

VOCATIONAL TRAINING

N E W S

The Independent Monthly Report on School-To-Work, Job Training & Vocational Education

Career clusters may prove critical in high school reform

Since the implementation of the federal Career Clusters Initiative in 2001, many states have made the voluntary move to create an educational structure for career and technical education that covers virtually every occupation.

Career clusters provide a way for schools to organize technical and academic instruction around 16 broad career categories. And with 46 states in some phase of adopting the clusters, widespread participation could mean a more uniform CTE framework. Uniform implementation of career clusters suggests that CTE could play an integral role in high school reform because clusters have the benefits of universality and accountability with widespread adoption.

Proponents say career clusters can improve workforce development education and ensure that coming generations of workers are prepared. Clusters can prepare students for entry-level jobs and offer employers and institutions uniform criteria to measure students' skills.

They can also curtail the likelihood that CTE will be perceived as a lesser track, and may be even be a critical part of gaining funding for your school since the reauthorized **Carl D. Perkins Vocational and Technical Education Act** is likely to require that districts implement at least one cluster or pathway for students.

Creating structure

A key benefit of this framework is the availability of standards for each career cluster. Addressing academic and technical proficiency, the standards can help district officials exploring clusters, as well as program directors who have just started to implement them.

(See **CLUSTERS** on page 4)

In This Issue

Vol. 1, No. 6 ■ August 2005

Three award-winning CTE programs highlight keys to successful gender parity..... 3

Learn how to navigate culture differences in a business-education partnership.....5

Newly launched digital library provides a wealth of career education material..... 7

Legislative Update: Perkins funding awaiting full Senate vote for approval..... 9

New Judicial Decisions: Teacher loses claim district committed age discrimination; comments to reporter ruled free speech; teacher without certification not covered under ADA..... 11-12

Local economic need should drive program development

You must have an a eye on your local economy when creating workforce-education programming. This is a tough task that requires community partnerships and data-driven planning.

A recent panel discussion broadcast by the **National Centers for Career and Technical Education** called for collaboration between leaders in education and industry by pointing out their dual responsibilities in strengthening state and local economies. After all, panelists said, workforce education and economic development are virtually two sides of the same coin since each depends on the success of the other to thrive.

“Workforce education and economic development really do go hand in hand,” said **Larry Scherer**, planning and policy officer for **Nebraska’s Coordinating Commission for Postsecondary Education**.

(See **ECONOMICS** on page 6)

News Briefs

Attitude, defined course sequence key in high school reform

True high school reform takes systematic and cultural change from those who invest in such change. But inadequate leadership and an absence of specific skill requirements present a roadblock to success, a panel of experts told the **Education Commission of the States'** conference.

One critical element needed to improve failing schools is ensuring students learn what they are supposed to in their coursework. Too often, high school courses do not specifically define the skills and knowledge students should learn, said **Jean Ruth-erford**, director of education initiatives at the **National Center for Educational Accountability**.

Critical issues such as school structure, leadership, curriculum and personal connection must be addressed simultaneously, said **Gerry House**, president and chief executive officer of the **Institute for Student Achievement**.

School-business partnership award winners announced

The **Council for Corporate and School Partnerships** announced that the winners of the National School and Business Partnerships Award Winning partners this year were:

- **Brookhaven Elementary School** in West Virginia and **Monongalia Health System**.
- **East Ridge High School** in Tennessee and **Associated General Contractors**.

□ **Multiple schools** in South Carolina and **SCANA Corporation**.

□ **Ohio Avenue Elementary School** in Ohio and **National City Bank**.

□ **Statesville Road Elementary School** in North Carolina and **Beacon Partners, Inc.**

□ **West Hardeeville School** in South Carolina and **Del Webb's Sun City Hilton Head**.

Six finalist partnerships also named included such businesses as **Intel**, **Medtronic, Inc.** and **Computer Associates**.

Case studies of the winning applications will be posted this summer on the Council's Web site at www.corpschoolpartners.org/award.shtml.

75% of Massachusetts schools will miss AYP under NCLB, study predicts

About three-quarters of state public schools will fail to make adequate yearly progress by 2014, as required under the **No Child Left Behind Act**, according to a study by **Cape Ann Economics**.

The study, commissioned by **MassPartners for Public Schools**, a coalition of education associations and parent groups, found 1,286 of the 1,731 schools for which AYP reports are produced, will fail to make AYP for two or more years.

MassPartners said it supports the basic goals of NCLB, but added the law's inflexible formulas lead to some misleading results and require sanctions that are often unnecessary.

For more information, visit www.resultsforamerica.org/calendar/files/0623_press_release.pdf. □

VOCATIONAL TRAINING NEWS

Publisher:

Kenneth F. Kahn, Esq.

V.P. Editorial:

Claude J. Werder

Executive Editor:

Candace Gallo

Editorial Director:

Steven E. Lake, Esq.

Managing Editor:

Stephen Bevilacqua

Editor:

Heather Lash

Legal Editor:

Virginia Tee, Esq.

