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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 1506

03/05/2015 Authored by Lucero
The bill was read for the first time and referred to the Committee on Education Innovation Policy

1.1 A bill for an act
1.2 relating to education; modifying certain postsecondary credit provisions;
1.3 appropriating money; amending Minnesota Statutes 2014, sections 120B.125;
1.4 120B.131; 123A.22, subdivision 4; 123B.31; 124D.09; 124D.091, subdivision 3;
1.5 136D.73, subdivision 4c; repealing Minnesota Statutes 2014, section 120B.14.

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

1.7 Section 1. Minnesota Statutes 2014, section 120B.125, is amended to read:

1.8 **120B.125 PLANNING FOR STUDENTS' SUCCESSFUL TRANSITION**
1.9 **TO POSTSECONDARY EDUCATION AND EMPLOYMENT; PERSONAL**
1.10 **LEARNING PLANS.**

1.11 (a) Consistent with sections 120B.128, 120B.13, 120B.131, 120B.132, ~~120B.14,~~
1.12 120B.15, 120B.30, subdivision 1, paragraph (c), 125A.08, and other related sections,
1.13 school districts, beginning in the 2013-2014 school year, must assist all students by no
1.14 later than grade 9 to explore their educational, college, and career interests, aptitudes, and
1.15 aspirations and develop a plan for a smooth and successful transition to postsecondary
1.16 education or employment. All students' plans must:

1.17 (1) provide a comprehensive plan to prepare for and complete a career and college
1.18 ready curriculum by meeting state and local academic standards and developing career and
1.19 employment-related skills such as team work, collaboration, creativity, communication,
1.20 critical thinking, and good work habits;

1.21 (2) emphasize academic rigor and high expectations;

1.22 (3) help students identify interests, aptitudes, aspirations, and personal learning
1.23 styles that may affect their career and college ready goals and postsecondary education
1.24 and employment choices;

- 2.1 (4) set appropriate career and college ready goals with timelines that identify
2.2 effective means for achieving those goals;
- 2.3 (5) help students access education and career options;
- 2.4 (6) integrate strong academic content into career-focused courses and applied and
2.5 experiential learning opportunities and integrate relevant career-focused courses and
2.6 applied and experiential learning opportunities into strong academic content;
- 2.7 (7) help identify and access appropriate counseling and other supports and assistance
2.8 that enable students to complete required coursework, prepare for postsecondary education
2.9 and careers, and obtain information about postsecondary education costs and eligibility
2.10 for financial aid and scholarship;
- 2.11 (8) help identify collaborative partnerships among prekindergarten through grade
2.12 12 schools, postsecondary institutions, economic development agencies, and local and
2.13 regional employers that support students' transition to postsecondary education and
2.14 employment and provide students with applied and experiential learning opportunities; and
- 2.15 (9) be reviewed and revised at least annually by the student, the student's parent or
2.16 guardian, and the school or district to ensure that the student's course-taking schedule keeps
2.17 the student making adequate progress to meet state and local academic standards and high
2.18 school graduation requirements and with a reasonable chance to succeed with employment
2.19 or postsecondary education without the need to first complete remedial course work.
- 2.20 (b) A school district may develop grade-level curricula or provide instruction that
2.21 introduces students to various careers, but must not require any curriculum, instruction,
2.22 or employment-related activity that obligates an elementary or secondary student to
2.23 involuntarily select or pursue a career, career interest, employment goals, or related job
2.24 training.
- 2.25 (c) Educators must possess the knowledge and skills to effectively teach all English
2.26 learners in their classrooms. School districts must provide appropriate curriculum,
2.27 targeted materials, professional development opportunities for educators, and sufficient
2.28 resources to enable English learners to become career and college ready.
- 2.29 (d) When assisting students in developing a plan for a smooth and successful
2.30 transition to postsecondary education and employment, districts must recognize the unique
2.31 possibilities of each student and ensure that the contents of each student's plan reflect the
2.32 student's unique talents, skills, and abilities as the student grows, develops, and learns.

2.33 Sec. 2. Minnesota Statutes 2014, section 120B.131, is amended to read:

2.34 **120B.131 COLLEGE-LEVEL EXAMINATION PROGRAM (CLEP).**

3.1 Subdivision 1. **Program structure.** The college-level examination program (CLEP)
 3.2 offered by the College Board provides students with the opportunity to demonstrate
 3.3 college-level achievement and receive college credit ~~or advanced standing through a~~
 3.4 ~~program of~~ by taking examinations in undergraduate college courses. ~~Schools~~ School
 3.5 districts must provide information about CLEP ~~and the opportunity to receive college~~
 3.6 ~~credit from a Minnesota postsecondary institution to~~ eligible students who successfully
 3.7 ~~completing~~ complete a college-level course under this section.

3.8 Subd. 2. **Reimbursement for examination fees.** The state may reimburse
 3.9 college-level examination program (CLEP) fees for a ~~Minnesota public or nonpublic high~~
 3.10 ~~school student~~ an eligible student or alternative pupil who has successfully completed one
 3.11 or more college-level courses while in high school grades 9 through 12 in the subject matter
 3.12 ~~of each examination in~~ the following subjects: composition and literature, mathematics and
 3.13 science, social sciences and history, foreign languages, and business and humanities. The
 3.14 state may reimburse each student described in this subdivision for up to six examination
 3.15 fees. The commissioner shall establish ~~application~~ procedures ~~and a process and schedule~~
 3.16 ~~for~~ to facilitate applying for examination fee reimbursements. ~~The commissioner must~~
 3.17 ~~give priority to reimburse the CLEP examination fees of students of low-income families.~~
 3.18 The commissioner shall reimburse the CLEP examination fees of eligible students
 3.19 expeditiously not to exceed 60 days of receipt of requested reimbursement.

