

#### **6A:19-2.4 Career and technical instruction under contract**

- (a) A district board of education may contract with a private career school for a program or portion of a program on an individual or group basis. Such contract shall be entered into upon a determination by the district board of education of satisfactory assurance that:
1. The contract is in accordance with State or local law;
  2. The instruction being sought is not offered at a comparable cost by a district board of education within reasonable proximity of the district board of education seeking the career and technical education;
  3. The instruction to be provided under contract will be conducted as a part of a Department-approved career and technical education program and will constitute a reasonable and prudent use of available funds;
  4. The private career school holds a current certificate of approval, as defined in N.J.A.C. 6A:19-7.2, jointly issued by the Department of Education and the Department of Labor and Workforce Development to enroll students in the subject to be taught, and such approval must have been held by the private career school for at least two consecutive years immediately preceding the contract's execution; and
  5. The private career school has conducted criminal history record checks pursuant to N.J.S.A. 18A:6-7.1.

## **SUBCHAPTER 7. PRIVATE CAREER SCHOOLS**

### **6A:19-7.1 Purpose and authority**

The rules in this subchapter define the programmatic requirements for private career schools, which are qualifying schools as defined in N.J.S.A. 34:15C-10.1, to award certificates to students to participate in the workforce development system, in accordance with N.J.S.A. 6A:69-1 et seq., N.J.S.A. 44:12-2, N.J.S.A. 34:15D-1 et seq., and P.L. 101-392, section 113(b)14.

### **6A:19-7.2 Definitions**

The following words and terms shall have the following meanings when used in this subchapter unless the context clearly indicates otherwise.

“Advisory board” means a group selected by the private career school consisting of three or more experts proficient in the subject area of the curriculum to be taught, whose responsibility is to evaluate the curriculum for reliability and validity and to make recommendations for revisions, if necessary.

“Certificate of approval” means the document that provides evidence of the private career school’s approval to operate issued by the Commissioners of the Departments of Education and Labor and Workforce Development, as prescribed in N.J.S.A. 34:15C-10.1 and more fully delineated in this subchapter.

“Clock hour” means 50 to 60 minutes of class lecture, recitation, faculty supervised laboratory, shop training, clinical experience, and/or internship in a 60-minute period. It also means 60 minutes of preparation in a correspondence course or distance learning as defined by Section 600.2, Higher Education Act of 1965 as amended.

“Course” means an organization of subject matter and related learning experiences designed to meet an occupational objective offered for the instruction of students on a systematic basis.

“Director” means the director of the private career school who is on site during the hours of operation and who is responsible for the total administration of only one school site.

“Instructional program” means the planned sequence of courses, services or activities designed to meet educational and employment objectives.

“Internship” means a period of supervised practical training that is part of an approved program and offered at a site other than the private career school and meets the following criteria:

1. The internship is of a fixed duration, established prior to the outset of the internship;
2. The internship experience is for the benefit of the student;
3. The employer that provides the training derives no immediate advantage from the activities of the student and on occasion its operations may actually be impeded;  
and
4. The student does not displace regular employees of the internship site, but works under close supervision of existing staff.

“Private career school” is a privately owned postsecondary school that offers one or more occupational training programs and is a qualifying school as defined by P.L. 2005, c. 354.

### **6A:19-7.3 Application for instructional program approval and renewal**

- (a) Pursuant to N.J.S.A. 34:15C-10.1, the Department of Education is responsible for approving the following components of a private career school:
  - 1. Curriculum; and
  - 2. Personnel and professional credentialing.
- (b) To be approved, a private career school shall provide evidence of the following in the application submitted for instructional program approval using forms provided in the Private Career School Manual:
  - 1. An instructional program that is based on specific occupational objectives and competencies, and is aligned with nationally recognized industry skill standards or certifications, or other nationally recognized curriculum sources. Where no such skill standards or certifications exist, the private career school shall establish an advisory board to evaluate each curriculum for reliability and validity.
  - 2. A course of study comprising:
    - i. The major elements of instruction;
    - ii. The number of instructional hours;
    - iii. A description of the method of instruction;
    - iv. A delineation of the educational space;
    - v. A list of equipment, tools and text materials that shall be aligned to the competencies and skills that will be taught; and

