

CHAPTER 8480
STATE BOARD OF VOCATIONAL TECHNICAL
EDUCATION
SYSTEM POLICY

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8480.0010 DEFINITIONS.

Subpart 1. **Scope.** The terms used in parts 8480.0010 to 8480.0660 have the meanings given them in this part.

Subp. 2. **Active continuous program.** "Active continuous program" means an approved continuous program which currently has students enrolled, is receiving funding from the board, and is included on the AVTI's inventory of approved continuous programs.

Subp. 3. **ADM.** "ADM" means average daily membership.

Subp. 4. **ADM/FTE ratio.** "ADM/FTE ratio" means the ratio obtained from dividing the average daily memberships by the full-time teaching equivalents.

Subp. 5. **Allocation for continuous programs.** "Allocation for continuous programs" means the dollar amounts distributed by the board to districts for the purpose of operating vocational technical education through approved programs and services at AVTIs. The components of an allocation are instructional, including dedicated special needs funds; equipment; repair and betterment; and debt service.

Subp. 6. **AVTI.** "AVTI" means area vocational technical institutes established pursuant to Minnesota Statutes, section 136C.07; Laws of Minnesota 1967, chapter 822, as amended; Laws of Minnesota 1969, chapter 775, as amended; and Laws of Minnesota 1969, chapter 1060, as amended.

Subp. 7. **AVTI administrator.** "AVTI administrator" means the director of the AVTI and/or the superintendent of the district.

Subp. 8. **Board or state board.** "Board" or "state board" means the State Board of Vocational Technical Education as defined in Laws of Minnesota 1983, chapter 258.

Subp. 9. **Calendar days.** "Calendar days" means a day, without reference to holidays, weekends, or work days.

Subp. 10. **Clock hour.** "Clock hour" means 60 minutes of student instruction by an instructor.

Subp. 11. **Closely related.** "Closely related" means that a student is employed in a job classified with the same code assigned to the program in which the student was enrolled. The code shall be assigned to the program by the board.

Subp. 12. **Continuous programs.** "Continuous programs" means those approved ongoing programs annually funded by the board and offered by an AVTI to meet the current and future vocational technical educational needs of business, labor, and industry.

Subp. 13. **Completer.** "Completer" means a student who has graduated or has left a continuous program to be employed in a closely related field.

Subp. 14. **Days.** "Days" means working days. A working day refers to the official working days of the office of the state director.

Subp. 15. **Developmental project.** "Developmental project" means a systematically planned and evaluated set of activities designed to investigate, develop, or test strategies or products related to management or administration of an AVTI, or development, modification, or delivery of instructional services. A developmental project shall be managed by one or more AVTIs and considered for funding by the board on an annual basis.

Subp. 16. **Discontinued continuous program.** "Discontinued continuous program" means a continuous program which has been permanently deleted from the system's inventory of approved continuous programs.

Subp. 17. **District.** "District" means a school district, or an intermediate district, providing post-secondary vocational technical education as defined in Laws of Minnesota 1983, chapter 258.

Subp. 18. **Drop or dropout.** "Drop" or "dropout" means a student enrolled in a continuous program who has requested to be removed from the program roll, or a student who has been absent for 15 consecutive days. A student requesting to remain on the program roll because of participation in a chemical dependency program shall not be considered a drop or dropout.

Subp. 19. **FTE.** "FTE" means full-time teaching equivalent.

Subp. 20. **Headcount.** "Headcount" means the number of students previously, currently, or projected to be enrolled in a program on a specific date determined by the state director.

Subp. 21. **HECB.** "HECB" means the Minnesota Higher Education Coordinating Board.

Subp. 22. **Intermediate district.** "Intermediate district" means a district with a cooperative program which has been established under Laws of Minnesota 1967, chapter 822, as amended; Laws of Minnesota 1969, chapter 775, as amended; and Laws of Minnesota 1969, chapter 1060, as amended, offering integrated services for secondary, post-secondary, and vocational technical extension students in the areas of vocational technical education, special education, and other authorized services.

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Subp. 23. **Leaver.** "Leaver" means a student who has been removed from the program roll either as a drop or a completer.

Subp. 24. **Membership.** "Membership" means the number of students on the roll of the program, counted from the date of entry to the date of withdrawal.

Subp. 25. **Periodic programs.** "Periodic programs" means the approved programs offered by an AVTI to respond to the emerging and changing vocational technical educational needs of business, labor, and industry.

Subp. 26. **Post-secondary vocational technical education.** "Post-secondary vocational technical education" means post-secondary vocational technical education and vocational technical extension education programs administered by an AVTI, as defined in Laws of Minnesota 1983, chapter 258.

Subp. 27. **Post-secondary vocational technical system and system.** "Post-secondary vocational technical system" and "system" mean all the collective components of post-secondary education including but not limited to the board, the state director, the Department of Vocational Technical Education, the individual AVTIs, continuous programs, periodic programs, and vocational technical extension programs.

Subp. 28. **School day.** "School day" means a day of instruction as determined by the school board.

Subp. 29. **School board.** "School board" means the school board of a local district and, in the case of an intermediate district, the board of the intermediate district as defined in Laws of Minnesota 1983, chapter 258.

Subp. 30. **Specific calendar date.** "Specific calendar date" means that the action specified must occur by that date. When the AVTI administration or the school board is required to send materials to the state director or the board, a specific calendar date means that the envelope shall have been postmarked on or before the stated date.

Subp. 31. **State director.** "State director" means the state director of post-secondary vocational technical education as defined in Laws of Minnesota 1983, chapter 258.

Subp. 32. **Suspended continuous program.** "Suspended continuous program" means a continuous program which has been deleted from an AVTI's inventory of approved continuous programs and placed in the system's inventory of suspended continuous programs.

Subp. 33. **Vocational technical extension programs.** "Vocational technical extension programs" means the programs or courses offered by an AVTI which expand the vocational technical educational services offered by the AVTI to meet the current needs of the family, government, business, labor, and industry at times appropriate to the learner.

Statutory Authority: *MS s 136C.04*

8480.0020 SYSTEM POLICY.

Subpart 1. **Policy changes.** System policies are policies adopted by the board to organize, define, and manage the system.

A. At least 25 days prior to the meeting at which the board will consider a proposed change in policy, the state director shall notify all persons interested in proposed changes in policy.

B. At least ten days prior to the meeting at which the board will consider a proposed change in policy, the state director shall send a copy of the agenda to all persons interested in proposed changes in policy.

C. At the board meeting, all interested parties shall have the opportunity to present oral or written testimony, subject to the rules of order

adopted by the board. The board may act upon the proposed change in policy and may make changes in the proposed change in policy deemed appropriate or necessary without further hearing or notification.

Subp. 2. **Definition of meeting.** It is the intent of the board that the term "meeting" in this part refers to a monthly meeting.

Subp. 3. **Guidelines for notice.** The board shall include the time, date, and place of the meeting as well as an explanation of the proposed change when notifying persons interested in being notified of proposed changes in system policies. The notification shall be the only item in the envelope.

Subp. 4. **Guidelines for the notification list.** The state director shall maintain a list of all persons interested in being notified of proposed changes in system policies. To be placed on the list, a person shall write a letter to the state director.

