

CHAPTER 3505
STATE BOARD OF EDUCATION
VOCATIONAL SCHOOL PROGRAMS

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APPROVAL OF DEPARTMENTS AND CLASSES

3505.0200 APPLICATION FOR APPROVAL OF DEPARTMENTS AND CLASSES.

Written application for the approval of agriculture, business and office, distributive, home economics, trade and industrial education, vocational education for health occupations and technical occupations, and industrial education departments or classes to be established by school districts in classified secondary and postsecondary schools shall be made to the State Board for Vocational Education (State Board of Education).

Statutory Authority: *MS s 121.21 subd 6; 124.573 subd 2*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4.

3505.0300 STANDARDS FOR APPROVAL.

Approval by the State Board for Vocational Education of applications of school districts to establish departments and classes in the specialized fields, as stated in part 3505.0200, shall be conditioned on the meeting of the following standards. There shall be provided:

A. sufficient and suitable facilities laboratories, shops, classrooms, equipment, supplies, and adequate storage for the course to be offered;

B. approved courses and time allotments, based on the state curriculum guide for each subject field and the standards stated in this chapter;

C. curriculum guide for each department or class, one copy for the teacher, and one copy on file in the office of the superintendent or principal;

D. teachers properly certificated to teach the courses in the special subject field to which assigned;

E. sufficient and up-to-date reference materials and audio and visual aids for the courses offered;

F. class periods at least 50 minutes in length, exclusive of the time allowed between classes for the passing of pupils, in schools maintaining a seven-period daily schedule and not less than 55 minutes in length, exclusive of passing time, in schools maintaining a six-period daily schedule;

G. class size conducive to efficient teaching and not exceeding the number which the space and equipment will accommodate effectively; and

H. records on file and accessible to the teacher which indicate department inventory of equipment, equipment and supplies needed, budget allowance, expenditures, texts, reference materials, course outlines, teaching plans, pupil data, and copies of vocational agreements and other required reports.

Credits for courses in approved departments or classes shall be allowed as for other secondary subjects.

Statutory Authority: *MS s 121.21 subd 6; 124.573 subd 2*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4.

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3505.0400 PROCEDURE FOR WITHHOLDING APPROVAL OF A DEPARTMENT.

After a department has been officially visited or checked by other means and subsequently by a State Department of Education supervisor, a written report is submitted to the school authorities enumerating deficiencies or matters in need of correction. A reasonable time shall be proposed to make the corrections. This time may be the current year or it may extend beyond the current year. If the corrections are not made within the allotted time, a recommendation will be submitted to the State Board of Education at its annual meeting that the approval of the department shall be withdrawn. If this recommendation is approved by the State Board of Education, the approval of the department shall be withdrawn forthwith. Whenever a school loses its approval of a department, the local board of education must make application and meet the same requirements as for a new department.

Statutory Authority: *MS s 121.21 subd 6; 124.573 subd 2*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4.

3505.0500 ITINERANT TEACHER FIELD PROGRAM.

Subpart 1. **Application.** When a school district or districts desire but cannot provide vocational instruction for the related training required by apprentices and other learners in the trade and industrial and in the distributive fields, such district or districts may request itinerant teacher services. Application shall be made to the State Board for Vocational Education.

Subp. 2. **Requirements.** Itinerant teachers shall be under the direction and supervision of the chief supervisor of the vocational field in which the instruction is to be given. The course or courses to be offered shall be a bona fide vocational course recognized by the Minnesota state plan for vocational education. The course or courses to be offered shall not supplant a local course or courses.

Statutory Authority: *MS s 136C.37 subd 2*

3505.0600 BUSINESS EDUCATION; NONREIMBURSED; REQUIREMENTS FOR APPROVED PROGRAM, CLASSIFIED SECONDARY SCHOOL.

Courses in vocational business education shall be offered in the 10th, 11th, and 12th grades. Basic business shall be offered as an elective. If instruction in one year of shorthand is given, instruction in transcription, the advanced course, must also be offered if the school wishes to have an approved department. All courses in vocational business education shall be given at least five periods per week throughout the school year. The number of pupils per teacher per class in office practice shall not exceed 20.

Statutory Authority: *MS s 121.11 subd 7*

3505.0700 GENERAL AGRICULTURE EDUCATION; NONREIMBURSED; REQUIREMENTS FOR APPROVED PROGRAMS WHEN OFFERED IN CLASSIFIED SECONDARY SCHOOLS.

When general agriculture is offered below the ninth school year, it shall be given under one of the following plans:

A. Plan A. Seventh or eighth school year, five periods per week throughout the year.

B. Plan B. Seventh school year, five periods per week for one semester. Eighth school year, five periods per week for one semester.

General agriculture instruction in the ninth school year shall be scheduled at least five periods per week throughout the year. General agriculture instruction at the senior secondary school level shall be scheduled at least five periods per

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week throughout the year. General agriculture classes at the senior secondary school level may combine pupils from the 10th and 11th, or 11th and 12th years.

Statutory Authority: *MS s 121.11 subd 7*

3505.0800 HOME ECONOMICS REQUIREMENTS FOR CLASSIFIED SECONDARY SCHOOLS; NONVOCATIONAL AND NONREIMBURSED.

At least two full years of home economics instruction shall be maintained in a department in a junior secondary school, at least one full school year in a department in a senior secondary school, and at least three full school years in a home economics department in any other type of secondary school. It shall be given in the 7th, 8th, or 9th and 10th, 11th, or 12th years. Home economics shall be required for all 7th, 8th, or 9th grade pupils with the exception that any pupil may be excused who has completed or who will complete a program in industrial education pursuant to part 3505.0900 or for reason of ill health or physical disability. Home economics instruction below the ninth school year shall be offered under one of the following plans:

A. Plan A. Seventh or eighth school year, five periods per week throughout the year.

B. Plan B. Seventh school year, five periods per week for one semester. Eighth school year, five periods per week for one semester.

Home economics instruction in the ninth school year shall be offered at least five periods per week throughout the school year. All courses in home economics which are maintained at the senior secondary school level shall be scheduled five periods per week, throughout the year.

Statutory Authority: *MS s 121.11 subd 7*

3505.0900 INDUSTRIAL EDUCATION.

Subpart 1. **Requirements for an approved program.** At least two full years of industrial education instruction shall be maintained in a department in a junior secondary school, at least one full school year in a department in a senior secondary school, and at least three full school years in an industrial education department in any other type of secondary school. Industrial education shall be required for all 7th and 8th grade pupils in an approved department with the exception that any pupil may be excused who has completed or who will complete a program in home economics instruction pursuant to part 3505.0800 or for reason of health or physical disability. Additional courses in industrial education in an approved department shall be offered in the 9th, 10th, 11th, and 12th years.

In the smaller school, when the total number of pupils electing senior secondary school industrial education is not sufficient to make separate classes for years 10, 11, and 12, pupils from these years may be combined into one class. The instruction must be planned so that the pupil will not repeat the same instructional units in two successive years. All pupils of a given 7th, 8th, or 9th year class, under one teacher, and for a given period, shall receive instruction in the same media, or shop area such as woodwork, at the same time.

Subp. 2. **Time allotments.** Industrial education instruction in the 9th year shall be offered at least five periods per week throughout the school year. All courses in industrial education which are maintained at the senior secondary school level shall be scheduled for a minimum of five periods per week throughout the school year.

Statutory Authority: *MS s 121.11 subd 7*

RULES FOR VOCATIONAL-TECHNICAL EDUCATION

3505.1000 DEFINITIONS.

Subpart 1. **Scope.** For the purpose of parts 3505.1000 to 3505.2300, the words, phrases, and terms defined in this part shall have the meanings respectively ascribed to them.

Subp. 2. **Adult vocational education.** "Adult vocational education" means vocational education for persons who have completed or left high school which prepares them to enter, reenter, or to progress in paid or unpaid employment.

Subp. 3. **Authorized local administrator.** "Authorized local administrator" means the licensed vocational administrator who has major responsibility for vocational education at the secondary, postsecondary and/or adult level for a district, center, or AVTI. The superintendent may act as the authorized local administrator in the absence of a vocational administrator.

Subp. 4. **Bona fide sale.** "Bona fide sale" means the competitive sale of unneeded property which results in the highest possible investment return.

Subp. 5. **Career education.** "Career education" means the process of helping individuals acquire and use those attitudes, skills, and knowledge needed to develop and manage a reasoned, socially purposeful, and personally valued life pattern in relation to work of whatever kind.

Subp. 6. **Center.** "Center" means a vocational or cooperative center.

Subp. 7. **Classroom instruction.** "Classroom instruction" means an in-school instructional method involving discussion, lecture, and other forms of communication.

Subp. 8. **Competencies.** "Competencies" means skills, knowledge, or attitudes necessary for functioning in a specific occupation.

Subp. 9. **Component.** "Component" means a unit of instruction that contributes to the accomplishment of the program objectives.

Subp. 10. **Cooperative center.** "Cooperative center" means two or more districts meeting all provisions of Minnesota statutes, which provide expanded educational options by sharing vocational programs which have been approved by the State Board for Vocational Education.

Subp. 11. **Employment related community-based education.** "Employment related community-based education" (coop experience) means instruction enabling students to prepare for their tentative career objectives or develop general employability skills through the coordination of vocationally related in-school instruction and supervised part-time on-the-job training.

Subp. 12. **Entrepreneurship.** "Entrepreneurship" means a school-supervised business venture undertaken to teach the free enterprise system, including the functions of organizing and managing the factors of production or a distribution of goods or services.

Subp. 13. **Entry level skills.** "Entry level skills" means those basic occupational competencies which enable a person to enter initial employment.

Subp. 14. **Essential licensed personnel.** "Essential licensed personnel" means staff assigned to approved vocational education programs who meet criteria for vocational education licensure set forth by the Minnesota State Board for Vocational Education and who have been issued a license.

Subp. 15. **Exploratory work experience.** "Exploratory work experience" means a school supervised program designed to provide students with paid or unpaid on-the-job work experience in a variety of occupations, to help the students identify job traits in relation to their abilities and characteristics and to assist them in making realistic and appropriate occupational choices.

Subp. 16. **Extended employment.** "Extended employment" means paid time when staff is employed beyond the regular school calendar, which is necessary for job placement and coordination, development of training plans and training agreements, equipment maintenance, supply procurement, inventory and storage, laboratory organizations, etc.

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Subp. 17. **Extended time student.** "Extended time student" means a student who is in attendance more than six hours but less than nine hours per day.

Subp. 18. **Full-time adult vocational enrollee.** "Full-time adult vocational enrollee" means a person who is enrolled in a program of adult vocational education in which instruction is available on a daily basis throughout the school year.

Subp. 19. **Instructional site.** "Instructional site" means a facility or location where students have an opportunity to achieve educational goals and individual program objectives.

Subp. 20. **Internship.** "Internship" means a training program involving class instruction followed by a supervised, full-time or part-time position at an approved training station.

Subp. 21. **Laboratory instruction.** "Laboratory instruction" means an in-school instructional method involving the practice of skills with appropriate equipment and supplies used within the occupation.

Subp. 22. **Local education agency.** "Local education agency" means a public educational agency, at the local level, which exists primarily to operate schools or to contract for educational services.

Subp. 23. **Necessary equipment.** "Necessary equipment" means items of equipment that meet the criteria as defined in the uniform financial accounting and reporting system (UFARS), and are identified by the local school district as essential to support the teaching of occupational competencies in approved vocational programs.

Subp. 24. **Nonexpendable personal property.** "Nonexpendable personal property" means tangible personal property having a useful life of more than one year and an acquisition cost of \$300 or more, per unit.

Subp. 25. **Occupation.** "Occupation" means paid or unpaid employment including, but not limited to, salaried jobs, self-employment, and homemaking.

Subp. 26. **Occupational relations.** "Occupational relations" means learning experiences including work adjustment concepts, interpersonal skills involving relationships with other workers and supervisors, understandings and attitudes common to all work stations, and specific instruction as identified in a training plan.

Subp. 27. **Postsecondary part-time student.** "Postsecondary part-time student" means any student attending a postsecondary program fewer than six hours per day or 30 hours per week.

Subp. 28. **Postsecondary vocational education.** "Postsecondary vocational education" means vocational education for persons who have completed or left high school and who are enrolled in organized programs of study.

Subp. 29. **Prevocational education.** "Prevocational education" means programs, services, or activities designed to provide youth and adults with orientation, guidance, exploration, and instruction to assist them in making meaningful career decisions.

Subp. 30. **Secondary vocational course.** "Secondary vocational course" means one or more components of a secondary vocational instructional program.

Subp. 31. **Secondary vocational education.** "Secondary vocational education" means programs for grades 10 to 12 that meet the requirements of part 3505.2500, items A to C, and work experience/career exploration programs.

Subp. 32. **Simulation.** "Simulation" means an in-school instructional method involving the application of skills with a realistic flow of work and in a realistic setting for the occupation.

Subp. 33. **Student full-time equivalent (FTE).** "Student full-time equivalent (FTE)" means a student enrolled full-time in an approved educational program, six hours per day for 175 days per year or its equivalent.

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Subp. 34. **Student-staff ratio.** "Student-staff ratio" means the relationship between the number of FTE students and the number of FTE teachers in each approved vocational program.

Subp. 35. **Students with special needs.** "Students with special needs" means students who are handicapped or disadvantaged.

Students identified as handicapped are defined in Minnesota Statutes, section 120.03 and cannot succeed in regular vocational programs.

Disadvantaged students are those who have academic or economic disadvantages and require special programs, modified programs or supportive services to assist them in succeeding in a vocational education program. Students with academic and economic disadvantages may lack reading, writing, mathematic skills, perform below grade level, the family income is at or below national poverty level, the student or his/her parent(s) or guardian is unemployed, the student or his/her parent(s) is a recipient of public assistance, or the student is institutionalized or under the state's guardianship.

Subp. 36. **Support service.** "Support service" means noninstructional activities, services, and functions carried out to aid and improve the quality of vocational education programs.

Subp. 37. **Teacher full-time equivalent.** "Teacher full-time equivalent" means a certified vocational instructor who teaches the equivalent of six hours per day for 175 days per year or its equivalent.

