DEPARTMENT OF HIGHER EDUCATION

State Board for Community Colleges and Occupational Education *Eff 08/06/2008*

RULES FOR THE ADMINISTRATION OF THE COLORADO VOCATIONAL ACT *Eff 08/06/2008*

8 CCR 1504-2 *Eff 08/06/2008*

[Editor's Notes follow the text of the rules at the end of this CCR Document.] *Eff 08/06/2008*

1.0 STATEMENT OF BASIS AND PURPOSE

The Colorado Vocational Act of 1970, CRS 23-8-101 et. seq., was adopted by the Colorado General Assembly to provide assistance to local school districts, BOCES and charter schools operating career and technical education programs approved by the State Board for Community Colleges and Occupational Education. These rules are adopted pursuant to the rulemaking authority granted in CRS 23-8-103(4), 23-60-102(1), (2) and (3), 23-60-209 and CRS 23-60-303 for the purpose of clarifying the requirements and processes for reimbursement of school districts under the Colorado Vocational Act of 1970. *Eff 08/06/2008*

2.0 DEFINITIONS

As used in these rules, the following words shall have the meanings set forth below. *Eff 08/06/2008*

2.1 " Act " shall mean the Career and Technical Education Act of 1970, CRS 23-8-101 et. seq., originally named the Colorado Vocational Act as it may be amended from time to time. *Eff 08/06/2008*

2.2 " Actual cost " shall mean the invoice cost, less discounts and allowances for trade-ins of goods and services received. *Eff 08/06/2008*

2.3 " Approved program " shall mean a series of courses within a career and technical education program which are approved by the Board as eligible for reimbursement under the Act pursuant to Section 3.0 of these rules, taught by appropriately credentialed instructors, which meets or exceeds the standards for quality career and technical education adopted by the Board. Approved programs do not include Colorado customized training programs created under CRS 23-60-306, or Colorado existing industry training programs created under CRS 23-60-307. *Eff 08/06/2008*

2.4 " Articulate " shall mean the process by which a student progresses from one level of education to another. *Eff 08/06/2008*

2.5 " Board " shall mean the State Board for Community Colleges and Occupational Education. In the administration of the Act and these rules, the Board shall act through the President of the Community Colleges and Occupational Education System designee, except that the Board shall retain the responsibility to hear any appeals filed pursuant to Section 8.4 of these rules. *Eff 08/06/2008*

2.6 " BOCES " shall mean Board of Cooperative Educational Services shall have the same meaning as set forth in section 22-5-103 (2), C.R.S. *Eff 08/06/2008*

2.7 " Career and Technical Education (CTE) " shall mean career and technical education. CTE also means organized educational activities that offer a sequence of courses that provides individuals with coherent and rigorous content aligned with challenging academic standards and relevant technical knowledge and skills needed to prepare for further education and careers in current or emerging professions; provides technical skill proficiency, an industry-recognized credential, a certificate, or an associates degree; and may include prerequisite courses; and include competency-based applied learning that contributes to the academic knowledge, higher-order reasoning and problem-solving skills, work attitudes, general employability skills, technical skills, and occupational-specific skills, and knowledge of all aspects of an industry, including entrepreneurship, of an individual. *Eff 08/06/2008*

2.8 " CDE " shall mean the Colorado Department of Education. *Eff 08/06/2008*

2.9 " Charter School " means a charter school that enters into a charter contract with the state charter school institute pursuant to part 5 of article 30.5 of title 22, C.R.S. *Eff 08/06/2008*

2.10 " Designated Career and Technical School (DCTS) " shall mean a School whose school board has declared its role and mission to deliver intensive instruction in career and technical education. The School shall offer a minimum of five career and technical education approved unique single site programs and enroll at least 75% of the facility's total secondary student population in career and technical education approved programs. The School shall offer specialized student support services staff (career and technical education-credentialed counselors and/or job development/placement specialists) and employ a career and technical education - credentialed administrator operating in that role. There shall be agreements for providing career and technical education which shall include, but are not limited to, other schools in-district and schools from neighboring

districts. *Eff 08/06/2008*

2.11 " District " shall mean any public school district as defined in CRS 22-30-103(13). *Eff 08/06/2008*