Statutory Authority: *MS s 136C.04*

8480.0030 SYSTEM PROCEDURES.

Subpart 1. **Procedure changes.** System procedures are procedures adopted by the board to implement system policies. The process for adopting, suspending, amending, or repealing a system procedure are:

A. At least ten days prior to the meeting at which the board will consider a proposed change in procedure, the state director shall send a copy of the agenda and the proposed revision to all persons interested in proposed changes in system procedures.

B. At the board meeting, all interested parties shall have the opportunity to present oral or written testimony, subject to the rules of order adopted by the board. The board may consider the proposed procedure and may make changes in the proposed procedure deemed appropriate or necessary without further hearing or notification.

Subp. 2. **Definition of meeting.** It is the intent of the board that the term "meeting" refers to a monthly meeting.

Subp. 3. **Guidelines for the notification list.** The state director shall maintain a list of persons interested in being notified of proposed changes of system procedures. To be placed on the list, a person shall write a letter to the state director.

Statutory Authority: *MS s 136C.04*

PROGRAM DEVELOPMENT

8480.0050 ADDING CONTINUOUS PROGRAMS.

Subpart 1. **Approval process.** It is the intent of the board that the approval process for new continuous programs consist of three distinct phases:

A. an outline of intent phase during which all requests are reviewed by the state director;

B. an application phase during which the request is reviewed by the state director and the Higher Education Coordinating Board; and

C. an approval phase during which the application is considered by the board.

Subp. 2. **Definition of a new program.** A new continuous program is any continuous program which has not been previously approved as part of the applying AVTI's continuous program inventory, any continuous program which has been discontinued at the applying AVTI under part 8480.0460 or any previously approved continuous program which is being proposed to be offered at a new or different campus or location.

Subp. 3. **Approval process for a new program.** The approval process for a new program is as outlined in this subpart.

A. The AVTI administration shall complete and submit the most current outline of intent to the state director by May 1.

B. By May 1, the state director shall complete a review of all complete submissions and send a list of the recommended outlines of intent to all AVTIs.

C. The AVTI administration shall complete the most current application form and submit the application to the state director by October 1.

D. The state director shall complete a review of the application and write a recommendation report for the board within 25 days after a complete application is received by the state director.

E. The completed application shall be submitted to the HECB for their review within 25 days after a complete application is received by the state director.

F. At the board meeting, all interested persons shall have the opportunity to present oral or written testimony, subject to the rules of order adopted by the board.

G. The state director shall notify all AVTI administrations of the board's decision within 15 days.

Subp. 4. **Relationship of new continuous program applications to funding.** Only continuous programs approved by the board shall be considered as valid items in an AVTI budget. Continuous programs approved by the board may only begin operating in the following fiscal year. Program approval by the board does not ensure that the board will allocate aid for the program.

Subp. 5. **Guidelines for proposals.** Outlines of intent and program applications submitted to the state director become part of the system and may be reassigned to another AVTI by the state director.

Statutory Authority: *MS s 136C.04*

8480.0060 OPENING PERIODIC PROGRAMS.

Subpart 1. **Requests for consideration.** Requests to consider new venture periodic programs shall be acted upon at the March, June, September, or December meetings of the board. In order to be considered by the board, the new venture program shall have been reviewed by the state director. Requests to consider quick start periodic programs will be considered at any meeting of the board.

Subp. 2. **Definition of new venture program.** A new venture program means a program which is not currently on the system inventory of programs.

Subp. 3. **Definition of quick start program.** A quick start program means a program which is responding to the immediate needs of business, labor, and industry in a manner in which a vocational technical extension program could not.

Subp. 4: **Approval process for periodic programs.** The approval process for periodic programs is as outlined in this subpart.

A. The AVTI administration shall complete the current application form and submit it to the state director.

B. The state director shall review the application and write a recommendation report within 25 days for a new venture application and within ten days for a quick start application if the application form is complete.

C. At the meeting, all interested parties shall have the opportunity to present oral or written testimony, subject to the rules of order adopted by the board.

D. The state director shall notify the applying AVTI administration within 15 days of the board's decision.

Subp. 5. **Guidelines for program cycles.** It is the intent of the board that period programs be approved for a duration of one cycle. If, after the first cycle is completed and the potential for the program to become part of the continuous

program inventory is uncertain, the AVTI may reapply for approval as a periodic program. No periodic program shall be approved for a third cycle, but may be considered, upon application, for continuous program approval.

Subp. 6. **Guidelines for deciding if a program is periodic or extension.** It is the intent of the board that the AVTI administration apply for a periodic program if equipment must be purchased by the AVTI, the program length is equal to or greater than 360 hours, or in order to induce the company to remain or move to Minnesota, the program must be funded at a higher level than vocational technical extension programs are funded.

The AVTI administration should apply for verification as a vocational technical extension course if the course is less than 360 hours, the course is occupationally related, and funding is received from the board.

Statutory Authority: *MS s 136C.04*

8480.0070 DEVELOPMENTAL PROJECTS.

Subpart 1. **Requests for consideration.** Requests to consider developmental project proposals shall be acted upon at an appropriate meeting of the board. In order to be considered by the board, the proposal shall have been reviewed by the state director.

Subp. 2. **Approval process for developmental projects.** The approval process for developmental projects is as outlined in this subpart.

A. The AVTI administration shall complete the most current preproposal form and submit the preproposal to the state director by December 15.

B. By December 31, the state director shall complete a review of all preproposals and notify all applying AVTIs.

C. The AVTI administration shall complete the most current proposal form and submit the proposal to the state director by February 15.

D. By March 31, the state director shall complete a review of the proposal and write a recommendation report for the board.

E. At the meeting, all interested persons shall have the opportunity to present oral or written testimony, subject to the rules of order adopted by the board.

F. The state director shall notify the applying AVTI administration of the board's decision within 15 days.

Subp. 3. **Relationship of project approval to funding.** Projects approved by the board may only begin operating in the following fiscal year. Projects shall be funded for one fiscal year. An AVTI may reapply for funding. The board may reserve a percentage of the total amount appropriated by the legislature for the fiscal year for funding developmental projects.

Subp. 4. **Guidelines for proposals.** Proposals submitted to the state director become part of the system inventory of proposals and may be reassigned to another AVTI by the state director.

Statutory Authority: *MS s 136C.04*

PROGRAM MODIFICATIONS

8480.0100 MAJOR MODIFICATIONS OF CONTINUOUS PROGRAMS.

Subpart 1. **Request process.** It is the intent of the board that the approval process for a request for a major modification of a continuous program consist of three distinct phases:

A. an outline of intent phase during which all requests are reviewed by the state director;

B. an application phase during which the request is reviewed by the state director and the Higher Education Coordinating Board; and

C. approval by the board.

Subp. 2. **Definition of a major program modification.** A major modification of a continuous program is:

A. any change in the length of an existing continuous program which equals or exceeds 360 hours;

B. any addition or deletion of tasks which would change the primary occupation which the students are being trained to enter after completion of the continuous program.

Subp. 3. **Approval process for a major program modification application.** The approval process for a major program modification application is as outlined in this subpart.

A. The AVTI administration shall complete the most current outline of intent and submit the outline to the state director by May 1.

B. By May 1, the state director shall complete a review of all submissions and send a recommendation report to all AVTIs.

C. The AVTI administration shall complete the most current application form and submit the application to the state director by October 1.

D. The state director shall complete a review of the application and write a recommendation report within 25 days after a complete application is received by the state director.

E. If appropriate, the application shall be submitted to the HECB for its review within 25 days after a complete application is received by the state director.