Subp. 38. **Third party appraisal.** "Third party appraisal" means establishing a price for nonexpendable personal property by an independent appraiser who is free from any conflicting interests.

Subp. 39. **Training agreement.** "Training agreement" means an agreement signed by the employer, the student, the parent or guardian when student is below 18, and the instructor-coordinator, which defines their respective responsibilities, and includes pertinent information regarding supervision of the student at the training station.

Subp. 40. **Training plan.** "Training plan" means a written plan developed by the instructor-coordinator, the employer and/or supervisor, and the student that indicates what is to be learned by that student and whether it is to be learned in the classroom or at the training station after a careful analysis of the student's career objective and the learning opportunities available at the training station.

Subp. 41. **Training station.** "Training station" means that site at which a student acquires actual work experience.

Subp. 42. **Vocational administrator.** "Vocational administrator" means a person who holds a vocational administration license appropriate to the level being served (secondary, postsecondary, and adult) and is assigned to provide management and leadership in vocational education.

Subp. 43. **Vocational aid.** "Vocational aid" means categorical, state and federal funding for secondary, postsecondary, and adult vocational programs meeting criteria set forth in rules.

Subp. 44. **Vocational center.** "Vocational center" means two or more senior high schools in a single district that share secondary vocational programs that meet rules relating to vocational centers and have been approved by the State Board for Vocational Education.

Subp. 45. **Vocational education.** "Vocational education" means organized educational programs, services, and activities which are related to the preparation of individuals for paid or unpaid employment or for additional preparation for a career requiring technical skills other than a baccalaureate or advanced degree.

Subp. 46. **Vocational instructional program.** "Vocational instructional program" means an educational activity or a series of instructional components designed to meet the program objectives for the period of instruction.

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Subp. 47. **Vocational program advisory committee.** "Vocational program advisory committee" means a group of persons with competence or interests in an occupational field related to the program being served, selected for the purpose of offering advice to instructors and/or administrators regarding vocational education. At least 50 percent of the members shall be representatives of a directly related business, labor and industry.

Subp. 48. **Vocational student organization.** "Vocational student organization" means organizations of vocational students which provide the opportunity for the development of leadership abilities, personal improvement of individual members, and aid in their transition from school to career.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a; 124.5621 subd 13; 124.573 subds 3.3a; 124.574 subds 4.5; 136C.38 subd 4*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, sections 124.561 and 124.5621 were repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

3505.1100 STANDARDS FOR PROGRAM APPROVAL.

Written application for the approval of vocational programs by local education agencies shall be made to the commissioner of education. The commissioner's approval to establish vocational programs shall be conditioned on meeting the following minimum standards.

All programs shall be assigned vocationally licensed instructional staff as specified in the state plan for vocational-technical education. Sufficient and suitable facilities including laboratories, shops, classrooms, equipment, supplies, and adequate storage for the course to be offered shall be provided. Class size conducive to efficient teaching and not exceeding the number which the space and equipment will accommodate effectively shall be maintained. Programs shall comply with federal and/or state civil rights laws, labor laws, and wage and hour statutes where applicable. School districts and centers shall maintain accounting and reporting records according to a uniform financial accounting and reporting system (UFARS) and all such records shall be available to the department of education. A student shall not be denied access to vocational education programs because of handicapped or disadvantaged status. A person with special needs shall be defined as handicapped or disadvantaged to be eligible for enrollment in special needs vocational programs. Special needs vocational programs shall be eligible for aid assistance. The authorized local administrator shall be responsible for coordinating vocational education programs with comprehensive employment training act prime sponsors. Programs shall also meet appropriate level (secondary, postsecondary, or adult) criteria designated by these rules.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a; 124.5621 subd 13; 124.573 subds 3.3a; 124.574 subds 4.5; 136C.38 subd 4*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, sections 124.561 and 124.5621 were repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

3505.1200 OPPORTUNITY TO APPEAL.

Districts or centers whose vocational programs or courses have been disapproved by the commissioner of education may appeal in writing to the commissioner of education for submission to the State Board for Vocational Education and are entitled to a hearing date at a regular or special board meeting. The State Board for Vocational Education will notify the districts or centers of the time and place of the hearing in writing. Upon completion of the hearing, the decision of the State Board for Vocational Education and the reasons for the decision will be made in writing and transmitted to the local education agency. The decision of the State Board for Vocational Education shall be the final state action.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a; 124.5621 subd 13; 124.573 subds 3.3a; 124.574 subds 4.5; 136C.38 subd 4*

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NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, sections 124.561 and 124.5621 were repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

3505.1300 EVALUATION BY STATE BOARD FOR VOCATIONAL EDUCATION.

The Division of Vocational-Technical Education will evaluate, in quantitative terms, the effectiveness of each formally organized program or project supported by federal, state, and local funds. The local education agency shall supply, upon request, the data necessary to make the evaluations. These evaluations shall be in terms of:

- A. planning and operational processes, such as:
 - (1) quality and availability of instructional offerings;
 - (2) guidance, counseling and placement, and follow-up services;
 - (3) capacity and condition of facilities and equipment;
 - (4) employer participation in cooperative programs of vocational education;
 - (5) teacher/pupil ratios; and
 - (6) teacher qualifications;
- B. results of student achievement as measured, for example, by standard occupational proficiency measures, criterion referenced tests, and other examinations of student's skills, knowledge, attitudes, and readiness for entering employment successfully;
- C. results of student employment success as measured, for example, by rates of employment and unemployment, wage rates, duration of employment, and employer satisfaction with performance of vocational education students as compared with performance of persons who have not had vocational education;
- D. other results as measured by services to special populations, such as women, members of minority groups, handicapped persons, and disadvantaged persons.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a; 124.5621 subd 13; 124.573 subds 3.3a; 124.574 subds 4.5; 136C.38 subd 4*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, sections 124.561 and 124.5621 were repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

3505.1400 LOCAL ADVISORY COMMITTEE.

Subpart 1. Establishment of local advisory committee. Each eligible recipient local education agency or postsecondary educational institution which receives federal assistance shall establish a local advisory committee on vocational education. The local advisory committee may be established for schools, the community, or the region in which the eligible recipient is located.

The local advisory committee shall be composed of representatives of the general public including representatives of directly related business, industry, and labor.

Representatives from several program committees, or representatives of several school committees within a local education agency, having the requisite representation in the above paragraph, may join together to form a general local advisory committee.

Subp. 2. Duties of local advisory committee. The local advisory committee shall advise the eligible recipient on the current job needs and the relevance of programs (courses) being offered by the local education agency or postsecondary educational institution in meeting current job needs. The local advisory committee shall assist the eligible recipient in developing its application to the State Board for Vocational Education.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a; 124.5621 subd 13; 124.573 subds 3.3a; 124.574 subds 4.5; 136C.38 subd 4*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, sections 124.561 and 124.5621 were repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

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3505.1500 CENTER APPROVAL.

State Board for Vocational Education approval is necessary if a vocational center is to be eligible for secondary or adult vocational aid or other aid available to approved vocational centers. The superintendent representing a district school board or a center governing board may submit a request to the commissioner of education for approval by the State Board for Vocational Education when the following criteria have been met.

Vocational programs shall be shared by one of the following methods: two or more Minnesota school districts operating a cooperative center having met provisions of applicable Minnesota Statutes, or intermediate school districts established by the legislature to serve two or more independent school districts, or a school district sharing secondary vocational education among two or more senior high schools.

A licensed secondary vocational administrator or the superintendent for a district shall be responsible for the vocational programs.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a; 124.5621 subd 13; 124.573 subds 3,3a; 124.574 subds 4,5; 136C.38 subd 4*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, sections 124.561 and 124.5621 were repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

3505.1600 LOCAL APPLICATIONS FOR AID.

To be eligible for aids, the local education agency shall submit the following to the commissioner of education:

A. assurances of compliances, signed by the authorized local administrator and the local state board representative;

B. local labor market information on employee demand which is supplemental to data available from the state;

C. an approved evaluation document which reports secondary and postsecondary program output by completion and by entry into an occupation;

D. information concerning enrollments; enrollments and costs of current programs in the fiscal year indicating the expansion of present programs and new program plans; enrollments and costs for services to special needs programs.

Any income derived from the sale of products or services derived from the operation of a vocational program shall reduce the state's obligation for such program by the amount of income in excess of the cost of production.

When instructional and support services and facilities are funded by other sources, except adult vocational tuition, the funded amount shall be included in the budget and shall reduce the state's obligation in the request for aids.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a; 124.5621 subd 13; 124.573 subds 3,3a; 124.574 subds 4,5; 136C.38 subd 4*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, sections 124.561 and 124.5621 were repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

3505.1700 ALLOTMENT AVAILABILITY OF FEDERAL FUNDS.

When federal funds are not available to all applicants, the State Board for Vocational Education shall use the following criteria in determining the allocation of federal funds. Priority shall be determined based upon economic, social, and demographic factors relating to need for programs among target groups and areas of the state. Distribution to local education agency shall be determined by the ability to provide resources and the concentration of low-income families. Distribution to other eligible recipients shall be determined by the financial ability to provide resources and the concentration of students served whose education imposes a higher than average cost, such as those from low-income families and those with English as a second language. Federally funded programs shall be assessed annually to be eligible for continued allocation of federal funds.

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Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a; 124.5621 subd 13; 124.573 subds 3.3a; 124.574 subds 4.5; 136C.38 subd 4*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, sections 124.561 and 124.5621 were repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

3505.1800 ANNUAL REPORTS.

Local education agencies and teacher education institutions shall submit annual reports in accordance with these rules indicating expenditures and enrollments for which aid is requested. The commissioner of education may require other statistical and descriptive reports as required for federal reporting.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a; 124.5621 subd 13; 124.573 subds 3.3a; 124.574 subds 4.5 136C.38 subd 4*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, sections 124.561 and 124.5621 were repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

3505.1900 SUBMISSION OF WRITTEN PLANS; USE OF MATCHING FUNDS.

Written plans for the use of federal and state appropriated matching funds shall be submitted to the commissioner of education by eligible agencies or institutions conducting vocational education programs. Claims for expenditures available for aid may be submitted to the commissioner of education requesting reimbursement upon funds already expended. Recommendations regarding payment shall be made by the commissioner of education for approval by the State Board for Vocational Education.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a; 124.5621 subd 13; 124.573 subds 3.3a; 124.574 subds 4.5; 136C.38 subd 4*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, sections 124.561 and 124.5621 were repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

3505.2000 APPORTIONING FUNDS.

In apportioning funds among local education agencies, the State Board for Vocational Education shall assure that no local education agency which is making a reasonable tax effort shall be denied funds for establishing new vocational programs solely because it is unable to pay the nonfederal share of the cost of such programs.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a; 124.5621 subd 13; 124.573 subds 3.3a; 124.574 subds 4.5 136C.38 subd 4*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, sections 124.561 and 124.5621 were repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

3505.2100 PROPERTY MANAGEMENT STANDARDS.

A uniform property management system shall be utilized by the districts and centers to:

A. maintain individual item control for continuing verification on nonexpendable personal property in which the State Board for Vocational Education has provided state and/or federal funds;

B. maintain a source of information for future purchasing and capital budgeting for nonexpendable personal property, long-term capital financing, and program cost computing.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a; 124.5621 subd 13; 124.573 subds 3.3a; 124.574 subds 4.5; 136C.38 subd 4*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, sections 124.561 and 124.5621 were repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

3505.2200 STANDARDS AND PROCEDURES GOVERNING OWNERSHIP.

Standards and procedures governing ownership, use, and disposition of nonexpendable personal property purchased whole or in part with state funds and in which there are no federal funds are set forth below. Title will not be taken by the State Board for Vocational Education, but shall be vested in the local education agency subject to the following restrictions on use and disposition of the property:

A. Nonexpendable personal property with an acquisition cost of less than \$500 and used four years or more: the local education agency may divert the property to any approved vocational program, vocational administration, or support service or sell the property and retain the proceeds for vocational education programs.

B. All other nonexpendable personal property with an acquisition cost of \$1,000 or less: the local education agency may use the property for its intended vocational-technical purpose. If approved vocational-technical use of the property is discontinued or the property is sold or diverted in some other manner, the State Board for Vocational Education is to be credited with its proportionate share of the current fair market value of the property. The current fair market value shall be determined by the sale price in the case of a bona fide sale or by a third party appraisal in the case of some other diversion. The State Board for Vocational Education's proportionate share of the property shall be computed by applying the percentage of state funding participation in the property to the current fair market value of the property.

C. Nonexpendable personal property with an acquisition cost of over \$1,000: if the property is not needed for its intended vocational-technical purpose, the local education agency shall request disposition instructions from the commissioner of education. If instructions are not received within 120 days, the local education agency may dispose of the property at their discretion.

A physical inventory of nonexpendable personal property shall be taken by the local education agency and the results reconciled with the local education agency property records at least once every two years to verify the existence, current utilization, and continued need for the property. Property records shall be retained for three years after final disposition of the property. The commissioner of education or his authorized representative shall have access to any pertinent property records for the purpose of making examinations.

In addition, when personal property is purchased whole or in part with federal funds furnished by the State Board for Vocational Education, the local education agency shall comply with the appropriate federal regulations regarding standards and procedures governing ownership, use, and disposition of personal property.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a; 124.5621 subd 13; 124.573 subds 3,3a; 124.574 subds 4,5; 136C.38 subd 4*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, sections 124.561 and 124.5621 were repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

3505.2300 STUDENT ELIGIBILITY FOR PROGRAMS.

All students shall be eligible for enrollment in vocational education programs regardless of race, color, creed, religion, sex, national origin, marital status, age, or status with regard to public assistance or disability providing that no federal or state statute or rule specifically provides for valid exclusions for such things as health conditions, age, or certain physical conditions.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a; 124.5621 subd 13; 124.573 subds 3,3a; 124.574 subds 4,5; 136C.38 subd 4*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, sections 124.561 and 124.5621 were repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

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SECONDARY VOCATIONAL EDUCATION

3505.2400 SCOPE.

To be eligible for aid, local education agencies shall meet the rules in parts 3505.2400 to 3505.6000.