Washington Bureau:

Patrick Harden, Bureau Chief

V.P. Marketing and

Customer Service:

Jana Shellington

Marketing Director:

Marcy Witt

Product Group Mgr:

Bethany Bowen

Production Director:

Joseph Ciocca

Publications Director:

Roberta J. Crusemire

Editorial Advisory Board

Gene Bottoms, vocational education director, Southern Regional Education Board, Atlanta.

Michael Brustein, vocational training attorney, Washington, D.C.

Gary Haochlander, president, MPR Associates, Berkeley, Calif.

Laurie Phelan, school-to-work director, Des Moines, Iowa.

Nan Poppe, dean of adult and continuing education, Portland Community College, Portland, Ore.

Joseph Puhalla, director, Prince George's County Private Industry Council, Landover, Md.



© 2005 by LRP Publications. All rights reserved by the copyright owner.

Editorial offices: Dept. 235F, 360 Hiatt Drive, Palm Beach Gardens, FL 33418, (561)622-6520

Vocational Training News (ISSN 0044-5785) is published monthly for \$398 per year by LRP Publications, 747 Dresher Road, Box 980, Horsham, PA 19044-0980. POSTMASTER: Send address changes to *Vocational Training News*, 360 Hiatt Drive, Palm Beach Gardens, FL 33418. Permission to photocopy for internal use is granted through the Copyright Clearance Center (CCC) for a \$2-per-document fee and \$1.50-per-page fee to be paid directly to CCC, 222 Rosewood Dr., Danvers MA 01923. Fee code: 0044-5785/05/\$2+\$1.50.

This publication is designed to provide accurate and authoritative information in regard to the subject matter covered. It is provided with the understanding that the publisher and editor are not engaged in rendering legal counsel. If legal advice is required, the services of a competent professional should be sought.

3 award-winning models illustrate gender parity in CTE

If you want to increase gender parity in your CTE program, take your cues from three award-winning programs that have excelled at it.

These programs, which receive grants through **Carl D. Perkins Vocational and Technical Education Act** funding, were honored at a recent Capitol Hill briefing for increasing the number of girls involved in difficult technical trades.

Nontraditional programs can lift disadvantaged girls out of poverty, CTE proponents say, and both Perkins and **Title IX of the Education Amendments of 1972** call for gender equality in CTE.

Despite the requirements, males dominate most high school CTE programs geared toward higher-paying technical jobs.

Boys constitute between 80 percent and 90 percent of the enrollment in courses teaching precision production, engineering, construction and automotive repair, according to data compiled by the **National Women's Law Center**. (See www.nwlc.org/details.cfm?id=1133§ion=newsroom.)

Girls, on the other hand, overwhelmingly opt for courses in lower-paying careers like cosmetology — 98 percent female — and child care — 87 percent female.

Conversely, almost nine in 10 health services students are female. An additional challenge is to let boys know some of these career paths are also available to them.

"One of our greatest barriers in influencing nontraditional enrollment is our parents," said **LaDonna Elhardt**, retired CTE coordinator for the **Minot (N.D.) Public Schools**, which won the Programs That Work: Preparing Students for Nontraditional Careers Award.

Minot has run three programs to break down gender barriers. Previously, Minot's

Keys to success in your programs

Minot (N.D.) Public Schools was the winner of the Programs That Work: Preparing Students for Nontraditional Careers award. Here are a few keys to success for Minot's programming. Assess these elements in your program to increase gender parity:

Community involvement. Role models from the community — such as women who are firefighters, construction workers or electricians — have volunteered their time in each of the three programs, said **LaDonna Elhardt**, retired CTE coordinator for the **Minot (N.D.) Public Schools**.

Hands-on experience. Ensure that students practice technical skills right away. For example, these programs allowed girls to dive right in and start fixing cars.

Reach girls early. Career choices awareness must be built in 7th or 8th grade, Elhardt said.

electronic, construction and car repair vocational education programs had more than 300 boys and only four girls. Now, enrollment for girls is up 32 percent, Elhardt said.

Minot programs, which are 7-years old, received only \$3,000 in Perkins funding through a state mini-grant when they began, and have never received more than \$7,500. The rest of the funding has come from the community, Elhardt said.

Honorable mention winners were **North-east Community College** of Norfolk, Neb., and the **Michigan Department of Labor and Economic Growth**.

The award was sponsored through a joint project of the **National Association of State Directors of Career Technical Education Consortium**, **Association for Career and Technical Education**, National Women's Law Center and **National Alliance for Partnership in Equity**.

Congress considers pathways to nontraditional careers

The **Carl D. Perkins Vocational and Technical Education Act of 1998** scrapped set-aside funding to prepare students for nontraditional employment. However, it allowed states the option of applying \$60,000 to \$150,000 of their leadership funds for such programs, according to a joint report by four organizations involved in vocational education gender equity.

The flexibility caused some states to "draw back" on nontraditional programs, according to **Mimi Lufkin**, executive director of the **National Alliance for**

Partnership in Equity.

Versions of Perkins currently making their way through the reauthorization process would offer additional funding sources for such programs.

The **Senate** version would allow states and local education agencies to use funds to overcome barriers to participation in baccalaureate degree programs.

The **House** version would give special consideration for incentive grants to those who have increased the numbers of students studying nontraditional careers.

