the student shall submit a new Chapter 74 Vocational Technical Education Program Nonresident Student Tuition Application to their district of residence as soon as practicable. Upon receipt of the application, the superintendent in the district of residence must either approve or disapprove the application and submit it to the receiving school and the nonresident student's parent/guardian within ten school days of receipt. If the application is disapproved, the reason for disapproval must be clearly stated. The nonresident student's parent or guardian may request that the Department review the disapproval. The request for a review and any supporting documentation shall be submitted in writing to the Department no later than May 1<sup>st</sup>, or in the event of a student move after April 1<sup>st</sup>, within 14 school days of the application's disapproval. The decision of the Commissioner shall be final. In making the decision, the Commissioner shall take into consideration the following:

- a. The availability of a comparable program that is closer in proximity to the nonresident student's residence.
  - b. Whether the cost of providing transportation to the nonresident student would exceed the resident district's prior-year average nonresident transportation cost.
  - c. The relative burdens on the student and their family, and the district of residence.
3. Once a nonresident student has been accepted to a receiving school for an approved vocational technical program and has been approved by the district of residence or the Department, the city or town of residence shall pay tuition to the receiving school at the rate established by the Department. The receiving school shall notify a nonresident student in writing that admission is program specific and that a change in program by a nonresident student will require the submission of a new Chapter 74 Vocational Technical Education Program Nonresident Student Tuition Application. The nonresident student is entitled to the same rights and privileges of students who reside in the receiving school district, including the right to remain in the receiving school until completion of their secondary program, unless the student changes their program or moves out of their district of residence. If the nonresident student requires additional time to complete the program and a resident student would have been offered the right to continue until completion at the expense of member districts, the city or town of residence must continue to pay tuition for the additional time. If a nonresident student leaves the program, but returns within one year, the student shall be entitled to be reinstated if that privilege would have been extended to a resident student. Schools must prorate the tuition if the student attends for less than a full year.



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4. In instances where there is no tuition agreement in place between sending and receiving districts, the Commissioner shall establish tuition rates for the purposes of M.G.L. c. 74, § 7C. In calculating and establishing said tuition rates the Commissioner:
  - a. Shall base the calculation on actual expenditures made by the receiving district during the most recent fiscal year for which such expenditures are available to the Department, adjusted for inflation in any subsequent year prior to the year of enrollment for which the tuition is to be paid. Said inflation adjustment shall be made in a manner consistent with calculations of inflation for foundation budgets pursuant to M.G.L. c. 70.
  - b. Shall establish a maximum tuition cap based on a percentage of the per pupil foundation budget rate for vocational technical students. Beginning in fiscal year 2017 the established cap shall not exceed 125% of the per pupil foundation rate.
  - c. May, in instances where the receiving district has been authorized to operate a facility that serves a high percentage of nonresident students, establish a capital construction and renovation increment to be added to the tuitions paid on behalf of nonresident students attending the school. In calculating any such increments, the Commissioner shall use the actual expenditures for this purpose, as reported by the district for the year for which the nonresident tuition was calculated, divided by the total school enrollment. Students who reside in a city or town that is a member of a district which offers at least five approved vocational technical programs shall not be required to pay more than 75% of the calculated per pupil amount. The capital construction and renovation increment shall not be subject to the cap established pursuant to 603 CMR 4.03(6)(b)4.b.
  - d. May approve the addition of increments to tuitions for nonresident students enrolled in special education programming. Such increments must be consistent with those approved for use as part of school choice special education calculations pursuant to 603 CMR 10.00: *School Finance*. Any special education increment to nonresident tuitions shall not be subject to the cap established pursuant to 603 CMR 4.03(6)(b)4.b.
- (c) Each school shall have a code of conduct which shall include standards and procedures for suspension and expulsion of students in accordance with M.G.L. c. 71, § 37H. The code shall be published in the Student Handbook and a copy shall be provided to each student, and parent/guardian. Expulsion for reasons not included in the code shall not be allowed.

## 4.03: continued

(d) Each school with postsecondary vocational technical education programs shall develop and implement an admission policy for the postsecondary programs. The policy must be approved by the Department prior to implementation.

(e) Each school that admits postgraduate students shall develop and implement an admission policy for the postgraduate openings. The policy must be approved by the Department prior to implementation.

(f) In order to provide students and their parents with information on the availability of vocational technical education, a school shall release the names and addresses of grade seven and grade eight students no later than October 15<sup>th</sup> of each year to authorized school personnel of a regional vocational school district if the city or town in which the school is located is a member of the regional vocational school district; provided that the school shall give public notice that it releases this information and allows parents and eligible students, as defined by 603 CMR 23.02: *Definition of Terms*, a reasonable time after such notice to request that this information not be released without the prior consent of the eligible student or parent.

(7) Employment of Students (Cooperative Education).

(a) Vocational Technical Cooperative Education Programs Must Be Approved by the Department Prior to Implementation.

(b) Each approved program shall:

1. be supervised by a person holding a Vocational Technical Cooperative Education Coordinator license or Vocational Technical Teacher license in the cooperative education program area;
2. enroll only those students who are enrolled in an approved vocational technical education program and who have demonstrated the acquisition of the knowledge and skills in the applicable Vocational Technical Education Framework and the Massachusetts Curriculum Frameworks associated with at least 1½ years of full-time study in the vocational technical cooperative education program area, and in no case enroll students earlier than midway through the junior year;
3. be offered only during time not scheduled for academic classes during the school year, and may include summer programs;
4. provide students the opportunity to acquire knowledge, and develop skills not acquirable in a school-based setting, but acquirable in a work-based setting;
5. provide competency-based assessments;
6. provide students with continuous supervision by the employer;
7. provide students with vocational technical credit;
8. provide a written agreement between the school, employer, student and parent/guardian delineating the conditions of the employment including, but not limited to, hours, wages and time-off. The agreement shall include the skills to be acquired by the student. The employer shall agree to meet all applicable requirements of state and federal labor laws and regulations including, but not limited to, those addressing worker compensation insurance, equal employment opportunity and occupational safety and health;
9. provide a safety and health orientation specific to the site for all employee-students; and
10. provide sufficient supervisory visit time between the student, employer and the school's cooperative education coordinator or appropriate vocational technical teacher. Supervision shall be coordinated to allow for the joint participation by all parties, including the vocational technical teacher. The school's cooperative education coordinator or vocational technical teacher shall conduct regular supervisory activities at the work site to see that the agreement is being followed and to update the student's competency attainment file.

(8) Expenditures. Each school that conducts one or more vocational technical education programs shall provide resources that are adequate to enable the programs to meet current industry and Occupational Safety and Health Administration (OSHA) regulations with respect to facilities, safety, equipment and supplies.

4.03: continued

(9) Waitlists. Vocational technical secondary schools that have more applicants than available seats shall maintain a waitlist for the current school year for eligible students who do not gain admission to the school, and report such data to the Department.

4.04: Program Approval Procedures and Policies

(1) In order to receive vocational technical education program approval, the Superintendent shall submit an application to the Commissioner that provides clear evidence of secondary student and labor market demand for the program and demonstrates compliance with the approval criteria.

(2) The Department shall periodically monitor compliance of an approved program with applicable laws and regulations.

(3) The Commissioner may deny approval of, or revoke approval from, any program when the Commissioner determines that the program does not meet the requirements of one or more of the approval criteria set forth in 603 CMR 4.03, fails to meet the Program Outcome Standards under 603 CMR 4.05, or violates any provision of applicable laws and regulations.

(a) Any program that fails to demonstrate that it satisfies all of the requirements set forth in 603 CMR 4.03, or 603 CMR 4.05, or both shall be subject to review and possible revocation of approval.

(b) The Department may initiate a review of such a program and request a corrective action plan. The Department shall offer technical assistance where appropriate.

(c) The Superintendent shall submit a corrective action plan to the Department for programs that are under review. The Department will monitor progress in meeting the goals of the plan. If, after one year under review, a program has not made satisfactory progress, its approval may be revoked.

(d) The Commissioner may extend the review for a second year. The Commissioner will make the final determination regarding revocation of approval of an individual program.

(4) Substantial changes in any approved program shall be approved in writing by the Commissioner prior to implementation.

(5) A school district that seeks to discontinue an approved vocational technical education program shall submit a closure plan to the Department that includes a timetable for program closure, information outreach to affected students and their parents/guardians, and options for students to complete the vocational technical education program.

(6) With Department approval, a program that has been discontinued through an approved program closure may be offered as a regular education program. A program whose approval has been revoked may not be offered as a regular education program.

(7) A town that belongs to a regional vocational district may not offer an approved vocational technical program in its municipal high school if that program is offered in the regional district, unless the Commissioner approves an exception. Thus, an exception must be requested for projects which include programs that are duplicative of programs offered in a school district's member regional vocational technical school. In making the determination, the Commissioner will consider the district's statement of need and in addition, will seek comment on the district's request for an exception from the regional vocational school district school committee.

(8) For the purpose of reporting student enrollment, approvals of new programs that are granted by the Commissioner on or before November 1<sup>st</sup> of any school year shall be retroactive to October 1<sup>st</sup> of that school year.