- vi. Assessment instruments to measure student and instructor performance in accordance with State, national or industry standards including, where applicable, the national or State license or certification examination.
  3. Owner(s)' and director(s)' resumes and letters of reference.
  4. A school catalog that includes:
    - i. A list of school administrators names and titles;
    - ii. A conflict resolution policy;
    - iii. An explanation of grading system;
    - iv. A policy on handling and availability of student records;
    - v. A program description; and
    - vi. A student and instructor evaluation policy.
- (c) The annual application for renewal of a certificate of approval to operate a private career school or correspondence school shall include modifications to the original application for institutional approval, in accordance with (b) above.

#### **6A:19-7.4 Application for facilities approval**

Prior to the issuance of a certificate of approval, private career schools shall obtain verification by the New Jersey Departments of Education and Labor and Workforce Development that the facilities, instructional equipment, text books, and supplies identified in the application for instructional program approval are available and support the curriculum.

#### **6A:19-7.5 Operations**

- (a) A private career school shall ensure that education and training programs are designed and delivered in such a way that all students are able to demonstrate the knowledge and skills specified in the approved program application according to N.J.A.C. 6A:19-7.3.

- (b) A private career school shall ensure the quality of education and training facilities through the use of nationally recognized standards of operation approved by one of the national accrediting agencies recognized by the U.S. Secretary of Education.
- (c) A private career school shall assure the Department of the quality of education in the following areas:
1. Curricula;
  2. Grading policies;
  3. Program length in clock hours or credit hours (if accredited), the subject matters taught, and the objectives of the certificates or credentials offered;
  4. Success with respect to student achievement in relation to mission, including, as appropriate, consideration of course completion, State licensing examination passing rates, and job placement rates; and
  5. Personnel:
    - i. The private career school director shall have completed six years of academic, military, and/or job-related experience beyond high school graduation that includes a minimum of two years of practical experience in a supervisory, administrative, or teaching position;
    - ii. Faculty of the private career school shall meet the following qualifications:
      - (1) Proof of a high school diploma or GED;
      - (2) Proof of successful completion of a curriculum and instruction course offered through an accredited college; and
      - (3) Competency in the subject(s) to be taught as demonstrated by possession of one of the following:
        - (A) An appropriate instructional certificate issued by the State Board of Examiners, or a comparable teaching certificate

- issued by a recognized certifying authority in another state with which the State Board of Examiners has reciprocity;
- (B) An industry certification in the occupational area to be taught and at least two years of documented full-time employment experience in the occupational area within the past 10 years;
  - (C) A baccalaureate degree from a recognized institution with a major or specialization in the subject to be taught;
  - (D) Evidence of attainment of a journeyperson's status by possessing a certificate of completion of a registered apprenticeship training in the subject to be taught, with at least two years of documented full-time employment experience within the past 10 years;
  - (E) A certificate of completion in the occupational area to be taught from an approved private career school or hold the appropriate State-issued occupational license in the occupational area to be taught, and a minimum of two years of documented full-time employment in the occupation, within the past 10 years;
  - (F) An associate degree from an accredited college, with a major or specialization in the subject to be taught, and a minimum of two years of documented full-time employment in the occupational area to be taught within the past 10 years; or

- (G) A minimum of four years of documented full-time employment in the occupational area to be taught within the past 10 years.

**6A:19-7.6 Monitoring and site visits**

Each approved private career school shall be monitored by the Department of Education a minimum of once every two years, or according to a schedule established by the Commissioner. The Commissioners of the Departments of Education and Labor and Workforce Development shall review monitoring reports when determining the continuation or suspension of the certificate of approval held by the private career school for the institution or its program.