

## **IC 20-20-38**

### **Chapter 38. Career and Technical Education**

#### **IC 20-20-38-1**

##### **"Career and technical education"**

Sec. 1. As used in this chapter, "career and technical education" means any secondary level vocational, agricultural, occupational, manpower, employment, or technical training or retraining that:

- (1) enhances an individual's career potential and further education; and
- (2) is accessible to individuals who desire to explore and learn for economic and personal growth leading to employment opportunities.

*As added by P.L.7-2011, SEC.7.*

#### **IC 20-20-38-2**

##### **"Council"**

Sec. 2. As used in this chapter, "council" refers to the state workforce innovation council established by IC 22-4.1-22-3.

*As added by P.L.7-2011, SEC.7. Amended by P.L.69-2015, SEC.4.*

#### **IC 20-20-38-3**

##### **"Employment training"**

Sec. 3. As used in this chapter, "employment training" means all programs administered by the following:

- (1) The council.
- (2) The Indiana jobs training program.
- (3) The department.

*As added by P.L.7-2011, SEC.7.*

#### **IC 20-20-38-4**

##### **Long range state plan; revision; distribution; contents**

Sec. 4. (a) The state board shall develop and implement a long range state plan for a comprehensive secondary level career and technical education program in Indiana.

(b) The plan developed under this section must be updated as changes occur. The state board shall make the plan and any revisions made to the plan available to:

- (1) the governor;
- (2) the general assembly;
- (3) the department of workforce development;
- (4) the commission for higher education;
- (5) the council;
- (6) the state workforce innovation council;
- (7) the board for proprietary education; and
- (8) any other appropriate state or federal agency.

A plan or revised plan submitted under this section to the general assembly must be in an electronic format under IC 5-14-6.

(c) The plan developed under this section must set forth specific goals for secondary level public career and technical education and must include the following:

- (1) The preparation of each graduate for both employment and further education.
- (2) Accessibility of career and technical education to individuals of all ages who desire to explore and learn for economic and personal growth.
- (3) Projected employment opportunities in various career and technical education fields.
- (4) A study of the supply of and the demand for a labor force skilled in particular career and technical education areas.
- (5) A study of technological and economic change affecting Indiana.
- (6) An analysis of the private career and education sector in Indiana.
- (7) Recommendations for improvement in the state career and technical education program.
- (8) The educational levels expected of career and technical education programs proposed to meet the projected employment needs.

*As added by P.L.7-2011, SEC.7. Amended by P.L.107-2012, SEC.5.*

#### **IC 20-20-38-5**

##### **State board responsibilities**

Sec. 5. The state board shall do the following:

- (1) Prepare biennially a plan for implementing career and technical education.
- (2) Implement, to the best of its ability, the career and technical education plan prepared under subdivision (1).
- (3) Investigate the funding of career and technical education on a cost basis.
- (4) Establish and monitor the operation of secondary level career and technical education in Indiana in accordance with the comprehensive long range state plan developed under section 4 of this chapter.
- (5) In consultation with the Indiana professional licensing agency, adopt rules concerning secondary level career and technical education programs, courses, and classes in the areas of cosmetology, electrology, esthetics, barbering, and manicuring.
- (6) To comply with this section and any federal law or regulation:
  - (A) adopt rules under IC 4-22-2; and
  - (B) develop policies and administrative procedures.

*As added by P.L.7-2011, SEC.7. Amended by P.L.75-2014, SEC.1; P.L.69-2015, SEC.5.*

#### **IC 20-20-38-6**

### **State board duties**

Sec. 6. The state board shall do the following:

- (1) Make recommendations to the general assembly concerning the development, duplication, and accessibility of employment training and career and technical education on a regional and statewide basis.
- (2) Consult with any state agency, commission, or organization that supervises or administers programs of career and technical education concerning the coordination of career and technical education, including the following:
  - (A) The Indiana economic development corporation.
  - (B) The council.
  - (C) A private industry council (as defined in 29 U.S.C. 1501 et seq.).
  - (D) The department of labor.
  - (E) The commission for higher education.
  - (F) The department of workforce development.
  - (G) The state workforce innovation council.
  - (H) The board for proprietary education.
- (3) Review and make recommendations concerning plans submitted by the commission for higher education and the council. The state board may request the resubmission of plans or parts of plans that:
  - (A) are not consistent with the long range state plan of the state board;
  - (B) are incompatible with other plans within the system; or
  - (C) duplicate existing services.
- (4) Report to the general assembly on the state board's conclusions and recommendations concerning interagency cooperation, coordination, and articulation of career and technical education and employment training. A report under this subdivision must be in an electronic format under IC 5-14-6.
- (5) Study and develop a plan concerning the transition between secondary level career and technical education and postsecondary level career and technical education.
- (6) Enter into agreements with the federal government that may be required as a condition of receiving federal funds under the Carl D. Perkins Vocational and Applied Technology Act (20 U.S.C. 2301 et seq.). An agreement entered into under this subdivision is subject to the approval of the budget agency.

