

## 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 and adult vocational education.

**History:** 1983 c 258 s 57; 1984 c 463 art 5 s 26

**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.

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; 1984 c 463 art 5 s 27

**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. 4a. **Carry over authority.** The state board may carry over any unexpended balance from its appropriation from the first year of a biennium into the second year of the biennium. The state board may carry over an unexpended balance up to a maximum of two percent of its biennial appropriation into the following biennium. These moneys shall not be taken into account in determining state appropriations.

Subd. 5. **Planning.** The state board shall develop a long-range plan for post-secondary vocational education which shall include goals and objectives for

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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 136C.042. 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 this chapter, 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 an administrative law judge of the office of administrative hearings. The administrative law judge 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

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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; 1984 c 463 art 5 s 28-30; 1984 c 640 s 32

### 136C.041 WITHHOLDING OF ALLOCATIONS.

Subdivision 1. The state board may withhold allocations for post-secondary vocational education if the board finds a district to be in violation of any statute, rule, or state board policy.

Subd. 2. The state board shall notify the district of its finding. The notice shall specify the violation, describe the correction required, and set a reasonable time within which the district shall correct the violation. The state board also shall provide the district an opportunity for a hearing to respond and to dispute the finding. No allocations shall be withheld pending the final decision of the state board. If a violation is corrected in the allotted time or if the state board determines that a violation does not exist, no allocations shall be withheld.

Subd. 3. The decision of the state board under this section may be reviewed on certiorari by the district court of the county in which the district, or any part of it, is located.

**History:** 1984 c 463 art 5 s 31

### 136C.042 AWARDING DEGREES.

Subdivision 1. **Board approval.** The state board may approve, disapprove, or modify a plan for awarding associate degrees at an area vocational technical institute. The state board shall approve a plan only when an associate degree is required by a licensing authority and is offered in cooperation with a collegiate institution. The state board may approve an area vocational technical institute plan for awarding an associate degree which is not offered in cooperation with a collegiate institution only if cooperation is not practicable. All associate degree plans approved by the state board shall be presented to the higher education coordinating board for review and recommendation pursuant to section 136A.04, subdivision 1, clause (d) and in accordance with the provisions of this section.

Subd. 2. **Exception.** Associate degrees offered by the area vocational technical institutes prior to January 1, 1981, shall not be subject to the provisions of subdivision 1.

**History:** 1981 c 353 s 1-3; 1984 c 463 art 5 s 11,36

**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*

**136C.06 SOLE STATE AGENCY.**

The state board of vocational technical education is the sole state agency to receive and disburse federal funds authorized by the Vocational Education Act of 1963, as amended in the education amendments of 1976, Public Law Number 94-482, and Code of Federal Regulations, title 34, part 400. The state board shall develop and submit the state plan for vocational technical education. The state board shall develop the state plan according to terms of agreement with the state board of education.

*History: 1984 c 463 art 5 s 32*

**136C.07 AREA VOCATIONAL TECHNICAL SCHOOLS.**

Subdivision 1. The board of any independent or special district may petition the state board of vocational technical education to classify one or more of its schools as an area vocational technical school.

Subd. 2. Upon receipt of such petition, the state board shall examine the petition and any supporting evidence which it may require. The state board shall conduct hearings, and may investigate school records and such other facts relating to vocational technical training as it may deem appropriate.

Subd. 3. It is the purpose of this section to more nearly equalize the educational opportunities in certain phases of vocational technical education to persons of the state who are of the age and maturity to profitably pursue training for a specific occupation. If the state board finds, as a result of its inquiry, that the establishment of an area vocational technical school, according to the petition, would further the educational interests of all the people of the state, and is in accordance with the plans and program of the state department for the vocational and technical education of the people, it may approve the petition.

Subd. 4. If the petition is approved, the school shall be established by the district and classified by the state board as an area vocational technical school and conducted under the general supervision of the state board in accordance with the policy and rules of the state board. Notwithstanding the provisions of subdivision 3 and of this subdivision, after June 30, 1975 no area vocational technical school shall be established unless specific legislation has authorized its establishment.

Subd. 5. No district shall expend funds from any source for the acquisition or betterment of lands or buildings or for capital improvements needed for an area vocational technical school without the approval of the state board and authorization by specific legislative act if that acquisition, betterment or capital improvement requires the expenditure of \$250,000 or more, or adds more than 1,000 gross square

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feet to a post-secondary vocational facility, or requires the issuance of school district bonds. No acquisition or betterment of lands or buildings or capital improvement which requires the expenditure of \$50,000 or more but less than \$250,000 or which changes the perimeter walls of an existing facility shall be carried out without the approval of the state board. No acquisition or betterment of lands or buildings or capital improvement which requires the expenditure of less than \$50,000, which does not change a perimeter wall and which does not require the issuance of school district bonds, shall be carried out without the approval of the state director of vocational technical education. As used in this subdivision, the terms "acquisition" and "betterment", as applied to lands and buildings, and "capital improvement" shall have the meanings ascribed to them in chapter 475, but shall not include the acquisition or betterment of machinery or equipment.