4.05: Program Outcomes

The school district shall report program outcomes to the Department. Failure to meet program outcome standards may result in program approval being revoked pursuant to 603 CMR 4.04(3). Specific minimum outcome standards as percentages for each outcome will be set by the Board every three years. The required outcomes are:

4.05: continued

- (1) Outcome I. The percentage of vocational technical education students who receive a high school diploma.
- (2) Outcome II. Upon the development of the Certificate of Occupational Proficiency Assessment System, the percentage of vocational technical education students who receive a Certificate of Occupational Proficiency.
- (3) Outcome III. The percentage of vocational technical education program graduates who are employed in a field related to their program of study, in a military program related to their program of study, or who are enrolled in postsecondary education or advanced training related to their program of study 12 months after graduation.

4.06: Unpaid Off-campus Construction and Maintenance Projects

- (1) 603 CMR 4.06 applies to off-campus construction and/or maintenance projects in which students acquire academic and vocational technical skills on an unpaid basis.
- (2) A licensed teacher in that approved vocational technical education program area shall provide continuous supervision at the job site.
- (3) School districts shall confirm that the school district has adequate liability coverage and that participating students have been provided with insurance coverage (either directly or through other acceptable alternatives such as municipal self-insurance) for: medical benefits, loss of life, dismemberment or loss of sight, liability coverage for bodily injury, assumption by the school district of the cost of any deductible.
- (4) Students shall not be required to waive their legal rights as a condition of participation in the project.
- (5) Only those students who are enrolled in an approved vocational technical education program and who have demonstrated those academic, technical and employability competencies associated with at least 1½ years of full time study in the vocational technical education program project area may participate in such projects, and in no case shall students be allowed to participate in such projects without a minimum enrollment of at least one year in the vocational technical program.
- (6) Prior to participation, students shall receive appropriate safety and health training and shall have demonstrated sufficient safety competency attainment as determined by the school district. Projects shall comply with the standards set forth in M.G.L. c. 149 and the regulations of the Occupational Safety and Health Administration (OSHA) regarding workplace safety and health.

4.07: Types of Vocational Technical Teacher Licenses, Requirements for Licensure, and Licenses Issued

- (1) Types.
  - (a) Preliminary;
  - (b) Professional.
- (2) Requirements for the Preliminary Vocational Technical Teacher License.
  - (a) Evidence of sound moral character.
  - (b) Education:
    1. Candidates for the following licenses must document an associate degree or higher degree related to the subject matter and skills they will teach:
      - a. Dental Assisting;
      - b. Design and Visual Communications;
      - c. Drafting;
      - d. Electronics;
      - e. Hospitality Management;
      - f. Programming and Web Development;
      - g. Information Support Services and Networking;
      - h. Medical Assisting;

## 4.07: continued

- i. Medical Laboratory Technology;
  - j. Business Technology;
  - k. Radio and Television Broadcasting;
  - l. Telecommunications - Fiber Optics;
  - m. Criminal Justice; and
  - n. Robotics and Automation Technology.
- 2. Candidates for the following licenses must document a bachelor's degree or higher degree related to the subject matter and skills they will teach:
  - a. Animal Science;
  - b. Biotechnology;
  - c. Early Education and Care;
  - d. Engineering Technology;
  - e. Environmental Science and Technology;
  - f. Health Assisting;
  - g. Horticulture;
  - h. Marketing;
  - i. Surgical Technology; and
  - j. Practical Nursing (LPN).
- 3. All other vocational technical teacher license candidates must document a high school diploma or the equivalent.
- (c) Massachusetts and/or federal government or industry issued licenses or certifications required by industry or government to work in the technical area and by the Department to teach the vocational technical subject matter and skills as set forth in Department guidelines.
- (d) Achieving passing scores on the written and performance tests in the vocational technical subject matter and skills the candidate will teach.
- (e) Achieving a passing score on either the Vocational Technical Literacy Skills Test or the Communication and Literacy Skills Test.
- (f) Employment Experience. All vocational technical teacher license candidates must document employment experience directly related to the subject matter and skills they will teach.
  - 1. Candidates for a vocational technical teacher license for which a bachelor's degree is required must document a minimum of three years of full-time employment experience, provided however, that a master's degree related to the subject matter and skills to be taught may substitute for one of the three years of required employment experience.
  - 2. Candidates for a vocational technical teacher license for which an associate degree is required must document a minimum of four years of full-time employment experience, provided however, that a bachelor's degree related to the subject matter and skills to be taught may substitute for one of the four years of required employment experience and a master's degree related to the subject matter and skills to be taught may substitute for one of the four years of required employment experience.
  - 3. Vocational technical teacher candidates who are required to possess a minimum of a high school diploma must document a minimum of five years of full-time employment experience, provided however, that an associate degree related to the subject matter and skills to be taught may substitute for one of the five years of employment experience and a bachelor's degree related to the subject matter and skills to be taught may substitute for two of the five years of required employment experience.
  - 4. Actual time spent on cooperative education employment by a graduate of a vocational technical education program may be counted toward meeting a portion of the employment experience requirement.
- (3) Sheltered English Immersion Endorsement for Preliminary Vocational Technical Teacher License. Starting on July 1, 2021, a career vocational technical teacher who is assigned to provide sheltered English instruction to an English learner shall either hold a Sheltered English Immersion (SEI) Teacher Endorsement or earn such endorsement within one year from the date of the assignment pursuant to 603 CMR 14.08(3). 603 CMR 4.07(3) shall not apply to career vocational technical teachers who are required to obtain the SEI Endorsement in accordance with 603 CMR 14.08(2).

## 4.07: continued

(4) Requirements for the Professional Vocational Technical Teacher License.

- (a) Evidence of sound moral character.
- (b) Possession of a Preliminary Vocational Technical Teacher License pursuant to 603 CMR 4.00.
- (c) Massachusetts and/or federal government or industry issued licenses or certifications required by industry or government to work in the technical program area and by the Department to teach the vocational technical subject matter and skills as set forth in Department guidelines.
- (d) Completion of a one-year induction program with a trained mentor.
- (e) The completion of at least three full years of employment in the role of licensed vocational technical teacher in the program area of the license.
- (f) Starting July 1, 2021, possession of an SEI Teacher Endorsement.
- (g) The completion of 36 college degree credits or the equivalent as follows:
  - 1. 18 college degree credits in professional education courses approved by the Department. These courses shall address the Professional Standards for Vocational Technical Teachers set forth in 603 CMR 4.10.
  - 2. One of the following:
    - a. Possession of a bachelor's degree; or
    - b. 18 college credits in the following areas:
      - i. Three college degree credits in English.
      - ii. Three college degree credits in mathematics.
      - iii. Three college degree credits in science.
      - iv. Nine college degree credits in coursework, which may include courses related to the vocational technical education subject, additional English, mathematics, or science courses.
  - 3. Educators who possess a higher degree than the one required to obtain the Preliminary license as outlined in 603 CMR 4.07(2)(b) may have the degree accepted in *lieu* of the college degree credits in 603 CMR 4.07(4)(g)2.b.i. through iv.
  - 4. College degree credits earned through the completion of a Sheltered English Immersion course may be counted towards the college degree credits required by 603 CMR 4.07(4)(g)2.
  - 5. In *lieu* of the requirements of 603 CMR 4.07(4)(g)1., educators seeking a Professional license for a vocational license field that is operated only at the postsecondary level must complete six credits as outlined in Department guidance.

(5) Vocational Technical Teacher Licenses Issued. Licenses listed under the following occupational clusters may be issued.

- (a) Agriculture and Natural Resources Cluster.
  - 1. Agricultural Mechanics;
  - 2. Animal Science;
  - 3. Environmental Science and Technology; and
  - 4. Horticulture.
- (b) Arts and Communication Services Cluster.
  - 1. Design and Visual Communications;
  - 2. Graphic Communications; and
  - 3. Radio and Television Broadcasting.
- (c) Business and Consumer Services Cluster.
  - 1. Cosmetology;
  - 2. Fashion Technology;
  - 3. Marketing; and
  - 4. Business Technology.
- (d) Construction Cluster.
  - 1. Building and Property Maintenance;
  - 2. Cabinetmaking;
  - 3. Carpentry;
  - 4. Electricity;
  - 5. Heating - Air Conditioning - Ventilation - Refrigeration;
  - 6. Mason and Tile Setting;
  - 7. Painting and Design Technologies;
  - 8. Plumbing;
  - 9. Sheet Metalworking; and
  - 10. Construction Craft Laborer.