F. At the board meeting, all interested persons shall have the opportunity to present oral or written testimony, subject to the rules of order adopted by the board.

G. The state director shall notify the applying AVTI administration of the board's decision within 15 days.

Subp. 4. **Exceptions.** The board will consider action at other meetings if conditions are such that they warrant an exception.

Statutory Authority: *MS s 136C.04*

8480.0120 MINOR CONTINUOUS PROGRAM MODIFICATIONS.

Subpart 1. **Request for modification.** Requests for permission to make minor program modifications of continuous programs shall be acted upon by the state director.

Subp. 2. **Definition of a minor program modification.** A minor program modification is:

A. any change in the length of an existing continuous program which is less than 360 hours;

B. any substantial change in the task list;

C. any change in code number;

D. any change in the number of sections;

E. any change in the length of supervised occupational experience;

and

F. any change in the title of the continuous program.

Subp. 3. **Approval process for a minor program modification application.** The approval process for a minor program modification application is as outlined in this subpart.

A. The AVTI administration shall complete the most current application form and submit the application to the state director.

B. The state director shall approve or deny the application within 25 days after a complete application is received.

C. Applications which are denied by the state director may be appealed at the next meeting of the board.

D. At the board meeting, all interested persons shall have the opportunity to present oral or written testimony, subject to the rules of order adopted by the board.

E. The state director shall notify the applying AVTI administration within 15 days of the board's decision.

Statutory Authority: *MS s 136C.04*

ADVISORY COMMITTEES

8480.0150 AVTI GENERAL ADVISORY COMMITTEE.

Subpart 1. **Appointment of committee.** It is the intent of the board that each school board shall appoint a general advisory committee which shall determine its officers and shall work with the school board and the AVTI administration.

Subp. 2. **Guidelines for the minutes and membership list.** The AVTI administration shall maintain at least a five-year library of the minutes and membership lists for the general advisory committee. The minutes and membership list shall be available to the state director.

Statutory Authority: *MS s 136C.04*

8480.0160 PROGRAM ADVISORY COMMITTEES.

Subpart 1. **Appointment of committee.** It is the intent of the board that the school board appoint a program advisory committee for each approved continuous and periodic program at the AVTI. The program advisory committee shall elect its officers, review the program, and make annual recommendations to the school board.

Subp. 2. **Duties.** The program advisory committee shall review the program and make recommendations on the following criteria:

- A. curriculum;
- B. facilities and equipment;
- C. staff recruitment;
- D. student recruitment;
- E. student placement;
- F. job availability; and
- G. training stations.

Subp. 3. **Guidelines for minutes and membership lists.** The AVTI administration shall maintain at least a five-year library of minutes and lists of membership for each approved continuous and periodic program at the AVTI. The minutes and membership lists shall be available to the state director.

Subp. 4. **Guidelines for program changes.** It is the intent of the board that the program advisory committee be aware of all actions taken by the board, the school board, or the AVTI administration in parts 8480.0050 to 8480.0210.

In order for an application to be considered complete in these parts, it must be accompanied by the minutes of the program advisory committee during which the action was discussed.

Statutory Authority: *MS s 136C.04*

PROGRAM OPERATION

8480.0200 REOPENING A CONTINUOUS PROGRAM SUSPENDED LESS THAN THREE YEARS.

Subpart 1. **Approval process.** It is the intent of the board that the approval process for reopening a suspended continuous program consist of three distinct phases:

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A. an outline of intent phase during which all requests are reviewed by the state director;

B. an application phase during which the request is reviewed by the state director and the Higher Education Coordinating Board, if appropriate; and

C. approval by the board.

Subp. 2. **Proposing the reopening of a suspended continuous program.** The process for proposing the reopening of a suspended continuous program is as listed in this subpart.

A. The AVTI administration shall complete the most current outline of intent and submit the outline to the state director by May 1.

B. By May 1, the state director shall complete a review of all submissions and send a recommendation report to all AVTIs.

C. The AVTI administration shall complete the most current application form and submit the application to the state director by October 15.

D. The state director shall complete a review of the application and write a recommendation report within 25 days after a complete application is received by the state director.

E. If appropriate, the application shall be submitted to the Higher Education Coordinating Board for its review within 25 days after a complete application is received by the state director.

F. At the board meeting, all interested persons shall have the opportunity to present oral or written testimony, subject to the rules of order adopted by the board.

G. The state director shall notify the applying AVTI administration of the board's decision within 15 days.

Subp. 3. **Relationship of an application to reopen a suspended program to funding.** Only continuous programs approved by the board shall be considered as valid items in an AVTI budget. Programs approved by the board for reopening may only begin operating in the following fiscal year. Program approval by the board does not ensure that the board will allocate aid for the continuous program.

Subp. 4. **Guidelines for outlines and applications.** Outlines and applications submitted to the state director become part of the system and may be reassigned to another AVTI by the state director.

Statutory Authority: *MS s 136C.04*

8480.0210 TRANSFERRING CONTINUOUS PROGRAMS.

Subpart 1. **Request for transfer of program.** Requests to consider the transfer of a continuous program within the system shall be considered at any meeting of the board. It is the intent of the board that a transfer may be proposed by either the state director or the AVTI administration.

Subp. 2. **Definition of a transfer of a continuous program.** A continuous program transfer is a change in the school board which administers the continuous program.

Subp. 3. **AVTI administrations' request to transfer a program.** The process of AVTI administrations' request to transfer a program is as outlined in this subpart.

A. The AVTI administrations shall complete the current application form and submit it to the state director.

B. The state director shall review the application and write a recommendation report within 25 days after a complete application is received.

C. The state director shall submit the application to the Higher Education Coordinating Board for its review within 25 days after a complete application is received.

D. At the meeting, all interested parties shall have the opportunity to present oral or written testimony, subject to the rules of order adopted by the board.

E. The state director shall notify the applying AVTI administration within 15 days of the board's decision.

Subp. 4. **State director's request to transfer a continuous program.** The process for a request by a state director to transfer a continuous program is as outlined in this subpart.

A. The state director shall discuss the proposed transfer with the concerned AVTI administrators before beginning any action.

B. The state director shall submit a recommendation report to the board detailing the reasons for the proposed transfer.

C. The state director shall send a copy of the recommendation report to the concerned AVTI administrators and the school boards 90 days before the board meeting at which the board will consider the action.

D. The state director shall submit the recommendation report to the Higher Education Coordinating Board for its review.

E. At the meeting, all interested persons shall have the opportunity to present oral or written testimony, subject to the rules of order adopted by the board.

F. The state director shall notify the concerned AVTI administrators of the board's decision within 15 days.

Statutory Authority: *MS s 136C.04*

8480.0220 JOINT PROGRAMS.

Subpart 1. **Report of joint programs.** It is the intent of the board that AVTI administration report all joint programs to the state director within 20 days after the school board enters into a formal agreement with another educational institution.

Subp. 2. **Definition of a joint program.** "Joint program" means a program that:

A. has a written agreement signed by the AVTI administration and the chief administrator of the cooperating educational institution;

B. is listed, or intended to be listed, on the Higher Education Coordinating Board inventory as being offered by both schools;

C. is listed, or intended to be listed, in the AVTI catalog and the catalog of the other institution included in the agreement; and

D. awards diplomas or certificates of graduation from both institutions.

Subp. 3. **Definition of a cooperative program.** "Cooperative program" means a program which fails to meet one or more of the criteria a program is required to meet for classification as a joint program but does require the student to complete hours, credits, or tasks at another institution.