Approval requests shall be submitted annually by the local education agency to the commissioner of education. Only approved programs shall be eligible for vocational aid. Local education agencies submitting new program approval or alteration requests shall be notified in writing regarding approval, disapproval, recommended alteration, or delay of action within 20 working days after receipt of the request. When the program is disapproved or recommended for alteration, the notification shall include reasons for denial or changes. When applicable, the notice shall outline corrective actions for the program to qualify for approval upon resubmission. Approved programs and administrative services shall be supervised by the authorized local administrator. When programs are jointly funded by vocational and special education, appropriately licensed special education administrators and supervisors shall be involved in the supervision of the program. The local education agency shall resubmit each approved program for evaluation by the State Board for Vocational Education at least once every five years.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.2500 INSTRUCTIONAL PROGRAM APPROVAL.

The commissioner of education shall approve programs on the following basis. Approval shall be on the basis of a complete program as defined in parts 3505.2600 to 3505.4100. The local education agency shall provide evidence that its curriculum is designed to meet vocational objectives which shall include:

A. in-depth exploration of occupations to assist in the career planning process; and

B. development of occupational competencies designed to be recognized for advanced placement in postsecondary programs; and

C. development of occupational competencies necessary to enter an occupation.

Each program shall have a vocational advisory committee to advise the instructor(s), the local authorized administrator, and the local board; the advisory committee shall meet at least two times a year.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.2600 PROGRAM COMPONENTS AND TIME STANDARDS.

All program components must be addressed in order to qualify for approval; however, emphasis shall be at the discretion of the local education agency with guidance from the program advisory committee. Daily time requirements may be converted to weekly equivalents.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.2700 AGRICULTURE/AGRIBUSINESS AND NATURAL RESOURCES OCCUPATIONS.

Subpart 1. **Programs.** Instruction in safety, leadership, communications, personal development, decision making, job seeking skills, good work attitudes and habits shall be an integral part of an approved program.

Subp. 2. **Agricultural mechanics occupations.** Learning experiences concerned with the application of mechanical competencies to agriculture. Program components include: agricultural power; hydraulics; welding; machinery maintenance; electrification; mechanics shop; material handling; buildings and conveniences; soil and water management, irrigation; livestock and crop production; farm and business management, and entrepreneurship as related to mechanics.

Subp. 3. **Agricultural products, processing, and marketing occupations.** Learning experiences concerned with the application of processing and marketing principles, agricultural products. Program components include: evaluation, processing and marketing of dairy, livestock, poultry products, cereal grains, and specialty crops; agricultural business management and entrepreneurship; agricultural mechanics principles.

Subp. 4. **Agricultural supplies and service occupations.** Learning experiences concerned with the provision of consumable supplies and services used in agriculture. Program components include: animal and crop production; soils and soil fertility; animal nutrition and health; chemicals, fertilizers, and pesticides; mechanics shop; agribusiness organization; management; entrepreneurship; marketing; power machinery.

Subp. 5. **Forestry occupations.** Learning experiences concerned with the growing, managing, protecting, harvesting, utilizing, and marketing of trees. Program components include: tree production, harvesting, management, protection, measurement, and marketing; operation and maintenance of forestry equipment; agribusiness management; intensive laboratory occupational experience.

Subp. 6. **Horticultural occupations.** Learning experiences concerned with the culture of plants used for ornamental, aesthetic, and food purposes. Program components include: greenhouse and nursery management; turf, fruit, and vegetable production; floral production; landscape design; construction; equipment operation, repair, and maintenance; garden center materials; plant and soil sciences; agribusiness management; entrepreneurship.

Subp. 7. **Natural resources occupations.** Learning experiences concerned with the principles and processes involved in the preservation and/or improvement of natural resources such as air, forests, soil, water, fish, and wildlife. Program components include: water, air; quantity analysis resources; fish; wildlife; animal waste; soil and water management; pollution control; guiding and park management; resort and recreation operation; mechanics shop; entrepreneurship.

Subp. 8. **Production agriculture occupations.** Learning experiences concerned with the principles and processes involved in the economic use of land, labor, capital, and management. Program components include: crop, livestock, and poultry production; power, hydraulics, welding, machinery maintenance, and electrification; building and conveniences; mechanics shop; materials handling; irrigation, soil and soil fertility, and soil and water management; marketing; finance, recordkeeping, entrepreneurship, and farm management.

Subp. 9. **Other agriculture/agribusiness, natural resources occupations.** Programs not otherwise defined which meet the vocational program criteria in part 3505.2500 may be approved.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.2800 IMPLEMENTATION OF AGRICULTURE PROGRAMS.

When offering a vocational agriculture/agribusiness, natural resources program, the following considerations apply.

A. Component emphasis shall be consistent with program objectives.

B. The program shall include one of the following experience application options by the 1980-1981 school year:

(1) forestry occupations program shall include an intensive supervised laboratory experience of at least 280 hours; or

(2) production agriculture occupations programs shall have a coop placement in a production agriculture operation either wage paying or entrepreneurship; or

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(3) all other programs in agriculture/agribusiness shall have an intensive supervised laboratory experience or a coop placement in a related agricultural business or industry either wage paying or entrepreneurship.

An agriculture instructor-coordinator may supervise students in any vocational agriculture/agribusiness and natural resources occupations program.

Various program components which meet approval criteria may be combined to develop a program to meet the needs of the local educational agency, including placement in a coop experience.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.2900 OPTION IN EACH PROGRAM.

Each program shall include one of the following options:

A. The program shall consist of a minimum of 140 hours for the regular school year, with classes available to students in grades 10, 11, and 12. The summer school segment of an approved vocational education program in this option shall provide for: cooperative supervised experience, internship, and/or classroom instruction. Approved programs not currently meeting this rule must comply in the 1980-1981 school year.

B. The program shall consist of a minimum of two 140-hour classes and one 280-hour class for the regular school year. The summer school segment of an approved vocational education program in this option shall provide for: cooperative supervised experience, internship, and/or classroom instruction. Approved programs not currently meeting this rule must comply in the 1980-1981 school year.

C. The program shall consist of a minimum of two 280 hour classes for one regular school year. The summer school segment of an approved vocational education program in this option shall provide for: cooperative supervised experience; internship and/or classroom instruction. Approved programs not currently meeting this rule must comply in the 1980-1981 school year.

D. Approved programs currently operating on a 280-hour intensive laboratory experience method of instruction, for the regular school year and one, two, or three 280-hour classes per year shall develop, by the 1980-1981 school year, a comprehensive program. Summer components such as internship and classroom instructional program are strongly encouraged to support the coop component. See community-based rules in parts 3505.4300 to 3505.4700.

E. Any expansion of currently approved programs must meet agriculture/agribusiness and natural resources options in part 3505.2800, item B, subitem (1), (2), and/or (3) in the year for which approval is sought.

F. New program requests shall comply with an agriculture/agribusiness and natural resources option in part 3505.2900, items A, B, and C by the third year of operation.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.3000 BUSINESS AND OFFICE OCCUPATIONS.

Subpart 1. **Programs.** Instruction in human relations, leadership and organizational competencies, public relations, personal development, self-concept, work attitudes, and job-seeking skills shall be an integral part of instruction in each program.

Subp. 2. **General office typist occupations.** Learning experiences concerned with the performance of a variety of office duties, including maintenance of the system and generation of reports. Program components include: typewritten communications; records filing and management; record keeping (numerical data); machine transcription; office functions including supplies control, telephone techniques, mail handling, reprographics services, machine maintenance and operation.

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Subp. 3. **Secretarial occupations.** Learning experiences concerned with coordination of office responsibilities, generation of communication, and facilitation of office functions. Program components include: all in general office typist plus: business composition; meeting and travel arrangements; transcription from shorthand notes or machine (shorthand optional); word processing concepts; clerical accounting.

Subp. 4. **Accounting/data processing occupations.** Learning experiences concerned with systematizing information about financial transactions and quantitative records in a traditional or automated setting. Program components include: accounting for receivables, payables; payroll; billing/invoicing; inventory; purchasing; cash receipts and disbursements; communications; electronic computing; machine operation; business mathematics; records management; programming fundamentals; computer applications.

Subp. 5. **Banking and finance occupations.** Learning experiences concerned with banking or financial institutions services, the handling of money and negotiable instruments. Program components include: accounting for receivables; payables; billing/invoicing; inventory; purchasing; cash receipts and disbursements; communications; electronic computing; business mathematics; teller functions; finance and credit; decision making; data entry; records management.

Subp. 6. **Supervisory/management occupations.** Learning experiences concerned with managerial skills in planning, organizing, supervising, coordinating, determining work procedures, and assigning duties. Program components include: accounting for receivables, payables, billing/invoicing, inventory, purchasing; cash receipts and disbursements; communications; electronic computing; management principles; business ownership; business law; economics; public enterprise systems; personnel management.

Subp. 7. **Other business and office occupations.** Programs not otherwise defined which meet the vocational program criteria in part 3505.2500 may be approved.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.3100 IMPLEMENTATION OF BUSINESS PROGRAMS.

In offering a vocational business and office program, the following considerations apply:

A. Component emphasis shall be consistent with the program objectives.

B. The program shall include prior or concurrent classroom instruction in the occupational area plus one of the following application experience options:

(1) In school: model office, a minimum of 100 minutes per day for one school year. Primarily for use with general office typist and secretarial occupations; see model office brochure for details.

(2) In school: intensified laboratory, a minimum of 100 minutes per day for one semester; plus related instruction to comprise a minimum of 280 hours in one fiscal year.

(3) Employment related community-based education: see community-based rules in parts 3505.4300 to 3505.4700. A business and office instructor-coordinator can supervise students in any vocational business and office occupations program.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

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3505.3200 HEALTH AND ENVIRONMENTAL OCCUPATIONS.

Subpart 1. **Programs.** Instruction in safety, equipment utilization, self-concept, work attitudes and behavior, leadership, and job-researching skills shall be an integral part of an approved program.

Subp. 2. **Environmental occupations.** Learning experiences concerned with identification, prevention, and control of environmental hazards, environmental aspects of populations and society, natural resources, health and physical implications, technology involved in protecting and restoring the quality of modern environment, and exploring careers in environmental areas. Program components include: environmental services; industrial hygiene related to environmental hazards and toxicants; safety, minimizing accident hazards, and promoting safe work habits in plants, mines, industrial, agricultural areas; interpretation and enforcement of environmental laws; environmental technology aspects including performing tests and making samples; option of treatment equipment; societal responsibilities concerned with energy; providing and maintaining safe water, foods, air.

Subp. 3. **Health care occupations.** Learning experiences concerned with health concepts related to the providers and consumers of health care, preventative health care, and the utilization of materials, instruments, and equipment in the health care area. Program components include: health occupations orientation; preparation of health consumer records; laboratory procedures concerned with tests to provide data; performance of routine clinical laboratory procedures; direct care services; procedures designed to introduce concepts related to rehabilitation of people with physical or mental emotional disabilities; communications between health providers and consumers of health services; applied anatomy and physiology.

Subp. 4. **Other health and environmental occupations.** Programs not otherwise defined which meet the vocational program criteria may be approved.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.3300 IMPLEMENTATION OF HEALTH OCCUPATIONS.

In offering a vocational health and scientific occupations program, the following considerations apply:

A. Component emphasis shall be consistent with program objectives.

B. The program shall include one of the following application experience options:

(1) In school: the program shall be offered for a minimum of 280 hours within one fiscal year.

(2) Employment related community-based education: see community-based rules parts 3505.4300 to 3505.4700. A health occupations instructor-coordinator can supervise students in any vocational health and scientific occupations program.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.3400 HOMEMAKING OCCUPATIONS.

Subpart 1. **Programs.** Instruction in health and safety, multiple roles of both sexes, use of energy in the home and by families, development of self-concept, human relations, and leadership skills shall be an integral part of an approved program.

Subp. 2. **Consumer-homemaking occupations.** Learning experiences concerned with the work in one's own home environment including relating to family members and managing resources. Program components shall include: child development and parenting; individual and family life; home and family resource management and consumerism; consumer (individual and family) housing; consumer (individual and family) foods and nutrition; consumer (individual and family) clothing and textiles.

Subp. 3. **Home and individual/family resource management occupations.** Learning experiences concerned with the work in one's own home environment with emphasis on multiple roles of family members, managing resources, purchasing, using products and services. Program components shall include: family financial, time, energy, and human talent management; consumer buying; community resources; multiple roles of family members; housekeeping management skills; family decision making and goal setting.

Subp. 4. **Individual/family life and parenting occupations.** Learning experiences concerned with the work in one's own home environment with the emphasis on relationships, communication among family members; human growth and development and parenting. Program components shall include: relationships; marriage; family financial management and consumerism; human sexuality; alternate life-styles, family throughout the life cycle; pregnancy and birth; growth and development; parent-child relationships; community services; family decision making and goal setting.

Subp. 5. **Other homemaking occupations.** Programs not otherwise defined which meet the vocational programs criteria may be approved.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.3500 IMPLEMENTATION OF HOMEMAKING OCCUPATION PROGRAM.

When offering a vocational homemaking occupations program, the following considerations apply:

A. Component emphasis shall be consistent with program objectives.

B. The following are in-school options which a district or center shall use to deliver homemaking occupations programs:

(1) For a consumer-homemaking program, simulation or laboratory and classroom methods shall be a minimum of 280 hours within two consecutive fiscal years. Each component shall be one or more separate courses. Each of the components shall constitute a minimum of 40 hours of instruction, or

(2) For a home and individual/family resource management or individual/family life and parenting program, simulation and classroom methods shall be a series of courses for a minimum of 140 hours within one fiscal year, or simulation and classroom methods shall be a single course for a minimum of 140 hours within one fiscal year.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.3600 INDUSTRIAL OCCUPATIONS.

Subpart 1. **Programs.** Instruction in safety, tool usage, self-concept, work attitudes and habits, leadership skills, and job-seeking skills shall be an integral part of all instruction.