*As added by P.L. 7-2011, SEC. 7. Amended by P.L. 107-2012, SEC. 6.*

### **IC 20-20-38-7**

#### **State board powers**

Sec. 7. The state board may do the following:

- (1) Make recommendations, including recommendations for policies to encourage involvement of minority groups in the career and technical education system in Indiana, to:

- (A) the governor;
  - (B) the general assembly, in an electronic format under IC 5-14-6; and
  - (C) the various agencies, commissions, or organizations that administer career and technical education programs concerning all facets of career and technical education programming.
- (2) Establish a regional planning and coordination system for career and technical education and employment training that will, either in whole or in part, serve career and technical education and employment training in Indiana.
  - (3) Appoint advisory committees whenever necessary.
  - (4) Contract for services necessary to carry out this chapter.
  - (5) Provide information and advice on career and technical education to a business, an industry, or a labor organization operating a job training program in the private sector.

*As added by P.L.7-2011, SEC.7.*

#### **IC 20-20-38-8**

##### **Implementation of programs, systems, and policies**

Sec. 8. The state board shall adopt statewide systems or policies concerning the following as the systems or policies relate to the implementation of career and technical education programs:

- (1) Student records.
- (2) Data processing at the secondary level.
- (3) An evaluation system that must be conducted by the state board at least annually and that evaluates the following as each relates to the career and technical education programs and courses offered at the secondary level:
  - (A) Graduation rates.
  - (B) Student placement rates.
  - (C) Retention rates.
  - (D) Enrollment.
  - (E) Student transfer rates to postsecondary educational institutions.
  - (F) When applicable, student performance on state licensing examinations or other external certification examinations.
  - (G) Cost data study.
- (4) A system of financial audits to be conducted at least biennially at the secondary level.

*As added by P.L.7-2011, SEC.7.*

#### **IC 20-20-38-9**

##### **Evaluation criteria**

Sec. 9. (a) The state board shall establish career and technical education evaluation criteria.

(b) Using the criteria established under subsection (a), the state board shall evaluate the effectiveness of career and technical education relative to the goals of the long range plan developed under

section 4 of this chapter.  
*As added by P.L.7-2011, SEC.7.*

#### **IC 20-20-38-10**

##### **Biennial report; attrition and persistence rates**

Sec. 10. The state board shall develop a definition for and report biennially to:

- (1) the general assembly; and
- (2) the governor;

on attrition and persistence rates by students enrolled in secondary career and technical education. A biennial report under this section to the general assembly must be in an electronic format under IC 5-14-6.

*As added by P.L.7-2011, SEC.7.*

#### **IC 20-20-38-11**

##### **Legislative budget requests**

Sec. 11. Upon request of the budget director, the state board shall prepare a legislative budget request for state and federal funds for secondary and postsecondary career and technical education. The budget director shall determine the period to be covered by the budget request. This budget request must be made available to the council before the request's review by the budget committee.

*As added by P.L.7-2011, SEC.7.*

#### **IC 20-20-38-12**

##### **Review and recommendation of budget requests; allocation of federal funds; augmentation and reduction of funding**

Sec. 12. (a) The state board shall review the legislative budget requests for secondary and postsecondary career and technical education prepared by the state educational institutions.

(b) After the review under subsection (a) and a review of any recommendations from the council, the state board shall make recommendations to the budget committee concerning the appropriation of state funds and the allocation of federal funds for secondary and postsecondary career and technical education, including federal funds available under the Carl D. Perkins Vocational and Applied Technology Act (20 U.S.C. 2301 et seq.). The state board's recommendations concerning appropriations and allocations for secondary and postsecondary career and technical education by secondary schools and state educational institutions must specify:

- (1) the minimum funding levels required by 20 U.S.C. 2301 et seq.;
- (2) the categories of expenditures and the distribution plan or formula for secondary schools; and
- (3) the categories of expenditures for each state educational institution.

(c) After reviewing the state board's recommendations and each

agency's budget request, the budget committee shall make recommendations to the general assembly for funding to implement secondary and postsecondary career and technical education. The general assembly shall biennially appropriate state funds for secondary and postsecondary career and technical education and allocate federal funds available under 20 U.S.C. 2301 et seq. for secondary and postsecondary career and technical education. At least sixty percent (60%) of the federal funds available under 20 U.S.C. 2301 et seq. must be allocated to secondary level career and technical education to implement the long range state plan developed under section 4 of this chapter.

(d) The budget agency, with the advice of the state board and the budget committee, may augment or proportionately reduce an allocation of federal funds made under subsection (c).

*As added by P.L.7-2011, SEC.7.*

### **IC 20-20-38-13**

#### **Distribution of state funds**

Sec. 13. The state board shall distribute state funds made available for secondary and postsecondary career and technical education that have been appropriated by the general assembly and in accordance with the plan prepared by:

- (1) the state board under section 5 of this chapter; and
- (2) the council under IC 22-4.1-19-4.

*As added by P.L.7-2011, SEC.7.*

### **IC 20-20-38-14**

#### **Staffing; department assistance**

Sec. 14. (a) The state board may employ any staff necessary to perform the duties imposed by this chapter and fix the compensation and terms of that employment, subject to approval by the budget agency.

(b) The state board may authorize the department, whenever practical or necessary, to assist the state board in carrying out the duties prescribed by this chapter.

*As added by P.L.7-2011, SEC.7.*

### **IC 20-20-38-15**

#### **Rules**

Sec. 15. The state board may adopt rules under IC 4-22-2 as necessary to carry out the duties imposed by this chapter.

*As added by P.L.7-2011, SEC.7.*