



San Bernardino Community College District
Administrative Procedure
Chapter 4 – Academic Affairs

AP 4102 CAREER AND TECHNICAL EDUCATION PROGRAMS

(Replaces current SBCCD AP 4104)

NOTE: The language in current SBCCD AP 4104 addresses the legally required information pursuant to the Title 5 Regulations.

From current SBCCD AP 4104 titled Career/Technical Programs

Each career/technical program in the District shall appoint career/technical education advisory committees to develop recommendations for the career/technical education programs and to serve as a liaison between the District and its business/industry community partners.

Each career/technical program shall develop appropriate entrance requirements and discipline- specific competencies that students should master by the time they complete the program. The documentation of these competencies may be demonstrated by program-determined measures, local public agency examinations, national program examinations, success at transfer institutions, and/or employer surveys.

- Written procedures mandated by The Federal Education Department General Administrative Regulations 2nd Edition.

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Consistent with federal regulations pertaining to federal financial aid eligibility, the [Chief Instructional Officer] will ensure that the District complies with the United States Department of Education's disclosure requirements for each of the District's gainful employment programs, by disclosing federally-mandated information about the programs to prospective students. The District shall make the required disclosures available to prospective students in promotional materials and on its website.

The [Chief Instructional Officer] shall establish procedures to ensure that the District meets these reporting requirements whenever the District intends to add a new gainful employment program.

44 **References:** Title 5, Sections 55600 et seq.
45 [2 Code of Federal Regulations Part 200 \(The Federal Education](#)
46 [Department General Administrative Regulations, 2nd Edition\);](#)
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48 [34 Code of Federal Regulations Part 600 \(U.S. Department of Education](#)
49 [regulations on the Integrity of Federal Student Financial Aid Programs](#)
50 [under Title IV of the Higher Education Act of 1965, as amended\); 34](#)
51 [C.F.R. Part 600.\]](#)
52 [ACCJC Accreditation Standard II.A.14](#)

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54 **NOTE:** The **red ink** signifies language that is **legally required** and recommended by the Policy and
55 Procedure Service and its legal counsel (Liebert Cassidy Whitmore). The language in **black ink** is from
56 the current SBCCD AP 4104 titled Career/Technical Programs approved in 6/06.
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Approved: 6/06

Revised:

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COMMENTS

<u>BP or AP #</u>	<u>Representative group</u>	<u>COMMENT</u>	<u>RESPONSE</u>
AP 4102	11/23/15 – Legal Update #27	This procedure was updated to add a legal citation to the Federal Education Department General Administrative Regulations (EDGAR) 2nd Edition and include language regarding EDGAR's new written procedure requirements in the list of local practices that districts must address under this procedure.	

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Legal Citations for AP 4102

Title 5 Sections 55600 et seq.

Cal. Admin. Code tit. 5 Section 55600

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TITLE 5. EDUCATION
 DIVISION 6. CALIFORNIA COMMUNITY COLLEGES
 CHAPTER 6. CURRICULUM AND INSTRUCTION
 SUBCHAPTER 7. OCCUPATIONAL EDUCATION
 ARTICLE 1. VOCATIONAL EDUCATION CONTRACTS

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s 55600. Definitions.

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For the purposes of this article the following definitions apply:

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(a) "Vocational education contract" means a written agreement between any community college district and a contractor which meets standards prescribed herein to provide vocational instruction to students enrolled in community colleges. Such agreements shall also be required to comply with the provisions of article 5 (commencing with section 8090) of chapter 1, part 6 of the Education Code.

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(b) "The California State Plan for Vocational Education" means an official agreement between the United States Commissioner of Education and the California State Board of Education which provides standards, policies, and procedures that shall apply to the operation of various phases of vocational education to qualify for financial support from the Education Amendments of 1976 (Public Law 94-482 and 95-40), part A, Vocational Education, or any subsequent federal legislation.

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(c) "Contractor" as used in section 55602 means any private postsecondary school authorized or approved pursuant to the provisions of chapter 3 (commencing with section 94300), and which has been in operation not less than two (2) full calendar years prior to the effective date of the contract, to provide vocational skill training authorized by this Code.

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(d) "Eligible costs" means all direct and indirect related instructional costs but does not include

98 expenditures for capital outlay (6000 category in the California Community Colleges Budget and
99 Accounting Manual).

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102 Cal. Admin. Code tit. 5 Section 55602

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ARTICLE 1. VOCATIONAL EDUCATION CONTRACTS

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s 55602. Authority to Contract.

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111 Any community college district or districts may contract with a private post secondary school
112 authorized or approved pursuant to the provisions of chapter 3 (commencing with section
113 94300) of part 59 of the Education Code and which has been in operation not less than two full
114 calendar years prior to the effective date of such contract to provide vocational skill training
115 authorized by the Education Code. Any community college district may contract with an activity
116 center, work activity center, or sheltered work shop to provide vocational skill training authorized
117 by the Education Code in any adult education program for substantially handicapped persons
118 operated pursuant to subdivision (e) of section 41976 of the Education Code.

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120 All contracts between a community college district and a private postsecondary school entered
121 into pursuant to this section, or an activity center, work center, or sheltered workshop shall do all
122 of the following:

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124 (1) Be approved by the Chancellor.

