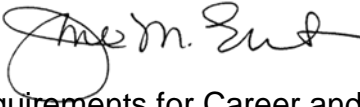




THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

TO: P-12 Education Committee
FROM: Jhone M. Ebert 
SUBJECT: Unit of Study Requirements for Career and Technical Education in Grades 7 and 8

DATE: May 3, 2017

AUTHORIZATION(S):



SUMMARY

Issue for Decision

Should the Board of Regents amend §100.4(c)(1) of the Commissioner's regulations regarding the distribution of the unit of study requirements in grades 7 and 8 in Career and Technical Education (CTE), to allow for greater flexibility in meeting those requirements across various CTE disciplines?

Reason(s) for Consideration

Implementation of Policy.

Proposed Handling

The proposed rule is being presented to the P-12 Education Committee for adoption as an emergency rule at the May 2017 Regents meeting. A copy of the proposed amendment is included as Attachment B.

Procedural History

A Notice of Emergency Adoption and Proposed Rule Making will be published in the State Register on May 24, 2017. A Statement of Facts and Circumstances Justifying the Emergency Adoption is included as Attachment C. Supporting materials are available upon request from the Secretary to the Board of Regents.

Background Information

With respect to units of study for grades 7 and 8, current regulations require that all students complete the following by the end of grade 8:

- 2 units English Language Arts
 - 2 units Mathematics
 - 2 units Social Studies
 - 2 units Science
- CTE
- 1 unit Technology Education – May begin as early as grade 5, provided that in public schools, it must be taught by a certified Technology Education teacher
 - $\frac{3}{4}$ units Home and Careers Skills Course (Family and Consumer Sciences) – May begin as early as grade 5, provided that in public schools, it must be taught by a certified FACS teacher
 - $\frac{1}{2}$ unit Visual Arts
 - $\frac{1}{2}$ unit Music
 - $\frac{1}{2}$ unit Health – May begin as early as grade 6, provided that in public schools, it must be taught by a certified health education teacher.
 - 1 unit Languages other than English – May begin in any grade prior to grade 8, provided that in public schools, it must be taught by a teacher certified in that area
 - Physical Education – Minimum of 3 periods per week during one semester of each school year and two periods during the other semester (or a comparable time each semester)
 - Library and Information Skills – The equivalent of 1 period per week in grades 7 and 8

Current Middle Level (Grades 5-8) CTE Requirements

Current regulations provide for the first formal introduction in CTE in two specific disciplines: Family and Consumer Sciences (FACS) and Technology Education. As noted above, both FACS and Technology Education instruction may begin as early as grade 5, provided that in public schools these subjects must be taught by teachers certified in those subjects. Students experience a total of 70 weeks or 1.75 units of study in grades 5-8 taught by certified teachers in FACS and Technology Education. These courses address not only CTE content, but also instruction in the intermediate CDOS standards providing the foundation students need to make informed selections of graduation pathways (including the CTE, STEM, or CDOS pathways) available to them when they enter high school.

Challenges

Districts face a number of challenges with the existing requirements:

- 1) There is shortage of certified teachers in the areas of FACS and Technology Education to fill the need across the state.

- 2) Middle level student experiences in CTE are limited to FACS and Technology Education which represent only 2 of 6 CTE content areas and may not directly address other relevant CTE content areas in business, health sciences, agriculture, or trade and technical education.
- 3) Opportunities to create sequential programs that align to high school pathways and course offerings are limited to only 2 of 6 areas in CTE.

Proposed Changes

The Department is proposing added flexibility to allow the CTE requirement at the middle level (grades 5-8) to be met in new and innovative ways in order to address the challenges above. The Department is proposing to:

- 1) provide students with a broad-based introduction to Career and Technical Education through the lens of the 6 CTE content areas; and
- 2) allow districts to meet the unit of study requirement utilizing any of the 6 CTE content areas as a vehicle; and
- 3) provide guidance to districts on how to utilize available certified teachers and resources to repurpose the CTE experience at the middle level to better prepare students for available pathways in CTE, STEM, and CDOS at the high school level.

Benefits

- Currently CTE certification allows assignments in K-12 or 7-12. Opening the middle level requirement to all six CTE disciplines would expand the pool of teachers eligible for recruitment into open positions. Teachers certified in trade and technical subjects, business, agriculture or health sciences would become viable candidates for middle level positions.
- Districts will be better positioned to design meaningful articulated programs in any CTE discipline creating a link between middle and high school programs.