4.07: continued

- (e) Manufacturing, Engineering and Technological Cluster.
  - 1. Biotechnology;
  - 2. Drafting;
  - 3. Electronics;
  - 4. Engineering Technology;
  - 5. Advanced Manufacturing Technology;
  - 6. Major Appliance Installation/Repairing;
  - 7. Metal Fabrication and Joining Technologies;
  - 8. Stationary Engineering;
  - 9. Telecommunications - Fiber Optics;
  - 10. Welding; and
  - 11. Robotics and Automation Technology.
- (f) Health Services Cluster.
  - 1. Dental Assisting;
  - 2. Health Assisting;
  - 3. Medical Assisting;
  - 4. Medical Laboratory Technology;
  - 5. Surgical Technology; and
  - 6. Practical Nursing (LPN).
- (g) Hospitality and Tourism Cluster.
  - 1. Baking;
  - 2. Culinary Arts; and
  - 3. Hospitality Management.
- (h) Education Cluster. Early Education and Care
- (i) Information Technology Services Cluster.
  - 1. Programming and Web Development; and
  - 2. Information Support Services and Networking.
- (j) Transportation Cluster.
  - 1. Automotive Collision Repair and Refinishing;
  - 2. Automotive Technology;
  - 3. Aviation Maintenance Technology;
  - 4. Diesel Technology;
  - 5. Marine Service Technology; and
  - 6. Power Equipment Technology.
- (k) Legal and Protective Services. Criminal Justice

4.08: Types of Vocational Technical Administrator Licenses and Requirements for Licensure

- (1) Types.
  - (a) Initial;
  - (b) Professional.
- (2) Requirements for the Initial Vocational Technical Superintendent/Assistant Superintendent License.
  - (a) Evidence of sound moral character.
  - (b) Evidence that the candidate meets the current requirements for the Initial Superintendent/Assistant Superintendent license under 603 CMR 7.00: *Educator Licensure and Preparation Program Approval*.
  - (c) Completion of at least three full years of employment in vocational technical education or career and technical education or workforce training acceptable to the Department.
- (3) Requirements for the Professional Vocational Technical Superintendent/Assistant Superintendent License.
  - (a) Evidence of Sound Moral Character.
  - (b) Possession of an Initial Vocational Technical Superintendent/Assistant Superintendent license pursuant to 603 CMR 4.00.
  - (c) Completion of a one-year induction program with a trained mentor.
  - (d) Completion of at least three full years of employment under the Initial Vocational Technical Superintendent/Assistant Superintendent license.

4.08: continued

- (4) Requirements for the Initial Vocational Technical Principal/Assistant Principal License.
  - (a) Evidence of sound moral character.
  - (b) Evidence that the candidate meets the current requirements for the Initial Principal/Assistant Principal license under 603 CMR 7.00: *Educator Licensure and Preparation Program Approval*.
  - (c) Completion of at least three full years of employment in vocational technical education or career and technical education or workforce training acceptable to the Department.
  - (d) Starting July 1, 2021, possession of an SEI Administrator or SEI Teacher Endorsement.
- (5) Requirements for the Professional Vocational Technical Principal/Assistant Principal License.
  - (a) Evidence of sound moral character.
  - (b) Possession of an Initial Vocational Technical Principal/Assistant Principal license pursuant to 603 CMR 4.00.
  - (c) Completion of a one-year induction program with a trained mentor.
  - (d) Completion of at least three full years of employment under the Initial Vocational Technical Principal/Assistant Principal license.
- (6) Requirements for the Initial Vocational Technical Supervisor/Director License.
  - (a) Evidence of sound moral character.
  - (b) Possession of a bachelor's degree.
  - (c) Possession of a Professional Vocational Technical Teacher or Professional Vocational Technical Principal/Assistant Principal license or Professional Vocational Technical Superintendent/Assistant Superintendent license pursuant to 603 CMR 4.00.
  - (d) Completion of at least three full years of employment in vocational technical education in a role in which the candidate holds a license.
  - (e) Completion of a Department-approved one-year supervisory internship based on the Professional Standards for Vocational Technical Administrators set forth in 603 CMR 4.10 in the Supervisor/Director role with a trained mentor.
  - (f) Achieving a passing score on either the Vocational Technical Literacy Skills Test or the Communication and Literacy Skills Test pursuant to 603 CMR 7.00: *Educator Licensure and Preparation Program Approval*.
  - (g) Starting July 1, 2021, possession of an SEI Administrator or SEI Teacher Endorsement.
- (7) Requirements for the Professional Vocational Technical Supervisor/Director License.
  - (a) Evidence of sound moral character.
  - (b) Possession of an Initial Vocational Technical Supervisor/Director Administrator license pursuant to 603 CMR 4.00.
  - (c) Completion of a one-year induction program with a trained mentor.
  - (d) Completion of at least three full years of employment in the role of licensed vocational technical supervisor/director.

Validity: The Vocational Technical Supervisor/Director Administrator license is valid for employment as a vocational technical supervisor/director, director, coordinator, department head, division head and curriculum specialist. Persons employed for one-half time or more in these roles must be licensed as a Vocational Technical Supervisor/Director as set forth in 603 CMR 4.08(6) or (7).

4.09: Types of Vocational Technical Cooperative Education Coordinator Licenses and Requirements for Licensure

- (1) Types.
  - (a) Initial;
  - (b) Professional.
- (2) Requirements for the Initial Vocational Technical Cooperative Education Coordinator License - Option I.
  - (a) Evidence of sound moral character.
  - (b) Possession of a Professional Vocational Technical Teacher or Professional Vocational Technical Administrator license pursuant to 603 CMR 4.00, or Professional Guidance Counselor license pursuant to 603 CMR 7.00: *Educator Licensure and Preparation Program Approval*.



4.09: continued

- (c) Completion of a Department-approved one-year supervisory internship based on the Professional Standards for Vocational Technical Cooperative Education Coordinators set forth in 603 CMR 4.10 in the Vocational Technical Cooperative Education Coordinator role with a trained mentor.
- (d) Achieving a passing score on either the Vocational Technical Literacy Skills Test or the Communication and Literacy Skills Test pursuant to 603 CMR 7.00.

(3) Requirements for the Initial Vocational Technical Cooperative Education Coordinator License - Option II.

- (a) A high school diploma, the equivalent, or higher degree.
- (b) Evidence of sound moral character.
- (c) Completion of at least five years, full-time, employment experience in business or industry in a role related to workforce education and training acceptable to the Department.
- (d) Completion of a Department-approved one-year supervisory internship based on the Professional Standards for Vocational Technical Cooperative Education Coordinators set forth in 603 CMR 4.10 in the Vocational Technical Cooperative Education Coordinator role with a trained mentor.
- (e) Achieving a passing score on either the Vocational Technical Literacy Skills Test or the Communication and Literacy Skills Test pursuant to 603 CMR 7.00.

(4) Requirements for the Professional Vocational Technical Cooperative Education Coordinator License.

- (a) Evidence of sound moral character.
- (b) Possession of an Initial Vocational Technical Cooperative Education Coordinator license pursuant to 603 CMR 4.00.
- (c) Completion of a one-year induction program with a trained mentor.
- (d) The completion of at least three full years of employment in the role of licensed Vocational Technical Cooperative Education Coordinator.

4.10: Professional Standards

(1) Professional Standards for Vocational Technical Teachers.

- (a) Application. The Standards for Vocational Technical Teachers define pedagogical and other professional knowledge and skills required for all such teachers. These standards are used by teacher preparation providers in preparing their candidates, by the Department in reviewing courses seeking approval, and by the Department as a basis of written and performance assessments of candidates. Candidates shall demonstrate that they meet the Standards:
  - 1. by passing the written and performance tests required for the preliminary license; and
  - 2. as part of the preparation for the professional license.
- (b) Standards.
  - 1. Plans Curriculum and Instruction.
    - a. Seeks resources from business, industry, colleagues, families and the community to enhance learning. Coordinates with academic teachers to integrate subject matter to fulfill the goals of the learning standards in the Massachusetts Curriculum Frameworks and the Vocational Technical Education Frameworks.
    - b. Draws on the vocational technical competencies of the applicable Vocational Technical Education Framework and Massachusetts Curriculum Frameworks to plan activities addressing standards that will advance students' level of subject matter knowledge and skills.
    - c. Plans and provides instruction combining manipulative skills with the technical knowledge needed to perform job tasks.
    - d. Plans student activities to include, but not be limited to, research, documentation, task performance, recordkeeping and evaluation of job performance.
    - e. Plans and uses work-based activities to enhance student learning.
    - f. Draws on results of formal and informal assessments as well as knowledge of human development and student learning styles to plan learning activities appropriate for the full range of students within a classroom and laboratory.
    - g. Uses effective strategies and techniques for making content accessible to English learners.

## 4.10: continued

- h. Uses instructional planning, materials, and student engagement approaches that support students of diverse cultural and linguistic backgrounds, strengths, and challenges.
  - i. Demonstrates knowledge of the differences among social, academic and technical language and the importance of these differences in planning.
  - j. Creates and maintains a safe and collaborative learning environment that values diversity and motivates students to meet high standards of conduct, effort and performance.
  - k. Collaborates with families, recognizing the significance of native language and culture to create and implement strategies for supporting student learning and development both at home and at school.
  - l. Plans units of study with clear objectives and relevant measurable outcomes.
  - m. Plans the pedagogy appropriate to the specific discipline and to the age, cognitive level and learning styles of the students in the classroom and laboratory.
  - n. Develops student career decision-making and employability skills by creating opportunities for students to gain understanding of workplace cultures and expectations.
  - o. Incorporates appropriate technology and media in planning the unit of study.
  - p. Uses information in Individualized Education Programs (IEPs) to plan strategies for integrating students with disabilities into general education classrooms and laboratories.
  - q. Develops a sequential curriculum design that promotes the identification of academic subject area skills utilized within the vocational technical discipline.
  - r. Plans and provides a sequential scope of technical knowledge instruction in the areas of materials, processes and procedures of the technical discipline.
  - s. Develops a curriculum that supports the successful transition of students from secondary to postsecondary education including registered apprenticeship programs.
2. Delivers Effective Instruction.
- a. Communicates high standards and expectations:
    - i. Makes learning objectives clear to students.
    - ii. Communicates clearly in writing and speaking.
    - iii. Uses engaging ways to begin a new unit of study.
    - iv. Builds on students' prior knowledge and experience.
  - b. Communicates High Standards and Expectations When Carrying Out the Unit of Study:
    - i. Uses a balanced approach to teaching skills and concepts of reading, writing and speaking.
    - ii. Employs a variety of teaching techniques from more teacher-directed strategies such as direct instruction and practice to less teacher-directed approaches such as discussion, problem solving, applied learning, cooperative learning, and research projects (among others) as they apply to the subject matter and skills being taught.
    - iii. Employs a variety of reading and writing strategies for addressing learning objectives.
    - iv. Relates appropriate science, technology/engineering and mathematics concepts to the vocational technical program.
    - v. Uses questioning to stimulate thinking and encourages all students to respond.
    - vi. Uses instructional technology appropriately.
  - c. Communicates High Standards and Expectations When Extending and Completing the Unit of Study:
    - i. Assigns and evaluates homework that furthers student learning.
    - ii. Provides ongoing feedback to students on their progress.
    - iii. Provides varied opportunities for students to achieve competence.
    - iv. Communicates high standards and expectations when evaluating student learning.
    - v. Measures student achievement of, and progress toward, the learning objectives with a variety of formal and informal assessments and uses results to plan further instruction.
    - vi. Translates evaluations of student work into records that accurately convey the level of student achievement to students, parents or guardians and school personnel.

