

DESCRIPTOR TERM: Closures of Non-State Plan Programs	CODE: 8205
ADOPTION DATE: November 20, 1987	REVISION: November 18, 2011

STATE BOARD POLICY

Closures of Non-State Plan Programs

Local educational agencies shall be given written notice of closure for Non-State Plan programs at least thirty (30) days prior to closure. Employment and training funds and programs are planned annually. Programs are funded based on documented need and availability of funds.

DESCRIPTOR TERM: Non-State Plan Programs for Career and Technical Education	CODE: 8214
ADOPTION DATE: November 20, 1987	REVISION: November 18, 2011

STATE BOARD POLICY

Non-State Plan Programs for Career and Technical Education

Non-State Plan funded programs, not under the Federal Career and Technical Education State Plan, are to be governed by policies, rules and regulations for Career and Technical Education except in instances where special funded programs have been excluded or not allowed by funding regulations. Employment and training funds and/or other non-plan funds are not included in the state career and technical plan.

DESCRIPTOR TERM: Career Program Standards	CODE: 8215
ADOPTION DATE: June 21, 1991	REVISION: November 18, 2011

STATE BOARD POLICY

Career Program Standards

The State Board of Education shall set and publish minimum program standards and outcome Indicators of Performance for each major program category. The Office of Career and Technical Education shall monitor the career programs based on the set Performance Indicators.

Legal Reference: Public Law 105-332, Sec. 113

Non-State Plan funded programs administered through the Office of Career and Technical Education are to be monitored and evaluated according to requirements of the funding regulations.

DESCRIPTOR TERM: Allocation of Career and Technical Education Non-State Plan Funds	CODE: 8301
ADOPTION DATE: November 20, 1987	REVISION: November 18, 2011

STATE BOARD POLICY

Allocation of Career and Technical Education Non-State Plan Funds

The State Board of Education shall allocate state training funds on a limited project agreement between the local educational agency and the Office of Career and Technical Education.

Non-State Plan training funds shall be allocated on a project agreement between the local educational agency and the Office of Career and Technical Education contingent upon approval of funds from the funding source.

DESCRIPTOR TERM: Hearings on Local Plan	CODE: 8303
ADOPTION DATE: June 21, 1991	REVISION: November 18, 2011

STATE BOARD POLICY

Hearings on Local Plan

When a plan submitted by a local educational agency is not approved by the Office of Career and Technical Education, the Office of Career and Technical Education shall notify the local educational agency of the deficiencies in the plan and allow thirty (30) days from the date of the notification letter to correct those deficiencies. However, upon good cause shown, the State Board of Education may extend this thirty (30) day period by written notification.

If at the end of thirty (30) days or the end of the extended period, whichever is applicable, the local educational agency has not corrected the deficiencies, the plan will be denied. The Associate State Superintendent for the Office of Career and Technical Education shall notify the local educational agency of this denial by certified mail and include in that letter the following:

- A. The reasons for denial;
- B. The right to request a hearing at which time the local educational agency is entitled to:
 - 1. The right to be represented by legal counsel at its own expense;
 - 2. The right to cross-examine witnesses from the Office of Career and Technical Education; and
 - 3. The right to call witnesses in its own behalf (who must appear by agreement with the local educational agency because the State Board has no subpoena power) and to introduce documentary evidence in its own behalf;
- C. The names of the witnesses to be called at the hearing by the Office of Career and Technical Education and the nature of their testimony;
- D. Copies of any documentary evidence that will be introduced at the hearing by the Office of Career and Technical Education. The local educational agency shall have ten (10) days from receipt of the notification letter to submit a written request for a hearing which shall be scheduled no less than five (5) days nor more than thirty (30) days from the date the request for hearing is received by the Office of Career and Technical Education. The Associate State Superintendent will notify the local educational agency, in writing, of the date, time, and place of the hearing. A court reporter shall be selected by the Office of Career and Technical Education to record all proceedings, and all witnesses shall be placed under oath by such court reporter.

The State Board shall designate an impartial hearing officer to conduct hearings on local plans. The hearing officer, after hearing all the evidence, shall present a written recommendation and a findings

of facts to the State Board concerning the plan within fourteen (14) days after the conclusion of the hearing. Upon receipt of the transcript of the hearing, the State Board shall have thirty (30) days within which to make a determination upon the transcript and the recommendations and findings of facts of the hearing officer and to notify the local educational agency by certified mail of its decision. If any local educational agency is dissatisfied with the final action of the State Board, with respect to the approval of the plan, the local educational agency may within sixty (60) days after such final action or notice thereof, whichever is later, file with the U. S. Fifth Circuit Court of Appeals a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the State Board, and the State Board thereupon shall file in the court the record of the proceedings on which the State Board based its action as provided in Title 28 U.S. Code, Section 2112.

The findings of fact by the State Board, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand a case to the State Board to take further evidence, and the State Board may thereupon make new or modified findings of fact and may modify its previous action and shall certify to the court the record of the further proceedings. The Fifth Circuit Court of Appeals has jurisdiction to affirm the action of the State Board or to set it aside in whole or in part. The judgement of the Court shall be subject to review by the United States Supreme Court upon certiorari or certification as provided in Title 28 United States Code Section 1254.