Subp. 2. **Auto body repair occupations.** Learning experiences concerned with the repair of automotive bodies, fenders, and frames. Program components include: metal straightening by hammering or machine; smoothing areas by filing, grinding, or sanding; concealment of imperfections; replacement of body components including trim; arc and gas welding; refinishing; glass replacement service; new and used vehicle preparation.

Subp. 3. **Auto mechanics occupations.** Learning experiences concerned with the inspection, diagnosis, and repair of motor vehicle components. Program components include: engine tune-up; emission systems; lubrication and maintenance; power transmission; steering and suspension; brakes; electrical systems; diagnostic and testing equipment; parts; fuel and emission systems; cooling and heating systems; technical manuals.

Subp. 4. **Communication/media technology occupations.** Learning experiences concerned with the production and use of electronics and other media materials and equipment. Program components include audio-visual

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equipment and related production techniques; black/white photography; audio production, including equipment and recording; television equipment; television studio production; production distribution.

Subp. 5. Construction occupations, general. Learning experiences concerned with all major phases of residential construction from financing to finishing. A minimum of five of the following program components shall be included: finance; planning site development; masonry; carpentry; mechanical trades; pipe trades; finishing trades. If residential unit is to be constructed as a learning experience in this program, it shall not exceed 1,200 square feet. An exception to the square footage maximum may be granted by the commissioner of education when there is a conflict with bona fide local ordinances. A program shall build no more than one unit per year and the unit shall be owned by the school district or center.

Subp. 6. Construction occupations planning and management. Learning experiences concerned with all business, planning, and preparation essential to begin erection of a project. Program components include: real estate financing, appraising, and insurance; small business management, sole proprietorship, limited partnership, corporate management; land surveying; civil technology; landscaping; heavy equipment operation; environmental enrichment; architectural drafting; construction drafting; codes and ordinances; soil testing and permits; equipment and materials; energy conservation factors.

Subp. 7. Carpentry occupations and finishing trades. Learning experiences concerned with rough carpentry and residential interior finishing. Program components include: material and fastening devices; form work; scaffolds, ladders, and riggings; framing principles, roof framing, stair framing; exterior finish; insulation and dry wall; floor covering; paper hanging, painting, and decorating. No residential unit shall be built in this program.

Subp. 8. Construction occupations mechanical trades. Learning experiences concerned with the trade areas dealing with heating, lighting, air exchange, and water. Program components include: air conditioning and heating; ventilation; sheet metal; construction electricity; plumbing; pipe fitting; mechanical blueprint reading.

Subp. 9. Construction occupations masonry trades. Learning experiences concerned with concrete and masonry areas. Program components include: brick laying; block laying; stone masonry; cement finishing; concrete technology.

Subp. 10. Electricity/electronics occupations. Learning experiences concerned with the design, construction, maintenance, and repair of electronic equipment. Program components include: basic electricity; residential/commercial wiring; motor controls; AC-DC electronics; digital electronics; industrial electronics; active devices (tubes and semiconductors); communications.

Subp. 11. Graphic arts occupations. Learning experiences concerned with the design, preparation, printing, and assembly of printed materials. Program components include: layout and design; copy preparation; line photography; halftone photography; continuous tone photography; cold type composition; stripping; plate making; offset presswork; printing inks; paper; bindery; screen printing; letterpress.

Subp. 12. Machine shop occupations. Learning experiences concerned with metal properties, machining, and heat treating. Program components include: bench work; grinding principles; blueprint reading; set up and rigidity; machining principles; use of machinery handbook; cutting tools; feed speeds; drill press; horizontal cut of saw; lathe; horizontal and vertical milling; surface and cylindrical grinding; basic metallurgy, alloys, annealing, hardening, drawing, case hardening, and foundry.

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Subp. 13. **Mechanical drafting occupations.** Learning experiences concerned with visual communications skills to convey ideas and specifications necessary to manufacture or reproduce mechanical items. Program components include: equipment/instrument usage; sketching; geometric figures; multiview drawing; dimensioning; auxiliary views; pictorial drawing; sectional views; detail and assembly views.

Subp. 14. **Recreational vehicle repair occupations.** Learning experiences concerned with the maintenance and repair of recreational equipment such as snowmobiles, motorcycles, and marine engines. Program components include: principles of internal combustion engine operation; diagnostic and testing equipment and tools; snowmobiles; marine products; motorcycles; welding; machine tooling; parts; principles of power transmission; technical manuals.

Subp. 15. **Service station occupations.** Learning experiences concerned with the inspection service, maintenance, and minor repair of automobiles. Program components include: principles of internal combustion engine operation; engine tune-up; lubrication service; exhaust system service; cooling and heating system service; suspension system service; fuel system service; brake system service; diagnostic testing equipment; technical manuals.

Subp. 16. **Small engine repair occupations.** Learning experiences concerned with maintaining and repairing small engines used on portable power equipment. Program components include: two-cycle fundamentals; four-cycle fundamentals; rotary engine fundamentals; carburetion; ignition; cooling; lubrication; diagnostic testing equipment and tools; welding; machine tooling; parts; technical manuals.

Subp. 17. **Welding occupations.** Learning experiences concerned with the fusion or separation of metals for fabrication or repair purposes. Program components include: blueprint reading; rough grinding; electrode selection; identification of metals; arc welding (flat, horizontal, vertical down, and vertical up); oxyacetylene cutting; oxyacetylene welding; brazing and fabrication.

Subp. 18. **Other industrial occupations.** Programs not otherwise defined which meet the vocational program criteria in part 3505.2500 may be approved.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.3700 IMPLEMENTATION OF INDUSTRIAL OCCUPATIONS PROGRAM.

In offering a vocational industrial occupations program, the following considerations apply:

A. Component emphasis shall be consistent with program objectives.

B. The following are in-school options which a district or center shall choose when offering a vocational industrial education program:

(1) summer program of 120 hours for programs in part 3505.3600, subparts 6, 7, 8, 9, 13, 15, and 17;

(2) 140 hours within one school year for programs in part 3505.3600, subparts 6, 7, 8, 9, 13, 15, and 17;

(3) 220 hours within one semester for all programs;

(4) 280 hours within one school year for all programs;

(5) 280 hours within two school years for programs in part 3505.3600, subparts 3, 4, 10, 11, 13, 14, 15, 16, and 17;

(6) programs in part 3505.3600, subparts 14 and 16 can be combined to meet the 280-hour minimum requirement.

C. Employment-related community-based education: see community-based rules in parts 3505.4300 to 3505.4700. An industrial instructor-coordinator can supervise students in any vocational industrial occupations program.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

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3505.3800 MARKETING AND DISTRIBUTION OCCUPATIONS.

Subpart 1. **Programs.** Instruction in marketing and distribution approved programs shall be composed of the following components as related to the occupational area: advertising, communications, display, human relations, mathematics, merchandising, operations/management, product/service technology, selling, and job-researching skills, work attitudes, and behavior.

Subp. 2. **General merchandise retailing occupations.** Learning experiences concerned with various marketing functions and tasks performed by retail employees and management in retail stores.

Subp. 3. **General marketing occupations.** Learning experiences concerned with the general application of marketing functions, principles, practices, and procedures without particular emphasis on the kind of environment in which the marketing functions are performed or the kind of products or services involved. The basic knowledge, skills, and attitudes developed in this instructional program are applicable in a variety of industries. For example: advertising and display services; apparel and accessories marketing; automotive, recreational, and agricultural vehicles and accessories marketing; finance and credit services; floristry, farm, and garden supplies marketing; food marketing; food services marketing; hardware and building materials marketing; home furnishings marketing; hotel, motel, and lodging services; industrial and institutional marketing; insurance; personal services marketing; petroleum marketing; recreational marketing; real estate marketing; transportation and travel marketing; business services marketing; business ownership.

Subp. 4. **Other marketing and distribution occupations.** Instructional programs involving learning experiences which emphasize marketing functions and tasks performed by employees, including management personnel, not otherwise defined which meet the vocational program criteria may be approved.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.3900 IMPLEMENTATION OF MARKETING AND DISTRIBUTION PROGRAMS.

In offering a vocational marketing and distribution program, the following considerations apply:

A. Component emphasis shall be consistent with the program objectives.

B. The program shall include prior or concurrent classroom instruction in the occupational area plus a minimum of one of the following application experience options:

(1) In school: a minimum of 280 hours of simulated occupational experience in a one- or two-year period.

(2) Employment related community-based education: see regular cooperative rules. A marketing and distribution instructor-coordinator can supervise students in any vocational marketing and distribution program.

(3) Other options must meet all program approval criteria in part 3505.2500.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.4000 SERVICE OCCUPATIONS.

Subpart 1. **Programs.** Instruction in safety, decisions in the use of energy, equipment utilization, self-concept, work attitudes and behavior, leadership and job-researching skills shall be an integral part of an approved program.

Subp. 2. **Child care/guidance and education occupations.** Learning experiences concerned with human development in personal care institutions and agencies. Program components include: growth and development; interpersonal relationships of children and care-givers; supervision and guidance; health; nutrition and feeding; day care; nursery school; family day care;

management/organization, guidance skills; care of persons with exceptional needs; implications of health and welfare agencies on child care services.

Subp. 3. **Community service occupations.** Learning experiences concerned with social and economic services, resource management, rural, urban, and community development, public safety, corrections and judicial services, and public transportation operation/management. Program components include: community and public services; service to people as individuals; preserving, managing, and restoring natural and artificial environments within the public domain; chart and map preparation; land use studies; preparation of community relations materials; planning of water, sewer line, and transportation layouts; schools/playgrounds; protection of human rights; health, safety, and welfare; property rights; exploration of community service careers.

Subp. 4. **Fashion/apparel/textile occupations.** Learning experiences concerned with use of equipment, textile design and production, methods of construction necessary for the production, maintenance, and alterations of clothing and/or industrial household goods. Program components include: clothing production; textiles; alterations; fashion design; selection and coordination; laundry; dry cleaning; accessories; tailoring; management skills.

Subp. 5. **Food occupations.** Learning experiences concerned with planning, preparing, and serving food on a quantity basis. Program components include: sanitation; commercial foods; institutional foods; food procurement; meal planning and nutrition; interpersonal relationships; front and back house operations; management skills.

Subp. 6. **Grooming services occupations.** Learning experiences concerned with services in the areas of personal appearance, skin and hair care. Program components include: introduction to barbering; introduction to cosmetology; domestic animal grooming; introduction to death-related occupations; interpersonal relationships; management skills.

Subp. 7. **Housing occupations.** Learning experiences concerned with services in the areas of design, care and management of single family and multiple dwellings, commercial, and institutional buildings. Program components include: housekeeping/management skills; cleaning/sanitation skills; interpersonal relationships; housing services; interior design/decorating; building/apartment management; city planning/zoning; health and safety in building design and maintenance; elements and principles of design; housing and environment; careers in the housing industry.

Subp. 8. **Tourism occupations.** Learning experiences designed to provide instruction involving the operation of lodging facilities and travel services. Program components include: planning and providing travel conveniences, recreation activities, and leisure time activities; introduction to planning and operating a tourism enterprise; management skills; hospitality and service; tourism enterprise; conventions; interpersonal relationships; careers in the tourism industry.

Subp. 9. **Other service occupations.** Other service occupations not otherwise defined which meet the vocational program criteria in parts 3505.4300 to 3505.4700 may be approved.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.4100 IMPLEMENTATION OF SERVICE OCCUPATIONS PROGRAMS.

When offering vocational service occupations programs, the following considerations apply:

A. Component emphasis shall be consistent with program objectives.

B. The program shall include a minimum of one of the following application experience options:

(1) In school: for all programs in service occupations except grooming services and community service occupations, a minimum of 220 hours

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in laboratory or simulation and classroom instruction shall be offered within one semester.

(2) In school: for tourism occupations programs, a minimum of 280 hours of laboratory or simulation and classroom instruction offered within two school years.

(3) In school: for grooming services, simulation and classroom methods shall be a series of courses for a minimum of 140 hours in one fiscal year.

(4) In school: for child care/guidance and education occupations programs, fashion/apparel/textile occupations programs, food occupations programs, housing occupations programs, and community service programs, a minimum of 280 hours of laboratory or simulation and classroom instruction offered within one school year.

(5) Employment-related community-based education: see regular cooperative rules. A hospitality/recreation personal service instructor-coordinator can supervise students in any vocational service occupations program. This program shall include prior or concurrent classroom instruction in the occupational area.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.4200 MINIMUM STUDENT STAFF RATIO TO OBTAIN FINANCIAL AID FOR PROGRAM.

To be eligible for aid, the minimum student-instructor staff ratio for each program shall be ten students to instructor or instructor-coordinator. When more than one program section is in operation, enrollment shall average ten or more students per section. An exception to the minimum student/staff ratio may be granted by the commissioner of education for a maximum of one year to permit students to complete a sequential program, or during the first year of a new program. A student shall be allowed to enter or withdraw from the program without completing all courses or components.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.4300 COMMUNITY-BASED EDUCATION.

When a vocational program includes a segment in which students are placed on a paid or unpaid experience outside the vocational class or laboratory for more than 40 hours during the program, the local education agency shall meet the rules for the community-based education option of a program as stated in parts 3505.4400 to 3505.4700.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.4400 SINGLE VOCATIONAL AREA COOP; REGULAR COOP.

The authorized local administrator shall assign coordination time for the instructor-coordinator in blocks of time large enough for efficiency, such that the staff can contact the employer during hours when the student is working. Preparation time for the instructor-coordinator shall be assigned separately from coordination time. Training stations shall be available to at least half of the coop students prior to the commencement of the program. The student shall be on the job a minimum of one hour per day, averaging no less than ten hours per week during the school session. An exception for this rule may be granted by the commissioner of education for handicapped persons whose physical or emotional disability prevents them from working a two-hour day. The local education agency shall have a training agreement and training plan for each student on the job. The agreement and plan shall be signed by the student/parent or guardian (when the student is under 18), employer, and instructor-coordinator, and shall remain on file locally for at least six months after the student completes the cooperative component of the program. The

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coop experience shall include occupational relations, an employability seminar, or a related seminar which shall consist of a minimum of 50 minutes per day or 250 minutes per week. When the seminar convenes two or fewer times per week, a minimum of 200 minutes is required. The coop experience shall include prior or concurrent classroom instruction in the occupational area except work experience for special needs students. Age certificates shall be submitted to the Minnesota Department of Labor and Industry.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.4500 MULTIPLE VOCATIONAL AREA COOP; DIVERSIFIED OCCUPATIONS; INTERRELATED COOP.