## 4.10: continued

3. Manages Classroom Climate and Operation.
  - a. Creates a safe environment conducive to learning.
  - b. Creates a physical environment appropriate to a wide range of learning activities.
  - c. Assures that students have adequate training in health and safety issues pertaining to the vocational technical program and that safety guidelines are followed at all times.
  - d. Maintains appropriate standards of behavior and mutual respect.
  - e. Manages classroom routines and procedures without loss of significant instructional time.
4. Promotes Equity.
  - a. Encourages all students to believe that effort is a key to achievement.
  - b. Promotes achievement by all students without exception.
  - c. Assesses the significance of student differences in home experiences, knowledge, learning skills, learning pace and proficiency in the English language for learning curriculum and uses professional judgment to determine if instructional adjustments are necessary.
  - d. Develops students' character, leadership and sound personal, social and civic values and ethics.
5. Meets Professional Responsibilities.
  - a. Understands his or her legal and moral responsibilities.
  - b. Conveys knowledge of and enthusiasm for his or her technical discipline to students.
  - c. Remains current in research or developments in the vocational technical discipline and exercises judgment in accepting findings as valid for application in classroom and laboratory practice.
  - d. Collaborates with colleagues to improve instruction, assessment and student achievement. Involves parents/guardians in their child's learning and communicates clearly with them. Develops partnerships with business and industry to extend and enrich the learning opportunities available to students.
  - e. Assists in the development of partnerships with postsecondary institutions and apprenticeship programs for the development and implementation of high school to postsecondary education and apprenticeship programs.
  - f. Makes appropriate use of the Program Advisory Committee to improve the vocational technical program and incorporate modern workplace skills.
  - g. Makes appropriate use of vocational technical student organizations to improve student learning and develop student leadership skills.
  - h. Reflects upon his or her teaching experience, identifies areas for further professional development as part of a professional development plan that is linked to grade level, school, and district goals and is receptive to suggestions for growth.
  - i. Understands legal and ethical issues as they apply to responsible and acceptable use of the Internet and other resources.

(2) Professional Standards for Vocational Technical Administrators.

(a) Application. The Standards for Vocational Technical Administrators define pedagogical and other professional knowledge and skills required for all administrators. The Professional Standards for Administrators set forth in 603 CMR 7.00: *Educator Licensure and Preparation Program Approval* also apply to Vocational Technical Administrators. Candidates shall demonstrate that they meet the Standards by passing the Administrator Performance Assessment for the Initial license, as a part of the induction phase of the preparation for the Professional license.

(b) Standards.

1. Leadership.
  - a. Articulates the role of vocational technical education in the United States.
  - b. Articulates the vision and mission of vocational technical education.
  - c. Reviews, evaluates, revises and initiates vocational technical education programs on the basis of sound labor market information and input from advisory committees.
  - d. Understands how to connect the curriculum to authentic learning experiences.
  - e. Leads staff in effective curriculum development activities and helps staff to align curriculum with the Vocational Technical Education Frameworks and the Massachusetts Curriculum Frameworks.

## 4.10: continued

- f. Leads staff in the development and implementation of high school to postsecondary education, including registered apprenticeship programs.
    - g. Leads staff in the development of integrated academic and technical instruction.
    - h. Leads staff in the development and implementation of a comprehensive school improvement plan based upon sound data analysis and the school vision statement.
  - 2. Safety and Health. Understands safety and health requirements of vocational technical education and assures that the school develops and follows an appropriate health and safety plan.
  - 3. Promotes Equity.
    - a. Assures presence and quality of educational programs that address the needs, interests and abilities of all students.
    - b. Provides programs or activities that help all students acquire a positive civic identity and see themselves as integral members of our civic communities.
    - c. Fosters understanding that effort is a key factor in achievement.
    - d. Helps all students see themselves as unique individuals responsible for their own actions.
    - e. Assures high academic expectations for all students.
    - f. Holds teachers, students and self to high standards of performance and behavior.
    - g. Promotes use of effective strategies and techniques for making content accessible to English learners.
  - 4. Community Involvement.
    - a. Develops partnerships with business and industry, postsecondary institutions, and apprenticeship programs to extend and enrich the learning opportunities available to students.
    - b. Makes appropriate use of the general advisory committee to continually improve vocational technical education programs and incorporate current workplace skills.
  - 5. Professional Responsibilities. Understands the laws and regulations that govern vocational technical education.
- (3) Professional Standards for Vocational Technical Cooperative Education Coordinators.
- (a) Application. The Standards for Vocational Technical Cooperative Education Coordinators define pedagogical and other professional knowledge and skills required for all Cooperative Education Coordinators. Candidates shall demonstrate that they meet the Standards as part of the induction phase of the preparation for the Professional license.
  - (b) Standards.
    - 1. Implements curriculum and instruction during the Cooperative Education Program.
      - a. Draws on the Vocational Technical Education Frameworks and the Massachusetts Curriculum Frameworks to plan the cooperative program.
      - b. Combines manipulative skills with the technical knowledge needed to perform job tasks during the cooperative education program.
      - c. Provides student activities that include, but are not be limited to, research, documentation, task performance, recordkeeping and evaluation of job performance during the cooperative education program.
      - d. Draws on results of formal and informal assessments as well as knowledge of human development and student learning styles to provide learning activities that are appropriate for students during the cooperative education program.
      - e. Seeks resources to enhance learning. Cooperates with academic teachers to integrate academic and technical education to the greatest possible extent during the cooperative education program.
      - f. Uses information in Individualized Education Programs (IEPs) to plan strategies for integrating students with disabilities into cooperative education programs.
      - g. Develops a cooperative education program that supports the successful transition of students from secondary to postsecondary education, including registered apprenticeship programs.
    - 2. Promotes the Delivery of Effective Instruction.
      - a. Communicates high standards and expectations when implementing the cooperative education program:
        - i. Makes learning objectives clear to students.

## 4.10: continued

- ii. Communicates clearly in writing and speaking.
  - iii. Builds on students' prior knowledge and experience.
  - iv. Relates appropriate science, technology/engineering and mathematics concepts to the cooperative education program.
- b. Communicates high standards and expectations when conferencing with students:
  - i. Provides ongoing feedback to students on their progress.
  - ii. Provides opportunities for students to achieve competence.
  - iii. Communicates high standards and expectations when evaluating student learning.
  - iv. Measures student achievement of, and progress toward, the learning objectives with a variety of formal and informal assessments and uses results to plan further instruction.
  - v. Translates evaluations of student work into records that convey the level of student achievement to students, parents or guardians and school personnel.
- 3. Promotes Safety.
  - a. Provides students with adequate training in safety and health issues pertaining to the vocational technical program and promotes safety guidelines to be followed at all times.
  - b. Encourages appropriate standards of behavior and mutual respect.
- 4. Promotes Equity.
  - a. Requires all employers to adhere to nondiscrimination and equal opportunity requirements.
  - b. Encourages all students to believe that effort is a key to achievement.
  - c. Promotes achievement by all students without exception.
  - d. Assesses the significance of student differences in home experiences, knowledge, learning skills, learning pace and proficiency in the English language for learning curriculum and uses professional judgment to determine if adjustments are necessary during the cooperative education program.
  - e. Develops students' self-awareness and confidence, character, leadership and sound personal, social and civic values and ethics.
- 5. Meets Professional Responsibilities.
  - a. Understands his or her legal and moral responsibilities.
  - b. Develops partnerships with business and industry to extend and enrich the learning opportunities available to students.
  - c. Collaborates with colleagues to improve instruction, assessment and student achievement.
  - d. Involves parents in their child's activities and performance and communicates clearly with them.
  - e. Requires that cooperative education employers abide by Child Labor laws as they apply to the cooperative education program.
  - f. Assists in the development of partnerships with postsecondary institutions and apprenticeship programs for the development and implementation of high school to postsecondary education, including registered apprenticeship programs.
  - g. Makes appropriate use of the program advisory committee to continually improve the cooperative education program.
  - h. Reflects critically upon his or her professional experience, identifies areas for further professional development as part of a professional development plan that is linked to school and district goals and is receptive to suggestions for growth.
  - i. Assesses the success of the program annually through aggregate data analysis and evaluation.