CLUSTERS (continued from page 1)

“The standards create a universality of programs for districts to benchmark against,” said **Kimberly Green**, executive director of the **National Association for State Directors of Career and Education Consortium**.

These standards could help resolve the problem of high school graduates who are unprepared for entry-level jobs or postsecondary schooling. When the standards are implemented, students would be required to demonstrate mastery of rigorous technical and academic skills.

As a result, the transition to work or college would be seamless, Green said. Having a uniform way to assess students also means the definition of skill mastery won't vary from teacher to teacher, she added. Instead, employers would know what their new employees are capable of, because the standards would have been evenly applied.

The clusters reduce the chance that a student would graduate without having taken the classes he needs to attend a postsecondary institution or gain licensure, because each of the clusters are broken down into pathways. These pathways are specific, coherent sequences of CTE instruction that can lead to an associate's degree, a baccalaureate degree and an industry-recognized certificate or licensure for occupation areas in the cluster.

Career clusters may also extinguish the notion that CTE is a lesser track, Green said. Clusters could improve CTE's image by reframing the perspective of students and parents. Instead of being a route for students who aren't going to college, clusters recognize the workplace as an almost universal destination, offering course sequences for a wider variety of entry-level positions.

However, while career clusters could

Federal career clusters

The 16 federally approved career clusters include:

- Agriculture, food and natural resources.**
- Architecture and construction.**
- Arts, AV technology and communications.**
- Business management and administration.**
- Education and training.**
- Finance.**
- Government and Public administration.**
- Health science.**
- Hospitality and tourism.**
- Human services.**
- Information technology.**
- Law, public safety and security.**
- Manufacturing.**
- Marketing, sales and service.**
- Science, technology, engineering and math.**
- Transportation, distribution and logistics.**

For more information about the career clusters, visit www.careerclusters.org/whatsnew.htm.

drive high school reform, proponents warn that the delivery system can't work in a vacuum. Career clusters should be viewed as just one element used to improve curriculum.

“It's not possible to improve CTE without looking at everything going on in high school,” said **Katherine Oliver**, assistant state superintendent of the **Maryland Department of Education**.

A push from Perkins

As **Congress** reconciles the **House** and **Senate** versions of the reauthorized Perkins Act, districts are likely to offer career clusters in an effort to take advantage of Perkins funds, because the new bill is likely to require that districts implement at least one cluster or pathway. The mandate isn't much, but it's a start for the delivery system, Green said, adding that Perkins previously made no such stipulation.

Translate national vision into local implementation

Want to enhance the career cluster offerings at your district? Here are a few tips for getting started:

Recognize the need for change. Many instructors and administrators find it easy to settle into a routine. Once that routine is comfortable, change can seem difficult and scary.

Katherine Oliver, assistant state superintendent of the **Maryland Department of Education**, said her department ran into this problem getting started. “We were very comfortable in our organization,” she said. But, a hard look at the numbers

woke her and her colleagues up, she said. “What we needed to do to overcome that was look at the data. That pointed us to areas where we needed to improve,” she said.

Identify the career themes that make sense for you. Each state should consider which clusters make the most sense to implement based on state economy and interest level.

You should also consider building on the programs already in place and working to enhance the partnerships that already exist.

Tips to create lasting partnerships with industry leaders

By creating a partnership with industry leaders, you can ensure your CTE curriculum retains real-world relevancy and your students get a chance to apply their skills in a work environment before graduation. But while the business-education partnership model is a great tool, using it correctly hinges on understanding how to make the partnership work well for all parties involved.

“Partners must have a common mission,” said **Tim Lawrence**, executive director of **SkillsUSA**. “They’ll need mutually agreed upon goals, and it’s best if these goals are in writing.”

The difficult part of implementing this model successfully is often mapping the steps needed to achieve them.

“One of the tricky parts of business-education partnerships is that even though parties may share a common goal, they’ll have different ways of reaching that goal,” Lawrence said.

Here are few tips to bridge gaps between business and education to ensure both your programs and industry partners see results from the marriage:

☐ **Expect differences.** One of the most fundamental things you should know about a partnership between business and education organizations is that each group probably has a distinct way of carrying out its mission.

“In SkillsUSA’s experience, when education and business sit down at the table, they are coming from two different cultures,” Lawrence said. “They have different constituent groups to whom they report. They even speak different languages.”

However, these differences in expertise and opinion could provide a wealth of knowledge and new strategies for ensuring student success.

☐ **Communicate.** Since you and your team’s expectations may differ from those of your industry counterparts, you should focus on keeping all parties engaged in the process and talking openly. You need the input of everyone involved to avoid misunderstandings and foster an environment where students can succeed.

Discuss the steps you and your education team plan to take and ask private sector leaders what steps they will take to move forward. Ensure all parties understand the plan and be sure that steps remain aligned.

☐ **Encourage new ways of thinking.** As a CTE program leader, you have probably

Focus on 3 key elements to master partnering

One program that has mastered partnering **Automotive Youth Educational Systems, Inc.** is a multi-level partnership between business and education organizations aimed at addressing the scarcity of qualified service technicians across the nation. AYES, a nonprofit foundation involving 14 major automobile manufactures, links the private and public sector to provide students with cutting-edge instruction and certification. The marriage ultimately prepares students for the workforce.