Legal Reference: Public Law 98-524, Section 504 (C) (1)

DESCRIPTOR TERM: Other State Funds for Career and Technical Education Support	CODE: 8305
ADOPTION DATE: June 21, 1991	REVISION: November 18, 2011

STATE BOARD POLICY

Other State Funds for Career and Technical Education Support

Local public secondary school districts shall receive MS Adequate Education Program (MAEP) support funds through the Office of Educational Accountability. One-half (1/2) teacher unit will be added for each career and technical program approved by the Office of Career and Technical Education. Less than one hundred percent (100%) vocational teachers will receive a prorated amount. MEAP funds are not to be requested when one hundred percent (100%) federal career and technical funds are available through an RFP (Request for Proposal) process to carry out the national career and technical priorities.

MAEP funds are not to be approved when no state or federal career and technical funds are to be expended through the Office of Career and Technical Education.

Legal Reference: MS Code 37-19-43
 MS Code 37-31-1 to 37-31-15

DESCRIPTOR TERM: Reimbursement of Local Personnel Career and Technical Education Salaries	CODE: 8306
ADOPTION DATE: June 21, 1991	REVISION: November 18, 2011

STATE BOARD POLICY

Reimbursement of Local Personnel Career and Technical Education Salaries

The Office of Career and Technical Education, prior to August 1st of each year, shall make an initial determination as to the estimated total reimbursement to be made to each local school district for approved vocational position salaries.

The Office of Career and Technical Education shall reimburse to each local school district 8% of the approved reimbursed estimated total amount immediately after the close of the months of July, August, and September.

The Office of Career and Technical Education shall, immediately at the close of the months of October, November, December, January, February, March, April, and May, reimburse to the local school districts the calculated approved and cleared budgeted reimbursement amount for the 4th, 5th, 6th, 7th, 8th, 9th, 10th, and 11th months less all previous reimbursements for the year.

The Office of Career and Technical Education shall, at the close of the fiscal year, make final calculations on the total approved reimbursements to the local school districts and reimburse to the districts all approved funds less previous reimbursements for the year.

This cash flow policy does not dissolve the Office of Career and Technical Education's right to hold funds pending until local school districts meet their agreed obligations, nor does it dissolve the Office of Career and Technical Education's right to recover funds that the districts owe the Office of Career and Technical Education.

DESCRIPTOR TERM: Career and Technical Education Funding Sources	CODE: 8307
ADOPTION DATE: June 21, 1991	REVISION: November 18, 2011

STATE BOARD POLICY

Career and Technical Education Funding Sources

The Office of Career and Technical Education shall subdivide the subsidies, loans, and grants section of the 206 and 201 budgets for Board review and approval.

A. Subdivisions (lines) for 206 budget are:

Lease Purchases/Indirect Cost/Other State Support

- Salaries
- Equipment
- Adult Vocational
- Other

Personnel Development/Curriculum/Research and Development

1% Corrections

Title II - 85% Secondary

Title II - 85% Postsecondary

Student Services

Tech Prep

Other Projects

B. Subdivisions (lines) for 201 budget are:

State Industrial Project

Other Non-State Funded Projects

The Office of Career and Technical Education shall clear and maintain a file of budgets with the Office of Budget and Planning for budgets 206 and 201, including the above described line items of the subsidies, loans, and grants section. The Office of Career and Technical Education shall provide the Board with periodic updates as to the current budget status.

Legal Reference: MS Code 37-31-1 to 37-31-15

DESCRIPTOR TERM: Postsecondary Licensure Guidelines	CODE: 8600
ADOPTION DATE: December 19, 1997	REVISION: November 18, 2011

STATE BOARD POLICY

Postsecondary Licensure Guidelines

The regulations governing the licensure of postsecondary educators in Mississippi are specified in the document entitled "Competency Based Licensure for Postsecondary Career and Technical Personnel." An up-to-date copy of that document shall be kept on file in the appropriate office in the Mississippi Department of Education. Upon approval of amendments to that document by the Mississippi Board of Education, staff will disseminate it to the appropriate personnel in the Mississippi educational community.

<p>DESCRIPTOR TERM: Approved Courses for the Secondary Career and Technical Education Programs</p>	<p>CODE: 8702</p>
<p>ADOPTION DATE: January 15, 1999</p>	<p>REVISION: November 18, 2011</p>

STATE BOARD POLICY

The Mississippi Department of Education will provide a list of the Approved Courses for the Secondary Schools of Mississippi Career and Technical Education Programs to each school district. This list contains all approved courses that can be offered in the Mississippi secondary schools. As new courses are revised and approved by the State Board of Education, the modifications will be disseminated to the appropriate individuals in the educational community.