2.12 " Eligible cost " shall mean costs which are eligible to claim under the Act. *Eff 08/06/2008*

2.13 " Equipment " shall mean items of tangible personal property costing $5,000 or more, with a useful life of more than one year, but not including ordinary furniture. *Eff 08/06/2008*

2.14 " Fiscal year " shall mean the period from July 1 through June 30. *Eff 08/06/2008*

2.15 " Student(s) FTE " shall mean the equivalent of a student who is enrolled on the CDE census date in an approved class within an approved program which provides 1,080 student/teacher contact hours per fiscal year. *Eff 08/06/2008*

2.16 " PPOR " shall mean the final per pupil operating revenues established pursuant to CRS 22-54-103(9) for that fiscal year as determined by Colorado Department of Education. *Eff 08/06/2008*

2.17 " Time " shall mean that in computing any period of time prescribed or allowed by these rules, the day of the event from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, a Sunday, or a legal holiday, in which event the period runs until the end of the next day which is not a Saturday, a Sunday or a legal holiday. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays, and legal holidays shall be excluded in the computation. If notice is served by mail, three days shall be added to the prescribed period. *Eff 08/06/2008*

2.18 " CTSO " shall mean a career and technical student organization recognized in accordance with Section 3.1(F). *Eff 08/06/2008*

2.19 " Year purchased " shall mean the fiscal year in which an item, good or service (i) is received by the district and (ii) is either paid for or the purchase is accrued in the district's financial accounting system. *Eff 08/06/2008*

3.0 PROGRAM APPROVAL

3.1 Criteria for Review. A proposed CTE program is eligible for approval only if the program meets all of the following criteria: *Eff 08/06/2008*

A. Is designed to provide students with entry level occupational skills; or provides a seamless transition from secondary to postsecondary education or training; *Eff 08/06/2008*

B. Is of sufficient duration to provide entry level occupational skills and related knowledge required by business and industry; *Eff 08/06/2008*

C. Utilizes a local program advisory committee to assist the district in planning, conducting and evaluating each career and technical education program; *Eff 08/06/2008*

D. Is conducted in appropriate facilities that are sufficiently equipped to permit adequate training and education; *Eff 08/06/2008*

E. Meets an employment potential which is found to exist by a feasibility needs assessment survey, recognized by the Board, of business and industry needs; *Eff 08/06/2008*

F. Provides leadership training opportunities by establishing and maintaining all appropriate CTE student leadership organizations as listed herein, or such other leadership organization as may be approved by the Board in special circumstances: Distributive Education Clubs of America (DECA), Future Business Leaders of America (FBLA), Future Farmers of America (FFA), Family Career and Community Leaders of America (FCCLA), Health Occupation Students of America (HOSA), Technology Student Association (TSA) and Skills USA; *Eff 08/06/2008*

G. Falls within one of the CCCS program areas pursuant to the Administrators Handbook. *Eff 08/06/2008*

3.2 In addition, the Board will determine whether a program: *Eff 08/06/2008*

A. Meets and is operated in accordance with Board-approved standards for quality career and technical education for that program area as determined in the program approval process; *Eff 08/06/2008*

B. Is designed to enable a student to articulate from one level/system to another without unnecessary duplication of educational experiences; *Eff 08/06/2008*

C. Provides instruction in the safe use of facilities, equipment and materials prior to the time the students will use such facilities, equipment, and/or potentially hazardous materials; *Eff 08/06/2008*

D. Abides by applicable state and federal safety standards; *Eff 08/06/2008*

E. Makes provisions to assure that no student is unlawfully denied an equal opportunity to benefit from career and technical education on the basis of race, color, sex, national origin or condition of disability; *Eff 08/06/2008*

