

SENATE
STATE OF MINNESOTA
EIGHTY-SEVENTH LEGISLATURE

S.F. No. 1531

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03/20/2012		Comm report: To pass as amended and re-refer to Finance

1.1 A bill for an act
1.2 relating to education; expanding the postsecondary enrollment options program;
1.3 amending Minnesota Statutes 2010, sections 124D.09, subdivisions 9, 12, 13, 24,
1.4 by adding a subdivision; 135A.101, subdivision 1; repealing Minnesota Statutes
1.5 2010, section 124D.09, subdivision 23.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2010, section 124D.09, is amended by adding a
1.8 subdivision to read:

1.9 Subd. 5a. **Authorization; career or technical education.** A 10th, 11th, or 12th
1.10 grade pupil enrolled in a district or an American Indian-controlled tribal contract or grant
1.11 school eligible for aid under section 124D.83, except a foreign exchange pupil enrolled in
1.12 a district under a cultural exchange program, may enroll in a career or technical education
1.13 course offered by a Minnesota state college or university. A 10th grade pupil applying
1.14 for enrollment in a career or technical education course under this subdivision must
1.15 have received a passing score on the 8th grade Minnesota Comprehensive Assessment
1.16 in reading as a condition of enrollment. A secondary pupil may enroll in their first
1.17 postsecondary options enrollment course under this subdivision. A student who is refused
1.18 enrollment by a Minnesota state college or university under this subdivision, may apply
1.19 to an eligible institution offering a career or technical education course or a college or
1.20 university registered under chapter 136A by the Office of Higher Education that is eligible
1.21 to receive state student aid. The postsecondary institution must give priority to its students
1.22 according to subdivision 9. If a secondary student receives a grade of "C" or better in the
1.23 career or technical education course taken under this subdivision, the postsecondary
1.24 institution must allow the student to take additional secondary courses at that institution,
1.25 not to exceed the limits in subdivision 8. A "career or technical course" is a course that is

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2.1 part of a career and technical education program that provides individuals with coherent,
2.2 rigorous content aligned with academic standards and relevant technical knowledge
2.3 and skills needed to prepare for further education and careers in current and emerging
2.4 professions and provide technical skill proficiency, an industry recognized credential, and
2.5 a certificate, diploma, or an associate degree.

2.6 Sec. 2. Minnesota Statutes 2010, section 124D.09, subdivision 9, is amended to read:

2.7 Subd. 9. **Enrollment priority.** A postsecondary institution shall give priority to its
2.8 postsecondary students when enrolling 10th, 11th, and 12th grade pupils in its courses.

2.9 A postsecondary institution may provide information about its programs to a secondary
2.10 school or to a pupil or parent, ~~but it may not advertise or otherwise recruit or solicit~~
2.11 ~~the participation of secondary pupils to enroll in its programs on financial grounds.~~

2.12 An institution must not enroll secondary pupils, for postsecondary enrollment options
2.13 purposes, in remedial, developmental, or other courses that are not college level. Once a
2.14 pupil has been enrolled in a postsecondary course under this section, the pupil shall not
2.15 be displaced by another student.

2.16 Sec. 3. Minnesota Statutes 2010, section 124D.09, subdivision 12, is amended to read:

2.17 Subd. 12. **Credits.** ~~A pupil may enroll in a course under this section for either~~
2.18 ~~secondary credit or postsecondary credit. At the time a pupil enrolls in a course, the pupil~~
2.19 ~~shall designate whether the course is for secondary or postsecondary credit. A pupil taking~~
2.20 ~~several courses may designate some for secondary credit and some for postsecondary~~
2.21 ~~credit.~~ A pupil must not audit a course under this section.

2.22 A district shall grant academic credit to a pupil enrolled in a course for secondary
2.23 credit if the pupil successfully completes the course. Seven quarter or four semester
2.24 college credits equal at least one full year of high school credit. Fewer college credits may
2.25 be prorated. A district must also grant academic credit to a pupil enrolled in a course for
2.26 postsecondary credit if secondary credit is requested by a pupil. If no comparable course is
2.27 offered by the district, the district must, as soon as possible, notify the commissioner, who
2.28 shall determine the number of credits that shall be granted to a pupil who successfully
2.29 completes a course. If a comparable course is offered by the district, the school board
2.30 shall grant a comparable number of credits to the pupil. If there is a dispute between the
2.31 district and the pupil regarding the number of credits granted for a particular course, the
2.32 pupil may appeal the board's decision to the commissioner. The commissioner's decision
2.33 regarding the number of credits shall be final.

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3.1 The secondary credits granted to a pupil must be counted toward the graduation
3.2 requirements and subject area requirements of the district. Evidence of successful
3.3 completion of each course and secondary credits granted must be included in the pupil's
3.4 secondary school record. A pupil shall provide the school with a copy of the pupil's grade
3.5 in each course taken for secondary credit under this section. Upon the request of a pupil,
3.6 the pupil's secondary school record must also include evidence of successful completion
3.7 and credits granted for a course taken for postsecondary credit. In either case, the record
3.8 must indicate that the credits were earned at a postsecondary institution.