3.20 Subd. 3. **College credit.** The colleges and universities of the Minnesota State
 3.21 Colleges and Universities system must award, and the University of Minnesota and
 3.22 private postsecondary institutions are encouraged to award, college credit to ~~high school~~
 3.23 ~~students~~ eligible students or alternative pupils who receive a satisfactory score on a CLEP
 3.24 examination ~~under this section.~~ The commissioner, in consultation with the Minnesota
 3.25 State Colleges and Universities, shall set a minimum passing score for at or above which
 3.26 college credits may be earned.

3.27 Sec. 3. Minnesota Statutes 2014, section 123A.22, subdivision 4, is amended to read:

3.28 Subd. 4. **Center board powers and duties.** (a) The center board shall have the
 3.29 general charge of the business of the center and the ownership of facilities. Where
 3.30 applicable, sections 123B.51 and 123B.52, subdivision 4, shall apply. The center board
 3.31 may not issue bonds in its behalf. Each participating district may issue its bonds for the
 3.32 purpose of acquisition and betterment of center facilities in the amount certified by the
 3.33 center board to such participating district in accordance with chapter 475.

3.34 (b) The center board (1) may furnish vocational offerings to any eligible person
 3.35 residing in any participating district; (2) may provide special education for the disabled

4.1 and disadvantaged; and (3) may provide any other educational programs or services
 4.2 defined in section 123A.21, subdivisions 7 and 8, agreed upon by the participating
 4.3 members. Academic offerings shall be provided only under the direction of properly
 4.4 licensed academic supervisory personnel.

4.5 (c) In accordance with subdivision 5, paragraph (b), the center board shall certify to
 4.6 each participating district the amount of funds assessed to the district as its proportionate
 4.7 share required for the conduct of the educational programs, payment of indebtedness,
 4.8 and all other proper expenses of the center.

4.9 (d) The center board must employ and contract with necessary qualified teachers and
 4.10 administrators and may discharge the same for cause pursuant to section 122A.40. The
 4.11 authority for selection and employment of a director shall be vested in the center board.
 4.12 Notwithstanding the provisions of section 122A.40, subdivision 10 or 11, no individual
 4.13 shall have a right to employment as a director based on seniority or order of employment
 4.14 by the center. The center board may employ and discharge other necessary employees and
 4.15 may contract for other services deemed necessary.

4.16 (e) The center board may provide an educational program for secondary and adult
 4.17 vocational phases of instruction. The high school phase of its educational program must
 4.18 be offered as a component of the comprehensive curriculum offered by each of the
 4.19 participating school districts. Graduation must be from the student's resident high school
 4.20 district. Insofar as applicable, sections 120A.22, subdivision 1a, ~~120B.14~~, 120B.35,
 4.21 121A.21, 122A.44, 122A.69, 123A.22, 123A.24, 123B.02, subdivisions 1 to 15 and 17 to
 4.22 20, 123B.49, 123B.51, 123B.52, 123B.88, 124D.02, 124D.09, and 124D.51, shall apply.

4.23 (f) The center board may prescribe rates of tuition for attendance in its programs by
 4.24 adults and nonmember district secondary students.

4.25 Sec. 4. Minnesota Statutes 2014, section 123B.31, is amended to read:

4.26 **123B.31 LIMITATION OF SECTIONS.**

4.27 Material contained in sections 120A.22, subdivision 1a, ~~120B.14~~, 120B.35,
 4.28 121A.21, 122A.44, 122A.69, 123A.22, 123A.24, 123B.02, subdivisions 1 to 15 and 17
 4.29 to 20, 123B.09, 123B.11, 123B.14, 123B.143, 123B.147, 123B.23, 123B.49, 123B.51,
 4.30 123B.52, 123B.88, 124D.02, 124D.09, and 124D.51, unless expressly stated otherwise,
 4.31 relates only to independent school districts.

4.32 Sec. 5. Minnesota Statutes 2014, section 124D.09, is amended to read:

4.33 **124D.09 POSTSECONDARY ENROLLMENT OPTIONS ACT.**

5.1 Subdivision 1. **Citation.** This section may be cited the "Postsecondary Enrollment
5.2 Options Act."

5.3 Subd. 2. **Purpose.** The purpose of this section is to promote rigorous academic
5.4 pursuits and to provide a wider variety of options to high school pupils by encouraging and
5.5 enabling ~~secondary pupils~~ eligible students to enroll full time or part time in ~~nonsectarian~~
5.6 ~~courses or programs in~~ at eligible postsecondary institutions, as defined in subdivision 3.

5.7 Subd. 3. **Definitions.** (a) For purposes of this section, the following terms have the
5.8 meanings given to them.

5.9 (b) "Alternative pupil" means a 9th, 10th, 11th, or 12th grade student not enrolled in
5.10 a public school district, and includes students attending nonpublic schools and students
5.11 who are home schooled. An alternative pupil is considered a pupil for purposes of this
5.12 section only.