4.11: Extension of Preliminary Vocational Technical Teacher License

- (1) An educator may request to extend a Preliminary license one time for an additional five years of employment. The decision of the Commissioner shall be final.
- (2) In order to be eligible for such an extension the candidate shall:
  - (a) Present evidence of sound moral character.

4.11: continued

- (b) Have been employed for five years under a valid Preliminary license or employed in their fifth year under a valid Preliminary license.
- (c) Submit a plan outlining how the candidate will fulfill the requirements for a Professional license.
- (d) Maintain the Massachusetts and/or federal government or industry issued licenses or certifications required to obtain a Preliminary Vocational Technical Teacher license.

4.12: Professional Vocational Technical Educator License Renewal and Professional Development

- (1) All Full Approvals issued under previous regulations shall be deemed comparable to professional licenses on September 1, 2003 and must be renewed five years from the licensee's next birthday.
- (2) The Professional Vocational Technical Educator license is valid for five years and is renewable for additional five-year terms.
- (3) The decision of the Commissioner shall be final.
- (4) Application Process. All applicants for license renewal shall submit the following to the Department:
  - (a) completed application.
  - (b) required fee.
  - (c) evidence of sound moral character.
  - (d) (for teachers) - evidence of the possession of Massachusetts and/or national professional government or industry issued licenses or certifications required by the government or industry to work in the technical program area and by the Department to teach in the vocational technical program area as set forth in Department guidelines.
  - (e) statement, signed under penalties of perjury, that the candidate has successfully completed the requisite number of PDPs under a professional development plan.
  - (f) Applicants who are employed by Massachusetts public schools shall submit a supervisor's endorsement of the completed professional development plan, unless the educator receives an approval of a modification or waiver of this requirement by 603 CMR 4.12(7).
- (5) Documentation and Recordkeeping.
  - (a) Each vocational technical educator shall maintain the following materials to verify completion of license renewal requirements:
    - 1. an individual professional development plan, to be achieved over the five-year period, that includes the educator's goals for strengthening content area knowledge and professional skills resulting in improvements in teaching.
    - 2. reasonable documentation that validates the completion of each activity and the number of points accrued.
    - 3. record log of completed license renewal activities, that at a minimum includes the topic and type of professional activities completed, the dates of such activities and the number of points completed.
  - (b) Each vocational technical educator shall maintain the documentation, record log, professional development plan and application for five years from the date of license renewal. This documentation is subject to audit by the Department and review by the vocational technical educator's supervisor.
- (6) Reconsideration.
  - (a) An applicant for license renewal may request that the Commissioner reconsider the Department's decision not to renew such applicant's license. An applicant may also appeal a supervisor's decision not to approve or endorse a professional development plan to the Commissioner after seeking any review available at the local school district pursuant to 603 CMR 4.12(8)(g). The applicant shall submit a written request for reconsideration to the Commissioner within 30 days of the date that the applicant received notice that his or her application for license renewal has been denied or that the individual professional development plan was rejected at the highest available level of local review. The decision of the Commissioner shall be final.

## 4.12: continued

(7) Hardship Waiver or Modification.

- (a) Upon a showing of extreme hardship, the Commissioner may waive or modify the requirement of completion of the requisite number of PDPs as set forth in 603 CMR 4.12. A showing of extreme hardship may include serious illness or other catastrophic circumstances that are beyond the control of the educator. No modification or waiver will be granted without satisfactory evidence that the educator has made a good faith effort to obtain the required number of PDPs, but that extreme hardship has prevented the educator from doing so.
- (b) The Commissioner, in his or her discretion, may impose reasonable conditions upon any modification or waiver granted.
- (c) The decision of the Commissioner shall be final.

(8) Professional Development Points (PDPs).

- (a) Educators applying to renew a primary Professional Vocational Technical Teacher license are required to complete at least 150 PDPs including:
  - 1. Starting July 1, 2021, at least 15 PDPs related to SEI, English as a second language or Bilingual Education.
  - 2. Starting July 1, 2021, at least 15 PDPs related to training in strategies for effective schooling for students with disabilities and instruction of students with diverse learning styles.
  - 3. At least ten PDPs in the subject matter knowledge and skills of the license.
  - 4. At least ten PDPs in pedagogy.
  - 5. At least ten PDPs in academic and vocational technical curriculum integration.
  - 6. At least ten PDPs in safety and health.
- (b) For an educator who holds more than one license, the primary license is the license so designated by the educator. Educators must complete an additional 30 PDPs with at least 15 PDPs in subject matter knowledge and skills for each additional educator license to be renewed.
- (c) Educators applying to renew a primary Professional Vocational Technical Administrator or Professional Vocational Technical Cooperative Education Coordinator license are required to complete at least 150 PDPs.
  - 1. Starting July 1, 2021, for Professional Vocational Technical Administrator and Professional Vocational Technical Cooperative Education Coordinator licenses, 15 PDPs must be related to training in strategies for effective schooling for students with disabilities and instruction of students with diverse learning styles.
  - 2. Starting July 1, 2021, for Professional Vocational Technical Administrator licenses, 15 PDPs must be related to SEI, English as a Second Language, or Bilingual Education.
  - 3. Starting July 1, 2021, for Professional Vocational Technical Administrator licenses and Vocational Technical Cooperative Education Coordinator licenses, 15 PDPs in content, as outlined in the Chapter 74 Guide for Professional Vocational Technical Educator License Renewal.
- (d) Professional development must include an additional 30 PDPs in the area of any additional educator license to be renewed.
- (e) Professional development points may be earned by vocational technical educators in the following ways:
  - 1. Registered providers may award PDPs to license holders who complete a professional development activity and demonstrate proficiency in the relevant area through an appropriate end-of-course assessment.
  - 2. PDPs may be awarded by, or under the auspices of, the Department, school districts, or educational collaboratives upon an educator's completion of a professional development activity.
  - 3. Educators may accrue up to 75 PDPs through educator-designed professional development such as new employment activities (work experience) as outlined in Department guidelines. One clock hour of new employment experience will equal one PDP.
  - 4. Achieving an additional occupational technical license or certificate approved by the Commissioner in a licensed occupation will earn a vocational technical teacher a maximum of 50 PDPs in the technical subject matter and skills of the educator's license as outlined in Department guidelines.

## 4.12: continued

5. Achieving a passing score on a validated performance assessment approved by the Commissioner will earn a vocational technical teacher a maximum of 50 PDPs in the subject matter and skills of the license as set forth in Department guidelines.
  - (f) The Department shall develop and maintain a registry of professional development providers to facilitate access to information about professional development programs.
  - (g) Approval of Professional Development Plans. Vocational Technical educators employed in a Massachusetts public school must obtain approval of their proposed professional development plans from their supervisors by the timelines set out in 603 CMR 4.12(8)(g).
    1. Approval for proposed individual professional development plans shall be from the vocational technical educator's direct supervisor or an appropriate designee. In most instances, this will mean that the plans of teachers and other educators who report to the principal will be approved by the principal, a principal's plan will be approved by the superintendent, and a superintendent's plan will be approved by the chairperson of the school committee.
    2. Approval of a plan shall be based on whether the PDPs in the plan are consistent with the educational needs of the school and/or district and whether the plan is designed to enhance the ability of the educator to improve student learning. A supervisor may consider whether the plan requires an educator to earn PDPs regularly throughout the five year period when evaluating a plan.
    3. Approval of individual professional development plans shall not be unreasonably withheld. In the event that a plan is rejected by a supervisor, teachers and other educators who report to the principal may seek review of the denial from the superintendent, principals may seek review from the school committee chairperson, and superintendents may seek review from the Department. An educator may then seek additional review from the Department, according to the provisions of 603 CMR 4.12(6).
    4. A supervisor shall review each individual professional development plan at least every two years. A supervisor shall review the professional development plan of any educator new to the district or school within three months of the educator's beginning employment in the new position. A supervisor may require an educator to amend the plan or may withdraw approval for a plan that had been previously approved, provided, however, that any PDPs that were earned consistently with an approved plan shall be deemed approved in applying for license renewal. Any PDPs that are earned prior to the approval of a plan may be subject to disapproval, if in the opinion of the educator's supervisor, the PDPs are not consistent with the educational improvement goals of the school and/or district.
    5. Vocational technical educators who are employed in a Massachusetts public school shall include in their license renewal application their supervisor's approval of their completed professional development plans. A supervisor's approval will indicate that the supervisor has reviewed the log of professional development activities maintained by the educator to confirm that the reported activities are consistent with the approved professional development plan. Vocational technical educators who are not employed in Massachusetts public schools at the time that they apply for license renewal shall submit their plans directly to the Department, without a supervisor's endorsement.
- (9) Inactive and Invalid Licenses.
- (a) A professional license that is not renewed within the five-year validity period is deemed inactive for a period of five years. At the end of that time, the license is invalid, except as provided in 603 CMR 4.12(9)(b) or (c).
  - (b) An educator who is not currently employed in a position requiring licensure and who is to be employed in a position for which he or she holds an inactive license, shall have two years from the start of such employment to complete the professional development requirements for the professional license.
  - (c) An educator who is currently employed in a position requiring licensure for which he or she holds an active license, and who is to be employed in a position for which he or she holds an inactive additional license, shall have two years from the start of such employment to complete the professional development requirements for the inactive license. The educator may renew such additional license upon the completion of 30 PDPs, provided that the educator has renewed his or her primary license.