F. Develops strategies which are implemented by the district to eliminate sex discrimination and sex role stereotyping in career and technical education; *Eff 08/06/2008*

G. Plans and coordinates career and technical education programs for each student with a disability as part of any otherwise required "Individualized Educational Plan" ; *Eff 08/06/2008*

H. Assures that programs are in compliance with applicable state or federal agencies statutes, rules and regulations, or standards; and *Eff 08/06/2008*

I. The cooperative education component assures that there is a written training agreement which includes a plan for the expected achievements of the student during on-the-job training experience; a plan for compensation of the student if applicable; and that the program is delivered in cooperation with local business and/or any governmental organization or agency through specialized in-the-school instruction provided by qualified teachers and on-the-job training. *Eff 08/06/2008*

3.3 Application and Renewal. Districts shall submit requests for approval of a proposed new career and technical education program and for renewal of approval of existing programs on forms and containing information required by the Board. Program approvals may be granted for a period of time not exceeding five (5) calendar years, and must be renewed before the expiration of the prior approval period unless an extension is granted by the Board after approval by the CCCS CTE Dean for special circumstances. Program approvals may be conditioned on meeting requirements for improving the quality of the program within a certain period of time. If a program is approved at any part of the fiscal year, it is approved for the entire fiscal year. *Eff 08/06/2008*

3.4 Program Revision. Any changes made to an approved program must be approved by the Board. If a revision substantially changes the focus or content of the program, the district shall be required to follow the requirements for renewal of a program. *Eff 08/06/2008*

3.5 Disapproval or Revocation of Approval. The Board may deny approval of a proposed program, or revoke approval of an existing program, if it finds that the Criteria for Review are not being met. *Eff 08/06/2008*

3.6 Nonduplication. In approving programs, the Board will attempt to avoid unnecessary duplication in either facilities or staffing in any school district or area and, where feasible, sharing of facilities may be required by the Board. *Eff 08/06/2008*

3.7 Program Evaluation, Reports. Each participating district will participate in periodic evaluations of approved programs as required by the Board, which may include a 5 year plan and/or self-evaluations, and will provide such reports as may reasonably be required by the Board. *Eff 08/06/2008*

4.0 DESIGNATED CAREER AND TECHNICAL SCHOOL APPROVAL

4.1 Criteria for Approval. A proposed DCTS is eligible for approval only if the Board finds that the school meets all of the following criteria: *Eff 08/06/2008*

A. Its school board designated role and mission is to deliver intensive instruction in career and technical education; *Eff 08/06/2008*

B. It offers a minimum of five CTE approved unique single site programs; *Eff 08/06/2008*

C. It enrolls at least 75% of its secondary student population in CTE approved programs; *Eff 08/06/2008*

D. It offers specialized student support services staff (CTE - counselors and/or job development/placement specialists credentialed as a CTE Specialist); *Eff 08/06/2008*

E. It employs on its administrative staff at least one CTE -credentialed administrator operating in that role; and *Eff 08/06/2008*

F. Its offerings are available to other districts and to other schools within its district and that such agreement exists in writing. *Eff 08/06/2008*

4.2 Application and Renewal. Districts shall submit requests for approval of a proposed DCTS and for renewal of approval of existing facilities on forms and containing information required by the Board. DCTS approvals may be granted for a period of time not exceeding five (5) years, and must be renewed before the expiration of the prior approval period unless an extension is granted by the Board for special circumstances. *Eff 08/06/2008*

4.3 Disapproval or Revocation of Approval. The Board may deny approval of a proposed DCTS, or may revoke approval of an existing DCTS, if it finds that any of the criteria for eligibility are not being met. *Eff 08/06/2008*

4.4 Nonduplication. In approving facilities, the Board will attempt to avoid unnecessary duplication in facilities between and among school districts or areas and, where feasible, sharing of facilities may be required by the Board. *Eff 08/06/2008*

