

29TH DISTRICT  
JAMES J. RHOADES

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## Senate of Pennsylvania

March 27, 2006

### COMMITTEES

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EDUCATION COMMISSION OF THE STATES  
COMMISSIONER

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**ORIGINAL: 2520**

Honorable Gerald L. Zahorchak  
Secretary  
Pennsylvania Department of Education  
333 Market Street  
Harrisburg, PA 17126

Dear Dr. Zahorchak:

We write regarding the proposed changes to Chapter 339 (Vocational Education) of Title 22 of the Pennsylvania Code. We are deeply concerned that imposing a 360 hour requirement for reimbursement for vocational agricultural education will have an adverse impact on these programs in Pennsylvania high schools, which serve as an important venue for agriculture education in our Commonwealth. What is more, we are concerned that the Department is promulgating a regulation that deals with eligibility for state funding, an action properly within the purview of the General Assembly.

As you know, there are nearly as many vocational agriculture education programs being taught in a comprehensive high school setting as there are in career and technical centers. It will be extremely difficult for the 41,000 students enrolled in these courses in a comprehensive high school setting to meet a 360 hour requirement, particularly if they are enrolled in college preparation courses.

Imposing this requirement would contradict many of the goals the General Assembly has set forth for agriculture programs over the past several years. The General Assembly has consistently approved legislation to encourage our young people to pursue agriculture as a career. We mention this to highlight the importance with which agriculture, and the education of our youth about agriculture, is viewed in Pennsylvania. Establishing a 360 hour requirement for schools to receive reimbursement for agricultural education programs will have the affect of eliminating the vast majority of these programs from our high schools. Obviously, this would be contrary to the goal of encouraging young Pennsylvanians to pursue agriculture as a career.

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copies to Adam,  
P. see + see on  
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Honorable Gerald L. Zahorchak  
March 27, 2006  
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In addition to our concerns about the policy underlying this proposed regulation, we are equally concerned about the forum proposed for its review. While we acknowledge that the regulatory process is the appropriate place to discuss curriculum and other education policy matters, it is not the forum for dialogues about schools' eligibility for state funding. That responsibility lies with the General Assembly and should be part of the annual conversations surrounding the General Appropriations Act and the legislation required to implement it.

We thank you for taking the time to consider our concerns regarding the Department's proposed revisions to Chapter 339 and would strongly encourage that you take them into consideration prior to promulgating this regulation in final form.

Sincerely,



JAMES J. RHOADES  
Chairman



RAPHAEL J. MUSTO  
Minority Chairman



COMMONWEALTH OF PENNSYLVANIA  
 DEPARTMENT OF EDUCATION  
 333 MARKET STREET  
 HARRISBURG, PENNSYLVANIA 17126-0333

SECRETARY OF EDUCATION

May 8, 2006

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**ORIGINAL: 2520**

The Honorable James J. Rhoades  
 Senate of Pennsylvania  
 Senate Box 203029  
 Harrisburg, PA 17120-3029

The Honorable Raphael J. Musto  
 Senate of Pennsylvania  
 Senate Box 203014  
 Harrisburg, PA 17120-3014

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 REVIEW COMMISSION

Dear Senators Rhoades and Musto:

Thank you for your questions and comments concerning current and proposed Chapter 339 vocational standards. It is imperative that the Department of Education (PDE) receive feedback when considering the implementation of regulations and standards. We appreciate your commitment to Career and Technical Education (CTE) and look forward to continued efforts in serving the students of Pennsylvania. In this letter, I note the concern brought forth by the Education Committee and the Department's response to each concern.

The first concern noted in the letter is that the Department is modifying the regulations to remove reimbursement for vocational education courses. As noted in legislation, the vocational subsidy is based on average daily membership and is an action within the purview of the General Assembly. The proposed changes to the vocational standards are the inclusion of accountability standards and technical institutes. The vocational subsidy remains intact as legislated and remains available to all school districts and career and technical centers that operate approved career and technical education programs.