Statutory Authority: *MS s 136C.04*

8480.0230 ANNUAL VERIFICATION OF VOCATIONAL TECHNICAL EXTENSION COURSES.

Subpart 1. **Review by state director.** The state director shall annually review all vocational technical extension courses to ensure that each course meets the criteria set by the board.

Subp. 2. **Criteria for course verification.** The state director shall review all vocational technical extension courses to ensure that:

A. the instructor held a valid teaching license if a license was required;

B. the ratio of students listed on the roll to instructors was equal to or greater than the minimum set by the board; and

C. the course was offered because of the potential economic impact on the region, the legislature mandated the course, employment opportunities existed, or the proven contribution of the course.

Subp. 3. **Process for verification.** The process of annual verification of vocational technical extension courses is as outlined in this subpart.

A. By August 15, the AVTI administration shall submit the final report of the AVTI vocational technical extension courses offered in the previous fiscal year to the state director.

B. The state director shall approve or deny all requests for verification of vocational technical extension courses by September 30.

C. The state director shall notify the AVTI administration of the status of the course evaluation by October 15.

D. If the state director denies the request for verification, the AVTI administration may appeal at the next state board meeting.

E. At the board meeting, all interested persons shall have the opportunity to present oral or written testimony, subject to the rules of order adopted by the board.

F. The state director shall notify the appealing AVTI administration of the board's decision within 15 days.

Subp. 4. **Guidelines for variances.** The state director may grant a variance to the number of students criteria if the AVTI administration can show that one of the following conditions will occur:

A. the course is required by law;

B. the students will be employed or retain their jobs as a direct result of the program;

C. a specific business or group of businesses have requested the training;

D. the course will be limited in size because of equipment, safety, or space limitations; or

E. the course will provide specialized services to students preparing for employment.

Subp. 5. **Applying for a variance.** The process for applying for a variance is as outlined in this subpart.

A. Prior to the start of the course, the AVTI administration shall submit the request for variance to the state director.

B. The state director shall approve or deny the variance request within 25 days of the receipt of a complete request.

C. The state director shall notify the AVTI administration of the status of the request within 40 days of the receipt of a complete request.

D. If the state director denies the variance, the AVTI administration may appeal the decision at the next meeting of the board.

E. At the board meeting all interested persons shall have the opportunity to present oral or written testimony, subject to the rules of order adopted by the board.

F. The state director shall notify the appealing AVTI administration of the board's decision within 15 days.

Subp. 6. **Exceptions.** Vocational technical extension courses in farm business management, logging business management, and small business management shall be evaluated under part 8480.0240.

Subp. 7. **Relationship of annual approval to funding.** Only courses verified by the state director or the board shall be placed on the inventory of verified vocational technical extension courses.

Statutory Authority: *MS s 136C.04*

8480.0240 ANNUAL VERIFICATION OF VOCATIONAL TECHNICAL EXTENSION BUSINESS MANAGEMENT COURSES.

Subpart 1. **Review by state director.** By September 30, the state director shall review all vocational technical extension business management courses offered during the prior fiscal year to verify that the courses met the evaluation criteria set by the board.

Subp. 2. **Criteria.** Annual verification criteria for vocational technical extension business management courses are as follows:

A. The number of farms or businesses represented on the roll during the previous fiscal year shall equal or exceed the minimum set by the board.

B. The number of eligible farms or businesses receiving a business analysis shall equal or exceed the minimum set by the board.

Subp. 3. **Exceptions to number of students on roll.** Only the business analysis criteria shall be applied to new vocational technical extension business management courses or new teachers during the first three years.

Subp. 4. **Application for variance of number of students.** The AVTI administration may apply to the state director for a variance of the number of students criterion. The request for a variance shall be received by the state director by February 15 of the current fiscal year.

Subp. 5. **Relationship of annual approval to funding.** Only courses approved by the state director or the board shall be placed on the inventory of verified vocational technical extension courses.

Statutory Authority: *MS s 136C.04*

8480.0250 DIPLOMAS AND CERTIFICATES.

Subpart 1. **Qualification.** It is the intent of the board that only students completing the approved number of required hours of instruction or demonstrating the prerequisite skills or tasks receive a diploma or certificate of graduation and be classified as graduates.

Subp. 2. **Guidelines for students completing options.** It is the intent of the board that all students who complete an option beyond the program's required instruction, have that option acknowledged on the diploma, certificate of graduation, or transcript.

Subp. 3. **Guidelines for students who do not graduate.** It is the intent of the board that students who do not complete the required number of hours of instruction to receive a certificate of graduation be recognized for the tasks or competencies which they have completed or mastered.

Statutory Authority: *MS s 136C.04*

8480.0260 CERTIFICATES OF GRADUATION.

It is the intent of the board that each student completing the required number of hours, tasks, or competencies approved by the board shall receive a certificate of graduation or diploma if the student is deemed competent by the school board.

Statutory Authority: *MS s 136C.04*

8480.0270 SUPERVISED OCCUPATIONAL EXPERIENCE.

Subpart 1. **On-the-job training.** It is the intent of the board that when deemed appropriate by the school board, the student shall receive supervised on-the-job training at a work station which is similar to the environment in which a student will work following graduation.

Subp. 2. **Guidelines for supervision of students.** In order for a program to receive full funding, all students participating in a supervised occupational experience shall be supervised by a teacher from the program which lists the student on the roll. If the person supervising the students is not a teacher in the program, an adjustment will be made in the funding formula.

Subp. 3. **Guidelines for training agreements and plans.** The AVTI administration shall maintain a library of all training plans and agreements for the current and previous four fiscal years. The training plans and agreements shall be available to the state director.

Subp. 4. **Guidelines for the evaluation of work stations and training assignments.** The AVTI administration shall maintain a library of work station and training assignment evaluations. The evaluations shall be completed by students, employers, and instructional staff.

Subp. 5. **Guidelines for length of occupational experience.** The maximum length of a supervised occupational experience shall be approved in advance by the state director and the school board.

Statutory Authority: *MS s 136C.04*

8480.0280 JOB ANALYSIS.

It is the intent of the board that the state director maintain a library of all the principal responsibilities and tasks taught in continuous and periodic programs as they are developed.

All requests for approval under parts 8480.0050 to 8480.0120 shall have a current job analysis attached to the application. The job analysis shall include all principal responsibilities and tasks which will be taught in the program.

Statutory Authority: *MS s 136C.04*

8480.0290 PROGRAM INVENTORIES.

Subpart 1. **State director's duties.** The state director shall maintain current inventories of all approved, suspended, and discontinued programs and an inventory of all vocational technical extension courses verified for the previous fiscal year.

Subp. 2. **Relationship of active continuous program inventory to funding.** An active continuous program which appears as an item in an AVTI budget must appear on the active continuous program inventory.

Subp. 3. **Relationship of vocational technical extension course inventory to funding.** A vocational technical extension course which is verified for funding must appear on the vocational technical extension course inventory.

Subp. 4. **Guidelines for timing inventory of programs and courses.** Inventories of continuous programs, such as active, suspended, or discontinued, and periodic programs, such as new venture or quick start, shall be current. Inventories of verified vocational technical extension courses offered during the previous fiscal year shall be taken annually on an appropriate date.