4.5 Program Evaluation, Reports. Each DCTS will participate in periodic evaluations of its status as required by the Board, which may include a 5-year plan and/or self-evaluations, and will provide such reports as may reasonably be required by the Board. *Eff 08/06/2008*

5.0 CTE CREDENTIALS

5.1 Credential Required. All CTE personnel employed in an approved CTE program or in a Local CTE Director role, except substitute teachers, teacher aides and paraprofessionals, must have a current Colorado CTE credential for the applicable program area. CTE credentials are issued by the Colorado Department of Education (CDE).

5.2 Application. Each applicant for a Colorado CTE credential must submit a completed application, supporting materials and any required fees to CDE.

5.3 Criteria for Credential. Each applicant for an initial Colorado CTE credential shall have obtained any regulatory license or certificate required for a specific CTE program, and shall meet the requirements for specific education and experience set forth in the criteria adopted by the Board-designated Oversight Committee for each type of occupational credential. Applicants meeting the requirements shall be issued a standard credential effective from the date of application receipt.

5.3.1 Degrees. All accepted degrees must be from an institution accredited by a regional accrediting association.

5.3.2 Occupational Experience. Appropriate criteria on occupational experience will be established and continuously updated by the Board designated Oversight Committee.

5.4 Out-of-State Secondary Teacher. A person with a CTE endorsement from another state may have that endorsement area recognized in Colorado. Otherwise, a person coming to Colorado to teach secondary education shall meet the same specific credentialing criteria as a new teacher.

5.5 Issuance of Credentials. All secondary credentials will be issued through CDE. and will be based on the criteria and Rules and Regulations set forth by the Board-designated Oversight Committee.

5.5.1 Initial Credential: An Initial credential is issued to coincide with the instructor/administrator's current license dates. Initial credential applications received by CDE before October 31, if approved, are honored by CCCS as effective retroactive to July 1 of that year. Applications received after October 31, if approved, will be effective from the date of receipt and be in effect for the remainder of the instructor/administrator's license period. For applications not deemed Initial, but deemed professional, CDE will issue a credential effective on the date of receipt of the application. The Initial credential is non-renewable. Upon completion of designated requirements, a request for a professional credential may be submitted before October 31 and, if approved, will be recognized by CCCS as effective retroactive to July 1. Requests made after October 31 will be effective on the date of receipt and will be valid for the instructor/administrator's license period.

5.5.2 Renewal of Credential. Appropriate criteria on renewing a credential will be established and continuously updated by the Board designated Oversight Committee. Fifteen hours participation in seminars or workshops equals one semester hour credit. Requests to renew a credential made after the credential has expired will be effective on the date of receipt of the application and will be valid for the period the instructor/administrator's license is valid.

5.5.3 Reinstatement of Credential. Reinstatement of a lapsed CTE credential (including credentials for which application was not filed prior to the expiration date) will be granted if the requirements on the expired credential were completed and the applicant meets any other criteria needed. In addition, if the credential has been expired for more than two years, the applicant must document 1,000 hours of related occupational experience within the last five years. The reinstated credential is effective the date of receipt. For instructors who have been teaching for the past 7 years or more who let their CTE credential lapse for more than two years, 3 school years of full time instructional experience in the credentialing area could be substituted for the otherwise 1000 hours of relevant occupational experience that is required to renew a lapsed credential.

5.5.4 Inactive Credentials. Professional credentials may be placed on inactive status with CDE in conjunction with an inactive license.

5.5.5 Emergency Authorization. Instructors may be issued an Emergency CTE Authorization if they meet the requirements set forth by CDE.

5.6 Denial and revocation of a Credential. CDE has the right to deny a credential based on the applicants' inability to meet the criteria for the credential applied for. CDE has the right to revoke, annul, or suspend a credential if the applicant obtained the credential through misrepresentation, fraud or misleading information.