5.13 (c) "Course" means a nonsectarian course or program offered at an eligible institution
5.14 for academic credit that results in postsecondary credit and may include high school credit.
5.15 An eligible student must not audit a course. Except as provided in subdivision 5b, a course
5.16 under this section does not include a remedial or developmental course.

5.17 ~~(a)~~ (d) "Eligible institution" means a Minnesota public postsecondary institution,
5.18 a private, nonprofit two-year trade and technical school granting associate degrees,
5.19 an opportunities industrialization center accredited by the North Central Association
5.20 of Colleges and Schools, or a private, residential, two-year or four-year, liberal arts,
5.21 degree-granting college or university located in Minnesota.

5.22 ~~(b) "Course" means a course or program.~~

5.23 (e) "Eligible student" means a 9th, 10th, 11th, or 12th grade student enrolled in a
5.24 school district, or enrolled in an American Indian controlled tribal contract or grant school
5.25 eligible for aid under section 124D.83. Foreign exchange students or students who have
5.26 graduated from high school with a high school diploma are not eligible students.

5.27 Subd. 4. **Alternative pupil.** ~~"Alternative pupil" means an 11th or 12th grade student~~
5.28 ~~not enrolled in a public school district, and includes students attending nonpublic schools~~
5.29 ~~and students who are home schooled. An alternative pupil is considered a pupil for~~
5.30 ~~purposes of this section only.~~ An alternative pupil must register with the commissioner
5.31 of education before participating in the postsecondary enrollment options program. The
5.32 commissioner shall prescribe the form and manner of the registration, in consultation with
5.33 the Nonpublic Education Council under section 123B.445, and may request any necessary
5.34 information from the alternative pupil.

5.35 Subd. 5. **Authorization; notification.** ~~Notwithstanding any other law to the~~
5.36 ~~contrary, an 11th or 12th grade pupil enrolled in a school or an American Indian-controlled~~

6.1 ~~tribal contract or grant school eligible for aid under section 124D.83, except a foreign~~
 6.2 ~~exchange pupil enrolled in a district under a cultural exchange program, may apply to an~~
 6.3 ~~eligible institution, as defined in subdivision 3, to enroll in nonsectarian courses offered by~~
 6.4 ~~that postsecondary institution. Notwithstanding any other law to the contrary, a 9th or 10th~~
 6.5 ~~grade pupil enrolled in a district or an American Indian-controlled tribal contract or grant~~
 6.6 ~~school eligible for aid under section 124D.83, except a foreign exchange pupil enrolled in~~
 6.7 ~~a district under a cultural exchange program, may apply to enroll in nonsectarian courses~~
 6.8 ~~offered under subdivision 10, if after all 11th and 12th grade students have applied for a~~
 6.9 ~~course, additional students are necessary to offer the course. If an institution accepts a~~
 6.10 ~~secondary pupil for enrollment under this section, the institution shall send written notice~~
 6.11 ~~to the pupil, the pupil's school or school district, and the commissioner within ten days of~~
 6.12 ~~acceptance. The notice must indicate the course and hours of enrollment of that pupil. If~~
 6.13 ~~the pupil enrolls in a course for postsecondary credit, the institution must notify the pupil~~
 6.14 ~~about payment in the customary manner used by the institution.~~

6.15 Subd. 5a. **Authorization; career or technical education course.** A 10th, 11th,
 6.16 or 12th grade pupil enrolled in a district or an American Indian-controlled tribal contract
 6.17 or grant school eligible for aid under section 124D.83, except a foreign exchange pupil
 6.18 enrolled in a district under a cultural exchange program, An eligible student may enroll in
 6.19 a career or technical education course offered by a Minnesota state college or university.
 6.20 A 10th grade pupil applying for enrollment in a career or technical education course
 6.21 under this subdivision must have an eligible institution if the eligible student has received
 6.22 a passing score on the 8th grade Minnesota Comprehensive Assessment in reading as a
 6.23 condition of enrollment. A secondary pupil may enroll in the pupil's first postsecondary
 6.24 options enrollment course under this subdivision. A student who is refused enrollment by
 6.25 a Minnesota state college or university under this subdivision may apply to an eligible
 6.26 institution offering a career or technical education course. The postsecondary In making
 6.27 enrollment decisions, the eligible institution must give priority to its students according
 6.28 to postsecondary students in accordance with subdivision 9. If a secondary student
 6.29 receives a grade of "C" or better in the career or technical education course taken under
 6.30 this subdivision, the postsecondary institution must allow the student to take additional
 6.31 postsecondary courses for secondary credit at that institution, not to exceed the limits
 6.32 in subdivision 8. A "career or technical course" is a course that is part of a career and
 6.33 technical education program that provides individuals with coherent, rigorous content
 6.34 aligned with academic standards and relevant technical knowledge and skills needed
 6.35 to prepare for further education and careers in current and emerging professions and

7.1 ~~provide technical skill proficiency, an industry recognized credential, and a certificate, a~~
 7.2 ~~diploma, or an associate degree.~~

7.3 Subd. 5b. Authorization; graduation incentives program. If an eligible
 7.4 student in the 10th, 11th, or 12th grade is also eligible to participate in the graduation
 7.5 incentives program under section 124D.68, the eligible student may enroll in remedial,
 7.6 developmental, or other courses that are not college level as part of a program designed to
 7.7 allow the student to earn dual high school and college credit.

