

SENATE
STATE OF MINNESOTA
NINETIETH SESSION

S.F. No. 570

(SENATE AUTHORS: NELSON)

DATE	D-PG	OFFICIAL STATUS
02/02/2017	492	Introduction and first reading
		Referred to E-12 Policy
02/16/2017		Comm report: To pass as amended and re-refer to Higher Education Finance and Policy

1.1 A bill for an act

1.2 relating to education; modifying certain Postsecondary Enrollment Options Act

1.3 provisions; amending the graduation incentives program; amending Minnesota

1.4 Statutes 2016, sections 124D.09, subdivisions 3, 9, 10b, 12, by adding a subdivision;

1.5 124D.68, subdivision 3.

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

1.7 Section 1. Minnesota Statutes 2016, section 124D.09, subdivision 3, is amended to read:

1.8 Subd. 3. **Definitions.** For purposes of this section, the following terms have the meanings

1.9 given to them.

1.10 (a) "Eligible institution" means a Minnesota, Iowa, North Dakota, South Dakota, or

1.11 Wisconsin public postsecondary institution, a private, nonprofit two-year trade and technical

1.12 school granting associate degrees, an opportunities industrialization center accredited by

1.13 the North Central Association of Colleges and Schools, or a private, residential, two-year

1.14 or four-year, liberal arts, degree-granting college or university located in Minnesota, Iowa,

1.15 North Dakota, South Dakota, or Wisconsin.

1.16 (b) "Course" means a course or program.

1.17 Sec. 2. Minnesota Statutes 2016, section 124D.09, subdivision 9, is amended to read:

1.18 Subd. 9. **Enrollment priority.** (a) A postsecondary institution shall give priority to its

1.19 postsecondary students when enrolling 10th, 11th, and 12th grade pupils in its courses. A

1.20 postsecondary institution may provide information about its programs to a secondary school

1.21 or to a pupil or parent ~~and it may advertise or otherwise recruit or solicit a secondary pupil~~

1.22 ~~to enroll in its programs on educational and programmatic grounds only except,~~

2.1 ~~notwithstanding other law to the contrary, and for the 2014-2015 through 2019-2020 school~~
 2.2 ~~years only, an eligible postsecondary institution may advertise or otherwise recruit or solicit~~
 2.3 ~~a secondary pupil residing in a school district with 700 students or more in grades 10, 11,~~
 2.4 ~~and 12, to enroll in its programs on educational, programmatic, or financial grounds.~~

2.5 (b) An institution must not enroll secondary pupils, for postsecondary enrollment options
 2.6 purposes, in remedial, developmental, or other courses that are not college level except
 2.7 when a student eligible to participate and enrolled in the graduation incentives program
 2.8 under section 124D.68 enrolls full time in a middle or early college program. A middle or
 2.9 early college program must be specifically designed to allow the student to earn dual high
 2.10 school and college credit with a well-defined pathway to allow the student to earn a
 2.11 postsecondary degree or credential. In this case, the student shall receive developmental
 2.12 college credit and not college credit for completing remedial or developmental courses.

2.13 (c) Once a pupil has been enrolled in any postsecondary course under this section, the
 2.14 pupil shall not be displaced by another student.

2.15 (d) If a postsecondary institution enrolls a secondary school pupil in a course under this
 2.16 section, the postsecondary institution also must enroll in the same course an otherwise
 2.17 enrolled and qualified postsecondary student who qualifies as a veteran under section
 2.18 197.447, and demonstrates to the postsecondary institution's satisfaction that the institution's
 2.19 established enrollment timelines were not practicable for that student.

2.20 Sec. 3. Minnesota Statutes 2016, section 124D.09, subdivision 10b, is amended to read:

2.21 Subd. 10b. **Concurrent Enrollment Advisory Board; membership; duties.** (a) A
 2.22 postsecondary institution offering courses taught by the secondary teacher according to
 2.23 subdivision 10 must establish an advisory board. The purpose of the advisory board is to
 2.24 engage stakeholders in concurrent enrollment decisions. The duties of the board must include
 2.25 the following:

2.26 (1) providing strategic advice and input relating to concurrent enrollment issues;

2.27 (2) recommend and review proposals for concurrent enrollment course offerings;

2.28 (3) serve as a coordinating entity between secondary education and postsecondary
 2.29 institutions; and

2.30 (4) increase the understanding and collaboration among concurrent enrollment partners,
 2.31 stakeholders, the legislature, and the public.

3.1 (b) The advisory board at each institution must consist of 16 members in addition to a
3.2 concurrent enrollment faculty coordinator who shall serve as the chair and convene the
3.3 meetings. A postsecondary institution may elect to have an advisory board of less than 16
3.4 members if the institution determines that the extent of its concurrent program warrants a
3.5 smaller board. Except for the original members, advisory board members must serve
3.6 three-year staggered terms. Advisory board members, appointed by the postsecondary
3.7 institution, must be balanced based on geography and school size, and include, if practical,
3.8 representatives from the following:

3.9 (1) postsecondary faculty members;

3.10 (2) school superintendents;

3.11 (3) high school principals;

3.12 (4) concurrent enrollment teachers;

3.13 (5) high school counselors;

3.14 (6) charter school administrators;

3.15 (7) school board members;

3.16 (8) secondary academic administrators;

3.17 (9) parents; ~~and~~

3.18 (10) current concurrent enrollment students;

3.19 (11) students who have successfully completed a concurrent enrollment course; and

3.20 (12) other local organizations.

3.21 (c) Members of the board serve without compensation.