Part 3505.4400 rules shall be met. Diversified occupations/interrelated coop shall serve students from more than one vocational program area. A student shall possess, or acquire concurrently, skill competencies related to his/her stated career objective(s) as stated in the component section of the vocational program area which relates to that stated objective.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.4600 SPECIAL NEEDS COOP.

Special needs coop - community-based education designed specifically to develop employability competencies for special needs students: all programs shall meet the following criteria.

Part 3505.4400 rules shall be met. Students selected for these programs shall meet the definition of handicapped or disadvantaged. A committee consisting of teachers involved in general and vocational education, counselors, and administrators shall participate in the identification of disadvantaged students. Handicapped students shall be identified through the special education child study process outlined in the State Board of Education rules and shall be limited to students who cannot succeed in regular vocational programs. Proof that all students enrolled in the program have been identified as handicapped or disadvantaged shall be kept on file locally for five years.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.4700 WORK EXPERIENCE.

Subpart 1. **Work experience/career exploration.** Part 3505.4600 rules shall be met. Students who have reached age 14 and have not reached 16 are eligible for the work experience/career exploration. When students become 16 while enrolled, they may remain enrolled until the end of the school year. The maximum number of students enrolled in work experience/career exploration shall conform with federal regulations. The training agreement, not including the training plan, shall be submitted to the commissioner of education upon placement of the student. Employment certificates shall be submitted to the Minnesota Department of Labor and Industry.

Subp. 2. **Work experience disadvantaged.** Part 3505.4600 rules shall be met.

Subp. 3. **Work experience handicapped.** Part 3505.4600 rules shall be met. The maximum number of students enrolled in the work experience handicapped coop shall be 23 students when the instructor-coordinator is responsible only for the vocational area of instruction. When the instructor-coordinator is responsible for the nonvocational areas of special education as well as the work experience coop, the maximum shall be 15 students as identified in the State Board of Education rules. The training agreement and training plan shall be in accordance with the special education individual educational plan in the State Board of Education rules. The instructor-coordinator shall possess a valid special education license appropriate for the type of handicapped students being served if the instructor-coordinator is responsible for the nonvocational areas of

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special education instruction.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.4800 ADMINISTRATIVE SERVICES.

Vocational administrative services shall be designed to assist students to meet vocational objectives. When a local education agency provides vocational administrative services, students in vocational programs shall be provided administrative services which are available to all students in the district(s) in addition to the vocational administrative services. A local education agency shall be eligible for aid for one licensed vocational administrator at a ratio of one full-time equivalent administrator per 15 vocational instructional staff in approved programs or one half-time administrator per ten vocational instructional staff. Aid shall be prorated for administrative salaries when the administrative position is between one half-time equivalent and full-time equivalent. Administrative time involved in general education is not eligible for vocational aid. No proration occurs between 0 and 8 and 16 and 20; however, when instructional staff in approved programs exceeds 20, a local educational agency shall be eligible for aid for additional licensed vocational administrative salaries at a ratio of 20 staff to one full-time equivalent administrator. Vocational centers eligible for vocational aid for administrative/instructional staff not meeting the minimum ratio for administrative service may apply to the commissioner of education for an exception to the rule. An exception will be granted on the basis of the following criteria: during the first fiscal year following State Board of Education approval; or in those instances where the demography of the area served by the center cannot reasonably support ten vocational instructional staff.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.4900 SUPPORT SERVICES.

Special needs supportive services shall assist students with special needs enrolled in vocational instructional programs. A district or center shall be eligible for vocational aid for support service personnel when a minimum of one half-time vocational licensed administrator exists to develop and implement the special needs services, and the staff to special needs student ratio in vocational education does not exceed the following:

- A. one full-time equivalent support service manager to 60 full-time equivalent students;
- B. one full-time equivalent technical tutor to ten full-time equivalent students;
- C. one full-time equivalent orientation and mobility specialist to one full-time student or more as appropriate;
- D. one full-time equivalent interpreter to one full-time equivalent student or more as appropriate;
- E. one full-time vocational evaluator to five full-time equivalent students enrolled in vocational evaluation programs.

Proration of vocational aids shall occur when special needs personnel are assigned to vocational education less than full time.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.5000 STAFF FOR PLACEMENT OFFICE.

A minimum of one half-time authorized local administrator shall exist prior to implementation of a placement program. A district or center shall be eligible for aid for licensed vocational placement specialist personnel at the minimum ratio of one full-time equivalent placement specialist per 20 vocational instructional staff or one-half time equivalent placement specialist per ten vocational instructional staff. Two or more districts or centers may combine the

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number of instructional staff to be eligible when the services are provided under the direction of one vocational administrator acting on behalf of the group of boards. Proration is not allowable.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.5100 STAFF FOR CHILD CARE AND GUIDANCE OCCUPATIONAL PROGRAM.

In offering an approved child care and guidance occupational program, a local education agency may be eligible for up to one full-time equivalent licensed aide or licensed preschool teacher per full-time equivalent vocational instructor, when licensure of the facility is required by an outside agency or when necessary for the protection and safety of preschool children. Aid is available for those sections when the preschool is used as a laboratory for at least 15 secondary students, and the aide or preschool teacher is responsible only for the educational program of the preschool children.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.5200 VOCATIONAL AID.

State payments shall be based upon the estimated budget for approved programs operated in accordance with these rules. When state and federal vocational aid is not adequate to pay the state share identified in the vocational aid law, statewide proration of funds shall take place for all eligible estimated budget categories. Payments for salary, travel, and equipment shall be based on the estimated budget. Final payment of aids for such categories shall be based on actual expenditures.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.5300 AID FOR SALARIES.

Subpart 1. Eligibility of local education agency. A local education agency shall be eligible for aid at a rate of up to 50 percent for the salaries of essential licensed personnel assigned to approved programs.

Subp. 2. Eligibility for aid for extended employment. A district or center shall be eligible for vocational aid for extended employment at a maximum rate of:

- A. FTE instructor, six days;
- B. FTE instructor-coordinator, four weeks.

Subp. 3. Eligibility for aid for preparation time. A district or center shall be eligible for aid for salary expenditures for preparation time on the following basis:

Average daily length of vocational assignment in instructional contact hours	Maximum Vocational Preparation Time Eligible for Aid	Maximum preparation time in hours per day
Vocational instructional contact 1.0 hours or less		0.0 hours
Vocational instructional contact hours greater than 1.0 but less than or equal to 3.0		.5 hours
Vocational instructional contact hours greater than 3.0		1.0 hours

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Subp. 4. **Eligibility for substitute staff.** A district or center shall be eligible for vocational aid for substitute staff holding vocational licensure appropriate for responsibility when aid is not being requested for salary for regular staff for the same time as the substitute.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.5400 AID FOR TRAVEL COSTS.

A district or center shall be eligible for aid at a rate up to 50 percent for travel expenditures for essential licensed personnel traveling to and from school sites and cooperative training stations where students are located or to arrange job sites, and for the costs of necessary travel by secondary vocational education teachers accompanying students to and from vocational student organization meetings held within the state for educational purposes. Student transportation is not eligible for vocational aid.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.5500 AID FOR EQUIPMENT COSTS.

A local education agency shall be eligible for aid at a rate up to 50 percent for expenditures to lease or purchase equipment to develop occupational competencies in an approved instructional program. Equipment request shall be preapproved by the commissioner of education to be eligible for aid.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.5600 AID LIMITATIONS.

Expenditures jointly funded by vocational and special education or other sources (not including foundation aid and local levy) shall be eligible for aid at a rate not to exceed the maximum of either aid. Work experience handicapped (part 3505.4700, subpart 3) is not eligible for vocational categorical aid. When a district or center sells products or services produced in an approved program, the revenue from sales shall be recognized. This revenue may be used for expenditures not eligible for vocational aid which are directly related to the products or services sold. If the revenue from sale of products or services exceeds the costs to produce those products or services in any fiscal year, the excess revenue shall reduce the state's obligation for such program by the amount of income in excess of the cost of production. When ineligible students (students not meeting student eligibility rules) are served in approved programs, aid requests shall be prorated on the basis of the percentage of eligible students compared to total students served.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.5700 VOCATIONAL AID APPLICATION PROCEDURE.

Subpart 1. **Submission of annual program budget.** The authorized local administrator shall be responsible for submitting annual program budget, program budget amendments, and annual report.

Subp. 2. **Eligibility for vocational aid.** To be eligible for vocational aid, annual program budget shall be submitted by February 1 prior to the fiscal year for which aid is requested. Districts or centers shall be notified of program budget approval or disapproval in writing by April 30. Notification shall include the estimated rate of vocational aid in the case of approval or if disapproved the reasons shall be stated. To be eligible for vocational aid, annual program budgets must be approved by the commissioner of education. When personnel are assigned nonvocational or general supervisory responsibilities, the salary request shall be prorated on the program budget.

An authorized local administrator, a group of districts and centers, or the commissioner of education may request a hearing. Such hearings shall be scheduled between February 1 and May 15 and shall discuss the rationale for

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program and planned revenue and expenditures. District or centers whose vocational budgets have been disapproved by the commissioner of education may appeal in writing to the commissioner of education for submission to the state board for their review. The results of the review shall be transmitted to the local board of education in writing.

Subp. 3. **Amendments or late program budgets.** Program budget amendments or late program budget requests may be submitted after February 1. To be eligible for aid, amendments or requests shall be approved by the commissioner of education prior to changing the state obligation. Amendments are necessary when: the total requested budget varies plus or minus more than ten percent from the approved program budget, or the change in budget between programs, administrative or support services exceeds 20 percent.

Amendment and program budget requests shall be considered when state and federal funds are available or the amendment request is for increased costs of existing approved programs, administrative or support services.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.5800 ANNUAL REPORT.

Districts and centers shall maintain records of revenue and disbursements for programs, administrative and support services for which vocational aid is requested in accordance with the uniform financial accounting and reporting system. Final report data shall be submitted to the commissioner of education by August 15 of each year.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.5900 STUDENT ELIGIBILITY.

A student who is eligible to attend a Minnesota senior secondary public school is eligible to enroll in the vocational programs of the school. A student enrolled in a work experience/career exploration (WE/CEP) program is excepted from this student eligibility requirement. Students from other states or provinces may be served. When nonresidents of Minnesota are provided approved instructional programs, administrative and support services in Minnesota districts or centers, aid requests shall be prorated to reflect only the percentage of Minnesota students being served.

Statutory Authority: *MS s 124.573 subd 3; 124.574 subds 4,5*

3505.6000 CONTRACTS WITH PUBLIC OR PRIVATE AGENCIES FOR VOCATIONAL PROGRAMS.

When a school district or cooperative center contracts with a public or private agency other than a Minnesota school district or cooperative center for the provision of secondary vocational education services, a legally binding contract must exist.

Secondary vocational education programs offered by the contracting public or private agency shall comply with all rules governing vocational education except for teacher-student ratios in order to be eligible for aid.

A district or cooperative center shall receive aid as provided in Laws of Minnesota 1978, chapter 764, section 71.

Contracts with public or private agencies for secondary vocational education programs shall be submitted by the school district or cooperative center to the commissioner of education for approval at the time of submission of the budget for the following school year. (February 1)

Statutory Authority: *MS s 124.573 subds 3,3a*

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POSTSECONDARY VOCATIONAL-TECHNICAL EDUCATION

3505.6100 DEFINITION.

The term "allocation" or "preliminary allocation" means the level of funding recommended to the State Board for Vocational Education by the Division of Vocational-Technical Education.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a; 124.5621 subd*

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NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, sections 124.561 and 124.5621 were repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

3505.6200 APPLICATION FOR AREA VOCATIONAL-TECHNICAL INSTITUTE DISTRICT.

A school district desiring to be designated as an area vocational-technical institute district shall make written application to the State Board for Vocational Education (State Board of Education).

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, section 124.561 was repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

3505.6300 BASIS FOR APPROVAL.

The State Board for Vocational Education in considering a request for designation of a school district as an area vocational-technical institute district shall consider such a request based on the following criteria: geographic location; population density; and whether such school district possesses sufficient financial resources to establish, operate, and maintain the proposed area vocational-technical institute. Districts designated by the State Board for Vocational Education shall be eligible to receive postsecondary vocational-technical aids. Assignments of publication or production rights shall be determined cooperatively between the area vocational-technical institute district and the state of Minnesota.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, section 124.561 was repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

3505.6400 PROGRAM APPROVAL.

Subpart 1. **General.** The following requirements will apply to all requests for initial and annual program approval. Only approved programs can be a part of the district's budget request.

Subp. 2. **Requirements.** Appropriate work stations for each student shall be provided in all postsecondary supervised cooperative education or internship programs. Training agreements and training plans shall be used by all supervised cooperative education and internship programs and shall be on file in the area vocational-technical institute. Training assignments and work stations shall be evaluated by the students, the employers, and the staff and these evaluations shall be in writing. All programs, including cooperative and internships, shall be supervised by the appropriate area vocational-technical institute instructional staff. Length of internship shall be established by the local board after receiving the recommendation of the program advisory committee and approved by the commissioner of education, except when the internship program is regulated by the accrediting agencies related to that program.

Subp. 3. **Advisory committee.** A program's advisory committee shall include membership of persons employed in that occupation or at a supervisory level of that occupation and shall be appointed by the local board. The program advisory committee shall choose from its membership a chairperson and other officers as it deems necessary. Each program advisory committee shall meet at least once a year and more often if deemed necessary by the advisory committee or the director. The program advisory committee shall review annually the following appropriate criteria and make recommendations to the

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local board and the administration: curriculum; facility and equipment; staff recruitment; student recruitment; student placement; job availability; training stations. Each program advisory committee membership list and minutes of each committee meeting shall be on file at the area vocational-technical institute and available for review by the commissioner of education.

