

CHAPTER 136C

POST-SECONDARY VOCATIONAL EDUCATION

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136C.01 ESTABLISHMENT.

A state board of vocational technical education is established to govern post-secondary vocational education. It shall also govern adult vocational education administered by an area vocational technical institute.

History: 1983 c 258 s 57

136C.02 DEFINITIONS.

Subdivision 1. **Scope.** For the purpose of this chapter, the following terms have the meanings given them.

Subd. 2. **Area vocational technical institute.** "AVTI" means an area vocational technical institute.

Subd. 3. **Post-secondary vocational education.** "Post-secondary vocational education" means post-secondary and adult vocational education administered by an AVTI.

Subd. 4. **State board.** "State board" means the state board of vocational technical education.

Subd. 5. **State director.** "State director" means the state director of vocational technical education.

Subd. 6. **District.** "District" means a school district providing post-secondary vocational education or an intermediate district.

Subd. 7. **Intermediate district.** "Intermediate district" means a district with a cooperative program which has been established under Laws 1967, chapter 822, as amended; Laws 1969, chapter 775, as amended; and Laws 1969, chapter 1060, as amended, offering integrated services for secondary, post-secondary, and adult students in the areas of vocational education, special education, and other authorized services.

Subd. 8. **School board.** "School board" means the school board of a district and, in the case of an intermediate district, the board of the intermediate district.

History: 1983 c 258 s 58

136C.03 STATE BOARD MEMBERSHIP.

Subdivision 1. **Composition and selection.** The state board shall consist of 11 members. One shall be from each congressional district, two shall represent the state at large, and one shall be a student to represent the state at large. The members shall be appointed by the governor with the advice and consent of the senate. Ten members shall be selected for their interest in vocational technical education, and consideration shall be given to applicants based on their knowledge of agriculture, business, economic development, industry, labor, and service for the handicapped. The student member shall be a full-time student enrolled in an area vocational technical institute or so enrolled within one year before appointment to the state board. Except for the student member, no member while serving on the

state board may be an employee of or receiving compensation from a public or private institution providing post-secondary vocational education.

Subd. 2. **Terms.** The membership terms, compensation, removal of members, and filling of vacancies on the state board shall be as provided in section 15.0575, except that the term of the student member shall be two years.

Subd. 3. **Administration.** The state board shall elect a chair and other officers as it may desire. It shall determine its meeting dates and places. The commissioner of administration shall provide the state board with appropriate offices.

History: 1983 c 258 s 59

136C.04 POWERS AND DUTIES OF THE STATE BOARD.

Subdivision 1. **General.** The state board shall possess all powers necessary and incident to the management, jurisdiction, and governance of post-secondary vocational education. These powers shall include, but are not limited to, those enumerated in this section.

Subd. 2. **Appointment of state director.** The state board shall appoint a state director of vocational technical education who shall serve in the unclassified service. The state director shall be qualified by training and experience in the field of education, vocational education, or administration. The state director shall possess powers and perform duties as delegated by the state board. The state board shall set the salary of the state director. The state director may be paid an allowance not to exceed \$2,000 annually for miscellaneous expenses in connection with duties of the office. The provisions of chapter 16A shall not apply to these expenditures, but the state board shall prescribe the manner, amount, and purpose of the expenditures and report to the legislature on the expenditures by December 1 of each even-numbered year.

Subd. 3. **Staff.** The state board shall employ all subordinate staff and prescribe their duties consistent with chapter 43A.

Subd. 4. **Budget requests.** The state board shall review and approve, disapprove, or modify the biennial budget requests for post-secondary vocational education operations and facilities submitted by the state director. The state board shall submit the approved biennial budget requests to the governor.

Subd. 5. **Planning.** The state board shall develop a long-range plan for post-secondary vocational education which shall include goals and objectives for instructional programs, facilities, and use of resources. The plan shall be developed with the advice of appropriate state agencies, school boards, and other affected parties. The state board shall review this plan biennially to evaluate its success in meeting these goals and objectives.

Subd. 6. **Accounting and reporting standards.** The state board shall maintain the uniform financial accounting and reporting system according to the provisions of sections 121.90 to 121.917.