6.0 ELIGIBLE COSTS

6.1 General. *Eff 08/06/2008*

A. Certain Costs Only. In order to be eligible for funds under the Act, the expenditure must be incurred by a district, BOCES or charter school in offering an SBCCOE approved CTE program and be one of the types of costs described in Sections 6.2 through 6.6. Costs incurred are only eligible while the program is approved. If a program is approved at any part of the fiscal year, it is approved for the entire fiscal year. *Eff 08/06/2008*

B. Apportionment. If equipment, books and supplies or any other item is used both in an approved program and in another program, only costs reasonably allocated to the approved program (on the basis of the percent of time spent by the instructor teaching in approved programs) are eligible costs. *Eff 08/06/2008*

C. Nonduplication. Otherwise eligible costs which are reimbursed to the district from a source other than the Act must be deducted when reporting eligible costs. Such other sources include, without limitation, funds from the Colorado Department of Education or the federal government, income from programs offering services to the general public for a fee, or reimbursements from leadership club activities. *Eff 08/06/2008*

D. Uniform Requests. The district has the option of not including an entire program for a school in the final report; however, the district must report all costs associated with the reported student FTE. *Eff 08/06/2008*

E. Documentation of costs. Records should be maintained through the district accounting system or other means that enables the auditors to agree costs reported on the CVA Final Report match accounting records and source documentation (such as invoices or payroll records). *Eff 08/06/2008*

6.2 Equipment. *Eff 08/06/2008*

A. The following are eligible costs if the costs are $5,000 or greater, which must be reported in the year purchased: *Eff 08/06/2008*

1. The actual cost of purchasing, renting and leasing equipment used in learning activities in approved classes; *Eff 08/06/2008*
2. The actual cost of shipping and installation of such equipment; *Eff 08/06/2008*
3. The actual cost of normal repair and maintenance. *Eff 08/06/2008*

B. The cost of furniture is not eligible for reimbursement unless: *Eff 08/06/2008*

1. The item is necessary to allow a special needs student to participate in the learning activities in an approved class; or *Eff 08/06/2008*
2. The item is specially designed to accommodate another career and technical instructional device which cannot otherwise be used. *Eff 08/06/2008*

C. Such equipment must be used in an approved program pursuant to the Administrators Handbook. *Eff 08/06/2008*

6.3 Books and Supplies. The actual cost to the district of books and supplies (including equipment costing less than $5,000 per unit and operating and maintenance costs of motor vehicles) used in learning activities in approved programs, or used by program advisory committees and career and technical student organizations, are eligible costs and must be reported in the year purchased. Such books and supplies must be used in an approved program pursuant to the Administrators Handbook. *Eff 08/06/2008*

6.4 Contracted Programs. *Eff 08/06/2008*

A. The actual cost to the district of services purchased from another education agency or institution providing approved programs to students of the reporting district is an eligible cost. The cost of transporting students to the site of a contracted program is not an eligible cost. *Eff 08/06/2008*

B. Contracted programs must be approved in the same manner pursuant to Section 3.0. *Eff 08/06/2008*

C. A district which provides approved programs to students of another district may not report the FTE those students represent, and must reduce eligible costs by the amount it is paid to provide such programs. *Eff 08/06/2008*

6.5 Costs of Providing Services of Instructional Personnel. *Eff 08/06/2008*

A. Instructors. All instructors in approved programs, with the exception of substitute teachers, teacher aides and paraprofessionals, must possess a valid current Colorado CTE Credential issued by the Board pursuant to the Administrators Handbook. Enrollment and costs associated with an instructor (including costs of equipment and supplies in a one person program) are not eligible to claim for funding for any period of time the instructor's credentials was not current and valid. *Eff 08/06/2008*