7.8 Subd. 6. Counseling. The ~~school or~~ eligible student's school district must provide
 7.9 counseling services to ~~pupils and their~~ the eligible student and the student's parents or
 7.10 guardian before the ~~pupils enroll in courses under this section to ensure that the pupils and~~
 7.11 ~~their parents or guardian are fully aware of the risks and possible consequences of enrolling~~
 7.12 ~~in postsecondary courses~~ eligible student enrolls in a course. The ~~school or school district~~
 7.13 ~~must provide information on the program~~ counseling shall address matters including who
 7.14 may enroll, what eligible institutions and courses are eligible for participation available,
 7.15 the ~~decision-making~~ process for granting academic credits, financial arrangements for
 7.16 tuition, books and materials, eligibility criteria for transportation aid, ~~available support~~
 7.17 ~~services, the need to arrange an appropriate schedule,~~ the consequences of failing or not
 7.18 completing a course in which the pupil enrolls, and the effect of enrolling in this program
 7.19 on the pupil's eligible student's ability to complete the required high school graduation
 7.20 requirements, ~~and the academic and social responsibilities that must be assumed by the~~
 7.21 ~~pupils and their parents or guardian.~~ The ~~person providing counseling shall encourage~~
 7.22 ~~pupils and their parents or guardian to also use~~ school district shall also advise the eligible
 7.23 student and the student's parents or guardian to seek available counseling services at the
 7.24 ~~postsecondary institutions~~ eligible institution before the ~~quarter or semester of enrollment~~
 7.25 ~~to ensure that anticipated plans are appropriate~~ enrolling in a course.

7.26 Subd. 6a. Acknowledgement form. Prior to enrolling in a course, the ~~pupil and~~
 7.27 ~~the pupil's~~ eligible student and the student's parents or guardian must ~~sign a~~ acknowledge
 7.28 in writing on a form that must be provided by the school or school district and may be
 7.29 ~~obtained from a postsecondary institution stating that they have received the information~~
 7.30 ~~specified in this subdivision 6 and that they understand the responsibilities that must be~~
 7.31 ~~assumed in enrolling in this program~~ upon the eligible student's enrollment in a course.
 7.32 The department must, upon request, provide technical assistance to a ~~school or school~~
 7.33 ~~district~~ in developing appropriate forms and counseling guidelines.

7.34 Subd. 7. Dissemination of information; notification of intent to enroll. By March
 7.35 1 of each year, a school district must provide up-to-date information ~~on the district's Web~~
 7.36 ~~site and in materials that are distributed to parents and students about the program, including~~

8.1 ~~information about enrollment requirements and the ability to earn postsecondary credit to~~
 8.2 ~~all pupils in grades 8, 9, 10, and through 11 about the requirements to enroll in courses.~~

8.3 Subd. 7a. **Notice of intent to enroll.** To assist the district in planning, a pupil An
 8.4 eligible student who intends to enroll at an eligible institution shall inform the eligible
 8.5 student's school district by May 30 of each year of the pupil's eligible student's intent to
 8.6 enroll in postsecondary courses during the following school year. A pupil is bound by
 8.7 notifying or not notifying the district by May 30: one or more courses in the fall semester,
 8.8 and by October 1 of each year if the eligible student intends to enroll in one or more
 8.9 courses in the spring semester. The notice shall include the titles of the courses in which
 8.10 the eligible student intends to enroll and the number of credits for each course.

8.11 Subd. 8. **Limit on participation.** A pupil who first enrolls in grade 9 An eligible
 8.12 student may not enroll in postsecondary courses under this section for secondary credit for
 8.13 more than the equivalent of four academic years. A pupil who first enrolls in grade 10 An
 8.14 eligible student in the 10th grade may not enroll in courses for secondary credit for more
 8.15 than the equivalent of three academic years. An eligible student in the 11th grade may
 8.16 not enroll in postsecondary courses under this section for secondary credit for more than
 8.17 the equivalent of three two academic years. A pupil who first enrolls in grade 11 may not
 8.18 enroll in postsecondary courses under this section for secondary credit for more than the
 8.19 equivalent of two academic years. A pupil who first enrolls in grade 12 An eligible student
 8.20 in the 12th grade may not enroll in postsecondary courses under this section for secondary
 8.21 credit for more than the equivalent of one academic year. If a pupil in grade 9, 10, 11, or
 8.22 12 first enrolls in a postsecondary course for secondary credit during the school year, the
 8.23 time of participation shall be reduced proportionately. If a pupil is in a learning year or
 8.24 other year-round program an eligible student is enrolled in a flexible learning year program
 8.25 under section 124D.12 and begins each grade in the summer session, summer sessions in
 8.26 which an eligible student is enrolled in one or more courses shall not be counted against the
 8.27 time of participation. A pupil who has graduated from high school cannot participate in a
 8.28 program under this section. A pupil who has completed course requirements for graduation
 8.29 but who has not received a diploma may participate in the program under this section.