4.12: continued

(d) An educator may not be employed under an inactive license, except as provided in 603 CMR 4.12(9)(b) or (c), until he or she renews the license, unless the school district receives a waiver from the Department pursuant to 603 CMR 4.03. An educator may not be employed under an invalid license, until he or she renews the license, unless the school district receives a waiver from Department pursuant to 603 CMR 4.03(5)(c).

(e) If a license has become inactive or invalid under 603 CMR 4.12(9)(a), the educator may renew the license after completing the license renewal and professional development requirements contained in 603 CMR 4.12(8)(a).

(10) Failure to Satisfy Renewal Requirements.

(a) If the Department determines that the educator has failed to demonstrate that the educator has met the requirements to renew the license, the educator's license will be deemed inactive.

(b) Before the Department deems the license inactive, it shall notify the educator in writing that the Department intends to deem the license inactive and of the educators right to request a hearing before the Commissioner in accordance with M.G.L. c. 30A, and 801 CMR 1.00: *Standard Adjudicatory Rules of Practice and Procedure*. This notice shall operate as a notice of the action and does not operate as an order to show cause.

(c) The educator shall have 21 days from receipt of the notice to make a written request for a hearing. If the Commissioner does not receive a written request for a hearing in accordance with 603 CMR 4.12(10)(a) and (b), the educator's license shall be deemed to be inactive and the educator shall be so notified by return mail.

(d) Hearing.

1. If the Commissioner receives a request for a hearing from the educator in accordance with 603 CMR 44.11(3), the Commissioner or his designee shall schedule a hearing. The hearing shall be conducted in accordance with the requirements of M.G.L. c. 30A, and 801 CMR 1.00: *Standard Adjudicatory Rules of Practice and Procedure*. At such hearing, the educator shall bear the burden of proof. The hearing shall not be open to the public, unless the educator requests a public hearing.

2. The Commissioner or his designee shall issue a written decision determining whether or not the educator's license shall be deemed inactive. The decision shall comply with the requirements of M.G.L. c. 30A, § 11, and 801 CMR 1.00: *Standard Adjudicatory Rules of Practice and Procedure*.

3. The Commissioner shall send a copy of the decision to the educator along with a notice informing the educator of the right to appeal in accordance with the provisions of M.G.L. c. 30A, § 14.

4.13: General Provisions Regarding Educator Licensure

(1) Fees. License fees will be charged for each original license and each renewal or extension.

(2) Previous Employment. Previous employment in any role covered by the licenses issued under 603 CMR 4.00 does not exempt a candidate from the provisions of 603 CMR 4.00.

(3) Additional Licenses for Teachers. Teachers holding vocational technical teacher licenses may earn additional Vocational Technical licenses as follows:

New Field: Teachers holding a Preliminary or a Professional Vocational Technical license will qualify for a different license by achieving passing scores on the appropriate written and performance tests, showing proof of appropriate employment experiences and state, national and/or industry licenses and/or certifications as required by the Department in 603 CMR 4.00.

(4) New Field for Vocational Administrators. Licensed Vocational Administrators may earn additional vocational administrator licenses of the same type by meeting the following requirements:

(a) Vocational Superintendent/Assistant Superintendent, 9-14, by:

1. Completing one of the following:

i. Three years of full-time employment under a valid Vocational Principal/Assistant Principal, 9-14, license, or

ii. An internship of 300 hours in the role of the license sought.

2. Achieving a passing score on the Communication and Literacy Skills Test pursuant to 603 CMR 7.00: *Educator Licensure and Preparation Program Approval*.

## 4.13: continued

3. Demonstrating successful application of the Professional Standards for Administrators as set forth in 603 CMR 7.10: *Professional Standards for Administrative Leadership* through completion of a Performance Assessment for Initial License. Administrators who successfully complete a Performance Assessment for Initial License to obtain their current administrator license are not required to complete an additional Performance Assessment for Initial License.
- (b) Vocational Principal/Assistant Principal, 9-14, by:
  1. Completing one of the following:
    - i. Three years of full-time employment under a valid Vocational Administrator license, or
    - ii. A practicum/practicum equivalent or internship of 300 hours in the role of the license sought.
  2. Achieving a passing score on the Communication and Literacy Skills Test pursuant to 603 CMR 7.00: *Educator Licensure and Preparation Program Approval*.
  3. Demonstrating successful application of the Professional Standards for Administrators as set forth in 603 CMR 7.10: *Professional Standards for Administrative Leadership* through completion of a Performance Assessment for Initial License. Administrators who successfully complete a Performance Assessment for Initial License to obtain their current administrator license are not required to complete an additional Performance Assessment for Initial License.
- (c) Vocational Supervisor/Director, 9-14, by:
  1. Completing one of the following:
    - i. Three years of full-time employment under a valid Vocational Administrator license; or
    - ii. An internship of 300 hours in the role of the supervisor/director license sought.
  2. Possessing a Vocational Technical Educator license at the Professional stage.
  3. Achieving a passing score on one of the following:
    - i. The Communication and Literacy Skills Test, pursuant to 603 CMR 7.00: *Educator Licensure and Preparation Program Approval*; or
    - ii. The Vocational Technical Literacy Skills Test.

(5) Prerequisite Licenses. The requirement that an applicant for vocational technical educator licensure hold a Massachusetts vocational technical educator license may be waived by the Department for an applicant who has earned an equivalent license based on the same level of preparation in another state or jurisdiction.

(6) Reconsideration. An applicant for vocational technical educator licensure may request that the Commissioner reconsider the Department's decision not to issue a license. The applicant shall submit a written request for reconsideration to the Commissioner within 30 days of the date that the applicant received notice that his or her application for licensure was denied. The decision of the Commissioner shall be final.

(7) License Actions.

(a) Grounds for License Action.

1. The Commissioner may impose discipline including, but not limited to, issuing a reprimand, suspending or limiting, either indefinitely or for a fixed period of time, or revoking a license if, after investigation, any of the following is determined:
  - a. The license was obtained through fraud or misrepresentation of a material fact;
  - b. The holder of the license is unfit to perform the duties for which the license was granted;
  - c. The holder of the license has pleaded guilty, received deferred adjudication, or been convicted in a court of law of a crime involving moral turpitude or of any other crime of such nature that in the opinion of the Commissioner the license holder discredits the profession, brings the license into disrepute, or lacks good moral character;
  - d. The holder has had one or more licenses or certificates denied, revoked, suspended, surrendered, reprimanded, or otherwise limited in another jurisdiction or by another licensing body for reasons that are sufficient for limitation of a Massachusetts license, regardless of whether or not the holder obtained a Massachusetts license through the NASDTEC Interstate Agreement;

## 4.13: continued

- e. There exists other good cause to impose discipline including, but not limited to, gross misconduct or negligence in the conduct of the license holder's professional duties and obligations, willful action in violation of Board regulations or Department orders, commitment of an offense against any law of the Commonwealth related to the license holder's professional duties and responsibilities, or dismissal for just cause from a position in a school or child care facility.
2. If any of the grounds in 603 CMR 4.13(7)(a)1. are determined, the Commissioner may deny an applicant for a license or put limitations on a license that may include, but are not limited to:
  - a. Restrictions on the ages of students with whom the certificate or license holder may work;
  - b. Additional supervision requirements;
  - c. Education, counseling, or psychiatric evaluation requirements; and
  - d. Notification to the employer of the circumstances surrounding the Commissioner's decision to put limitations on the license holder.
- (b) Procedure. No discipline may be imposed, other than by agreement, under 603 CMR 4.13(7)(a)1. until:
  1. The Department has determined that there is probable cause to impose discipline for one or more of the grounds set forth in 603 CMR 4.13(7)(a); and
  2. The Department sends written notice to the license holder of its determination of probable cause and of the holder's right to request a hearing before the Commissioner in accordance with M.G.L. c. 30A, and 801 CMR 1.00: *Standard Adjudicatory Rules of Practice and Procedure*. Notice shall inform the license holder that he or she may retain an attorney to represent him or her, and be sent by certified mail and regular mail to the holder's last known address. The holder shall have 21 days from receipt of the notice to make a written request for a hearing. If no written request for a hearing is received by the Commissioner in accordance with the above, the discipline requested in the notice of probable cause shall be deemed to be imposed, and the holder shall be so notified by certified mail.
- (c) Surrender. A license holder may surrender a license by submitting documentation to the Commissioner in an approved manner. If a license holder surrenders a license after the Department has found probable cause to impose a sanction, the surrender will be treated as a revocation, unless the Commissioner determines another disposition is warranted.
- (d) Hearing.
  1. If the Commissioner receives a request for a hearing from the license holder in accordance with 603 CMR 4.13(7)(b), the Commissioner or their designee shall schedule a hearing no later than 60 days after receipt of the request. The hearing shall be conducted in accordance with M.G.L. c. 30A, and 801 CMR 1.00: *Standard Adjudicatory Rules of Practice and Procedure*. The hearing shall not be open to the public, unless the license holder requests a public hearing.
  2. Within 30 days of the date the hearing concludes, the Commissioner or their designee shall render a written decision determining whether or not the holder's license shall be revoked, suspended, or limited. The decision shall comply with the requirements of M.G.L. c. 30A, § 11, and 801 CMR 1.00: *Standard Adjudicatory Rules of Practice and Procedure*.
  3. The Commissioner shall send a copy of the decision to the license holder along with a notice informing him or her of the right of appeal in accordance with the provisions of M.G.L. c. 30A, § 14.
- (e) Notice of License Action. The Department sends notice of educator license sanctions to appropriate entities including, but not limited to, superintendents of Massachusetts schools, heads of charter and virtual schools, and the National Association of State Directors of Teacher Education and Certification.
- (f) Reinstatement.
  1. A person whose license has been revoked in accordance with 603 CMR 4.13(7) may again be licensed in Massachusetts only upon a  $\frac{2}{3}$  vote by the Board.
  2. The Department may reinstate a suspended license upon determination by the Commissioner that the condition causing the suspension has been corrected.
  3. License limitations or conditions shall remain in effect as determined by the Commissioner.