Options

Opening the door to various CTE disciplines would allow districts that are struggling to meet the current middle level CTE requirement, to create a new approach to CTE. Districts that have effective FACS and Technology Education programs could continue to meet the unit of study requirement in the traditional manner. Districts that wish to explore new ways to deliver this instruction can do so by creating articulated programs that better align to available CTE, STEM or CDOS pathways at the high school level. Programs could be created to address the intermediate standards and, when available, could also provide accelerated instruction in CTE for students in grade 8 so such students could earn credit toward a pathway in CTE, STEM, or CDOS before entering high school. Attachment A illustrates some examples of the various ways districts could meet the intermediate requirements in CTE under the proposed flexibility. Should the Regents adopt the proposed regulatory amendment, districts that have vacancies in teaching positions in FACS and/or Technology Education may begin to use this flexibility during the 2017-18 school year. All other districts must use this option beginning in the 2018-19 school year.

Current Initiative

Work is underway, led by members of the FACS, Business and Technology Education professional associations and supported by NYSED and the CTE Technical Assistance Center, to plan to enhance the existing 1 $\frac{3}{4}$ unit of middle level FACS and Technical Education by creating a foundational course called "Introduction to CTE." Should the Regents adopt the proposed regulatory amendment, this work will serve as a model for the other CTE disciplines. Introduction to CTE would:

- bridge middle level CTE to high school CTE; and
- expose students to all CTE content areas; and
- follow a module format allowing for flexibility in delivery; and
- foster acceleration into graduation pathways (CTE, STEM, CDOS) that capitalize on students' interest.

Draft theme and content modules developed by the FACS Association are serving as models for further development by the Business, Technology, Agriculture, Health Sciences, and Trade and Technical education communities.

Related Regents Items

N/A

Recommendation

Staff recommends that the Regents take the following action:

VOTED: That section 100.4(c)(1) of the Regulations of the Commissioner of Education be amended, as submitted, effective July 1, 2017, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare in order to ensure that school districts have sufficient notice of the amendments and are able to implement them, as appropriate, beginning with the 2017-2018 school year.

Timetable for Implementation

If adopted at the May Regents meeting, the proposed amendment will become effective as an emergency rule on July 1, 2017. Following the 45-day public comment period required under the State Administrative Procedure Act, it is anticipated that the proposed amendment will be presented to the Board of Regents for adoption at the September 2017 Regents meeting. If adopted at the September Regents meeting, the proposed amendment will become effective as a permanent rule on September 27, 2017.

Attachment A

Sample Middle Level CTE Delivery Models

	Current Delivery Model	Sample Middle-level CTE only	Sample Middle-level CTE and Foundational High School CTE	Sample Middle-level CTE and Focused High School CTE
CTE Program	1 unit of Technology Education ¾ unit Home and Career Skills (FACS)	1 ¼ unit CTE Theme Modules supported by CTE Content Modules	1 ¼ unit CTE Theme Modules supported by CTE Content Modules and ½ unit Careers and Financial Management	¾ unit CTE Theme Modules supported by CTE Content Modules and 1 unit high school CTE
Teacher	Technology Education Family and Consumer Sciences	Any certified CTE teacher depending on content modules chosen	Any certified CTE teacher depending on content modules chosen	Any certified CTE teacher depending on content chosen
Student Outcomes	Student has fulfilled Intermediate unit of study requirements	Student has demonstrated attainment of intermediate standards Student is prepared for high school CTE coursework which may begin in grade 9 Student has an employability profile	Student has demonstrated attainment of intermediate standards prior to grade 8 Student is prepared for high school CTE coursework which begins in grade 8 Student has an employability profile	Student has demonstrated attainment of intermediate standards prior to grade 8 Student is prepared for focused, content-rich, high school CTE which begins in grade 8 Student has an employability profile
Connections to High School Graduation Pathways	Student has not earned high school credit Student has been introduced to career clusters and pathways.	Student has not earned high school credit Student has begun an employability profile which is required in the CTE and CDOS graduation pathways	Student has earned ½ unit high school credit in a course required for all CTE approved programs Student has begun an employability profile which is required in the CTE and CDOS graduation pathways	Student has earned 1 unit high school credit for a course which has an associated high school program Student has begun an employability profile which is required in the CTE and CDOS graduation pathways

Attachment B

AMENDMENT OF THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to Education Law sections 101, 207, 208, 209, 305, 308, 309 and 3204

Paragraph (1) of subdivision (c) of section 100.4 of the Regulations of the Commissioner of Education is amended, effective July 1, 2017, as follows:

(c) Units of study in grades 7 and 8.