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126 (2) Provide that the amount contracted for per student shall not exceed the total direct and
127 indirect costs to provide the same training in the community colleges or the tuition the private
128 postsecondary school charges its private students, whichever is lower.

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130 (3) Provide that the community college students receiving training in a private postsecondary
131 school, or an activity center, work activity center, or sheltered workshop pursuant to that
132 contract may not be charged additional tuition for any training included in the contract. The
133 attendance of those students pursuant to a contract authorized by this section shall be credited
134 to the community college district for the purposes of apportionments from the State School
135 Fund.

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137 (4) Provide that all programs, courses, and classes of instruction shall meet the standards set
138 forth in the California State Plan for Vocational Education, or is a course of study for adult
139 schools approved by the Department of Education under section 51056 of the Education Code.

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141 The students who attend a private postsecondary school or an activity center, work activity
142 center or sheltered workshop pursuant to a contract under this section shall be enrollees of the
143 community college and the vocational instruction provided pursuant to that contract shall be
144 under the exclusive control and management of the governing body of the contracting
145 community college district. The Chancellor may audit the accounts of both the district and the
146 private party involved in these contracts to the extent necessary to assure the integrity of the
147 public funds involved.

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150 Cal. Admin. Code tit. 5 Section 55602.5

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157 **s 55602.5. Contracts for Vocational Education for Students with Impaired Physical**
158 **Capacity.**

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160 Notwithstanding any provision in the Education Code to the contrary, the governing board of a
161 community college district and a proprietary or nonprofit organization, a public entity, or a
162 proprietary or nonprofit private corporation may enter into a contract for the education of
163 community college students whose capacity to function is impaired by physical deficiency or
164 injury in vocational education classes to be conducted for such students by the proprietary or
165 nonprofit organization, the public entity, or the proprietary or nonprofit private corporation
166 maintaining the vocational education classes. All instruction pursuant to this Section shall be
167 approved of and supervised by the governing board of the community college district and shall
168 be conducted by academic employees. The full-time equivalent student of such community
169 college students attending classes under the provisions of this Section shall be credited to the
170 community college district, and college credit may be granted to students who satisfactorily
171 complete the course of instruction in such classes.
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174 Cal. Admin. Code tit. 5 Section 55603

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181 **s 55603. Instructional Purpose.**

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183 Contractors shall provide vocational, technical, and occupational instruction related to
184 attainment of skills, knowledge, and attitudes so that students may be prepared for:
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- 186 (a) Gainful employment in the occupational area for which training was provided, or
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188 (b) Occupational upgrading so students will have higher level skills required by new and
189 changing technology and employment practices, or
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191 (c) Enrollment in more advanced training programs.
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194 Cal. Admin. Code tit. 5 Section 55604

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201 **s 55604. Application for Approval.**

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204 Cal. Admin. Code tit. 5 Section 55605

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211 **s 55605. Contract Approval and Limitations.**

212 Vocational education contracts entered into pursuant to section 55602 shall:

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215 (a) Not exceed one year;

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217 (b) Be approved by the Chancellor;

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219 (c) Include such details to explain and justify intended offerings.

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221 (d) Be maintained in conformity with applicable provisions of the Education Code, Title 5 of the
222 California Code of Regulations, California Community Colleges Budget and Accounting Manual,
223 and the California State Plan for Vocational Education; and

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225 (e) Be organized and administered by community college districts in such a manner that there
226 will be separate accounts for all income and expenditures applicable to the contract.

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229 Cal. Admin. Code tit. 5 Section 55606

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236 **s 55606. Administration.**

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239 Cal. Admin. Code tit. 5 Section 55607

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ARTICLE 1. VOCATIONAL EDUCATION CONTRACTS

s 55607. Reporting.

All records related to district income and expenditures applicable to contracts with a contractor pursuant to section 55602 shall be made available for audit by the state or federal government and will be retained for five (5) years or one year after audited, whichever comes first.

Cal. Admin. Code tit. 5 Section 55608

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s 55608. Accounting Procedure.

Cal. Admin. Code tit. 5 Section 55620

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ARTICLE 2. CONTRACTING STANDARDS

s 55620. Standards.

The following conditions shall be used to determine the appropriateness of vocational education contracts with contractors:

- (a) Manpower needs and job opportunities are identified and established for the instruction program.
- (b) The program or courses do not unnecessarily duplicate offerings available in the region served.
- (c) The program or courses provide vocational education opportunities not otherwise available.
- (d) The programs or courses shall not reduce or supplant the vocational education efforts of any district.
- (e) Eligible costs shall not exceed the same cost to provide the same training in the public entity or the tuition the private postsecondary school charges its private students, whichever is lower.
- (f) The community college student may not be charged additional tuition for any training included in the contract.
- (g) Each student eligible for enrollment under a contract between a community college district

293 and a contractor must: (1) have reached his or her sixteenth birthday and (2) be enrolled in a
294 community college.

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296 (h) The contractor must be accredited by an accrediting agency recognized by the United States
297 Office of Education or conform to guidelines on contractual relationships with non-accredited
298 organizations established by the agency accrediting the community college.