## 4.13: continued

(g) Administrators' Obligation to Report and Produce Documents. Any administrator who has dismissed, declined to renew the employment of, or obtained the resignation of any educator for any of the reasons cited in 603 CMR 4.13(7)(a) shall report in writing such resignation or dismissal and the reason therefore to the Commissioner within 30 days. This obligation to report also applies when an administrator acquires relevant information after an educator's dismissal, resignation, or nonrenewal. Upon request, administrators shall provide the Department with all relevant information and documents requested in connection with an investigation. Failure to make the required reports or to provide requested information or documents shall be grounds on which the Commissioner may impose discipline on the administrator's license.

(h) License Holder's or Applicant's Obligation to Report. Any license holder or applicant for a license who has been convicted of a crime in a court of law shall notify the Commissioner of such conviction in writing within ten days of the conviction. The term "convicted of a crime" shall include any guilty verdict, admission to or finding of sufficient facts, and any plea of guilty or *nolo contendere*, whether or not a sentence has been imposed. Any license holder or applicant for a license who is the subject of an enforcement action by the Massachusetts Ethics Commission shall notify the Commissioner of such action in writing within ten days of such action. Any license holder or applicant for a license who has surrendered an educator license or any other license or certificate to practice any profession or who has had any license or certificate revoked, suspended, or limited in any jurisdiction or by any agency, shall notify the Commissioner of such action in writing within ten days of such action. Failure to do so shall be grounds on which the Commissioner may revoke the holder's license or deny an application for licensure.

(i) Records. Nothing herein shall be construed to require the Department to disclose, under the Massachusetts public records law M.G.L. c. 66, § 10 and M.G.L. c. 4, § 7 clause Twenty-sixth, any information, documents, or evidence sought by or provided to the Commissioner pursuant to his responsibilities under 603 CMR 4.13(7) until final disposition of the matter. Any personnel information provided by an administrator pursuant to 603 CMR 4.13(7)(g) shall be considered personnel information within the meaning of M.G.L. c. 4, § 7 clause Twenty-sixth(c).

(j) License Denial. The Commissioner may deny an applicant's application for a license for the reasons set forth above and for reasons enumerated in 603 CMR 4.00. If the Commissioner denies an application for a license, an applicant may request reconsideration by the Commissioner under 603 CMR 4.13(6) in the manner determined by the Commissioner.

(8) General Provisions for Employment.

(a) Legal Employment: To be eligible for employment by a school district in any position covered by 603 CMR 4.00, a person must have been granted a vocational technical educator license by the Commissioner that is appropriate for the role or be serving under an exemption according to the provisions of 603 CMR 4.00 for that role. Other professional staff in the school or school district required to be licensed under 603 CMR 7.00 shall be so licensed.

(b) Sheltered English Immersion:

1. Starting on July 1, 2021, no career vocational technical teacher shall be assigned to provide sheltered English instruction to an English learner, unless such teacher either holds an SEI Teacher Endorsement or will earn an SEI Teacher Endorsement within one year from the date of the assignment.

2. Starting on July 1, 2021, no principal, assistant principal, or supervisor/director shall supervise or evaluate a career vocational technical teacher who provides sheltered English instruction to an English learner, unless such principal, assistant principal, or supervisor/director either holds an SEI Teacher or SEI Administrator Endorsement or will earn such endorsement within one year of the commencement of such supervision or evaluation.

3. Any career vocational technical teacher, principal, assistant principal, or supervisor/director who supervises or evaluates a career vocational technical teacher who provides sheltered English instruction to an English learner and who fails to obtain an SEI endorsement within the time period designated for his or her cohort established by 603 CMR 14.08(2), will not be eligible to advance or renew his or her license until such individual obtains the SEI endorsement. Provided however, in accordance with 603 CMR 14.08(2), upon a showing of hardship, the Department may grant an educator an extension of time beyond the date specified in 603 CMR 14.08(2).

## 4.13: continued

(c) Bilingual Education:

1. A career vocational technical teacher assigned to provide instruction to an English learner in a bilingual education setting, such as dual language education or two-way immersion program, or transitional bilingual education program, must be properly qualified in the field and grade level of the assignment, and hold the appropriate endorsement, as follows:

a. A career vocational technical teacher responsible for the instructional component provided in a language other than English must hold the Bilingual Education Endorsement.

b. A career vocational technical teacher responsible for the instructional component provided in English must hold the Bilingual Education Endorsement or the SEI Endorsement.

2. A principal, assistant principal, or supervisor/director who supervises or evaluates a career vocational technical teacher assigned to provide instruction to an English learner in a bilingual education setting, such as dual language education or a two-way immersion program, or a transitional bilingual education program, must hold the Bilingual Education Endorsement or the SEI Endorsement.

3. For purposes of 603 CMR 4.13(8)(c)1. and 2., a valid Transitional Bilingual Education license or Transitional Bilingual Learning endorsement issued by the Department, shall be deemed the equivalent of the Bilingual Education Endorsement.

4. The Commissioner may issue a waiver to a school district, including a charter school and an educational collaborative, from the educator qualification requirements in 603 CMR 4.13(8)(c)1.a., upon request of the superintendent or charter school leader and demonstration that the school district, charter school or educational collaborative has made a good faith effort to hire personnel with the Bilingual Education Endorsement, and has been unable to find a candidate with the Bilingual Education Endorsement who is qualified for the position. Provided that the submission requirements in 603 CMR 14.04(4) shall continue to apply to any school district or charter school that intends to offer a new Sheltered English Immersion or alternative English learner education program and that applies for a waiver under 603 CMR 4.13(8)(c)4. Starting July 1, 2021, persons employed under a waiver must demonstrate that they meet the requirement in 603 CMR 4.15(3)(a)1. and any other requirements established by the Department. The waiver shall be valid for a period of one school year and may be renewed at the Commissioner's discretion.

(d) District Requirements. Nothing in 603 CMR 4.00 shall be construed to prevent a school district from prescribing additional qualifications beyond those established in 603 CMR 4.00.

(e) Preliminary Licenses. Persons holding Preliminary licenses are permitted to seek employment in teaching positions requiring licensure in school districts that have an approved induction program for the Preliminary license.

(9) Role. The role covered by each license is defined by the title and requirements of the vocational technical educator license. Superintendents and principals intending to employ a professional educator in a role not obviously defined by an existing license must determine the most appropriate vocational technical educator license by comparing the actual duties and responsibilities of that role with the vocational technical educator license requirements.

(10) Public Record. Each school district shall maintain as a public record, in a central location or in each school, a list of all staff members whose employment is governed by 603 CMR 4.00, indicating the role in which each is employed and the credential that authorizes such employment.

(11) Waivers. A school district may submit in writing a proposal for approval by the Commissioner for the satisfaction of any requirement in 603 CMR 4.00 in a manner different from that specified in 603 CMR 4.00. The Commissioner may approve such proposal if it shows substantial promise of contributing to improvements in the methods for meeting the goals of 603 CMR 4.00 and if such proposal does not conflict with any provision of law. No such proposal shall be implemented until approved by the Commissioner.

## 4.13: continued

(12) Commissioner's Determination. The Commissioner, for good cause, may determine which specific requirements for licensure set forth in 603 CMR 4.07, 4.08, 4.09, 4.11, 4.12, 4.13(3) and (4) shall apply and/or be modified for applicants who have submitted evidence that they have either substantially met the requirements for licensure prior to a change in the regulations or that they would have met the requirements, but were unable to do so because of extreme hardship. No modification of the requirements will be granted without satisfactory evidence that the applicant has made a good faith effort to complete the requirements for licensure. The Commissioner, at his or her discretion, may impose reasonable conditions upon any modification granted. The decision of the Commissioner shall be final.

(13) Individuals who apply for and complete all requirements for Vocational Technical Education licensure prior to July 1, 2021, may qualify for that license by meeting the requirements under 603 CMR 4.00 in effect prior to June 26, 2018.

4.14: Certificate of Occupational Proficiency

(1) Criteria for Candidacy for the Certificate of Occupational Proficiency. In order to qualify as a candidate for the Certificate of Occupational Proficiency in a specific vocational technical education program, a student must possess a portfolio containing at a minimum a competency profile demonstrating the acquisition of the knowledge and skills associated with at least two years of full-time study in the program, as well as a career plan, safety credential and a resume.