3.9 If a pupil enrolls in a postsecondary institution after leaving secondary school, the
3.10 postsecondary institution must award postsecondary credit for any course successfully
3.11 completed for secondary credit at that institution. Other postsecondary institutions may
3.12 award, after a pupil leaves secondary school, postsecondary credit for any courses
3.13 successfully completed under this section. An institution may not charge a pupil for
3.14 the award of credit.

3.15 The Board of Trustees of the Minnesota State Colleges and Universities and
3.16 the Board of Regents of the University of Minnesota must, and private nonprofit and
3.17 proprietary postsecondary institutions should, award postsecondary credit for any
3.18 successfully completed courses in a program certified by the National Alliance of
3.19 Concurrent Enrollment Partnerships offered according to an agreement under subdivision
3.20 10.

3.21 Sec. 4. Minnesota Statutes 2010, section 124D.09, subdivision 13, is amended to read:

3.22 Subd. 13. **Financial arrangements.** For a pupil enrolled in a course under this
3.23 section, the department must make payments according to this subdivision for courses that
3.24 were taken for secondary credit.

3.25 The department must not make payments to a school district or postsecondary
3.26 institution for a course taken for postsecondary credit only. The department must not
3.27 make payments to a postsecondary institution for a course from which a student officially
3.28 withdraws during the first 14 days of the quarter or semester or who has been absent from
3.29 the postsecondary institution for the first 15 consecutive school days of the quarter or
3.30 semester and is not receiving instruction in the home or hospital.

3.31 A postsecondary institution, including a college or university under subdivision 5a,
3.32 shall receive the following:

3.33 (1) for an institution granting quarter credit, the reimbursement per credit hour shall
3.34 be an amount equal to 88 percent of the product of the formula allowance minus \$415,
3.35 multiplied by 1.3, and divided by 45; or

4.1 (2) for an institution granting semester credit, the reimbursement per credit hour
4.2 shall be an amount equal to 88 percent of the product of the general revenue formula
4.3 allowance minus \$415, multiplied by 1.3, and divided by 30.

4.4 The department must pay to each postsecondary institution 100 percent of the
4.5 amount in clause (1) or (2) within 30 days of receiving initial enrollment information
4.6 each quarter or semester. If changes in enrollment occur during a quarter or semester,
4.7 the change shall be reported by the postsecondary institution at the time the enrollment
4.8 information for the succeeding quarter or semester is submitted. At any time the
4.9 department notifies a postsecondary institution that an overpayment has been made, the
4.10 institution shall promptly remit the amount due.

4.11 Sec. 5. Minnesota Statutes 2010, section 124D.09, subdivision 24, is amended to read:

4.12 Subd. 24. **Limit; state obligation.** The provisions of subdivisions 13, 19, and
4.13 ~~22, and 23~~ shall not apply for any postsecondary courses in which a pupil is enrolled in
4.14 addition to being enrolled full time in that pupil's district or for any postsecondary course
4.15 in which a pupil is enrolled for postsecondary credit. The pupil is enrolled full time if
4.16 the pupil attends credit-bearing classes in the high school or high school program for
4.17 all of the available hours of instruction.

4.18 **EFFECTIVE DATE.** This section is effective for the 2012-2013 school year and
4.19 later.

4.20 Sec. 6. Minnesota Statutes 2010, section 135A.101, subdivision 1, is amended to read:

4.21 Subdivision 1. **Requirements for participation.** To participate in the postsecondary
4.22 enrollment options program, a college or university must abide by the provisions in this
4.23 section. The institution may provide information about its programs to a secondary school
4.24 or to a pupil or parent, ~~but may not recruit or solicit participation on financial grounds.~~

4.25 Sec. 7. **POSTSECONDARY ENROLLMENT OPTION APPROPRIATION**
4.26 **ADJUSTMENT.**

4.27 Notwithstanding Minnesota Statutes, section 124D.09, for fiscal year 2013 only,
4.28 the commissioner must limit the appropriation paid to colleges in the postsecondary
4.29 enrollment option program that is attributable to tenth grade students enrolling in career
4.30 and technical classes to the amount of the general education deduction for these students
4.31 multiplied times 0.6.

4.32 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2013 only.

5.1 Sec. 7. **REPEALER.**

5.2 Minnesota Statutes 2010, section 124D.09, subdivision 23, is repealed effective
5.3 for the 2012-2013 school year and later.

APPENDIX
Repealed Minnesota Statutes: S1531-1

124D.09 POSTSECONDARY ENROLLMENT OPTIONS ACT.

Subd. 23. **Exception; intermediate districts.** A secondary pupil who is a resident of a member district of an intermediate district, as defined in section 136D.01, may not enroll in that intermediate district's vocational program as a postsecondary pupil under this section when the intermediate district operates a secondary program at a college facility and secondary students have access to the postsecondary curriculum and receive high school and college credit for successfully completing the program.