Larry Cummings, president and CEO of AYES, attributes success of the AYES partnership model to the below elements. Look for ways to focus on these elements in your own partnerships:

1. **An ability to link resources at multiple levels.** At the national level, AYES has the support of major manufactures, the **National Automobile Dealers Association** and federal agencies. At the state level, dealer associations and departments of education are working together to increase the presence of AYES. At the local level, individual dealerships are working with to aid in curriculum assessment and provide students with internships.

2. **Commitment to engage role players.** Cummings said he encourages others to start by letting all parties involved know they play an important role in meeting the goal of the partnership.

3. **Structured training.** AYES facilitates work between dealers and classroom instructors so students benefit from a training experience that has both academic and technical applications.

Students participate in safety and environmental training, job shadowing, a mentored internship and exit exams during the last two years of high school. ☐

found several successful ways to improve technical education for your students. However, one of the benefits of partnering with industry leaders is that you can gain a fresh perspective that may help you improve your program. Consider applying a business philosophy to an education challenge you encounter. You may find that in addition to fostering student employability, your team also learns new problem-solving skills.

☐ **Focus on delivering results.** If you expect business partners to invest time and resources in your project, be sure to make it worth their while. Talk to your partners regularly about new avenues you can use to help one another. ☐

ECONOMICS (continued from page 1)

To illustrate that point, Scherer and other panelists, who were involved in restructuring Nebraska's CTE state program model, shared the lessons they learned and the benefits they received by powering their own state economy with stronger CTE programming.

Panelists said they were able to show students that opportunities were available close to home. In doing so, panelists said they reaped the benefit of increased economic prosperity because more qualified workers were available to staff local industries. The pipeline of well-trained students coming out of the state's CTE programs also attracted new industries.

You may find similar benefits after reexamining your own program. Here are a few steps Nebraska officials used in their process to align education and the workforce:

1 Identify area needs. One of the most crucial elements to creating and maintaining a strong CTE program is ensuring that it makes sense in your area. A needs assessment of your local economy's powerhouse industries is important since many students may enter the workforce close to home. If your students' skills aren't a good fit with the industries that dominate the local economy, local employers miss out on valuable resources and students may have trouble finding good jobs.

You also risk disrupting the local economy because businesses will eventually relocate to an area where more suitable workers are available.

To make sure your program is aligning industry need and education, use data-driven research to highlight the industries that drive your local economy, said **Richard Katt**, state director of career and technical education for the **Nebraska Department of Education**.

Identifying need was the first step taken by Nebraska officials as they launched **Future Force Nebraska**, an initiative that seeks to align career education curriculum and resources to increase economic prosperity in the state.

The state's **Department of Economic Development** started by doing a study to see which five industries were most crucial in the state and which should be promoted through the state's workforce education curriculum. CTE program workers then

Continue engaging community partners

Panelists for a recent broadcast by the **National Centers for Career and Technical Education** encouraged CTE program directors to get community partners involved and continually engaged in linking education and economics. Here are a few tips to keep participants involved:

Be sensitive to time constraints. Begin and end your meetings when you say you will.

Show participants you value their opinion. Ask for the input of each partner and then apply it accordingly. Asking for input won't mean much if you don't show you are willing to act on it.

Focus on creating give-and-take relationships. Remember you and your community partners are working toward the same goal of improving economic vitality in your area. No one group can achieve the goal alone.

knew what occupational tracks to develop and how to move forward.

2 Garner community support. After identifying your area's strongest economic forces, drum up community support to create career pathways for each area. Your goal should be to gather as much participation as possible from the private sector, the secondary and postsecondary education communities, and the public.

In addition, don't forget parents. Nebraska officials said they quickly learned they must raise career awareness among parents as well as students to make their program successful.

3 Define pathways. With all of these partners at the table, you can start creating career ladders — course sequences that give students the skills to work within the industries that drive the local economy.

This was the strategy employed by Nebraska officials in creating career pathways for Future Force Nebraska. For example, when the coordinating team began creating its health services pathway, it brought secondary and postsecondary institutions together with private sector leaders and representatives from state agencies to examine curriculum and create a track that met the needs of employers and students.

Gathering input from all the parties that shows the pathway curriculum reflects the needs of students, employers and educators.

Resource profile: Digital library a one-stop site for career education

A new Web site can help you and your students tap into hundreds of pages of career education information with just a few clicks.

The site, *The Fun Works*, www.thefunworks.org, is a colorful, kid-friendly digital library created by students to encourage career awareness and career planning in the areas of science, technology, engineering and math. **The Gender, Diversities & Technology Institute at the Education Development Center, Inc.** recently launched the site to provide middle school students a chance to broaden their understanding of STEM careers.

In doing so, researchers also sought to create a tool that teachers, CTE middle school program directors, and school guidance counselors can use to aid students in understanding what careers are available to them.