3.22 (d) The board shall report to the postsecondary institution periodically as requested by
3.23 the postsecondary institution to provide advice and proposals described in paragraph (a).

3.24 (e) The postsecondary institution shall provide administrative services and meeting space
3.25 for the board to do its work.

3.26 (f) A board established under this section expires when the postsecondary institution no
3.27 longer offers concurrent enrollment course offerings.

3.28 (g) The postsecondary institution shall appoint the first members to the advisory board
3.29 by October 31, 2015, or by October 15 following the year it establishes a concurrent

4.1 enrollment program. The postsecondary institution shall designate the terms of the first
4.2 members so that an approximately equal number serve terms of two, three, and four years.

4.3 Sec. 4. Minnesota Statutes 2016, section 124D.09, is amended by adding a subdivision to
4.4 read:

4.5 Subd. 11a. **Access to computers.** A school must have a policy that provides a student
4.6 enrolled in a course under this section with the same access to the computer hardware and
4.7 education software available in a school as all other students in the school.

4.8 Sec. 5. Minnesota Statutes 2016, section 124D.09, subdivision 12, is amended to read:

4.9 Subd. 12. **Credits; grade point average weighting dispute.** (a) A pupil must not audit
4.10 a course under this section.

4.11 (b) A district shall grant academic credit to a pupil enrolled in a course for secondary
4.12 credit if the pupil successfully completes the course. Seven quarter or four semester college
4.13 credits equal at least one full year of high school credit. Fewer college credits may be
4.14 prorated. A district must also grant academic credit to a pupil enrolled in a course for
4.15 postsecondary credit if secondary credit is requested by a pupil. If no comparable course is
4.16 offered by the district, the district must, as soon as possible, notify the commissioner, who
4.17 shall determine the number of credits that shall be granted to a pupil who successfully
4.18 completes a course. If a comparable course is offered by the district, the school board shall
4.19 grant a comparable number of credits to the pupil. If there is a dispute between the district
4.20 and the pupil regarding the number of credits granted for a particular course, the pupil may
4.21 appeal the board's decision to the commissioner. The commissioner's decision regarding
4.22 the number of credits shall be final.

4.23 (c) If there is a dispute between the district and the pupil regarding a weighted grade
4.24 point average for a particular course, the pupil may appeal the board's decision to the
4.25 commissioner. The commissioner's decision regarding the grade point average is final.

4.26 (d) The secondary credits granted to a pupil must be counted toward the graduation
4.27 requirements and subject area requirements of the district. Evidence of successful completion
4.28 of each course and secondary credits granted must be included in the pupil's secondary
4.29 school record. A pupil shall provide the school with a copy of the pupil's grade in each
4.30 course taken for secondary credit under this section. Upon the request of a pupil, the pupil's
4.31 secondary school record must also include evidence of successful completion and credits
4.32 granted for a course taken for postsecondary credit. In either case, the record must indicate
4.33 that the credits were earned at a postsecondary institution.

5.1 (e) If a pupil enrolls in a postsecondary institution after leaving secondary school, the
5.2 postsecondary institution must award postsecondary credit for any course successfully
5.3 completed for secondary credit at that institution. Other postsecondary institutions may
5.4 award, after a pupil leaves secondary school, postsecondary credit for any courses
5.5 successfully completed under this section. An institution may not charge a pupil for the
5.6 award of credit.

5.7 (f) The Board of Trustees of the Minnesota State Colleges and Universities and the
5.8 Board of Regents of the University of Minnesota must, and private nonprofit and proprietary
5.9 postsecondary institutions should, award postsecondary credit for any successfully completed
5.10 courses in a program certified by the National Alliance of Concurrent Enrollment Partnerships
5.11 offered according to an agreement under subdivision 10. Consistent with section 135A.101,
5.12 subdivision 3, all MnSCU institutions must give full credit to a secondary pupil who
5.13 completes for postsecondary credit a postsecondary course or program that is part or all of
5.14 a goal area or a transfer curriculum at a MnSCU institution when the pupil enrolls in a
5.15 MnSCU institution after leaving secondary school. Once one MnSCU institution certifies
5.16 as completed a secondary student's postsecondary course or program that is part or all of a
5.17 goal area or a transfer curriculum, every MnSCU institution must consider the student's
5.18 course or program for that goal area or the transfer curriculum as completed.

5.19 Sec. 6. Minnesota Statutes 2016, section 124D.68, subdivision 3, is amended to read:

5.20 Subd. 3. **Eligible programs.** (a) A pupil who is eligible according to subdivision 2 may
5.21 enroll in a state-approved alternative program under sections 123A.05 to 123A.08 or a
5.22 charter school under chapter 124E.

5.23 (b) A pupil who is eligible according to subdivision 2 and who is a high school junior
5.24 or senior may enroll in postsecondary courses under section 124D.09.

5.25 (c) A pupil who is eligible under subdivision 2, may enroll in any public elementary or
5.26 secondary education program.

5.27 (d) A pupil who is eligible under subdivision 2, may enroll in any nonpublic, nonsectarian
5.28 school that has contracted with the serving school district to provide educational services.
5.29 However, notwithstanding other provisions of this section, only a pupil who is eligible under
5.30 subdivision 2, clause (12), may enroll in a contract alternative school that is specifically
5.31 structured to provide educational services to such a pupil.

- 6.1 (e) A pupil who is between the ages of 16 and 21 may enroll in any adult basic education
6.2 programs approved under section 124D.52 and operated under the community education
6.3 program contained in section 124D.19.