8.30 Subd. 9. **Enrollment priority.** (a) A postsecondary An eligible institution may
 8.31 admit an eligible student if it has space available. The eligible institution shall give priority
 8.32 to its postsecondary students when enrolling 10th, 11th, and 12th grade pupils in its
 8.33 courses before admitting eligible students and alternative pupils, including postsecondary
 8.34 students who are veterans under section 197.447 and seek enrollment outside the eligible
 8.35 institution's established enrollment timelines. A postsecondary An eligible institution may
 8.36 provide factual advertising and information about its programs courses to a secondary

9.1 ~~school or to a pupil or parent and it may advertise or otherwise recruit or solicit a~~
 9.2 ~~secondary pupil to enroll in its programs on educational and programmatic grounds~~
 9.3 ~~only except, notwithstanding other law to the contrary, and for the 2014-2015 through~~
 9.4 ~~2019-2020 school years only, an eligible postsecondary institution may advertise or~~
 9.5 ~~otherwise recruit or solicit a secondary pupil residing in a school district with 700 students~~
 9.6 ~~or more in grades 10, 11, and 12, to enroll in its programs on educational, programmatic,~~
 9.7 ~~or financial grounds students in grades 8 through 11. A postsecondary institution may~~
 9.8 ~~factually advertise and inform nonpublic and homeschool students. The commissioner~~
 9.9 ~~shall work with the Nonpublic Education Council under section 123B.445 on informing~~
 9.10 ~~nonpublic and home school students in grades 8 through 11. An institution must not~~
 9.11 ~~enroll secondary pupils, for postsecondary enrollment options purposes, in remedial,~~
 9.12 ~~developmental, or other courses that are not college level except when a student eligible to~~
 9.13 ~~participate in the graduation incentives program under section 124D.68 enrolls full time~~
 9.14 ~~in a middle or early college program specifically designed to allow the student to earn~~
 9.15 ~~dual high school and college credit. In this case, the student shall receive developmental~~
 9.16 ~~college credit and not college credit for completing remedial or developmental courses.~~
 9.17 ~~Once a pupil has been enrolled in any postsecondary course under this section, the pupil~~
 9.18 ~~shall not be displaced by another student.~~

9.19 (b) ~~If a postsecondary institution enrolls a secondary school pupil in a course~~
 9.20 ~~under this section, the postsecondary institution also must enroll in the same course an~~
 9.21 ~~otherwise enrolled and qualified postsecondary student who qualifies as a veteran under~~
 9.22 ~~section 197.447, and demonstrates to the postsecondary institution's satisfaction that the~~
 9.23 ~~institution's established enrollment timelines were not practicable for that student.~~

9.24 **Subd. 10. Courses according to agreements between school districts and higher**
 9.25 **education institutions.** (a) ~~An eligible pupil, according to subdivision 5, student may~~
 9.26 ~~enroll in a nonsectarian course taught by a secondary teacher or a postsecondary faculty~~
 9.27 ~~member and offered at a secondary school, or another location, according to an a written~~
 9.28 ~~agreement between a public school board school district and the governing body of an~~
 9.29 ~~eligible public postsecondary system or an eligible private postsecondary institution,~~
 9.30 ~~as defined in subdivision 3. All provisions of this section shall apply to a pupil, public~~
 9.31 ~~school board, district, and the governing body of a postsecondary institution, except as~~
 9.32 ~~otherwise provided institution.~~

9.33 (b) ~~The written agreement between a school district and the governing body of an~~
 9.34 ~~eligible institution shall set forth the courses in which the eligible student will enroll, the~~
 9.35 ~~cost of the courses, payment, and other customary terms. The eligible institution shall~~
 9.36 ~~not charge fees for a course or courses that exceed the eligible institution's actual costs~~

10.1 that are directly attributable to providing the course or courses. Courses taken under this
 10.2 subdivision are not eligible for payment by the department under subdivision 13.

10.3 (c) For the purpose of computing state aids for a school district, an eligible student
 10.4 enrolled according to this subdivision shall be counted in the average daily membership of
 10.5 the school district as though the eligible student were enrolled full time in the school district.

10.6 Subd. 11. **Participation in high school activities.** Enrolling in a course ~~under~~
 10.7 ~~this section~~ shall not, by itself, prohibit ~~a pupil~~ an eligible student from participating in
 10.8 extracurricular activities sponsored by the pupil's high school eligible student's school
 10.9 district or school.

10.10 Subd. 12. **Credits.** ~~A pupil must not audit a course under this section.~~ A school
 10.11 district shall grant academic credit to a pupil an eligible student enrolled in a course ~~for~~
 10.12 ~~secondary credit~~ if the pupil eligible student successfully completes the course. ~~Seven~~
 10.13 ~~quarter or four~~ One semester college credits course, at a minimum of four credits, earned at
 10.14 an eligible institution shall equal at least one full year of high school credit. Fewer college
 10.15 credits may be prorated. A district must also grant academic credit to a pupil enrolled
 10.16 in a course for postsecondary credit if secondary credit is requested by a pupil. If no
 10.17 comparable course is offered by the district, the district must, as soon as possible, notify the
 10.18 commissioner, who shall determine the number of credits that shall be granted to a pupil
 10.19 who successfully completes a course. If a comparable course is offered by the district, the
 10.20 school board shall grant a comparable number of credits to the pupil. If there is In the event
 10.21 of a dispute between the school district and the pupil eligible student regarding the number
 10.22 of credits granted for a particular course, the pupil eligible student may appeal the ~~board's~~
 10.23 school district's decision to the commissioner. The commissioner's decision regarding the
 10.24 number of credits to be granted the eligible student shall be final and not subject to appeal.