Subp. 4. Review of program redirections. All major program redirections shall be reviewed and approved by the commissioner of education prior to implementation.

Subp. 5. Review program by commissioner. The commissioner of education shall review and approve program title, length, and curriculum modifications.

Subp. 6. Cost/benefit analysis. The cost of the program shall be related to the benefits to students and business and industry.

Subp. 7. Enrollment. Instructional programs shall have an enrollment of ten or more average daily memberships (ADM) per each full-time equivalency (FTE) staff. When more than one program section is in operation an average may be used. Exemptions shall be given where licensure requirements are specifically established or on recommendation of other state industry groups. Exemption may be granted by the commissioner of education when adequately justified. Programs not meeting the minimum student requirement shall be placed on one-year probation during which enrollment must meet the ten student criterion in order to receive subsequent approval.

Subp. 8. Time requirements. Postsecondary instruction shall be provided on either a full-time or part-time basis by the local district. "Full-time student day" means six clock hours per day or a total of 30 hours per week in laboratory and shop subjects, technical subjects, related subjects, and supervised on-the-job work experience of cooperative or internship programs. An extended time student/program shall have a maximum duration of nine hours per day or 45 hours per week.

"Part-time instruction" means less than six hours per day, based on the needs of the student and the occupation being served. Provision for part-time students shall be at the discretion of the local district subject to the program approval process with the State Board for Vocational Education. A part-time student/program shall have a minimum duration of five hours per week with a minimum of one hour in any one day. Part-time student instructional hours shall be accumulative and computed to equal no less than six hours of instruction for one average daily membership equivalent for funding purposes. Foundation aid shall be paid on all part-time students with their hourly enrollment converted to average daily membership. Part-time students shall be dropped from aid eligibility records when they have been absent all scheduled days of attendance in a 15 day period of full-time operation. A part-time program shall have the same objectives and run in the same sequence as a full-time program. AVTI's shall notify the commissioner of education in writing of the intent to begin a part-time offering of a program at least 30 days prior to commencing instruction in the program.

Subp. 9. Placement. Annual student placement shall be 51 percent or greater of students who have completed their educational objectives and are available for employment. However, special needs students may be exempt from the placement criteria. Placement and enrollment reports shall be submitted to the commissioner of education upon request. The State Board for Vocational Education may exempt students of certain programs from the 51 percent criterion if economic conditions, deemed to be temporary in character, are influencing placement.

Subp. 10. Responsive to community. The local district shall be responsive to current and projected manpower needs and the population groups to be served in the various geographic areas and communities of the state.

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Subp. 11. **Annual evaluation.** Each director of an area vocational-technical institute shall conduct an evaluation each calendar year based on the goals and objectives of the vocational-technical programs as approved by the State Board for Vocational Education for that local district. Those institutes with programs subject to review by national or state accrediting bodies shall, 30 days prior to that review, provide the date of the review and copies of all information required by the review body to the commissioner of education. Evaluation visits shall be made by the commissioner of education at the rate of seven area vocational-technical institutes per year, or more, for the purposes of conducting on-site evaluations of the existing programs in each institute. A cycle of program evaluations by experts from business and industry will be completed every five years. On-site self-evaluations shall be submitted by the institutes to the commissioner of education in the intervening years.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, section 124.561 was repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

3505.6410 ACCREDITATION OF AREA VOCATIONAL-TECHNICAL INSTITUTES.

Subpart 1. **Powers of State Board for Vocational Education.** The State Board for Vocational Education shall grant accredited status to an area vocational-technical institute if it meets the requirements in subpart 2. It may also grant accredited status contingent upon a specified task to be performed by the institute, grant probationary status, revoke accredited status, reinstate accredited status, defer action, or deny accredited status if the institute does not meet the requirements in subpart 2.

Subp. 2. **Requirements.** The Division of Vocational-Technical Education shall use evaluations conducted pursuant to part 3505.1300 to recommend a status to the State Board for Vocational Education. To obtain accredited status, an institute shall:

- A. secure program approval pursuant to parts 3505.1100 and 3505.6400;
- B. secure specialized department and class approval pursuant to parts 3505.0300 and 3505.0400;
- C. maintain a local advisory committee pursuant to part 3505.1400 even if an institute does not receive federal assistance;
- D. upon request by a student, give a copy of the student's transcript to the student;
- E. not make, directly or indirectly, any statement or representation, oral, written, or visual, in connection with offering or publicizing a course if the institute or its agent knows or should know the statement or representation is false, fraudulent, deceptive, substantially inaccurate, or misleading; and
- F. comply with the requirements about refunds set forth in Minnesota Statutes, section 124.565.

The recommendation of the division shall be reviewed at a meeting of the board. An institute shall be given the opportunity to present objections it may have to the recommendation. The board shall make a written final decision.

Statutory Authority: *MS s 121.11 subd 12*

3505.6500 ADMINISTRATIVE AND SUPPORT SERVICE REQUIREMENTS.

The local board of education shall provide for:

- A. Vocationally licensed administrative and supervisory staff as per the Minnesota State Plan for Vocational-Technical Education or if superseded, by state rules for vocational-technical education. The director of an AVTI shall have an administrative advisory committee of representatives from the service area. The total administrative/supervisory development staff shall not be more

than one full-time equivalent (FTE) for 12 FTE instructors, except upon application for variance to the commissioner of education. Staff whose function is business, purchasing, or personnel affairs of the school district shall not be included in the above ratios. Upon written notification to the State Board for Vocational Education, additional staff may be added above the instructor and administrative/supervisor ratio, if funded from sources other than the State Department of Education. For those local districts who employ differentiated staffing for their operation, the total staff ratio shall not be less than one to ten students or a combination of some of, or all of, the following ratios:

1 supervisor	=	.1
1 instructor	=	1.0
1 instructor aide	=	.7
1 clerical aide	=	.3
1 student aide	=	.3

B. Student personnel services:

(1) Student personnel staff employed shall meet licensure requirements in the Minnesota State Plan for Vocational-Technical Education or if superseded, by state rules for vocational-technical education.

(2) Each institute shall have at least one student personnel staff person for each 400 average daily memberships.

(3) The student personnel services shall provide for admission counseling; career counseling; personal counseling; placement and follow-up program.

(4) Student financial aid administrator shall be provided and not included in the ratio set forth in item B, subitem (2).

(5) Adjustments to the student personnel ratio based on special make up of the student body in a given location may be approved by the commissioner of education.

C. Secretarial and clerical staff shall be employed.

D. The business manager shall establish and manage a fiscal and statistical system in compliance with Minnesota statutes affecting the governance of an area vocational-technical institute for all expenditures and revenue accounts.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, section 124.561 was repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

3505.6600 TUITION AND FEES.

Subpart 1. Collection. Collection for tuition shall be on the basis of four periods per year as determined by the local calendar. No single period shall exceed 65 school days. Tuition may not be demanded more than 15 consecutive school days in advance of the time period but a student may pay in advance. Tuition may be delayed only upon initial application for tuition subsidy in any given year or guaranteed receipt from an agency. A late penalty may be charged not to exceed \$10 per period established pursuant to this subpart. The penalty assessment period is the period of time between the date tuition was demanded and the commencement of classes.

Subp. 2. Attendance policy. Each district shall have an attendance policy. Students who notify the school of their withdrawal shall be dropped from the roll upon date of notification. Students absent for 15 consecutive school days shall be classified as withdrawn. Students in continuous enrollment programs may be maintained on the roll for a vacation or a personal leave not to exceed 15 consecutive school days.

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Subp. 3. **Prorated tuition.** Students shall have their tuition prorated for less than or more than the regular instructional schedule. Tuition shall be prorated for part-time or extended-time programs, for quarters more or less than 60 days, and for programs utilizing individual instruction. Daily tuition shall be prorated by dividing the quarterly tuition by 60, the standard number of days in the quarter, and rounded downward to the nearest cent. Hourly tuition shall be prorated by dividing the daily rate by six, the standard number of hours in a school day, and rounded downward to the nearest cent. This formula for prorating tuition shall apply to resident and nonresident tuition.

Unless otherwise exempt from tuition, students who begin during the quarter shall pay tuition as of the date of entry based upon the prorated formula established in this subpart. For such students the 15-day refund established by Minnesota Statutes, section 124.565, subdivision 3, as amended by Laws of Minnesota 1979, chapter 334, article V, section 20 shall commence with the date of scheduled entry.

Subp. 4. **Tuition for handicapped and disadvantaged students.** No tuition shall be charged to handicapped/disadvantaged students for the additional hours of instruction received beyond the approved program length as established by Minnesota Statutes, section 124.562, subdivision 2, as amended by Laws of Minnesota 1979, chapter 334, article V, section 10.

Upon prior approval of the commissioner of education, a district may add additional hours for membership not to exceed ten percent of the approved hours of the program for disadvantaged or handicapped students. Handicapped students are those who are mentally retarded, hard of hearing, deaf, speech impaired, visually impaired, orthopedically impaired, or persons with specific learning disabilities, who by reason thereof require special education and related services, and who, because of their handicapping condition, cannot succeed in the regular vocational educational program without special education assistance or who require a modified vocational education program. Disadvantaged students are those who have academic or economic handicaps and who require special services and assistance in order to enable them to succeed in vocational education programs.

Subp. 5. **Deductible fees.** Deductible fees shall include all charges that are uniformly assessed all students. Charges for materials or equipment that become the property of the student shall not be considered a fee.

Statutory Authority: *MS s 124.565 subds 4,6*

NOTE: Minnesota Statutes, section 124.565, subdivision 4 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 37.

3505.6700 INSTRUCTIONAL AID.

Instructional aid shall be allocated to the area vocational-technical institutes in accordance with the formula prescribed in Minnesota Statutes, section 124.5621.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a; 124.5621 subd*

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NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, sections 124.561 and 124.5621 were repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

SUPPLY AID ALLOCATION

3505.6800 POSTSECONDARY VOCATIONAL SUPPLY AID.

Postsecondary vocational supply aid shall be allocated to each AVTI for those items of expenditure enumerated in Minnesota Statutes, section 124.5622, subdivision 4.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a; 124.5621 subd*

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NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, sections 124.561 and 124.5621 were repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

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3505.6900 BUDGET REVIEW.

The Division of Vocational-Technical Education shall review each instructional and support services program budget submitted by the AVTI. The budget shall be reviewed and approved, modified, or reduced giving consideration to the following factors: the historical average of per student supply costs for the program; the average per student cost of supplies for all similar programs in all AVTI's offering such programs; continued operation of the physical plant.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a; 124.5621 subd 13*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, sections 124.561 and 124.5621 were repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

3505.7000 INFLATIONARY FACTORS.

The Division of Vocational-Technical Education shall annually establish inflationary factors which will govern increases in the various categories of supplies. These inflationary factors will be a two-year forecast from the base year which is the fiscal year immediately preceding the deadline for the submission of budgets to the Division of Vocational-Technical Education by the AVTI's. The Division of Vocational-Technical Education shall obtain estimates of cost for the types of items most commonly purchased by the AVTI's over the two-year span of time in determining the inflationary factors from the state economist, Department of Finance.

Separate factors shall be established to determine allowable increases for petroleum-related supplies and nonpetroleum-related supplies.

A. For petroleum-related supplies, the following indexes shall be utilized:

- (1) wholesale price index - refined petroleum products;
- (2) wholesale price index - rubber and plastic products;

B. For nonpetroleum-related supplies, the following indexes shall be utilized:

- (1) wholesale price index - lumber and wood products;
- (2) wholesale price index - chemicals and allied products;
- (3) wholesale price index - metals and metal products.

These inflationary factors shall be transmitted to the AVTI's not less than 90 days prior to the deadline by which the AVTI's must submit budget requests to the Division of Vocational-Technical Education.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a; 124.5621 subd 13*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, sections 124.561 and 124.5621 were repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

3505.7100 RECOVER COSTS OF PROGRAMS.

Each school board which has established an AVTI shall implement policies to recover the cost of supplies purchased for resale to students and the public.

For instructional programs in the food service area, such rates of recovery shall be established in consultation with the Division of Vocational-Technical Education. Each food service instructional program will be compared to similar programs offered in other AVTI's to annually adjust the rate of recovery by considering the following factors: to provide maximum instructional benefits to students; to minimize the net cost to the program.

For all other instructional programs, the rate of cost recovery shall ensure that the total revenue from the resale of supplies shall not be less than the cost of acquisition of supplies purchased for resale.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a; 124.5621 subd 13*

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NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, sections 124.561 and 124.562 were repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

3505.7200 BUDGET APPROVAL.

Each AVTI that submits a program budget wherein the increased cost of supplies exceeds the two-year forecast of inflationary factors established in part 3505.7000 shall justify such increases in writing. This justification shall be submitted to the Division of Vocational-Technical Education with the budget requests to receive consideration.

In the event that the total request for supply aid for an individual AVTI does not exceed the base year expenditure plus the inflationary factors established in part 3505.7000, the Division of Vocational-Technical Education shall give preliminary approval to the request subject to the later necessity of prorated reductions applied to all AVTI's subject to the following:

A. When the total requests for supply aid are equal to or less than 105 percent of the funds appropriated for this purpose, each AVTI shall have its request reduced by an equal percentage so that the allocations make maximum use of but do not exceed the funds appropriated for this purpose.