DESCRIPTOR TERM: Construction or Remodeling of Career Technical Centers	CODE: 8901
ADOPTION DATE: June 25, 1985	REVISION: November 18, 2011

STATE BOARD POLICY

Construction or Remodeling of Career Technical Centers

Any educational agency desiring to construct, expand, alter, or remodel an area CTE center, facilities housing CTE programs including comprehensive high schools and others, shall develop a local construction plan. The construction plan shall be preceded by a needs assessment study of the area to be served and shall also follow procedures as identified by the Office of Career and Technical Education. The application for approval for building construction and renovation shall be completed with all appropriate and necessary documents and submitted through the Office of Career and Technical Education to the State Board for final approval or disapproval.

The Office of Career and Technical Education shall develop and maintain a management and control system for facilities that shall include guidelines and procedures in the areas of facilities, standards and specifications, remodeling, construction, acquisition, usage, disposition, and inspection.

Legal Reference: Public Law 98-524, Section 251 (a)(10) and (20)

DESCRIPTOR TERM: Use, Transfer of Title & Disposition of Local Physical Facilities	CODE: 8902
ADOPTION DATE: June 25, 1985	REVISION: November 18, 2011

STATE BOARD POLICY

Use, Transfer of Title and Disposition of Local Physical Facilities

A. Use

All local physical facilities funded through the State Board of Education shall be utilized for the support and conduct of career and technical education programs approved by the State Board of Education. This includes, but is not limited to, the following career and technical education programs: agriculture, trade and industry, family and consumer science , distributive education, business and office, health occupations, guidance services, technical education, cooperative education, customized industrial training and all other specialized occupational and support training not requiring a bachelor's degree, with the exception of programs of nursing education regulated under the provisions of section 37-129-1, Mississippi Code of 1972. Any other use or alteration of the facility other than previously specified shall require prior approval by the State Board of Education.

The facility shall be used for the originally authorized purpose as long as needed for that purpose. When no longer so needed, approval may be requested from the State Board of Education for other purposes. Use for other purposes shall be limited to:

1. Projects or programs supported by other federal grants assistance agreements.
2. Activities not supported by other federal grants or assistance agreements but having purposes consistent with those of the legislation under which the original grant was made.

B. Transfer of Title

Approval may be requested from the State Board of Education to transfer title to an eligible third party for continued use for authorized purposes in accordance with paragraph A. If approval is permissible under federal statutes and is given, the terms of the transfer shall provide that the transferee shall assume all rights and obligations of the transferor.

C. Disposition

When the facility is no longer to be used as provided in paragraphs A. and B., one of the

following alternatives shall be followed.

1. The property shall be sold and the federal government's share shall be paid to the State Board of Education. That amount shall be computed by multiplying the federal share of the property times the proceeds from sale (after deducting actual and reasonable selling and fix-up expenses, if any, from the sale proceeds). Proper sales procedures shall be used that provide for competition to the extent practicable and result in the highest possible return.
2. The local educational agency shall have the option either of selling the property in accordance with paragraph C. 1. or of retaining title. If title is retained, the federal government's share shall be paid to the State Board of Education. That amount shall be computed by multiplying the market value of the property by the federal share of the property.
3. The State Board of Education shall transfer the title to either the federal government or an eligible non-federal party approved by the federal government. The local educational agency shall be entitled to be paid an amount computed by multiplying the market value of the property by the local educational agency's share of the property.

Legal Reference: Section 37-31-205 Mississippi Code of 1972; Volume 42, No. 191, Section 104.621, Federal Register, Oct. 3, 1977

DESCRIPTOR TERM: Local Reimbursable Expense Items	CODE: 9201
ADOPTION DATE: June 21, 1991	REVISION: November 18, 2011

STATE BOARD POLICY

Local Reimbursable Expense Items

The Office of Career and Technical Education shall reimburse local public secondary and community/junior college school districts and certain state institutions for specific approved equipment, supplies, and other expenses necessary for the provisions of career and technical education.

A. Equipment

1. CTE Funds

Local program equipment necessary for the operation of a CTE complex/program may be considered as a 100% reimbursable expense.

2. Other Special Funds

Equipment necessary for the conduct of Special approved instructional programs may be 100% reimbursed subject to the approved project funding limitations.

B. Supplies

1. CTE Funds

The Office of Career and Technical Education shall not reimburse supply expenses for programs approved for reimbursement with CTE funds. Exceptions to this may be negotiated on guidance programs, CTE programs funded from 85% Carl Perkins III, Student Services, Tech Prep, some excessive cost programs where services are rendered to the Office of Career and Technical Education, and some special projects.

2. State Industrial Projects Funds

The cost of supplies not provided by the local educational agency or the industry may be negotiated with the Office of Career and Technical Education for reimbursement when providing industrial start-up training programs, and is included in the project.

3. Other Special Funds

The necessary supply cost for Special Fund programs are considered as a reimbursable expense and may be included in the project.

C. Other Expenses

Special Project funded programs may have other costs in an approved program in addition to the preceding list of items if these are necessary to the project.

Eighty-five percent (85%) Carl Perkins III, Student Services , and Tech Prep funded projects may have limited other costs in an approved program in addition to the preceding list of items if those are excess cost items not provided to other vocational programs by the local educational agency.