B. Administrators and Job Development/Placement Specialists. Districts may claim the eligible costs of CTE administrators and job development/placement specialists. The District's request for the approval must specify the percentage of time the administrator or specialist spends on CTE duties. Such staff must possess a valid CTE credential appropriate for the performed duties pursuant to the Administrators Handbook. Costs are not reportable for any period of time that a valid credential is not maintained. *Eff 08/06/2008*

C. Eligible Costs. The following costs paid by a district for instructors and approved administrators and job development/placement specialists are eligible costs: *Eff 08/06/2008*

1. Salary for time spent teaching or supporting approved programs, including any extra compensation paid to instructors for CTE duties in addition to regular duties. *Eff 08/06/2008*
2. Benefit costs as defined in the Administrators Handbook. *Eff 08/06/2008*
3. Official travel related to approved programs, as permitted by district policies. *Eff 08/06/2008*
4. Professional development costs. *Eff 08/06/2008*

D. Other Employees. The salary and benefit costs of substitute teachers, teacher aides, and paraprofessionals in approved programs are eligible costs as provided in 6.5 (1)-(5). *Eff 08/06/2008*

E. Career and Technical Student Organization Costs. The following are eligible costs when paid by the school district: *Eff 08/06/2008*

1. Mileage and per diem for CTE directors, administrators, teachers and chaperons attending CTE student organization events. *Eff 08/06/2008*
2. Transportation, meals and lodging costs of students and staff while attending CTSO events held away

from the district. *Eff 08/06/2008*

3. CTSO equipment, clothing, and paraphernalia which becomes the property of the district. Items which become the property of an individual student are not eligible to claim. *Eff 08/06/2008*
4. Registration fees for contests, conferences and similar events in connection with official CTSO activities. *Eff 08/06/2008*

6.6 Administrative Costs. Effective July 1, 1999 and continuing thereafter, districts may claim up to 5% of their total eligible costs to defray the administrative expenses of operating the CTE programs. Effective July 1, 1999 and continuing thereafter, districts with a DCTS may claim up to 15% of the total eligible costs under these rules in the DCTS to defray the administrative expenses of operating the DCTS. *Eff 08/06/2008*

7.0 PAYMENT AND AUDIT

7.1 Amount of Funding. In any fiscal year, a district shall be eligible to receive 80% of the first $1,250, or part thereof, by which the district's eligible costs per student FTE attending each approved program exceeds 70% of the district's PPOR for that fiscal year. In addition, if the district's eligible costs per student FTE exceed 70% of its PPOR by an additional amount in excess of $1,250, the district shall be eligible for 50% of such additional amount. *Eff 08/06/2008*

7.2 Insufficient Appropriations. If the Colorado General Assembly appropriates less than the total amount required to fully fund all districts under the formula set forth in Section 7.1, the amount paid to each district shall be prorated in the same proportion that the appropriation bears to such total amount. In no event shall the total amount paid to all participating districts for that fiscal year exceed the funds appropriated for that fiscal year. *Eff 08/06/2008*

7.3 Reporting for Funding. Not later than September 1, unless an extension is granted by Board staff for good cause, districts offering approved programs shall file with the Board a final report of actual eligible costs, actual student FTE and any other information requested by the Board related to calculate costs for approved programs for a district in that fiscal year. Such information shall be provided in the format and shall follow the guidelines for submission identified by the Board. No extension will go beyond September 30. *Eff 08/06/2008*

7.4 Non-Participation. If a district has not submitted a final report by September 30, it will be deemed as a non-participant for that fiscal year of funding. *Eff 08/06/2008*

7.5 Missing Documentation. If a district has not provided additional supporting documents as may be requested for the Board by the due date as determined in the Administrators Handbook, the costs or student FTE related to the missing documents will not be allowed. *Eff 08/06/2008*

7.6 Payments. Payments made to districts will be made quarterly based on the actual costs from prior fiscal year submitted by all districts. The first and second quarter payment will be combined and will be made on or about December 31; the third quarter payment will be made on or about March 31; the fourth quarter payment will be made on or about June 30. *Eff 08/06/2008*