Subd. 7. **Attendance and completion.** The state board shall prescribe conditions of admission, tuition, fees, and other related matters. The state board shall prescribe requirements for completion of programs and approve the awarding of appropriate certificates or associate degrees consistent with the provisions of section 121.218. Chapter 14 shall not apply to the matters in this subdivision.

Subd. 8. **Contracts and cooperative agreements.** The state board may enter into contracts or cooperative agreements with the state board of education, higher education governing boards, educational institutions, or appropriate state agencies.

Subd. 9. **Licensure.** The state board may promulgate rules, according to the provisions of chapter 14, for licensure of teaching, support, and supervisory personnel in post-secondary and adult vocational education.

Subd. 10. **Allocation.** The state board shall allocate state and federal money for post-secondary vocational education. Money received from federal sources other than as provided in chapter 124, and money received from other sources, not including the state, shall not be taken into account in determining appropriations or allocations.

Subd. 11. **Short-term programs.** The state board may approve a short-term program of two years or less, as an economic development initiative, which will not become a permanent part of the curriculum. The short-term program shall have an approved program length of not more than two years and be operated for a specified duration.

Subd. 12. **Programs.** The state board shall approve, disapprove, and coordinate programs. After consultation with affected school boards, the state board may add, eliminate, transfer, or change programs as it determines advisable. The state board shall consider the integrated services of secondary, post-secondary, and adult vocational education when it reviews intermediate district programs.

In the case of intermediate districts, the state board may apply the following criteria when adding, eliminating, transferring, or changing programs:

(a) the school board may be allowed to continue offering integrated secondary, post-secondary, and adult programs; and

(b) the school board may determine the use of facilities and equipment for secondary, post-secondary, adult, and special education programs and educational services for low incidence populations.

Subd. 13. **Closing authority.** The state board, after consultation with the affected school board, may require that school board to discontinue operation of its AVTI. The state board shall first hold a public hearing on the issue in that geographic area. Affected parties shall have an opportunity to present testimony. At the request of the school board, the hearing shall be conducted by a hearing examiner of the office of administrative hearings. The hearing examiner shall prepare a summary of testimony for the state board. The state board shall publish notice in the State Register and in a newspaper of general circulation in the geographic area at least 30 days before the scheduled hearing.

Subd. 14. **Reorganization.** The state board, after consulting with the affected school boards, may merge or reorganize institutes or establish regional service areas for the purpose of increased efficiency, use of personnel, placement of programs, student access, and other needs as determined by the state board.

Subd. 15. **Public hearings.** The state board shall conduct public hearings when merging or reorganizing institutions and when allocating money. Notice shall be given to affected persons in the manner determined by the state board. All affected persons shall be given the opportunity to be heard, but the state board may impose reasonable restrictions on time. The state board shall take final action at a meeting held at least seven days after the public hearing.

Subd. 16. **Timing of actions.** The state board may consider the provisions of sections 125.12, subdivision 4, and 125.17, subdivision 3, when it takes actions under subdivisions 12, 13, and 14.

Subd. 17. **Cooperation for vocational education.** The state board of education shall cooperate with the state board of vocational technical education to promote

establishment of policies and methods to improve the quality and efficiency of secondary, post-secondary, and adult vocational education in the state.

History: 1983 c 258 s 61

136C.05 POWERS AND DUTIES OF THE SCHOOL BOARD.

Subdivision 1. **Personnel.** The school board shall employ instructors, support personnel, and supervisory personnel for post-secondary vocational education. The school board may appoint the local director.

Subd. 2. **Finance.** The school board shall prepare and submit budgets as required by the state board. The school board shall approve all expenditures.

Subd. 3. **Instructional program.** The school board shall operate and maintain post-secondary vocational education, subject to the supervision of the state board as provided in section 136C.04. The school board may determine area employment needs and make recommendations to the state board.

Subd. 4. **Facilities and equipment.** The school board shall operate and maintain all facilities and equipment and shall employ personnel to do so.

History: 1983 c 258 s 62