Statutory Authority: *MS s 136C.04*

8480.0300 GRIEVANCE PROCEDURE.

Subpart 1. **Time for review.** It is the intent of the board that all complaints of program or institutional quality receive a fair and timely review. Complaints or grievances shall be considered at the board meeting immediately after the state director determines that the board is empowered to act under Laws of Minnesota 1983, chapter 258.

Subp. 2. **Resolving grievances or complaints.** The process for resolving a grievance or a complaint is as outlined in this subpart.

A. The complainant shall write to the state director detailing the complaint or grievance and providing supporting documentation.

B. The state director shall try to resolve the complaint or grievance through communication with the AVTI administration and the complainant.

C. If either party is unsatisfied with the results of this effort, that party, or both parties, shall write to the state director requesting a review before the board.

D. The state director, after consulting the attorney general's office, shall determine if the board is empowered to act under Laws of Minnesota 1983, chapter 258, within ten days of the receipt of a request.

E. If the state director determines that the board is empowered with the powers necessary to resolve the problem, the complaint or grievance shall be considered at the next board meeting.

F. At the board meeting, all interested persons shall have the opportunity to present oral or written testimony, subject to the rules of order adopted by the board.

G. The state director shall notify all concerned parties of the board's decision within 15 days.

Subp. 3. **Guidelines for time limit on grievances.** It is the intent of the board that a grievance be submitted to the state director within one year.

Statutory Authority: *MS s 136C.04*

PROGRAM EVALUATION

8480.0400 ON-SITE EVALUATION OF THE AVTI.

Subpart 1. **State director's duties.** The state director shall conduct an on-site evaluation of each AVTI. It is the intent of the board that each AVTI be evaluated at least once every five years.

Subp. 2. **Guidelines for choosing evaluators.** The state director shall ensure that knowledgeable persons from business, industry, labor, and education serve as evaluators.

Subp. 3. **Guidelines for exemptions from on-site evaluations.** The state director may exempt a program from an on-site evaluation if the program is currently accredited by an approved accrediting agency other than the board. The state director may exempt the administration of an AVTI from an on-site evaluation if the AVTI is currently accredited by the North Central Association of Schools and Colleges Commission on Schools of Higher Education.

Subp. 4. **Guidelines for preparation for evaluation.** The AVTI administration shall submit the most current self evaluation to the state director one year prior to the scheduled on-site evaluation.

Subp. 5. **Guidelines for follow-up.** The AVTI administration shall submit an annual follow-up report to the state director on the anniversary date of the on-site evaluation.

Statutory Authority: *MS s 136C.04*

8480.0410 ACCREDITATION OF AN AVTI BY THE BOARD.

Subpart 1. **Considerations by the board.** Accreditation of an AVTI by the board shall be considered at any meeting of the board. In order to be considered by the board, the request shall have been reviewed by the state director.

Subp. 2. **Process for accreditation.** The process for accreditation of an AVTI is as outlined in this subpart.

A. The AVTI administration shall submit a request to the state director within 30 days of an on-site evaluation.

B. The state director shall review the request and write a recommendation report to the board within 25 days of the receipt of the request.

C. At the board meeting, all interested persons shall have the opportunity to present oral or written testimony, subject to the rules of order adopted by the board.

D. The state director shall notify the requesting AVTI administration of the board's decision within 15 days.

Subp. 3. **Guidelines for accreditation status.** The board may grant either full accreditation or contingent accreditation. If the board grants accreditation contingent upon some condition, the state director shall report to the board when the condition has been satisfied.

Subp. 4. **Guidelines for reinstating accredited status.** If the board denies or revokes accreditation, the AVTI administration may reapply under this part after another on-site evaluation is conducted.

Subp. 5. **Relationship of accreditation to funding.** If the board denies accreditation or the AVTI administration fails to satisfy the conditions of contingent accreditation, the state director shall report the loss of accreditation to all agencies which provide scholarships, grants, or aids to students at the AVTI.

Statutory Authority: *MS s 136C.04*

8480.0420 ACCREDITATION OF AN AVTI BY OUTSIDE AGENCIES.

Subpart 1. **Notice.** At least 30 days prior to an evaluation by an accrediting agency other than the state department of vocational technical education, the AVTI administration shall notify the state director. The notification shall include the name of the agency, the purpose, and the date of the evaluation. Within 30 days of receiving a complete report from the accrediting agency, the AVTI administration shall send a copy of the report to the state director.

Subp. 2. **List of approved agencies.** The state director shall maintain a list of approved accrediting agencies. In order to be placed on the list, the agency shall be accredited by the United States Department of Education.

Statutory Authority: *MS s 136C.04*

8480.0430 ANNUAL EVALUATION OF CONTINUOUS PROGRAMS.

Subpart 1. **State director's duties.** The state director shall annually review all continuous programs to ensure that each continuous program meets the criteria set by the board. Continuous programs which do not meet all of the criteria set by the board shall be reported to the board under part 8480.0100, 8480.0460, or 8480.0470 unless a variance is received under part 8480.0480.

Subp. 2. **Indicators.** Key result indicators for annual continuous program evaluation are as follows:

- A. student satisfaction with the quality of the continuous program;
- B. employer satisfaction with the quality of the education received by the graduates;
- C. ratio of graduates or completers to the adjusted continuous program leavers;
- D. ratio of graduates or completers in jobs which are closely related to the training which they received in the continuous program;
- E. ratio of ADMs to FTEs;
- F. instructional costs per ADM;
- G. instructional costs per completer;
- H. ratio of special needs students to ADMs; and
- I. geographical access to a continuous program.

Subp. 3. **Guideline for statistical accuracy.** The state director shall ensure that survey design and data analysis are appropriate and accurate.

Subp. 4. **Guidelines for determining adjusted continuous program leavers.** Adjusted continuous program leavers shall be determined by subtracting the leavers identified as being special needs students from the number of leavers.

Statutory Authority: *MS s 136C.04*

8480.0440 ACCREDITATION OF A PROGRAM BY OUTSIDE AGENCIES.

Subpart 1. **Copy to state director.** Within 30 days of receiving a complete report from an approved accrediting agency, the AVTI administration shall send a copy of the report to the state director.

Subp. 2. **List of approved agencies.** The state director shall maintain a list of approved accrediting agencies. In order to be placed on the list, the agency shall be accredited by the United States Department of Education.

Statutory Authority: *MS s 136C.04*

8480.0450 SUSPENDING CONTINUOUS PROGRAMS.

Subpart 1. **Recommendation to suspend.** A recommendation to consider suspending a continuous program shall be acted upon at any meeting of the board. It is the intent of the board that the recommendation may be made by either the AVTI administration or the state director.

Subp. 2. **Criteria to be used to recommend suspension of a continuous program.** The state director or the AVTI administration may recommend the suspension of a continuous program if:

A. the projected job openings will be insufficient to place the continuous program completers;

B. the projected student enrollment will be insufficient to maintain a minimum ADM/FTE ratio;

C. the board has determined that a financial emergency exists; or

D. the continuous program does not meet the needs of the system.

Subp. 3. **Process for AVTI administration proposal to suspend a program.** The process for AVTI administration proposal to suspend a program is as outlined in this subpart.

A. The AVTI administration shall submit a recommendation report to the state director detailing the reasons for proposing the suspension of the continuous program.

B. The state director shall complete a review of the local recommendation report and write a recommendation report for the board within 25 days.

C. At the board meeting, all interested persons shall have the opportunity to present oral or written testimony, subject to the rules of order adopted by the board.