10.25 The secondary credits granted to ~~a pupil~~ an eligible student must be counted toward
 10.26 the graduation requirements and subject area requirements of the school district. Evidence
 10.27 of successful completion of each course and secondary credits granted must be included
 10.28 in the ~~pupil's~~ eligible student's secondary school record. ~~A pupil~~ An eligible student
 10.29 shall provide the school district with a copy of the pupil's eligible student's grade in
 10.30 each course ~~taken for secondary credit under this section.~~ Upon the request of ~~a pupil,~~
 10.31 ~~the pupil's secondary school record~~ an eligible student, and eligible student's transcript
 10.32 must also include evidence of successful completion and credits granted for a course
 10.33 ~~taken for postsecondary credit. In either case, the record must indicate that the credits~~
 10.34 ~~were earned at a postsecondary institution.~~

10.35 If a ~~pupil enrolls in a postsecondary institution after leaving secondary school, the~~
 10.36 ~~postsecondary institution must award postsecondary credit for any course successfully~~

11.1 ~~completed for secondary credit at that institution. Other postsecondary institutions may~~
 11.2 ~~award, after a pupil leaves secondary school, postsecondary credit for any courses~~
 11.3 ~~successfully completed under this section. An institution may not charge a pupil for~~
 11.4 ~~the award of credit.~~

11.5 ~~The Board of Trustees of the Minnesota State Colleges and Universities and the Board~~
 11.6 ~~of Regents of the University of Minnesota must, and private nonprofit and proprietary~~
 11.7 ~~postsecondary institutions should, award postsecondary credit for any successfully~~
 11.8 ~~completed courses in a program certified by the National Alliance of Concurrent~~
 11.9 ~~Enrollment Partnerships offered according to an agreement under subdivision 10.~~

11.10 Subd. 13. **Financial arrangements.** For a pupil enrolled in a course under this
 11.11 section, (a) The department must make payments according to this subdivision to the
 11.12 eligible student's school district for courses that were taken for secondary credit.

11.13 (b) The department must not make payments to a school district or postsecondary
 11.14 an eligible institution for a course taken by an eligible student for postsecondary credit
 11.15 only. The department must not make payments to a postsecondary an eligible institution
 11.16 for a course from which a an eligible student officially withdraws during the first 14
 11.17 days of the quarter or semester or who has been absent from the postsecondary eligible
 11.18 institution for the first 15 consecutive school days of the quarter or semester and is not
 11.19 receiving instruction in the home or hospital.

11.20 ~~A postsecondary~~ (c) The department shall pay an eligible institution shall receive
 11.21 the following:

11.22 (1) ~~for an institution granting quarter credit, the reimbursement per credit hour shall~~
 11.23 ~~be an amount equal to 88 percent of the product of the formula allowance minus \$425,~~
 11.24 ~~multiplied by 1.2, and divided by 45; or~~

11.25 (2) ~~for an institution granting semester credit, the reimbursement per credit hour~~
 11.26 ~~shall be an amount equal to 88~~ four percent of the product of the general revenue formula
 11.27 allowance minus \$425, multiplied by 1.2, and divided by 30 per semester credit.

11.28 (d) The department must pay to each postsecondary eligible institution 100 percent
 11.29 of the amount in clause (1) or (2) paragraph (c) within 30 days of receiving an eligible
 11.30 student's initial enrollment information each quarter or semester. If changes in enrollment
 11.31 occur during a quarter or semester, the change shall be reported by the postsecondary
 11.32 eligible institution at the time the enrollment information for the succeeding quarter or
 11.33 semester is submitted. At any time the department notifies a postsecondary an eligible
 11.34 institution that an overpayment has been made, the eligible institution shall promptly
 11.35 remit the amount due to the department.

12.1 Subd. 14. **Grants and financial aid prohibited.** ~~A pupil~~ An eligible student
 12.2 enrolled in a ~~postsecondary~~ course for secondary credit is not eligible for any state student
 12.3 financial aid under chapter 136A.

12.4 ~~Subd. 16. **Financial arrangements for courses provided according to**~~
 12.5 ~~**agreements.** (a) The agreement between a board and the governing body of a public~~
 12.6 ~~postsecondary system or private postsecondary institution shall set forth the payment~~
 12.7 ~~amounts and arrangements, if any, from the board to the postsecondary institution. No~~
 12.8 ~~payments shall be made by the department according to subdivision 13. For the purpose~~
 12.9 ~~of computing state aids for a district, a pupil enrolled according to subdivision 10 shall be~~
 12.10 ~~counted in the average daily membership of the district as though the pupil were enrolled~~
 12.11 ~~in a secondary course that is not offered in connection with an agreement. Nothing in~~
 12.12 ~~this subdivision shall be construed to prohibit a public postsecondary system or private~~
 12.13 ~~postsecondary institution from receiving additional state funding that may be available~~
 12.14 ~~under any other law.~~

12.15 ~~(b) If a course is provided under subdivision 10, offered at a secondary school, and~~
 12.16 ~~taught by a secondary teacher, the postsecondary system or institution must not require a~~
 12.17 ~~payment from the school board that exceeds the cost to the postsecondary institution that~~
 12.18 ~~is directly attributable to providing that course.~~

12.19 Subd. 17. **Alternative pupils financial arrangements.** For an alternative pupil
 12.20 enrolled in a course or program under this section, the Department of Education shall
 12.21 make payments to the eligible institution according to subdivision 13. The department
 12.22 shall not make any payments to a school district for alternative pupils.