The versatility of the site may provide its biggest benefit. The site allows you to guide students through interest assessments and personal-preference quizzes before tapping into kid-friendly facts about what career options may be in line with students' personalities and strengths. The site also includes profiles of workers in their featured occupations, so students can get a more comprehensive look at the day-to-day realities of job life.

Awareness matters for middle schoolers

The Fun Works, a kid-friendly digital library for career exploration in science, technology, engineering and math, serves students ages 11 to 15. The library is a project funded by the **National Science Foundation's National Science Digital Library initiative**. It offers one way to encourage more students to pursue these kinds of careers.

Researchers say they decided on this group because middle grades students are still exploring their career options and learning about what is available.

And since *The Fun Works* library was created by kids for kids, students can explore their STEM career options in a way that feels accessible to them. □

Additionally, it provides a chance for students to do simulated, virtual job duties such as performing knee surgery, examining x-rays, and diagnosing patients.

Sarita Nair, director of the project, said the digital library makes it a comprehensive one-stop shop for teachers involved in career education.

"The nature of an online resource like this means it provides a range of information that is unprecedented," Nair said. □

Practical applications of career education library

Sarita Nair, director of *The FunWorks* project, offers these tips to use the online resource effectively in your own programming:

1. Integrate online program into your lessons. For instructional users, the site was designed to supplement classroom learning by providing a connection between academics and real life. For you, that may mean you have additional access to career profiles and occupation facts to help students understand what salary their technical expertise will someday draw, or what some of the day-to-day challenges of the industry might be.

You can also use it to stretch your budget by encouraging students to try out virtual job duties that your school may not have the money or space to afford for them locally.

"It's really a whole experience we are trying to provide," Nair said.

2. Use the site to encourage students to find links between their strengths, technical skills and career options. By linking student interests with career options, the site can broaden students'

expectations of themselves and help them see the careers in which they can excel.

"Students may have very viable skills that they don't think are exceptional. However, they might be very relevant to [particular] careers," Nair said.

3. Use the site to stress soft skills. Being ready for the workforce means more than being tech-savvy. The site can supplement your in-class discussions on customer service, teamwork and employer expectations; it provides a detailed list of soft skills required in each occupation, and workers address these needs in the fields through their profiles.

4. Try it to encourage future class planning. In addition to raising career awareness, the site also suggests classes appropriate for students entering each field. This means students are alerted to high level math or science classes that may be prerequisites for a preferred field of study. Students can then avoid being locked out of a program for failing to complete all the necessary prerequisite courses as they continue their education. □

Evaluate your program's leadership training for inclusion

While all of your students can benefit from leadership training, students with disabilities in your CTE program may be at a higher risk of not receiving this critical element.

Research shows this student population is often pushed to the fringes of youth-development programs, causing them to miss out on valuable leadership training critical to their transition into the workforce. There are steps you can take, however, to ensure your CTE program offers leadership vital to all students.

To start, have an increased awareness of this issue and a desire to commit resources to inclusive leadership training efforts.

"You have to make [leadership training] a priority," said **Rebecca Hare**, youth development coordinator for the **National Collaborative on Workforce and Disability for Youth**.

And while many CTE and youth development programs have some leadership training elements in place, program directors should continue to build youth leadership opportunities into their programs, Hare said.

"There's still more room for improvement," she said. □

Focus on 5 developmental areas

Leadership is only one of five necessary student developmental areas identified by the **National Collaborative on Workforce and Disability for Youth**. In order to help students with disabilities to transition successfully into the workforce, your program should also include activities from the remaining four areas:

□ **Connecting.** Students should feel they are part of a larger community and have an important role to play in the group.

□ **Learning.** Students should have the chance to develop basic and applied academic competencies.

□ **Working.** Students should gain the occupational and interpersonal skills needed to do well in their selected work environment. Students should also have the chance to understand what it means to be part of a team and how to work with others.

□ **Thriving.** These activities should focus on aiding youth in making smart choices about their mental and physical health. Students should be engaged in activities that prepare them for and support them in making these decisions.

For more information, visit www.ncwd-youth.info. □

Tips to provide leadership training to students with disabilities

Rebecca Hare, youth development coordinator for the **National Collaborative on Workforce and Disability for Youth** offers these tips to provide leadership training to students with disabilities:

□ **Provide opportunities for ownership.**

Making students responsible for something tangible should be a staple of your training, Hare said. You may choose to make students responsible for creating a portfolio or executing one step of a larger project. Ownership is important because it teaches students important lessons about responsibility and accountability. Employers will expect new workers to understand these concepts and execute them.

In addition, giving students ownership can build their self-esteem once they successfully complete the tasks required of them.

□ **Allow students the freedom to fail.** Well-meaning programs can overprotect students with disabilities, hindering their growth as leaders, Hare said. Instead, it is important to allow students the opportunity to take on challenging tasks and make errors as they learn how to complete them, she said.

"You learn a lot from failures," Hare said. "So many times, young people with disabilities are not given the chance to learn from their mistakes."

□ **Offer students leadership role models.** Put

staff mentors in place who can show students what it means to take a leadership role in their workplaces and in their own lives. The mentor provides students with a chance to learn from others who have already navigated the transition from secondary education to the workforce or postsecondary education.