7.7 Adjustments of Actual Costs. *Eff 08/06/2008*

A. If a district believes that the data for their final report submitted is incorrect, the district must immediately notify the Board and submit a revised final report by October 15. *Eff 08/06/2008*

B. Except as provided in Section 7.7 (C), the eligible costs and enrollments reported by a district which does not submit a revised final report pursuant to Section 7.7(A) shall be deemed to be complete and final and may not subsequently be changed or challenged by that district. *Eff 08/06/2008*

C. On a case by case basis, the Board may grant an exception of the due dates as a result of natural disasters or extenuating circumstances. *Eff 08/06/2008*

7.8 Audit. *Eff 08/06/2008*

A. The Board may audit or cause to be audited, through contractors or other means, any final report submitted by a district at any time up to two years after the date of submission to determine if eligible costs and enrollments have been properly reported. *Eff 08/06/2008*

B. Audit Adjustments Resulting in Overpayment. If the audit reveals that reimbursement to the district under the Act was greater than the district was entitled to, the amount of overpayment, shall be invoiced to the district. Invoices must be settled according to terms on the invoice. *Eff 08/06/2008*

Amounts received by the Board shall be redistributed after invoiced amounts have been received pursuant to the Administrators Handbook. *Eff 08/06/2008*

C. Audit Adjustments Resulting in Underpayment. If the audit reveals that reimbursement to the district under the Act was less than the district was entitled to, the amount of the underpayment, shall be paid by using the amounts received in Section 7.8 (B). If the amounts received from Section 7.8 (B) is less than the total amount required to fully reimburse all districts that were underpaid as a result of an audit, the amount paid to each eligible district shall be adjusted by a prorated amount in the same proportion that the received amount from Section 7.8 (B) bears to such total amount. The timeframe for these distributions will be pursuant to the Administrators Handbook. *Eff 08/06/2008*

D. If the district disagrees with the result of the audit, it may be reviewed pursuant to Section 8. *Eff 08/06/2008*

7.9 Records. All participating districts shall keep complete and auditable records of all transactions related to the calculation of eligible costs and enrollments for a period of seven years from the date of submission of actual costs and enrollments. *Eff 08/06/2008*

8.0 APPEALS

8.1 Initial Review. A party adversely affected by an action of the Board under these rules may appeal that action by filing a written complaint sent by certified mail to the System President or designee within thirty (30) days of the date of written notice of the action which is the subject of the complaint, or within such shorter period of time specified in these rules. The complaint may be accompanied by additional written information supporting the position of the complainant. *Eff 08/06/2008*

8.2 Review Committee. In all cases except those described in Section 8.3, a review committee composed of three people appointed by the System President shall review the complaint and any accompanying materials and shall respond promptly to the complaining party by certified mail sent to the address set forth in the complaint. *Eff 08/06/2008*

8.3 CTE Credentials. *Eff 08/06/2008*

A. Review Committee. If the complaining party is a person whose CTE credential has been denied, revoked, nonrenewed or suspended, the Credentialing Board-Designated Oversight Committee shall act as the review committee. *Eff 08/06/2008*

B. Review Process. The complaining party will be notified of the decision of the Credentialing Board-Designated Oversight Committee by mail. *Eff 08/06/2008*

8.4 Final Review. A complaining party who believes that the decision of the review committee formed under Section 8.2 or 8.3 above is in error may appeal to the Board by filing a written notice of appeal, stating why and in what way the committee decision was incorrect. The notice must be mailed or delivered not more than 30 days after receipt of the notice of the review committee's decision. The Board shall conduct a hearing and make a decision in accordance with CRS 24-4-105 and the Board's decision shall constitute final agency action. *Eff 08/06/2008*

_____ *Eff 08/06/2008*

Editor's Notes

History *Eff 08/06/2008*

Section 5.0 eff. 07/01/2007.

Section 7.3 eff. 07/01/2008.

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