12.23 ~~Subd. 18. **Tuition at nonpublic secondary institution.** A nonpublic secondary~~
 12.24 ~~institution must proportionately adjust its tuition to accurately reflect the time an~~
 12.25 ~~alternative pupil spends in a postsecondary enrollment course or program.~~

12.26 Subd. 19. **Fees; for services and student-owned textbooks; equipment, and**
 12.27 **materials.** ~~A postsecondary~~ An eligible institution that receives reimbursement for a ~~pupil~~
 12.28 an eligible student under subdivision 13 may not charge ~~that pupil~~ the eligible student
 12.29 for fees, textbooks, materials, ~~support~~ the provision of any of the services as defined in
 12.30 described in the eligible institution's policy established pursuant to section 135A.16,
 12.31 or other necessary costs of the course or program in which the ~~pupil~~ eligible student is
 12.32 enrolled if the charge would be prohibited under section 123B.37, except for equipment
 12.33 purchased by the ~~pupil~~ eligible student that becomes the property of the ~~pupil~~ eligible
 12.34 student. An eligible institution may require the ~~pupil~~ eligible student to pay for fees,
 12.35 textbooks, and materials for a course taken for postsecondary credit.

13.1 Subd. 20. **Institution-owned textbooks; and materials.** All textbooks and
 13.2 equipment provided to a ~~pupil~~ an eligible student, and paid for under subdivision 13, are
 13.3 the property of the ~~pupil's postsecondary~~ eligible institution. Each ~~pupil~~ eligible student is
 13.4 required to return all textbooks and equipment to the ~~postsecondary~~ eligible institution
 13.5 after the eligible student's participation in the course has ended.

13.6 Subd. 21. **Special education support services.** The ~~postsecondary~~ eligible
 13.7 institution must inform the ~~pupil~~ eligible student and parents or guardian of the ~~support~~
 13.8 services available at that institution in accordance with the eligible institution's policy
 13.9 under section 135A.16. If the eligible student has an individualized education program
 13.10 that ~~provides general education support and accommodations~~ includes accommodations
 13.11 and supplementary aides and services, including paraprofessional services, to allow the
 13.12 student to participate in the general education setting in the student's school district, the
 13.13 ~~postsecondary~~ eligible institution must provide the ~~support services as accommodations~~
 13.14 and supplementary aides and services, including paraprofessional services, described in
 13.15 the eligible student's IEP and the postsecondary individualized education program while
 13.16 the eligible student is enrolled in a course. Neither the eligible institution nor a school
 13.17 district shall be obligated to provide special education, as defined in federal law, or
 13.18 transportation as a related service, in connection with an eligible student's participation in
 13.19 a course. The eligible institution and the eligible student's school district shall negotiate an
 13.20 agreement on the reasonable rate to be charged to the school district for the provision of
 13.21 any accommodations and supplementary aides and services, including paraprofessional
 13.22 services, described in the eligible student's individualized education program. ~~Nothing~~
 13.23 ~~in this section shall prevent~~ The eligible student from enrolling shall be permitted to
 13.24 enroll in a course while the agreement between the eligible student's school district and
 13.25 the eligible institution is being developed finalized. If the parties cannot agree on the
 13.26 services reasonable rate to be charged, on application of either party, the commissioner
 13.27 shall resolve the dispute in the same manner the commissioner fixes tuition rates under
 13.28 section 125A.11. The commissioner's decision is binding on both parties.

13.29 Subd. 22. **Transportation.** ~~(a)~~ The parent or guardian of an eligible student is
 13.30 responsible for transporting the eligible student to and from the eligible institution.
 13.31 A parent or guardian of a ~~pupil~~ an eligible student enrolled in a course for secondary
 13.32 credit who is unable to pay the costs of transportation may apply to the ~~pupil's district of~~
 13.33 residence eligible student's school district for mileage reimbursement for transporting the
 13.34 pupil eligible student between the secondary school in which the ~~pupil~~ eligible student is
 13.35 enrolled or the ~~pupil's~~ eligible student's home and the ~~postsecondary~~ eligible institution that
 13.36 the ~~pupil~~ eligible student attends. ~~The state shall provide state aid to a district in an amount~~

14.1 sufficient to reimburse the parent or guardian for the necessary transportation costs when
 14.2 the family's or guardian's income is at or below the poverty level, as determined by the
 14.3 federal government. The amount of the mileage reimbursement shall be the pupil's actual
 14.4 cost of transportation or 15 cents per mile traveled, whichever is less. Reimbursement
 14.5 may not be paid for more than 250 miles per week. However, if the nearest ~~postsecondary~~
 14.6 eligible institution is more than 25 miles from the ~~pupil's resident~~ secondary school in
 14.7 which the eligible student is enrolled, the weekly reimbursement may not exceed the
 14.8 ~~reimbursement rate per mile~~ 15 cents per mile traveled times the actual distance between
 14.9 the secondary school or the pupil's home and the nearest ~~postsecondary institution times~~
 14.10 ten eligible institution. ~~The state must pay aid to the district according to this subdivision.~~
 14.11 The state shall provide state aid to a school district in an amount sufficient to reimburse the
 14.12 parent or guardian for the necessary transportation costs when the family's or guardian's
 14.13 income is at or below the poverty level, as determined by federal law.