□ **Explain how leadership opportunities manifest in the workplace.** Ensure that students understand leadership in the workforce means more than taking charge of a project; it also means standing up for themselves and understanding some basics of self-efficacy.

"Leadership is about knowing your what your needs are and being able to communicate those to an employer," Hare said. It is critical students with disabilities know the accommodations they are entitled to and how to proceed if they don't get those services, she added.

□ **Maintain high expectations.** It is a common mistake for adults involved in youth development programs to lower their expectations of students with disabilities, Hare said. Students perceive these lowered standards and begin to expect less of themselves.

"That automatically sets students up for failure," Hare said. Instead, she encourages program officials to challenge these students to accomplish more than they think they can. □

Legislative Update

Perkins funding awaits nod from full Senate

Funding for the **Carl D. Perkins Vocational and Technical Education Act** has become a waiting game for CTE advocates.

The **House** has approved its FY 2006 **Labor, Health and Human Services, and Education Appropriations** bill, maintaining Perkins funding at \$1.312 billion.

However, the **Senate** has been a little slower. It's **Labor, Health and Human Services, and Education Appropriations Subcommittee** approved its FY 2006 **Labor, Health and Human Services, and Education Appropriations** bill in July.

Next the bill will be passed to the full Senate.

Two sticking points remain between the House and Senate versions of the bill: a 3 percent cut to the amount states can keep for administrative costs; and the end to a dedicated funding stream for Tech-Prep programs, which aim to strengthen ties between high schools and two-year community colleges.

Both these changes are in the House version of the bill.

"It really boils down to those two big issues," a Democratic staffer said. "We're hoping we can maintain the Tech-Prep set-aside and keep the reauthorization separate and return state administration to what it was."

Currently, states can keep 15 percent of Perkins funding. Ten percent is earmarked

Level funding a 'major victory'

In a tough budget year, funding for the **Carl D. Perkins Vocational and Technical Education Act** in the **House** so far has remained level at \$1.3 billion, which Perkins lobbyists are pleased to see, especially after the Bush administration proposed a big fat zero.

"Level funding at this point almost seems like a major victory," said **Nichole Jackson**, director of government relations for the **National Association of State Directors of Career and Technical Education Consortium**. □

for "leadership activities," which include curricula development, program evaluation and staff development. Five percent is reserved for administrative costs, which include data collection and performance evaluations.

The House bill would cut administrative costs to 12 percent, funneling the 3 percent back into the programs themselves.

Alisha Dixon Hyslop, assistant director of public policy for the **Association for Career and Technical Education**, said House Democrats and both sides of the aisles in the Senate would like to see the state set-aside funding remain at 15 percent. The Senate version of the bill calls for flexibility, allowing states to divvy up the 15 percent however they see fit. □

WIA Update: Jobs bill waiting for Senate vote

High on the **Senate's** schedule for the second half of the year is legislation reauthorizing the **Workforce Investment Act of 1998**, the nation's primary job training program.

Among other things, the Senate bill calls for greater assistance for youth ages 16-21, who face barriers to employment. Whereas the **House** version — the Job Training Improvement Act approved in March — allocates 70 percent of youth training funds for out-of-school youngsters and 30 percent for in-school programs, the Senate version gives the states the option to shift unspent funds from one to the other as needed.

Congress got off to a fast start on WIA when the House passed its version in March, but the legislation has been slow to move on the Senate side. The delay prompted concerns about a repeat of the inaction of the last Congress, which was unable to form a

conference committee and hammer out a compromise.

The main stumbling block last year was Democrats' objection to the Republicans' insistence on authorizing federal funding for faith-based organizations that give job preference to their members.

The same provision is included in this year's House version, which essentially level funds the program and the percentage of money states could use for in-school jobs training programs.

Nevertheless, Hill observers say a recurrence of last year's stalemate is less likely in the 109th Congress.

Health, Education, Labor and Pensions committee staffer **Craig Orfield** said he didn't know when the Senate might get around to a vote — before or after the August recess. But he added, passage this session "is a high priority for us."

For more information, visit www.help.senate.gov. □

Funding Alert

School dropout prevention

Scope: The Education Department's Office of Vocational and Adult Education seeks applications to develop and implement effective scientifically-proven dropout prevention and reentry programs for students in grades six through 12.

Deadline: Aug. 17.

Funds: \$4.5 million for first-year funding of two awards of \$2 million to \$2.5 million a year each. The project period is three years.

Eligibility: State education agencies in concert with other organizations.

Areas: Under the first program priority, SEAs must provide documented evidence of collaboration with partner institutions, agencies and community organizations.

Under a second priority, applicants must work with local education agencies to help schools identify at-risk students early on and implement customized services using eight-grade assessment and other data.

The plans must identify specific interventions to improve students' academic achievement as they go through high school.

Contact: Valerie Randall-Walker, (202) 245-7794.

E-mail: dropoutprevention@ed.gov.

Web: www.gpoaccess.gov/fr/index.html.

Andersen Corporation

Geographic Area: The greater Minneapolis/St. Paul area, including St. Croix Valley and western Wisconsin, as well as other areas where Andersen Corporation has company operations.