A portion of the initial concern noted in the letter focuses on the Department imposing a 360 hour requirement for educational programs that hold approved career and technical education program approval. Please note that the Department has not reintroduced or is imposing a new requirement in relation to instructional time. The Department has established an instructional time requirement and continues to support an instructional time requirement since Chapter 339 was established.

When the Department had regional offices established across the Commonwealth, Department staff would routinely visit schools to ensure all regulations were met. Upon closure of the regional offices, the Department has relied on the integrity of school district superintendents and career and technical school directors when they sought program approval. The chief school administrators sign assurances when seeking program approval. The signed assurances continue to be a means of school districts and career and technical schools notifying the Department that they will adhere to all regulations. The Department continues to firmly believe in the integrity of the signatory that all regulations, including the instructional time requirement, will be met.

The Bureau of Career and Technical Education (BCTE) has been reviewing programs during the 2005-2006 school year. The continuing approved program review visits are based on the existing standards in Chapter 339 and current State Board of Education regulations. In addition to the 360 hour requirement, approved programs must have: (a) planned instruction, (b) series of courses based on occupational analysis, (c) employment related performance objectives, (d) administration of occupational assessment, (e) student prepared educational and occupational objectives based on occupational performance, (f) advisory committees, (g) safety education, and (h) admissions policies. To this point, reviewers have found that over 60 percent of the school districts meet the 360 hour requirement, however, none of the high schools have the necessary local and occupational advisory committees. As you can see, the hour requirement is an attainable goal for school districts when seeking program approval, and is not the only standard being reviewed for compliance.

The letter notes that there are as many vocational agriculture education programs being taught in a comprehensive high school setting as there are in career and technical education centers, and there are 41,000 students in these programs. The letter notes that in order for students to enroll in college preparatory courses, students cannot participate in 360 hours of technical training. The Department data indicates the assumptions presented in the letter are incorrect. Department data evidences that there are 182 Agriculture Education programs statewide, 53 of these programs are offered at career and technical education centers (CTCs) and 129 programs at high schools. There are 2,168 students enrolled in CTCs and 5,717 students enrolled at high schools.

The percentage of 11<sup>th</sup> grade CTE students reaching the state defined level of proficiency on the statewide academic assessments is as follows. For students enrolled in high school Agriculture programs 18% of the students are proficient in Math and 34% of the students are proficient in Reading. For students enrolled in CTC Agriculture programs, 22% of the students are proficient in Math, and 45% of the students are proficient in Reading. The percent of learning disabled students in high school Agriculture programs is 16% and in CTCs is 34%. As noted earlier, based on the program reviews conducted during the 2005-2006 school year, 60% of the high schools are meeting the 360 hour requirement while providing academic coursework.

The Department remains committed to ensuring all student receive quality education and remains deeply concerned that students enrolled in Agriculture education offered at the comprehensive high school are performing at a level that is below the level of students enrolled in Agriculture education programs offered at CTCs. The Department is also concerned that students enrolled in all Agriculture education programs are performing below students enrolled in programs in Business Education, Trade and Industry and Health Occupations.

Quality career and technical education programs require a continuing commitment and the dedication of schools, legislators, business and industry and the Department of Education. The Bureau of Career and Technical Education stands ready to provide the needed resources and support to all school districts and career and technical centers as they operate approved career and technical education programs. Together, we can provide quality education for all students in Pennsylvania.

Sincerely,



Gerald L. Zahorchak, D.Ed.

cc: Diane Castelbuono, Deputy Secretary, Office of Elementary and Secondary Education  
Lee Burket, Director, Bureau of Career and Technical Education  
Mr. John R. McGinley, Jr., Esq., Chairman, IRRC  
The Honorable James Rhoades, Chairman, Senate Committee on Education  
Members, House Education Committee (Harrisburg Office)  
Office of Government Relations