(2) Criteria for Receiving the Certificate of Occupational Proficiency. In order to receive the Certificate of Occupational Proficiency, a student must qualify as a candidate for the Certificate of Occupational Proficiency, have acquired a state competency determination for high school graduation, and be in good standing to graduate from the high school in which they are enrolled.

4.15: Endorsements

Endorsements issued by the Department under 603 CMR 4.15 do not constitute a license.

(1) SEI Teacher Endorsement:

(a) SEI Teacher Endorsement is to be awarded upon a demonstration of the subject matter knowledge and skill requirements set forth in 603 CMR 4.10(1)(b)1.g. through k. and 603 CMR 4.15(1)(b) through one of the following:

1. Successful completion of a Department-approved course of study specific to providing sheltered English instruction. The Department will issue guidelines to govern approval of this course of study.
2. Passing a Department-approved assessment.
3. Attainment of a bachelor's degree in a major approved by the Department, or other graduate level training approved by the Department.
4. Possession of an English as a Second Language license or an English Language Learners license.

(b) Subject Matter Knowledge:

1. The basic structure and functions of language.
2. Second language acquisition factors as they affect access to the Massachusetts standards.
3. Social-cultural, affective, political, and other salient factors in second language acquisition.
4. SEI principles and typologies: General academic and domain-specific discourse practices relevant to the grade level (k-5 or secondary), English proficiency level, and content area (English language arts and history; science and mathematics; other content areas).
5. Implementation of strategies for coordinating SEI and English language development instruction for English learners.
6. Federal and Massachusetts laws and regulations pertaining to English learners.
7. Understanding of diversity and background of English learner populations, including family systems, and communities, and their impact on teaching and learning.

## 4.15: continued

8. Theory, research, and practice of reading and writing for English learners. Practices and approaches for developing reading and writing skills and comprehension in English for English learners who are at different levels of English language proficiency.
9. The role of oral language development in literacy development for English learners.
10. Formative and summative assessments for English learners.
11. Literacy and academic language development. The role of vocabulary development in accessing academic language.

(2) SEI Administrator Endorsement.

(a) SEI Administrator Endorsement is to be awarded upon demonstration of the subject matter and skill requirements set forth in 603 CMR 4.10(2)(b)3.g. and 603 CMR 4.15(2)(b) through one of the following:

1. Successful completion of a Department-approved course of study for administrators specific to sheltered English instruction. The Department will issue guidelines to govern approval of this course of study.
2. Possession of an SEI Teacher Endorsement.

(b) Subject Matter Knowledge:

1. Understanding of diversity and background of English learner populations, including family systems, neighborhoods, and communities, and their impact on teaching and learning.
2. Knowledge of how to build a culture of equity and inclusiveness for linguistically and culturally diverse populations.
3. Implementation of strategies for coordinating SEI and English language development instruction for English learners.
4. Demonstrates an understanding of the use of best practices for sheltering content for, and teaching academic language to, English learners in the classroom.
5. Understanding of the challenges that English learners face in the mastery of academic language and of the skills to shelter content and scaffold instruction to promote the academic achievement of English learners.

(3) Bilingual Education Endorsement.

(a) Bilingual Education Endorsement is to be awarded to educators who meet all of the following requirements:

1. A passing score on a foreign language test acceptable to the Department in the relevant foreign language.
2. Demonstration of the subject matter knowledge and skill requirements set forth in 603 CMR 4.15(3)(b), through one of the following:
  - a. Successful completion of a Department-approved course of study for providing bilingual education. The Department shall issue guidelines for approval of this course of study.
  - b. A passing score on a test acceptable to the Department.
3. Completion of 75 hours of field-based experience in a Pre-K through grade 12 dual language education or two-way immersion program, transitional bilingual education program, or other bilingual education setting.

(b) Subject Matter Knowledge:

1. Knowledge of the foundations of bilingual education, including dual language education or two-way immersion and transitional bilingual education, as defined in M.G.L. c. 71A, § 2, and the concepts of bilingualism and biculturalism.
2. Bilingual language acquisition factors as they affect access to the Massachusetts content and language standards.
3. Social-cultural, social-emotional, political, and other salient factors in bilingual language acquisition.
4. Implementation of strategies for coordinating non-English partner language instruction and English language development instruction for English learners.
5. Practices and approaches of teaching reading and writing in two languages, including the importance of oral language development as a foundation for literacy.
6. Practices and approaches for assessing content knowledge, reading and writing skills and comprehension in English and the non-English partner language for English learners who are at different levels of proficiency in English and the non-English partner language.

7. Understanding and implementation of culturally relevant teaching materials and practices.
- (c) A candidate who fulfills the requirement in 603 CMR 4.15(3)(a)1. and has at least three years of prior employment experience in a dual language education or two-way immersion program, transitional bilingual education program, or other bilingual education setting, and who can demonstrate that he or she meets the subject matter knowledge and skills requirements set forth in 603 CMR 4.15(3)(b), will be exempt from the requirements set forth in 603 CMR 4.15(3)(a)2. and 3. if he or she applies to the Department and completes all of the requirements for the Bilingual Education Endorsement by June 30, 2020.
- (d) A candidate who was prepared outside of Massachusetts shall not be required to complete the requirements set forth in 603 CMR 4.15(3)(a)2. and 3. if such candidate can provide documentation of one of the following:
  1. Completion of an educator preparation program that includes the equivalent of the Department-approved course of study specific to providing services to English learners and is either state-approved under the National Association of State Directors of Teacher Education and Certification (NASDTEC) Interstate Agreement or has been accredited by a national organization accepted by the Commissioner.
  2. Possession of an out-of-state license/certificate/endorsement that is comparable to the Bilingual Education Endorsement issued by a state with which Massachusetts has signed the NASDTEC Interstate Agreement or other agreement accepted by the Commissioner.
- (e) Renewal. The Bilingual Education Endorsement shall be valid for five years and may be renewed for successive five-year terms upon successful completion of 15 professional development points (PDPs) in the content area related to 603 CMR 4.15(3)(b). The 15 PDPs may be included in the total number of PDPs necessary for license renewal pursuant to 603 CMR 4.12(8).

#### 4.16: Pilot Programs

The Commissioner may approve the establishment of a pilot vocational technical education program in an emerging occupation that demonstrates labor market and student demand. The purpose of a Pilot Program is to determine the feasibility and cost of establishing the new vocational technical education program under M.G.L. c. 74.

- (1) To be approved as a Pilot Program, the program must provide evidence of:
  - (a) Establishment of a preliminary advisory committee;
  - (b) Submission of Program Needs - Analysis completed in collaboration with the Department and the preliminary advisory committee;
  - (c) Labor Market Feasibility and Student Demand; and
  - (d) A Plan to satisfy the requirements of 603 CMR 4.00, including a program budget showing the program has sufficient financial resources to sustain long-term technical alignment to required industry standards.
- (2) Once approved as a Pilot Program, the program must:
  - (a) Submit Progress Reports/Program Evaluations every six months; and
  - (b) Complete the Pilot Program Process within a six-year period, starting from the date students are enrolled in the approved Pilot Program. Extensions may be granted to a district by the Commissioner upon satisfactory evidence of the need for an extension.
- (3) Should the district decide to discontinue the Pilot Program, the district will submit a program closure plan in accordance with 603 CMR 4.04(5).
- (4) The qualifications of the Pilot Program Teacher(s) shall be subject to approval by the Commissioner, according to industry standards.
- (5) Teacher(s) delivering instruction in the Pilot Program will:
  - (a) Participate in the development of the field-specific Written and Performance Tests for Prospective Vocational Technical Education Teachers. Such educators will be exempt from taking said tests in order to earn their preliminary license; and



4.16: continued

- (b) Be eligible for Chapter 74 Program licensure when the Pilot Program receives approval as a vocational technical education program under M.G.L. c. 74 and the teacher submits appropriate licensure documentation to the Department.
  - (c) Employment as an approved Pilot Program Teacher may be counted towards Professional Teacher Status.
- (6) Within three to six years from the date on which the Pilot Program is established, the Commissioner will determine whether the program should be approved as a new program under M.G.L. c. 74. In making a determination, the Commissioner shall take into consideration:
- (a) The alignment of the program with state initiatives, including workforce needs and identified in-demand occupations;
  - (b) The costs of establishing the program under M.G.L. c. 74;
  - (c) Labor market projections; and
  - (d) The district's ability to sustain the program.
- (7) If the Commissioner approves the Pilot Program as a new program under M.G.L. c. 74, the program must establish its new program state components within two years from the date of approval. New program state components will be developed dependent upon appropriate state funding and may include:
- (a) The establishment of appropriate vocational technical teacher licensure standards aligned to industry standards;
  - (b) Identification of requirements for the program license;
  - (c) Creation of the vocational written and performance tests in the vocational technical subject matter and skills the candidate will teach; and
  - (d) The development of a statewide Vocational Technical Education Framework for the specific program.
- (8) Once the Commissioner approves the Pilot Program as a new program under M.G.L. c. 74, the district that operates the Pilot Program may apply to receive full program approval pursuant to M.G.L. c. 74. Those districts that do not receive M.G.L. c. 74 program approval may continue to operate the program as a non-Chapter 74 career and technical education program, provided the program meets the definition of career and technical education programs.

REGULATORY AUTHORITY

603 CMR 4.00: M.G.L. c. 69, § 1B; M.G.L. c. 74, §§ 2 and 2A.