Scope: Andersen, a window and door manufacturer, makes grants to nonprofit organizations serving Andersen communities with programs relating to environmental stewardship, energy efficiency, safety, architecture and design, innovation, and social responsibility. Its four focus areas are shelter, architecture and design, the building industry, and the community.

Funds: Vary by project.

Deadline: Proposals are reviewed year-round.

Contact: Jeanine Wilson, Community Relations Department, Andersen Corporation, 100 Fourth Avenue North, Bayport, MN 55003, (651) 264-5892.

Web: www.andersenwindows.com.

Best Buy Te@ch grants

Scope: The Best Buy Children's Foundation, funded by pretax contributions of the electronics retailer, makes these grants available to support schools' creative ideas to make learning fun by integrating technology into curriculum.

Deadline: Sept. 30. Applications will be available July 5. In the past, applications were reviewed on a first-come, first-served basis, so submitting earlier is better.

Funds: 1,200 awards of \$2,500 each.

Eligibility: Accredited K-12 schools located within 25 miles of a Best Buy store.

Contact: www.bestbuy.com (click "Community Relations," at the bottom of the page and follow the links to te@ch). The foundation requests inquiries not be made by phone.

Cabot Corporate Giving

Scope: Cabot Corporation, a fine-particle company, is committed to the communities where its employees live and work. Corporate giving is designed to support outreach activities that focus primarily on science and technology education and civic improvement efforts in communities where Cabot has a presence.

Deadline: Awards are decided four times a year: January, April, July and October. Requests must be received 30 days in advance of a board meeting to be considered at that particular meeting. Otherwise, requests will be considered at the next meeting.

Funds: Vary by project.

Eligibility: A competitive corporate giving submission may be submitted via e-mail, using an attachment on the Cabot Web site. The form requests a brief statement of the proposed project; an explanation consistent with Cabot Corp's business interests; its potential lasting impact on the community; its potential for measurable outcomes; evidence of the organization's tax-exempt status; a brief background; its management and board; total project budget; and the latest audited financial statement.

Contact: E-mail Peter Gregory, managing director, at peter_gregory@cabot-corp.com; or corporate giving staff member Cynthia Gullotti at cynthia_gullotti@cabotcorp.com.

Web: <http://w1.cabot-corp.com>. □

New Judicial Decisions

ADEA

The **2d U.S. Circuit Court of Appeals** turns down a teacher's claim of discrimination, saying she couldn't show her adverse employment conditions were a result of bias about her age. **See page 11.**

First Amendment

A federal court rules that a Texas school district violated a secretary's First Amendment rights by terminating her for talking to a reporter. **See page 11.**

ADA

A district court rules that a teacher with dyslexia is not a "qualified individual" under the **Americans with Disabilities Act** because the teacher did not take a required test to gain certification. **See page 12.**

ADEA

Teacher loses claim that age discrimination motivated district

Case name: *Meder v. Board of Educ. of the City of New York, et al.*, No. 04-3472-cv (2d Cir. 06/08/05).

Ruling: Even assuming a teacher was able to demonstrate she suffered adverse employment actions, the circumstance surrounding those actions didn't give rise to an inference of age discrimination, the **2d U.S. Circuit Court of Appeals** ruled. Therefore, it dismissed her claim brought under the **Age Discrimination in Employment Act**.

What it means: To prove a case of age discrimination in violation of the ADEA, an employee must show she's a member of a protected class, who was qualified for the position, who suffered an adverse employment action and that the circumstances surrounding the action are sufficient to permit an inference of age discrimination.

Summary: While the teacher may have been able to show she was a member of a protected class, qualified for her position, and suffered an adverse employment action, she couldn't demonstrate the district's alleged ill treatment of her was due to her age. Therefore, the court refused to allow her ADEA case to proceed against the district.

The teacher brought an age discrimination and hostile work environment claim under the ADEA, claiming the district discriminated against her and created a hostile environment

by subjecting her to excessive monitoring.

She also said the district refused her request to remove a paraprofessional from her classroom and investigated her for corporal punishment.

Aside from dismissing her age discrimination claim, the 2d Circuit also found her hostile work environment claim was without merit. To establish such a claim, it explained, the teacher needed to show the workplace was permeated with so much "discriminatory intimidation, ridicule, and insult" that her working conditions were altered. She was also required to demonstrate she was subjected to hostility because of her membership in a protected class. Even if she could show she suffered under a hostile work environment, there was nothing that suggested the treatment she received was on account of her age, the court concluded. □

FIRST AMENDMENT

Comments to reporter are free speech; district fails to show disruption

Case name: *Salge v. Edna Indep. Sch. Dist.*, No. 04-40844 (5th Cir. 05/27/05).

Ruling: Because a Texas school district couldn't show a secretary's comments to a reporter regarding a principal's resignation either actually or potentially interfered with or disrupted the school's functioning, a federal court ruled the district violated her First Amendment rights by terminating her for divulging that information.

What it means: When an employee's speech is a matter of public concern, such as in this case, a school district generally can't terminate an employee for that speech unless it can show that it created a disruption to its working environment or its operations.