D. The state director shall notify the applying AVTI administration of the board's decision within 15 days.

Subp. 4. **Process for state director to propose suspension of a program.** The process for the state director to propose suspension of a program is as outlined in this subpart.

A. The state director shall discuss the proposed suspension of a continuous program with the AVTI administration before submitting a recommendation report to the board.

B. The state director shall submit a recommendation report to the board detailing the reasons for proposing the suspension of the continuous program.

C. The state director shall send a copy of the recommendation report to the concerned AVTI administration and the school board at least 45 days before the board meeting at which the action will be considered.

D. The state director shall notify the concerned AVTI administration and school board at least ten days before the meeting of the board at which the action will be considered.

E. At the board meeting, all interested persons shall have the opportunity to present oral or written testimony, subject to the rules of order adopted by the board.

F. The state director shall notify the concerned AVTI administration of the board's decision within 15 days.

Subp. 5. **Guidelines for notification of AVTI administration and school board.** The notification sent to the AVTI administration and school board shall include the time, date, and place of the meeting at which the action will be considered.

Subp. 6. **Guidelines for inventory of suspended programs.** It is the intent of the board that continuous programs which are suspended shall become part of the system's inventory of suspended continuous programs.

Statutory Authority: *MS s 136C.04*

8480.0460 DISCONTINUING A CONTINUOUS PROGRAM.

Subpart 1. **Request for discontinuance.** Requests to consider discontinuing an active continuous program shall be acted upon at any meeting of the board. It is the intent of the board that the request may be made by either the AVTI administration or the state director.

Subp. 2. **Criteria.** The criteria to be used by the state director to discontinue a continuous program are as follows:

- A. the program has failed to equal or exceed the minimum placement ratio in the previous fiscal year;
- B. the program has failed to equal or exceed the minimum ADM/FTE ratio in the previous fiscal year;
- C. the program has been suspended under part 8480.0450 for more than three years; or
- D. the program does not meet the needs of the system.

The state director may recommend that the board discontinue a program which has been classified as monitored under part 8480.0470 for three or more consecutive fiscal years.

Subp. 3. **Approval process for administration.** The approval process for AVTI administration to request discontinuance of a continuous program is as outlined in this subpart.

A. The AVTI administration shall submit a letter of recommendation to the state director detailing the reasons for discontinuing the continuous program.

B. The state director shall complete a review of the local letter of recommendation and write a recommendation report for the board within 25 days of receiving the local letter of recommendation.

C. The state director shall notify the applying AVTI administration of the board's decision within 15 days.

Subp. 4. **Approval process for state director.** The approval process for the state director to recommend discontinuance of a continuous program is as outlined in this subpart.

A. The state director shall discuss the proposed discontinuance of a continuous program with the AVTI administration before submitting a recommendation report to the board.

B. The state director shall submit a recommendation report to the board detailing the reasons for recommending the discontinuance of the continuous program.

C. The state director shall send a copy of the recommendation report to the concerned AVTI administration and the school board at least 45 days before the board meeting at which the action will be considered.

D. The state director shall notify the concerned AVTI administration and school board at least ten days before the meeting of the board at which the action will be considered.

E. At the board meeting, all interested persons shall have the opportunity to present oral or written testimony, subject to the rules of order adopted by the board.

F. The state director shall notify the concerned AVTI administration of the board's decision with 15 days.

Subp. 5. **Guidelines for notification of AVTI administration and school board.** The notification sent to the AVTI administration and school board shall include the time, date, and place of the meeting at which the action will be considered.

Subp. 6. **Minimum placement percentage.** It is the intent of the board that each continuous program in the AVTI system equal or exceed a placement percentage determined by the board. In order to be considered placed, a student must be employed in a closely related occupation within one fiscal year of the end of the fiscal year in which the student completed the continuous program.

Subp. 7. **Minimum ADM/FTE ratio.** It is the intent of the board that all continuous programs equal or exceed an ADM/FTE ratio determined by the board.

Subp. 8. **Variances for discontinuation.** A continuous program shall be exempt from discontinuation for one year if a variance is received under part 8480.0480.

Subp. 9. **Guidelines for inventory of discontinued programs.** The state director shall maintain an inventory of discontinued continuous programs. It is the intent of the board that when a continuous program is discontinued, the continuous program is removed from the system's inventory of continuous programs and from the AVTI's inventory of continuous programs.

Statutory Authority: *MS s 136C.04*

8480.0470 MONITORED STATUS.

Subpart 1. **Criteria for placement.** It is the intent of the board that each continuous program which does not meet one or more of the following criteria be placed on monitored status:

- A. minimum student satisfaction criteria;
- B. minimum employer satisfaction criteria;
- C. minimum completer's criteria;
- D. accepted range of cost per ADM; or
- E. accepted range of cost per completer.

Subp. 2. **Process for placing a continuous program on monitored status.** The process for placing a continuous program on monitored status is as outlined in this subpart.

A. The state director shall submit a recommendation report to the board detailing the reasons for proposing monitored status.

B. The state director shall notify the concerned AVTI administration of the proposal and the date of the meeting at which the board will consider the action at least ten days before the meeting.

C. The state director shall notify the concerned AVTI administration of the board's decision within 15 days.

Subp. 3. **Guidelines for working with continuous programs on monitored status.** It is the intent of the board that continuous programs placed on monitored status receive special attention from the AVTI administration and the state director. The AVTI administration shall analyze the reasons the continuous program was placed on monitored status and submit a plan of action to the state director detailing the steps the AVTI administration will take to eliminate the problems. The state director shall receive the report 45 days after the board places the continuous program on monitored status.

Subp. 4. **Guidelines for reporting to board.** The state director shall report the plan of action for continuous programs currently on monitored status and the results of the previous plan of action at the February meeting of the board.

Subp. 5. **Guideline for minimum student satisfaction.** The board shall determine the minimum percentage of students responding to a follow-up survey who indicate they were satisfied with the instruction in the continuous program.

Subp. 6. **Guideline for minimum employer satisfaction.** The board shall determine the minimum percentage of employers responding to a follow-up survey who indicate they were satisfied with the students from the continuous program being evaluated.

Subp. 7. **Guideline for minimum completion rate.** The board shall determine the minimum completion rate for a continuous program.

Subp. 8. **Guideline for acceptable range of instructional costs per ADM.** The board shall determine the acceptable range of instructional costs per ADM.

Subp. 9. **Guideline for acceptable range of instructional costs per completer.** The board shall determine the acceptable range of instructional costs per completer.

Subp. 10. **Variances for classification as monitored.** A continuous program shall be exempt from classification as monitored for one year if a variance is received under part 8480.0480.

Statutory Authority: *MS s 136C.04*

8480.0480 VARIANCES FOR CONTINUING PROGRAMS.

Subpart 1. **Criteria.** The state director may grant a variance from discontinuance, suspension, or classification as monitored if the AVTI administration can show a compelling reason to exempt the continuous program. The state director may accept the following reasons, among others, as compelling:

A. The AVTI administration can provide evidence that the placement rate was adversely affected by the number and type of special needs students completing the continuous program.

B. The AVTI administration can provide evidence that the placement rate was adversely affected by the temporary economic conditions of the area or the state.

C. The AVTI administration can provide evidence that the ADM/FTE ratio was specifically mandated by an external agency or licensing board.

D. The AVTI administration can provide evidence that a significant percentage of the students on the roll were classified as special needs students.

E. The AVTI administration can provide evidence that discontinuance of the continuous program would limit access because of geographical distance.