14.14 (b) ~~A parent or guardian of an alternative pupil enrolled in a course for secondary~~
 14.15 ~~credit may apply to the pupil's postsecondary institution for reimbursement for~~
 14.16 ~~transporting the pupil between the secondary school in which the pupil is enrolled or the~~
 14.17 ~~pupil's home and the postsecondary institution in an amount sufficient to reimburse the~~
 14.18 ~~parent or guardian for the necessary transportation costs when the family's or guardian's~~
 14.19 ~~income is at or below the poverty level, as determined by the federal government. The~~
 14.20 ~~amount of the reimbursement shall be determined as in paragraph (a). The state must pay~~
 14.21 ~~aid to the postsecondary institution according to this subdivision.~~

14.22 Subd. 24. **Limit; state obligation.** The provisions of subdivisions 13, 19, and
 14.23 22 shall not apply for any ~~postsecondary~~ courses in which a ~~pupil~~ an eligible student is
 14.24 enrolled in addition to being enrolled full time in ~~that pupil's~~ the eligible student's school
 14.25 ~~district or for any postsecondary course in which a pupil~~ an eligible student is enrolled
 14.26 for postsecondary credit. ~~The pupil~~ An eligible student is enrolled full time in the school
 14.27 district if the pupil eligible student attends credit-bearing classes in ~~the high school or high~~
 14.28 ~~school program~~ a secondary school for all of the available hours of instruction.

14.29 Subd. 25. **Pupils Eligible students 40 miles or more from an eligible institution.**
 14.30 ~~A pupil~~ An eligible student who is enrolled in a secondary school that is located 40 miles
 14.31 or more from the nearest eligible institution may request that the ~~resident district~~ eligible
 14.32 student's school district offer at least one accelerated or advanced academic course within
 14.33 the ~~resident school~~ district in which the ~~pupil~~ eligible student may enroll for postsecondary
 14.34 credit. ~~A pupil~~ An eligible student may enroll in a course offered under this subdivision
 14.35 for either secondary or postsecondary credit according to subdivision 12.

15.1 ~~A district must offer an accelerated or advanced academic course for postsecondary~~
 15.2 ~~credit if one or more pupils requests such a course under this subdivision. The district~~
 15.3 ~~may decide which course to offer, how to offer the course, and whether to offer one or~~
 15.4 ~~more courses. The district must offer at least one such course in the next academic period~~
 15.5 ~~and must continue to offer at least one accelerated or advanced academic course for~~
 15.6 ~~postsecondary credit in later academic periods.~~

15.7 ~~Subd. 26. **Pupils less than 40 miles from an eligible institution.** A pupil enrolled~~
 15.8 ~~in a secondary school that is located less than 40 miles from the nearest eligible institution~~
 15.9 ~~may enroll in a postsecondary course provided at the secondary school.~~

15.10 Sec. 6. Minnesota Statutes 2014, section 124D.091, subdivision 3, is amended to read:

15.11 Subd. 3. **Aid.** An eligible district shall receive \$150 four percent of the general
 15.12 education formula allowance per pupil enrolled in a concurrent enrollment course. The
 15.13 money must be used to defray the cost of delivering the course at the high school. The
 15.14 commissioner shall establish application procedures and deadlines for receipt of aid
 15.15 payments.

15.16 **EFFECTIVE DATE.** This section is effective for fiscal year 2016 and later.

15.17 Sec. 7. Minnesota Statutes 2014, section 136D.73, subdivision 4c, is amended to read:

15.18 Subd. 4c. **Applicable law.** Insofar as applicable, sections 120A.22, subdivision
 15.19 1, ~~120B.14~~, 120B.35, 121A.21, 122A.44, 122A.69, 123A.22, 123A.24, 123B.02,
 15.20 subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 17, 18, 19, and 20, 123B.49,
 15.21 123B.51, 123B.52, 123B.88, 124D.02, 124D.09, and 124D.51 shall apply.

15.22 Sec. 8. **APPROPRIATIONS.**

15.23 \$..... in fiscal year 2016 and \$..... in fiscal year 2017 are appropriated from the
 15.24 general fund to the commissioner of education for the purposes of the postsecondary
 15.25 enrollment options program under Minnesota Statutes, section 124D.09.

15.26 Sec. 9. **REVISOR'S INSTRUCTION.**

15.27 (a) The revisor shall renumber Minnesota Statutes, section 120B.131, subdivisions
 15.28 1, 2, and 3, as Minnesota Statutes, section 124D.09, subdivision 12a, paragraphs (a),
 15.29 (b), and (c).

15.30 (b) The revisor shall renumber Minnesota Statutes, section 124D.091, subdivisions 2
 15.31 and 3, as Minnesota Statutes, section 124D.09, subdivision 10a, paragraphs (a) and (b).

16.1 (c) The revisor shall make cross-reference and grammatical changes as necessary to
16.2 implement the changes in paragraphs (a) and (b).

16.3 Sec. 10. **REPEALER.**

16.4 Minnesota Statutes 2014, section 120B.14, is repealed.

120B.14 ADVANCED ACADEMIC CREDIT.

A district must grant academic credit to a pupil attending an accelerated or advanced academic course offered by a higher education institution or a nonprofit public agency other than the district, if the pupil successfully completes the course attended and passes an examination approved by the district. If no comparable course is offered by the district, the commissioner shall determine the number of credits which shall be granted to a pupil who successfully completes and passes the course. If a comparable course is offered by the district, the board must grant a comparable number of credits to the pupil. If there is a dispute between the district and the pupil regarding the number of credits granted for a particular course, the pupil may appeal the school board's decision to the commissioner. The commissioner's decision regarding the number of credits shall be final.

The credits granted to a pupil shall be counted toward the graduation requirements and subject area requirements of the district. Evidence of successful completion of each class and credits granted shall be included in the pupil's secondary school record.