Summary: The **5th U.S. Circuit Court of Appeals** concluded the district violated the secretary's First Amendment rights when it fired her because of statements she made to a reporter. The court said the comments regarding the principal's resignation were made against a "background of existing community debate" in a small community where the administration of the high school was an item of considerable interest. After being informed his contract wouldn't be extended, the high school principal met with approximately 40 employees, including the longtime school secretary. He informed them of his contract status.

The local newspaper reported shortly afterward that the principal would be resigning. Later, a reporter called the high school for information about another employee's resignation. The secretary then provided information regarding the principal's contract status.

The newspaper published another article about the principal's departure. But it stated incorrectly his contract had not been "renewed." The reporter admitted she misquoted the secretary. That error was significant because a "non-extended" contract in the district did not necessarily serve as a termination, while a "non-renewed" contract was effectively a termination of employment.

The secretary was discharged for violating a policy about discussing confidential personnel matters and contacting the media. □

ADA

Noncertified teacher with dyslexia has no ADA protection

Case name: *Falchenberg v. New York City Dept. of Educ. et al.*, 105 LRP 32089 (S.D.N.Y. 07/01/05).

Ruling: A teacher with dyslexia could not assert that she was discriminated against under the **Americans with Disabilities Act**. The **U.S. District Court, Southern District of New York** ruled that because the teacher did not take a required test to gain certification, she was not a "qualified individual" under the ADA.

What it means: Generally, certification tests for teachers are a valid job-related requirement. Though teachers with disabilities may seek accommodations beforehand, they are generally required to first take those tests before being able to assert protection under the ADA.

Summary: The court dismissed the teacher's ADA claim, ruling she did not qualify for protection under the ADA. Though the court agreed that "federal, state and local laws impose an obligation on employers to provide qualified individuals with reasonable accommodations," it ruled the teacher was not a "qualified individual" under the ADA because she did not take the required certification test.

The **New York City Department of Education** had informed the public science teacher she would be required to pass a test in order to become certified or she would be terminated. Prior to the administration date of the test, she requested specific accommodations due to her dyslexia, including a reader and transcriber. Those accommodations were granted by **National Evaluation Systems Inc.**, the administrator of the test, but only under the condition that the teacher provide spelling, punctuation, capitalization and paragraphing. She found those accommodations unsatisfactory and did not take the test.

The court observed the test was a valid job-related requirement. It noted she did not say what role ED had in determining accommodations because NES and another agency established and administered the test. □

SUBSCRIPTION OFFER	
<p><input type="checkbox"/> YES! Please start my one-year subscription to <i>Vocational Training News</i> for the special price of \$185 (Reg. \$398) plus \$22 shipping and handling for 12 issues.</p>	<p>CUSTOMER INFORMATION:</p> <p>NAME: _____ TITLE: _____</p> <p>ORGANIZATION: _____</p> <p>STREET ADDRESS: _____</p> <p>CITY: _____ STATE: _____ ZIP: _____</p> <p>PHONE: () _____ FAX: () _____</p> <p>E-MAIL: _____</p> <p>Your e-mail is used to communicate with you about your purchase(s). Please check here to also receive:</p> <p><input type="checkbox"/> Special discounts, offers & new product announcements from LRP Publications.</p> <p><input type="checkbox"/> Offers from carefully selected relevant businesses.</p>
<p><small>Sales Tax: Residents of PA add 6%; residents of VA add 4½%; residents of FL add percentage applicable to your county of residence. If tax exempt, please provide certification.</small></p> <p><small>Shipping and handling prices are for the continental U.S. only. Please call for delivery charges outside the U.S.</small></p> <p><small>I understand that I may be shipped, on 30-day approval, future editions, updates, cumulative digests, and/or related products. I am free to change or cancel my order for upkeep services at any time and any update issued within three months of my initial purchase will be sent to me at no additional charge. <input type="checkbox"/> I do not want the additional upkeep service.</small></p>	<p>PAYMENT INFORMATION:</p> <p>CHARGE MY CREDIT CARD #: <input type="checkbox"/> VISA <input type="checkbox"/> MASTERCARD <input type="checkbox"/> AMEX <input type="checkbox"/> DISCOVER</p> <p>CARD #: _____ EXP. DATE: _____</p> <p>SECURITY CODE: (3-digit code on back of Visa, MasterCard, Discover or 4-digit code on front of AmEx)</p> <p>NAME: (as it appears on card) _____</p> <p>CREDIT CARD BILLING ADDRESS: _____ STREET: _____ <small>(If different from above)</small></p> <p>CITY: _____ STATE: _____ ZIP: _____</p> <p>CARDHOLDER'S PHONE: _____ CARDHOLDER'S SIGNATURE: _____</p> <p><input type="checkbox"/> CHECK OR MONEY ORDER PAYABLE TO LRP PUBLICATIONS.</p> <p><input type="checkbox"/> CHARGE MY LRP ACCT. #: _____ <input type="checkbox"/> BILL ME. P.O. #: _____ <small>(ENCLOSED)</small></p>
<p>SOURCE CODE: LR0501-12</p>	<p>LRP Publications • P.O. Box 24668 West Palm Beach, FL 33416-4668</p>