F. The AVTI administration can provide evidence that the ADM/FTE ratio in the current year is equal to or greater than the current minimum ADM/FTE ratio.

G. The AVTI administration can provide evidence that the ADM/FTE ratio was affected by safety measures taken to protect the students.

H. The AVTI administration can provide evidence that the discontinuance or suspension of the continuous program would not be in the best interest of the system.

Subp. 2. **Process for granting a variance.** The process for granting a variance is as outlined in this subpart.

A. The state director shall notify the concerned AVTI administration of a recommendation for a continuous program to be discontinued, suspended, or classified as monitored, 45 days prior to the meeting at which the board will consider the action.

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B. The AVTI administration shall submit a request to the state director for a variance 30 days prior to the meeting at which the board will consider the action. The request shall cite the specific reasons supporting the request.

C. The state director shall notify the concerned AVTI administration if the request for variance has been approved or denied 15 days prior to the meeting at which the board will consider the action. If the state director grants a variance, the request for discontinuation, suspension, or classification as monitored will not be presented to the board.

D. A request for a variance which is denied by the state director shall be reviewed by the board at the same meeting at which the proposed action will be considered if the AVTI administration requests to be placed on the agenda.

E. At the meeting, all interested persons shall have the opportunity to present oral or written testimony, subject to the rules of order adopted by the board.

F. The state director shall notify the appealing AVTI administration of the board's decision within 15 days.

Subp. 3. **Reporting current variances.** The state director shall report to the board all variances granted during the current fiscal year at the February meeting of the board. The report shall include the name of the AVTI, the name of the continuous program, and the reason for the variance.

Statutory Authority: *MS s 136C.04*

STATE AIDS

8480.0500 AID ALLOCATION.

Subpart 1. **Time and basis.** Allocations for the operation of an AVTI for the subsequent fiscal year shall be made at an appropriate meeting of the board. Allocations shall be based on criteria, criteria and formulas, or formulas.

Subp. 2. **Process for allocation of aid.** The process for allocation of aid is as outlined in this subpart.

A. The state director shall distribute the criteria, formulas, planning guides, forms, and instructions to the AVTI administration by October 15.

B. The AVTI administration shall submit an electronic reported budget request to the state director by January 1.

C. The state director shall conduct budget hearings with the AVTI administration by April 1 in odd number years and by May 1 in even number years.

D. The state director shall present the recommended allocations to the board at a public hearing conducted by the board. All interested persons shall have the opportunity to present oral or written testimony at the meeting subject to the rules of order adopted by the board.

E. The board shall make the final allocations at the next scheduled meeting of the board. All interested persons shall have the opportunity to present oral or written testimony at the meeting subject to the rules of order adopted by the board.

Subp. 3. **Guidelines for distribution of budgeting guidelines.** The planning aids distributed to the AVTI administration shall include:

A. inflation guides;

B. student/staffing reporting requests;

C. projected and actual revenue and income summary forms and instructions; and

D. formulas used in calculating instructional aids including:
(1) licensed and nonlicensed staff salaries;
(2) licensed and nonlicensed staff fringe benefits excluding teachers' retirement and teachers' social security;

- (3) staff travel;
- (4) instructional supplies and materials and other expenditures detailed according to UFARS;
- (5) the formula and criteria used in calculating:
 - (a) vocational technical extension program;
 - (b) special needs instruction; and
 - (c) instructional equipment;
- (6) the criteria used in calculating:
 - (a) instructional administration;
 - (b) media and library;
 - (c) pupil personnel services;
 - (d) health services;
 - (e) director's office;
 - (f) institutional services;
 - (g) fixed costs;
 - (h) work study and financial aid;
 - (i) debt service;
 - (j) physical plant; and
 - (k) repair and betterment.

Subp. 4. **Guidelines for estimating tuition revenue.** The state director shall use the following formula to estimate the tuition revenue: estimated resident ADMs minus estimated veteran ADMs, multiplied by the resident tuition rate for the fiscal year of the budget request plus the estimated nonresident ADMs multiplied by the nonresident tuition rate for the fiscal year of the budget request.

The estimated resident and nonresident ADMs will be taken from the student and staff report. The veteran ADMs will be based on the veteran enrollment in the previous year.

Subp. 5. **Guidelines for determining fund balances.** Balances in the general fund, the capital fund, and the repair and betterment fund will be determined from the budget request form on an audit request by the board.

Statutory Authority: *MS s 136C.04*

8480.0510 CAPITAL AID ALLOCATION.

Subpart 1. **Capital budget.** The board shall consider a capital budget at an appropriate meeting of the board. Before being considered, the budget shall have been reviewed by the state director.

Subp. 2. **Process for capital aid allocations.** The process for capital aid allocations is as outlined in this subpart.

A. The state director shall distribute the most current application form to the AVTI administration by June 1 of each even-numbered year.

B. The state director shall distribute the criteria to the AVTI administration by July 1 of each even-numbered year.

C. The AVTI administration shall submit the most current application form to the state director by September 1 of each even-numbered year.

D. The state director shall complete a review of the applications and submit a recommendation report to the board by December 1 of each even-numbered year.

E. At the board meeting, all interested persons shall have the opportunity to present oral or written testimony, subject to the rules of order adopted by the board.

F. The state director shall notify the applying AVTI administration of the board's decision within 15 days.

Subp. 3. **Relationship of application process to construction.** Construction begins in the odd-numbered year following the year the application was submitted.

Statutory Authority: *MS s 136C.04*

8480.0520 PAYMENT OF AIDS.

Subpart 1. **Payment to districts.** Aids shall be paid to a district as directed by statute.

Subp. 2. **Guidelines for extension program aids.** The state director shall pay 85 percent of the vocational technical extension allocation during the fiscal year. The remaining 15 percent of the aid by October 31 of the following fiscal year.

Subp. 3. **Guidelines for withholding aids.** The state director may withhold aid payments if the AVTI administration has not submitted on a timely basis, as determined by the state director, the previous fiscal year actual financial expenditures, student data, staffing data, or other information required for the operation of the system.

Subp. 4. **Relationship of aid payments to vocational technical extension course inventory.** The state director may withhold aid payments in the following fiscal year from vocational technical extension courses which do not appear on the vocational technical extension course inventory.

Statutory Authority: *MS s 136C.04*

8480.0530 REDISTRIBUTION OF GENERAL FUND BALANCES.

Subpart 1. **Excess funds.** The state director shall redistribute the excess fund balances which were not considered in the allocation of aid.

Subp. 2. **Process for redistribution.** The process for redistribution of excess fund balances is as outlined in this subpart.

A. The state director shall determine the excess amount of fund balances.

B. The state director shall notify the AVTI administrators of the criteria which will be used to redistribute the funds by November 1.

C. The AVTI administration shall submit the most current application form to the state director.

D. The state director shall present the reallocation recommendations to the board at a public hearing. All interested persons shall have the opportunity to present oral or written testimony at the meeting subject to the rules of order adopted by the board.

E. The board shall approve the redistribution of funds at a regular meeting of the board. All interested persons shall have the opportunity to present oral or written testimony at the meeting subject to the rules of order adopted by the board.

Statutory Authority: *MS s 136C.04*

PROGRAM FEES AND TUITION

8480.0540 TUITION POLICIES FOR ALL CONTINUOUS AND PERIODIC PROGRAMS.

Subpart 1. **State director's duties.** The state director shall ensure that tuition is collected at all AVTIs.