B. When the total requests by all AVTI's for supply aid exceed 105 percent of the funds appropriated for this purpose, an AVTI which requests supply aid in excess of its base year expenditures as adjusted by the inflationary factors established in part 3505.7000 may have its request reduced to an amount equal to the base year amount. This reduction shall be accomplished on a program by program basis by the Division of Vocational-Technical Education in consultation with the AVTI director. In effecting such reductions, consideration shall be given to the factors enumerated in part 3505.6900.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a; 124.5621 subd*

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NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, sections 124.561 and 124.562 were repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

3505.7300 POSTSECONDARY VOCATIONAL CAPITAL EXPENDITURE AID.

Postsecondary vocational capital expenditure aid shall be allocated to each AVTI for those items of expenditure enumerated in Minnesota Statutes, section 124.5624, subdivision 3.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a; 124.5621 subd*

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NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, sections 124.561 and 124.562 were repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

3505.7400 CAPITAL EQUIPMENT AID ALLOCATION.

Each AVTI shall establish an order of priority for its capital aid requests. In establishing the order of priority, the AVTI shall give consideration to the enhancement of the safety of the students and staff and the replacement of technologically obsolete and/or worn out equipment. All requests for the purchase of equipment which have a unit cost of \$1,000 or more shall be justified in writing as a part of the documentation supporting the program budget request. The Division of Vocational-Technical Education shall review such requests giving consideration to the needs of the program as compared to similar programs offered in other AVTI's.

All projected capital expenditures which have a unit cost of \$4,000 or more are subject to approval by the commissioner of education prior to purchase. This includes remodeling and site improvement projects with a cost of \$4,000 to \$50,000. These items shall be included in the appropriate program budget. Such approval shall be sought and given separately from the budget review in

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accordance with Minnesota Statutes 1979 Supplement, section 124.5624, subdivision 5. These requests shall have the specific authorization of the school board which governs the AVTI.

The Division of Vocational-Technical Education shall review and approve, modify or reduce the request giving consideration to the following factors: the historical pattern of capital and/or equipment expenditures for that AVTI; a comparison with similar programs offered in other AVTI's; current practices for facilities or types of equipment utilized in industry.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a; 124.5621 subd 13*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, sections 124.561 and 124.5621 were repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

3505.7500 PRELIMINARY ALLOCATIONS OF POSTSECONDARY VOCATIONAL CAPITAL EXPENDITURE AID FOR ITEMS NOT EXCEEDING A UNIT COST OF \$50,000.

When the total requests for capital expenditure aid are equal to or less than 105 percent of the funds appropriated for this purpose, each AVTI's request shall be reduced by an equal percentage so that the allocations make maximum use of but do not exceed the funds appropriated for this purpose. If the total request for capital expenditure aid exceeds 105 percent of the funds appropriated for this purpose, each AVTI's budget shall be reviewed by the Division of Vocational-Technical Education. The Division of Vocational-Technical Education shall contact the director of the AVTI for the purpose of effecting reductions in the request giving consideration to the factors set forth in part 3505.7400 prior to the scheduled budget review with the Division of Vocational-Technical Education. The AVTI director shall be notified in writing as to the amount of the reduction.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a; 124.5621 subd 13*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, sections 124.561 and 124.5621 were repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

3505.7600 REMODELING AND CONSTRUCTION REQUESTS.

Requests for remodeling or construction with an estimated cost in excess of \$50,000 but not exceeding \$150,000 are subject to prior approval by the State Board for Vocational Education in accordance with Minnesota Statutes 1979 Supplement, section 121.912.

The State Board for Vocational Education shall review such requests giving consideration to the following factors:

A. the specific authorization of the request by the school board which governs the AVTI;

B. the remodeling or construction of facilities requested will provide adequate space for existing programs presently housed within district buildings or as a replacement for unsuitable rented space;

C. construction requests for facilities identified in item B shall be reviewed giving consideration to: a comparison with the facilities for similar programs offered in other AVTI's on a per student basis; requirement to meet Occupational Safety and Health Act standards.

The State Board for Vocational Education shall review and approve, modify or reduce any requests for remodeling or construction and shall allocate available funds to meet the most critical needs as determined through the review of the factors set forth in items A to C.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a; 124.5621 subd 13*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, sections 124.561 and 124.5621 were repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

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3505.7700 FINAL ALLOCATIONS.

Final allocations shall be made by the State Board for Vocational Education pursuant to Minnesota Statutes 1979 Supplement, section 124.561, subdivision 3a.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a; 124.5621 subd*

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NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, sections 124.561 and 124.5621 were repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

3505.7800 LOCAL RESPONSIBILITY AND AUTHORITY FOR FUND EXPENDITURES.

Following the final approval of all budget categories, the school board governing an AVTI has the responsibility and authority for expenditure of these categorized aids within the legal constraints of the appropriate statutes.

Statutory Authority: *MS s 121.21 subd 6; 124.561 subd 2a; 124.5621 subd*

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NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4. Minnesota Statutes, sections 124.561 and 124.5621 were repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

3505.7900 CONTINGENCY FUND.

Subpart 1. **Scope.** The contingency fund shall be utilized to promote new or expanding industry in Minnesota which creates ten or more new jobs in any consecutive six-month period in one general work classification, such as production workers, office personnel, or management.

For postsecondary program purposes the contingency fund shall be limited for start-up costs of new and unique programs and meet the requirement of program approval in part 3505.6400. For adult vocational program purposes, the contingency fund shall be limited to operational costs of programs. In addition to meeting the requirements of program approval in part 3505.8600, adult vocational programs utilizing the contingency fund shall also meet the criteria set forth in subpart 2.

Subp. 2. **Criteria.** The following criteria shall be met before approval will be granted.

The AVTI considering a program shall submit the proposal to the Department of Economic Development for their recommendation. The recommendation shall become part of the proposal submitted to the Division of Vocational-Technical Education. All training will be conducted by an AVTI. The company requesting a training program must first recall all personnel previously employed by the company who are qualified in the area for which training is to be provided. Training shall be made available, but not limited to, nonqualified individuals not recalled by the company. The AVTI considering a program shall consult with the Department of Economic Security to ascertain that no trained persons are available to fill the positions requested by industry and identify potential students for the training program.

The AVTI considering a program shall also ascertain that no current graduating AVTI students are available to fill the positions.

The above information shall be included in the proposal to the Division of Vocational-Technical Education.

CETA prime sponsors shall be included in planning to provide for the utilization of CETA funds whenever the program or trainees qualify under CETA criteria.

The AVTI developing the program shall submit the proposal to the company for whom the training is being designed for their recommendation. A signed copy of the company's recommendation shall be included with the proposal to the Division of Vocational-Technical Education. Two or more companies which have similar training needs, with a combined training need of ten or more, are eligible applicants if they agree to a combined training program.

Subp. 3. **Reimbursable costs.** Eligible reimbursable costs to the AVTI's:

A. All instructor costs, including fringe benefits.

B. Supplies needed for training.

C. Equipment purchase, lease, or rental including cost of installation. Purchased equipment shall become property of the AVTI subject to the right of the department of education to transfer the property to another AVTI to further the purpose of the contingency fund. If so transferred, the AVTI shall not retain any interest in the equipment. If equipment belonging to a company is installed, the cost of installation shall not be eligible for reimbursement.

D. Building rental or lease except properties of the company for whom training is provided.

E. Upon prior approval of the commissioner of education, project coordinators may be funded when the training project cannot be satisfactorily handled by the adult vocational directors of the cooperating AVTI.

F. Secretarial costs directly related to the training program.

Statutory Authority: *MS s 124.5625; 124.5626*

NOTE: Minnesota Statutes, sections 124.5625 and 124.5626 were repealed by Laws of Minnesota 1983, chapter 314, article 5, section 17.

3505.8000 CONSTRUCTION.

Expenditures for approved construction projects shall be eligible for aid to the extent allowable by law in the fiscal year in which moneys are paid to retire the principal amount of bonded indebtedness relating to the projects; and moneys expended from funds other than those acquired by incurring bonded indebtedness. In unusual situations in which federal funds become available without sufficient time to follow procedures set forth in the Minnesota State Plan for Vocational-Technical Education, the State Board of Education may obligate funds for construction projects, with the concurrence of the United States Commissioner of Education.

Construction of area vocational-technical institute facilities eligible for aid from funds will be limited to eligible purposes and activities. Where an area vocational-technical institute includes construction for ineligible purposes, the cost of such ineligible facility will be determined by ascertaining the ratio that the cost of eligible facilities bears to the total cost for all facilities in the project.

When area vocational-technical institute construction becomes eligible for federal financial participation under acts other than United States Code, title 20, section 1262, eligible aid will be prorated.

Statutory Authority: *MS s 121.21 subd 6*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4.

3505.8100 DEBT SERVICE AID.

Districts eligible for debt service aid shall receive the state portion not more than 30 days nor less than 15 days prior to payment date as certified to the commissioner of education in the budget request.

Statutory Authority: *MS s 121.21 subd 6*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4.

3505.8200 STUDENT ELIGIBILITY.

The student shall be at least 16 years of age and shall have completed or terminated secondary education. Non-high school graduates less than 18 years of age shall, when possible, involve their secondary school administrators and/or counselors and parents or guardian in the application process.

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Resident status shall be determined at the time of each registration according to the permanent residence of the student's parents or guardian for students under 18 years of age, and according to the permanent residence of the student if he/she is 18 years of age or older. In addition:

A. Any student who has graduated from a Minnesota high school and has not established legal residence in any other state shall be considered a resident of Minnesota. Service in the armed forces of the United States shall not be considered a disruption of continuous residence.

B. Any student who has been employed full time in Minnesota prior to the date of entrance to an area vocational-technical institute shall be granted resident status, provided all income derived from such employment was subject to taxation by the state of Minnesota and the person meets the residency requirements of a qualified voter in the state.

C. The spouse of a Minnesota resident shall be granted resident status provided: that he/she is living with his/her spouse; and that the couple's place of residence is within the state of Minnesota.

This rule shall apply regardless of the age of either spouse.

Statutory Authority: *MS s 121.21 subd 6*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4.

3505.8300 RECIPROCITY AMONG STATES FOR VOCATIONAL EDUCATION.

Reciprocity is contingent upon the execution of a reciprocal agreement as prescribed by Minnesota Statutes, section 136A.08. To qualify for tuition reciprocity under this section, a Minnesota student desiring to attend a vocational institute in another state shall obtain the approval, on the prescribed form, of the director or other authorized official of the Minnesota area vocational-technical institute nearest the residence of the student.

Statutory Authority: *MS s 121.21 subd 6*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4.

3505.8400 STUDENT ORGANIZATIONS.

Student professional organizations shall be an integral part of all program offerings when the organization is approved by the State Board of Education. Costs related to State Board for Vocational Education approved student organizations shall be considered instructional costs for student organizations in vocational-technical education.

Statutory Authority: *MS s 121.21 subd 6*

NOTE: Minnesota Statutes, section 121.21, subdivision 6 was repealed by Laws of Minnesota 1984, chapter 463, article 5, section 4.

3505.8410 COMPLAINT PROCEDURES.

Subpart 1. **Local review.** A student, parent of a student, staff member, or any other interested person may submit a complaint related to an area vocational-technical institute. The complaint must be submitted in writing to the director of the area vocational-technical institute within one year of the event. The institute and school board shall provide procedures for prompt response to a grievance.

Subp. 2. **Review by state board.** Upon request by the complainant, the State Board for Vocational Education shall review a complaint which the commissioner of education determines is about institutional or program quality, as the qualities are related to part 3505.6410. The request of the complainant must be submitted to the commissioner within 15 days of completing the procedures in subpart 1. The commissioner shall forward qualifying complaints to the state board. The state board shall place the complaint on the agenda of its next regularly scheduled meeting and review it at that meeting. The

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complainant and school board shall be given an opportunity to be heard. The state board shall make a written final decision containing findings and conclusions. If the commissioner determines the complaint is not about institutional or program quality, as the qualities are related to part 3505.6410, the commissioner shall notify the complainant that no action will be taken.

Statutory Authority: *MS s 121.11 subd 12*

ADULT VOCATIONAL-TECHNICAL EDUCATION

3505.8500 SCOPE.

Parts 3505.8500 to 3505.9900 govern the operation of adult vocational-technical programs offered by a school district or cooperative center for which state aids are paid.

Statutory Authority: *MS s 136C.38 subd 4*

3505.8600 PROGRAM CRITERIA.

Subpart 1. **Criteria.** An adult vocational-technical program shall meet the following criteria to be approved as eligible for state aid.

Subp. 2. **Enrollees.** The enrollees shall have completed or terminated secondary school. They shall be at least 16 years old.

Subp. 3. **Instructor licensure.** For the purpose of this subpart, "instructor" includes a specialist, a guest lecturer, and a resource person. An instructor shall hold a valid adult vocational-technical license in the area taught. An instructor who teaches more than 500 clock hours annually shall meet full-time adult licensure requirements or postsecondary licensure requirements in the area taught if full-time adult licensure requirements do not exist. An instructor who teaches six hours or less in three consecutive months in any individual program is not required to hold a license in order to teach in that program.

Subp. 4. **Administrative services.** Administrative services shall be provided to administer the adult vocational-technical program needs.

Subp. 5. **Advisory committee.** The district or center shall have either an adult vocational-technical advisory committee or program advisory committees for each occupational area in which courses are offered. A district or center may have both types of committees. A committee shall meet at least once a year. District or center employees shall not be voting members of the advisory committees in the district or center in which they are employed but may serve as ex officio nonvoting members.

Subp. 6. **Evaluation.** The district or center shall conduct an annual evaluation. The evaluation shall be based on the following concepts: planning and development; needs assessment; diversity of offerings; management; and program operations.

Subp. 7. **Review by accrediting body.** If a program is subject to review by a national or state accrediting body, the district or center shall notify the department of education of the review date at least 30 days before the review. The district or center shall copy all information supplied to the accrediting body and retain the copies.

Statutory Authority: *MS s 136C.38 subd 4*

3505.8700 COURSE CRITERIA, PROCEDURES, AND PRIORITIES.

For purposes of parts 3505.8500 to 3505.9900, a course includes an adult vocational course, workshop, or instructional services.

Statutory Authority: *MS s 136C.38 subd 4*

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3505.8800 COURSE CRITERIA.

A course shall meet one or more of the following criteria to be approved as eligible for state aid.

A. The course is vocational in nature. Courses which train, retrain, or upgrade adults for paid employment in agriculture, businesses, offices, marketing, distribution, health occupations, trades, industries, technical occupations, and service occupations are vocational in nature. Courses in which adults are pursuing avocational or leisure time activities or hobbies are not vocational in nature.