(1) Except as otherwise provided herein, all students shall be provided instruction designed to enable them to achieve, by the end of grade 8, State intermediate learning standards through:

(i) English language arts, two units of study;

(ii) social studies, two units of study;

(iii) science, two units of study;

(iv) mathematics, two units of study;

(v) technology education, one unit of study, provided that for the 2018-2019 school year and thereafter, this unit of study requirement shall be replaced by that described in subparagraph (xii) of this subdivision;

(vi) home and career skills, three quarters of a unit of study, provided that for the 2018-2019 school year and thereafter, this unit of study requirement shall be replaced by that described in subparagraph (xii) of this subdivision;

(vii) physical education, as required by section 135.4(c)(2)(ii) of this Title;

(viii) health education, one half unit of study, as required by section 135.3(c) of this Title;

(ix) the arts, including one half unit of study in the visual arts, and one half unit of study in music;

(x) library and information skills, the equivalent of one period per week in grades 7 and 8;

(xi) languages other than English pursuant to section 100.2 (d) of this Part; [and]

(xii) career development and occupational studies[.]; and

(xiii) for students in schools that have vacancies in teacher positions for the courses described in subparagraphs (v) and (vi) of this subdivision during the 2017-2018 school year, and for all students in the 2018-2019 school year and thereafter, career and technical education (i.e., technology education, family and consumer sciences, trade and technical subjects, business, agriculture, and/or health sciences), for a total of one and three fourths units of study.

(2) The requirements for technology education, home and career skills, career and technical education and library and information skills may be met by the integration of the State learning standards of such subjects into other courses in accordance with the following criteria:

(i) In public schools, the unit of study requirements specified in subparagraphs (1)(v), (vi), [and/or] (xii) and (xiii) of this subdivision are met.

(ii) In public schools, the subjects of technology education, [and] home and career skills, and any other career and technical education shall be taught by persons certified to teach those subjects.

(iii) In public schools, library and information skills shall be taught by library media specialists and classroom teachers to ensure coordination and integration of library instruction with classroom instruction.

(iv) In nonpublic schools, the unit of study requirements specified in subparagraphs (1)(v), (vi), [and/or] (xii) and (xiii) of this subdivision may be met, or their equivalents may be met, by the incorporation of the State learning standards of such subjects into the syllabi for other courses and/or by appropriate results on examinations which demonstrate student mastery of the learning standards of such subjects. The chief administrative officer of a nonpublic school shall document the manner in which such nonpublic school has implemented the provisions of this subparagraph. Such documentation shall be in writing and available for review upon request by the commissioner.

(3) The unit of study requirement for technology education, [and/or] home and career skills, and any other career and technical education included in paragraph (1) of this subdivision may be initiated in grade 5, provided that in public schools such subjects shall be taught by teachers appropriately certified in [those areas] career and technical education.

Attachment C

STATEMENT OF FACTS AND CIRCUMSTANCES JUSTIFYING THE EMERGENCY

The proposed amendment to section 100.4(c)(1) of the Regulations of the Commissioner of Education is necessary to ensure school districts have sufficient notice of the amendments and are able to implement them, as appropriate, beginning with the 2017-2018 school year.

A Notice of Emergency Adoption and Proposed Rule Making will be published in the State Register on May 24, 2017. Since the Board of Regents meets at fixed intervals, the earliest the proposed rule can be presented for regular (non-emergency) adoption, after expiration of the required 45-day public comment period provided for in the State Administrative Procedure Act (SAPA) for a proposed rulemaking, would be the September 2017 Regents meeting. Furthermore, pursuant to SAPA section 203(1), the earliest effective date of the proposed rule, if adopted at the September meeting, would be September 27, 2017, the date a Notice of Adoption would be published in the State Register. In order to have these provisions in effect prior to the next school year, emergency action is therefore necessary for the preservation of general welfare to ensure that school districts have sufficient notice of the amendments and are able to implement them, as appropriate, beginning with the 2017-2018 school year which commences on July 1, 2017.