Subp. 2. **Guidelines for collection of tuition by AVTIs.** Collection of tuition shall be on the basis of four but not more than five periods per year as determined by the local calendar. No single period shall exceed 65 days. Tuition may not be demanded more than 15 calendar days in advance of the date of entry.

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Subp. 3. **Guidelines for late fees.** A late penalty may be charged not to exceed \$10 per period. The penalty assessment period is the period of time between the date tuition was demanded and the commencement of classes. Tuition payments may be delayed if a guaranteed receipt is received from an agency.

Subp. 4. **Guidelines for students starting after start of a period.** Unless exempt from tuition because of veteran status, students starting during a period shall pay tuition as of the date of entry. Tuition shall be calculated on the number of hours remaining in the period.

Subp. 5. **Guidelines for charging fees.** No fee shall be charged unless it relates directly to the student. The following are allowable fees that may be charged in addition to the tuition:

- A. health services fee, maximum \$30 a year;
- B. late fee, maximum \$10 a quarter;
- C. parking, maximum \$1 a day;
- D. student senate, set by local senate with no maximum;
- E. purchase of items or materials that become personal property of student and have an educational or personal value beyond the classroom; and
- F. an application fee may be charged provided it is credited to the student upon enrollment towards their tuition or towards their student senate fee. The application fee does not need to be refunded to students who do not enroll.

Statutory Authority: *MS s 136C.04*

8480.0550 RESIDENT TUITION.

An hourly resident tuition rate for regular, continuous, and periodic programs shall be set by the board.

Statutory Authority: *MS s 136C.04*

8480.0560 NONRESIDENT TUITION.

An hourly nonresident tuition rate for regular, continuous, and periodic programs shall be set by the board.

Statutory Authority: *MS s 136C.04*

8480.0570 TUITION FOR EXTENSION COURSES.

Tuition or fees for vocational technical extension courses shall be determined by the school board. A school board may set different tuition rates for nonresidents of the state. Tuition and fees may be charged to individuals, employers, or agencies which sponsor enrollees.

Statutory Authority: *MS s 136C.04*

SUPPORT SERVICES

8480.0600 ADMISSION REQUIREMENTS.

Subpart 1. **Age.** A student shall be at least 16 years old and shall have terminated his or her secondary education. A nonhigh school graduate less than 18 years old shall, when possible, involve his or her parent or guardian and secondary school administrator or counselor in the application process.

Subp. 2. **Guidelines for equal opportunity.** It is the intent of the board that every person be given equal opportunity to be admitted into a vocational technical program consistent with Public Law Numbers 94-142, 94-482 and all other federal and state laws which address equal opportunity.

Subp. 3. **Guidelines for local policies.** It is the intent of the board that each school board shall adopt an admissions policy that includes:

- A. an equal opportunity policy;
- B. program entrance requirements; and

C. assessment procedures.

Statutory Authority: *MS s 136C.04*

8480.0610 RESIDENT STATUS.

Subpart 1. **Time of determination.** Resident status shall be determined at the time of each program registration by the AVTI administration. Auditable records in this regard shall be maintained.

Subp. 2. **Guideline for determining if a student under 18 years is a Minnesota resident.** The student's parents, or guardian, are Minnesota residents.

Subp. 3. **Guidelines for determining if a student 18 years or over is a Minnesota resident.** The guidelines for determining if a student 18 years or over is a Minnesota resident are as outlined in this subpart.

A. The student graduated from a Minnesota high school and has not established residence in another state. Service in the armed forces shall not be considered a disruption of continuous residence.

B. The student is the spouse of a Minnesota resident and the student is living with the spouse; and the couple's residence is in Minnesota.

C. The student:

(1) has been employed full time in Minnesota prior to the date of entrance to an AVTI and all income derived from such employment was subject to taxation by the state of Minnesota; and

(2) meets the residency requirements of a qualified voter in Minnesota.

Statutory Authority: *MS s 136C.04*

8480.0620 AVTI PARTICIPATION IN ATHLETICS.

Subpart 1. **Approval of students.** An eligible student from an AVTI which has been approved by the board for pairing with a community college, may try out for an athletic squad if the school board has approved such participation. If the student makes the squad and is placed on an eligibility list, the AVTI administration shall respond to a request by the community college for certification of the student's status.

Subp. 2. **Guidelines for payment of fees associated with this part.** The school board shall develop a policy concerning any fees associated with this part.

Subp. 3. **Guidelines for determining an eligible student.** The school board shall develop a policy defining an eligible student.

Subp. 4. **Guidelines for pairing of an AVTI with a community college for athletics.** The board approves the following pairings of AVTIs and community colleges:

- A. Anoka-Ramsey Community College and Anoka-Hennepin AVTI;
- B. Austin Community College and Austin AVTI and Albert Lea AVTI;
- C. Brainerd Community College and Brainerd AVTI;
- D. Hibbing Community College and Hibbing AVTI;
- E. Inver Hills Community College and Dakota County AVTI;
- F. Lakewood Community College and District 916 AVTI;
- G. Mesabi Community College and Eveleth AVTI;
- H. Minneapolis Community College and Minneapolis AVTI;
- I. Normandale Community College and South Campus, Hennepin AVTI;
- J. North Hennepin Community College and North Campus, Hennepin AVTI;
- K. Northland Community College and Thief River Falls AVTI;

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- L. Rochester Community College and Rochester AVTI;
- M. Willmar Community College and Willmar AVTI; and
- N. Worthington Community College and Jackson AVTI.

Statutory Authority: *MS s 136C.04*

8480.0630 STUDENT ORGANIZATIONS.

Subpart 1. **Offerings.** It is the intent of the board that students have access to student organizations which are an integral part of programs offered by an AVTI. Requests to consider approval of student organizations shall be considered at any meeting of the board. In order to be considered by the board, the student organization shall have been approved by the AVTI administration and the school board.

Subp. 2. **Approval process for student organizations.** The approval process for student organizations is as provided in this subpart.

A. The applying student organization shall submit a request to the state director which shall include information about the organization. Letters of support from the AVTI administration and the school board shall accompany the request.

B. The state director shall notify the applying student organization president and the AVTI administration of the meeting at which the request will be considered.

C. The state director shall notify the applying student organization of the board's decision within ten days.

Subp. 3. **Relationship of requests for approval of funding.** Only organizations approved by the board shall be considered as valid items in the funding process.

Subp. 4. **Relationship of AVTI to student organizations.** It is the intent of the board that AVTI administrations shall identify instructors to serve as student organization advisors. It is also the intent of the board that the AVTI administration provide advisors with the appropriate support to execute their duties and responsibilities.

Statutory Authority: *MS s 136C.04*

8480.0640 STUDENT SENATE.

The state director shall provide leadership through staff assignment to the student senate by formation of a state student senate organization.

The AVTI administration shall provide leadership through staff assignment to the student senate.

The school board shall provide for the collection and distribution of student senate funds as provided for in Minnesota Statutes, section 136C.15 and Uniform Financial Accounting and Reporting System.

Statutory Authority: *MS s 136C.04*

8480.0650 PLANNING BY AN AVTI.

The state director shall review the annual plan of the AVTI. It is the intent of the board that the annual plan form the basis for the on-site evaluations.

Statutory Authority: *MS s 136C.04*

8480.0660 TEACHER EDUCATION.

The board may provide in-service training for professional vocational technical instructors.

Statutory Authority: *MS s 136C.04*