B. The course trains, retrains, or upgrades adults who are responsible for public health and safety even if the adults are not financially compensated for the services.

C. The course trains, retrains, or upgrades adults in occupational areas which have employment opportunities.

D. The course trains, retrains, or upgrades adults in response to area or state businesses.

E. The course trains, retrains, or upgrades adults to own, operate, or manage a business or farm.

F. The course trains, retrains, or upgrades adults for occupations in a particular business if the skills and knowledge taught are transferable to other businesses.

G. The course teaches consumer skills, resource management, nutrition, parent, individual and family development, and the care and nurturing of children. Home crafts, home cooking, and home sewing courses are not eligible.

H. The course trains, retrains, or upgrades adults who are required to meet local, state, or federal government standards to enter or maintain an occupation.

I. The course has been offered in the past and has been determined by the community to be successful in meeting occupational or public service needs. The term "public service" means courses which promote public health and safety.

J. The course provides specialized assistance for persons with special needs who are preparing for economic self-sufficiency when those persons are also enrolled or plan to become enrolled in vocational courses. The term "persons with special needs" includes but is not limited to persons who are disadvantaged, handicapped, or have limited English proficiency.

K. The course is economical and efficient either as calculated per student, per student per hour, per employer, per family business, or when necessary specialized equipment is available at low cost or no cost through a business or school.

L. The course provides training in new technology or new equipment and enables adults to retain their present employment.

Statutory Authority: *MS s 136C.38 subd 4*

3505.8900 LIST OF APPROVED COURSES.

The department of education shall make available to districts and centers a list of course descriptions that meet the criteria in part 3505.8800.

Statutory Authority: *MS s 136C.38 subd 4*

3505.9000 PRIOR WRITTEN APPROVAL.

A district or center shall not offer a course which is not on the list if it intends to claim state aid unless the district or center has obtained prior written approval for that fiscal year from the department. The department shall

approve or disapprove a course within 30 days after it receives a complete, written request for approval.

Statutory Authority: *MS s 136C.38 subd 4*

3505.9100 COURSE SELECTIONS AND PRIORITIES.

When moneys available for adult vocational-technical education are insufficient to fund all the courses and services desired, the district or center shall develop and maintain a breadth of course selections. The department shall review course selections to assure that breadth is developed and maintained throughout the state. The department shall give priority to the following when it approves courses for funding:

A. courses addressing needs of adults who are currently unemployed or employed in unskilled, low-paying positions and who have potential for employment in more highly skilled, higher paying positions;

B. courses which are planned, coordinated, and jointly offered with other districts, public or nonpublic agencies or organizations;

C. programs mandated by the legislature, if any; and

D. courses likely to improve the economy of the community, area, or state by attracting or expanding business.

The foregoing are not listed in any particular order and each is of equal weight.

Statutory Authority: *MS s 136C.38 subd 4*

3505.9200 GENERAL AND SPECIAL REQUIREMENTS.

Subpart 1. **Applicability.** The requirements of subparts 2 and 3 apply only to courses other than adult farm management and small business management. The provisions of subparts 4 to 11 apply only to adult farm management and small business management. The provisions of subpart 12 apply to the variances available under subparts 3 and 9.

Subp. 2. **Minimum enrollment.** A course shall have at least ten people enrolled for vocational purposes to be eligible for state aid. If more than one section of a course is offered, the average enrollment shall be at least ten.

Subp. 3. **Variance.** If the minimum enrollment is not met, the district or center shall apply to the commissioner of education for a variance. The commissioner shall grant a variance when: the course is required by law; or fewer than ten people need specialized training to become employed; or fewer than ten people need specialized services to prepare for economic self-sufficiency; or equipment limitations require fewer than ten people.

Subp. 4. **Full-time adult farm management instructor.** A full-time adult farm management instructor shall have a minimum enrollment of cooperators representing not less than 42 farms, 30 farms of which shall be represented by cooperators who have been enrolled six years or fewer. If the minimum enrollment is not met, the district or center shall apply to the commissioner of education for a variance.

Subp. 5. **New adult farm management.** When a district or center first offers instruction in adult farm management or when a new instructor is employed, the minimum enrollment of cooperators representing 42 farms shall be reached within four years. After the first four years, the district or center shall apply to the commissioner of education for a variance if the minimum enrollment is not met.

Subp. 6. **Part-time adult farm management instructor.** An adult farm management instructor shall be employed at least 40 percent of full time. The minimum enrollment in subparts 4 and 5 shall be reduced proportionately for an instructor employed less than full time. A fraction smaller than one-half shall be rounded down and a fraction of one-half or larger shall be rounded up to the nearest whole number.

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Subp. 7. **Full-time business management instructor.** A full-time small business management instructor shall have a minimum enrollment of 30 adults who have been enrolled three years or fewer. If the minimum enrollment is not met, the district or center shall apply to the commissioner of education for a variance.

Subp. 8. **New small business management.** When a district or center first offers instruction in small business management or when a new instructor is employed, the minimum enrollment of 30 adults shall be reached within three years. After the first three years, the district or center shall apply to the commissioner of education for a variance if the minimum enrollment is not met.

Subp. 9. **Variance for completion.** The commissioner of education shall grant a variance from the enrollments required in subparts 4 to 8 if the variance would allow enrollees to complete the instruction. The variance granted shall be only for the amount of time needed for enrollees to complete the instruction. No adults may begin instruction in adult farm management or small business management unless the number of adults beginning would be sufficient to meet the required minimum enrollments.

Subp. 10. **Cooperator defined.** For the purposes of subparts 4, 5, 6, and 9, the term "cooperator" means a farm family, consisting of any number of natural persons, responsible for the management of a farm business.

Subp. 11. **Account analysis.** Eighty percent or more of the enrolled adults who have been enrolled in adult farm management or small business management for one year or more, from July 1 of any year, shall annually have an analysis of their farm or business accounts.

Subp. 12. **Procedures for obtaining a variance.** Any school district or center which desires to obtain a variance pursuant to subpart 3 or 9 shall make a request for such a variance in writing addressed to the commissioner of education. The request may be in the form of a letter and shall identify the specific rule and subpart under which the variance is requested and shall state the facts which support the request. The commissioner of education shall issue a response in the form of a letter addressed to the school district or center not more than 15 days after the receipt of the request from the school district or center. If the request is denied, the affected school district or center may request a review by the state board as set forth in part 3505.9300, subpart 8.

Statutory Authority: *MS s 136C.38 subd 4*

3505.9300 ADULT VOCATIONAL AID.

Subpart 1. **District procedures.** A district or center shall use the following procedures when requesting aid. It shall authorize an administrator to represent it. The administrator shall hold a valid license as a superintendent, adult vocational director, AVTI director, or secondary vocational director. It shall plan and submit the program and state aid budget request to the district school board or the center board. The board shall approve the program and the state aid budget request before submitting them to the department. It shall submit the program and the state aid budget request by January 1 preceding the fiscal year in which aids are to be paid. It may submit additional state aid budget requests for any moneys remaining after the initial budget approval dates designated in subpart 2. It shall conduct the program for which aid is approved or return the aid. It shall submit adult report forms by August 15 for the program that was conducted during the preceding state fiscal year.

Subp. 2. **Department procedures.** The department shall approve or disapprove the program and state aid budget request by July 1 in odd-numbered calendar years or by March 1 in even-numbered calendar years.

Subp. 3. **Aid for personnel.** The state shall pay 75 percent of salaries paid to essential licensed personnel and personnel exempt from licensure. Salaries for instructors, coordinators, administrators, specialists, guest lecturers, and resource

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personnel as part of an approved program are eligible for aid if licensure requirements are met.

Subp. 4. **Administrative staff.** A district or center is eligible for aid for one full-time equivalent adult vocational licensed administrative staff member if either of the following conditions is met:

A. The district or center enrolls 2,000 or more adults annually in approved programs. Adults enrolled in more than one program may be counted in each program in which they are enrolled.

B. The district or center provides supervision to all full-time adult instructors through the vocational administrator and maintains 2,500 instructional hours of part-time vocational education. Courses with full-time instructors may be counted as 200 instructional hours toward this requirement.

Subp. 5. **Additional administrative staff.** A district or center is eligible for additional full-time equivalent administrative staff when increments of subpart 4, item A or B, are met. If a district or center has less than a complete increment of subpart 4, item A or B, it is eligible for proportionate additional part-time administrative staff.

Subp. 6. **Eligibility for aid.** Only the portion of time devoted to adult vocational-technical programs shall be eligible for aid.

Subp. 7. **Aid for travel.** The state shall pay 50 percent of the cost of necessary travel between instructional sites for essential licensed personnel.

Subp. 8. **Review by the state board.** If the department disapproves a proposed adult vocational education course for purposes of being eligible for state aid pursuant to parts 3505.8700 to 3505.9100, or if the commissioner of education denies a variance requested pursuant to part 3505.9200, the affected school district or center may, within 15 days of the date of the department's or commissioner's decision, as applicable, demand and shall be given an opportunity to present its position to the State Board of Education (State Board for Vocational Education) at the next regular meeting of the State Board of Education. For purposes of this subpart, the "next regular meeting of the State Board of Education" means the next regularly scheduled meeting of the State Board of Education occurring not less than 20 days after receipt by the department or commissioner of the school district or center's demand. The state board may place reasonable restrictions on the length of time for the district or center to present its position. The board may issue its decision at the meeting and shall, in any event, issue its decision no later than its next regularly scheduled board meeting.

Statutory Authority: *MS s 136C.38 subd 4*

3505.9400 TUITION AND FEES.

Subpart 1. **Determination.** The district or center shall determine tuition and fees.

Subp. 2. **Nonresidents.** The district or center may charge different tuition and fees to nonresidents of the district or state.

Subp. 3. **Individuals, employers, and agencies.** Tuition and fees may be charged to individuals, employers, or agencies that sponsor enrollees.

Subp. 4. **Senior citizens.** Any charge made by the district or center of tuition or fees for people 62 years of age or older shall be consistent with Minnesota Statutes, sections 136A.80 to 136A.81.

Subp. 5. **Special situations.** An adult enrolled in a full-time adult farm management program for more than six years or a small business management program for more than three years shall be charged record analysis fees and hourly charges. The hourly charge shall be determined by dividing the total direct cost of the program by the hourly assignment of the instructor. Direct cost is the sum of instructional staff salary and travel cost between instructional sites. A full-time adult farm management or small business management

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instructor load shall constitute 1,200 contact hours.

Statutory Authority: *MS s 136C.38 subd 4*

NURSING ASSISTANT PROGRAM

3505.9500 DEFINITIONS.

Subpart 1. **Scope.** In parts 3505.9500 to 3505.9900 the following terms have the meanings given them.

Subp. 2. **Curriculum.** "Curriculum" means the aggregate of courses of study and planned learning activities developed by the commissioner of education.

Subp. 3. **Nursing assistant.** "Nursing assistant" means an individual working in or employed by a nursing home, including, but not limited to, a nurse's aide or an orderly, who is assigned by the director of nursing to provide or assist in the provision of direct patient care services under the supervision of a registered nurse.

Subp. 4. **Successfully completed.** "Successfully completed" means the attainment of 70 percent on the oral or written test and 70 percent on the performance evaluation.

Subp. 5. **Supplemental nursing service.** "Supplemental nursing service" means an entity which recruits and employs nursing and ancillary health care personnel for temporary assignments to supplement the staff of health care institutions. It is not an employment agency but the employer of all such personnel assigned.

Statutory Authority: *MS s 144A.61 subd 2*

3505.9600 CURRICULUM, TEST, AND EVALUATION.

A nursing assistant education program shall use the curriculum and test developed by the commissioner of education as reviewed and evaluated by the Board of Nursing. The program shall include an individual written or oral test and performance evaluation. The test shall be administered monthly by the department through area vocational-technical institutes or community colleges in accordance with instructions from the commissioner. The program shall be 30 hours of planned learning activities, exclusive of the evaluation. The commissioner may prescribe a fee for administration of the test not to exceed \$30.

Statutory Authority: *MS s 144A.61 subd 2*

3505.9700 TECHNICAL ASSISTANCE.

Technical assistance provided by the department of education may include training of instructors, utilization of the curriculum, and instructional materials.

Statutory Authority: *MS s 144A.61 subd 2*

3505.9800 INSTRUCTIONAL STAFF QUALIFICATIONS.

An instructor for an approved nursing assistant education program shall be:

A. a registered nurse with at least 2,000 hours of experience within the last five years, at least 500 hours of which must be in a geriatric or rehabilitation nursing setting; or

B. a licensed practical nurse who was teaching this course in a nursing home as of January 1, 1979, who continues to teach this course in that same facility as of January 1, 1982.

Statutory Authority: *MS s 144A.61 subd 2*

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3505.9900 EXEMPTIONS.

The following nursing assistants shall not be required to comply with the education requirements of Minnesota Statutes, sections 144A.61 and 144A.611:

A. nursing assistants who began employment in a nursing home on or before December 31, 1978, and who continue employment in the same nursing home in which they were employed on December 31, 1978;

B. nursing assistants who successfully completed after January 1, 1976, a training program for nursing assistants employed in nursing homes which used a program approved by the department of education, unless employment has been interrupted for greater than five consecutive years;

C. nursing assistants who successfully completed a state-approved nursing education program which prepares an individual for licensure as a registered nurse or licensed practical nurse if the completion occurred no more than five calendar years prior to employment;

D. persons who have successfully completed the individual oral or written test and performance evaluation, even though they had not taken the course;

E. registered nurses or licensed practical nurses holding current licensure in Minnesota; and

F. nursing assistants who began employment in a supplemental nursing service on or before December 31, 1978, and who continue employment in that same nursing service in which they were employed on or before December 31, 1978, and who have worked a minimum of 12 hours per week for that same supplemental nursing service in a nursing home prior to December 31, 1978. Supplemental nursing services shall provide to the Department of Health by January 15, 1979, a list of all nursing assistants employed by the supplemental nursing services who have worked 12 hours in a nursing home on or before December 31, 1978.

Statutory Authority: *MS s 144A.61 subd 2*