Subd. 6. Any property of the state administered by the state board in connection with teaching vocational education may be apportioned and distributed by the state board to local school districts desiring to avail themselves of the benefits of this section.

Subd. 7. The state board may contract for hospital benefits and medical benefits coverage for students in the same manner as authorized by section 43A.23 for state employees.

**History:** *Ex 1959 c 71 art 2 s 21; 1965 c 597 s 1; 1967 c 77 s 1; 1969 c 1121 s 1; 1971 c 800 s 1; 1974 c 521 s 11; 1975 c 162 s 41; 1975 c 432 s 13-15; 1976 c 271 s 24; 1978 c 764 s 9; 1978 c 792 s 24; 1979 c 334 art 5 s 1; 1980 c 469 s 2; 1981 c 210 s 54; 1982 c 424 s 130; 1982 c 639 s 33; 1984 c 463 art 5 s 4,36*

## 136C.075 COMPENSATION FOR PERFORMANCE EVALUATIONS BY STATE EMPLOYEES.

Notwithstanding any law to the contrary, a state employee who is asked by the department of education to undertake a performance evaluation of an area vocational-technical school may be compensated at the rate provided for in section 15.059.

To be eligible for compensation under this section, a state employee must take an unpaid leave of absence for the period of time the employee performs the evaluation.

**History:** *1984 c 571 s 2*

## 136C.08 BOARD POWER TO REGULATE TRAFFIC.

Subdivision 1. Any school board or joint school board operating an area vocational technical school, pursuant to section 136C.07; Laws 1967, chapter 822, as amended; Laws 1969, chapter 775, as amended; or Laws 1969, chapter 1060, as amended, may make, adopt and enforce rules, regulations or ordinances for the regulation of traffic and parking in parking facilities and on private roads and roadways situated on property owned, leased, occupied or operated by the board.

Subd. 2. Any fee established by the board pursuant to the authority granted in subdivision 1 shall not exceed \$1 per day per vehicle. Parking fees collected shall be deposited in the general or capital expenditure fund of the school district or joint school district.

Subd. 3. Before the adoption of any rule authorized by subdivision 1, the board shall hold a public hearing. Notice of the hearing shall be published at least once in a legal newspaper in the county in which the property affected by the rule, regulation, or ordinance is located. Publication shall be no more than 45 days and no less than 15 days prior to the date of the hearing.

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After a public hearing, a majority of the members of the board must approve a rule, regulation, or ordinance before it is effective. A copy of the adopted rule, regulation, or ordinance shall be signed by the superintendent of the district or joint district and filed with the county recorder of each county in which the rule, regulation, or ordinance was adopted, together with proof of publication. Upon filing, the rule, regulation, or ordinance shall be in full force and effect.

Subd. 4. Every sheriff, constable, police officer, or other peace officer shall have authority to enforce all rules, regulations and ordinances adopted pursuant to this section and shall have authority to arrest and prosecute offenders for violations of law.

**History:** 1974 c 540 s 1-4; 1978 c 706 s 6; 1983 c 258 s 23; 1984 c 463 art 5 s 5,36; 1984 c 618 s 5

## 136C.13 POST-SECONDARY VOCATIONAL EDUCATION TUITION.

Subdivision 1. Any Minnesota resident may attend a post-secondary vocational technical school if the individual meets the entrance requirements for the training course in which enrollment is sought and the school has the available space.

Subd. 2. **Length of quarter.** For purposes of tuition charges, a quarter shall consist of 60 school days. The state board shall establish proportionate tuition charges for quarters which are shorter or longer than 60 days, for part time and extended day enrollment, and for programs which begin or end during a quarter. The state board shall establish tuition charges based on approved program lengths for programs offered on an individualized basis.

Subd. 3. **Veteran's exemption.** A veteran who is a Minnesota resident whose entire education has not included completion of at least one tuition free post-secondary vocational technical school program is exempt from tuition until the veteran has completed the lesser of (a) 440 post-secondary vocational technical school days, or the equivalent as determined by the state board, or (b) one post-secondary vocational technical school program.

"Veteran" for the purpose of this subdivision means a person who served in the active military service in any branch of the armed forces of the United States after July 1, 1961 and before July 1, 1978, was a Minnesota resident at the time of induction into the armed forces and for the six months immediately preceding induction, and has been separated or discharged from active military service under conditions other than dishonorable.

**History:** 1975 c 271 s 6; 1975 c 432 s 67; 1976 c 271 s 59; 1977 c 447 art 5 s 6,7; 1979 c 334 art 5 s 19-22; 1980 c 609 art 5 s 12-14; 1981 c 358 art 5 s 31-34; 1982 c 424 s 130; 1984 c 463 art 5 s 20-22,36

## 136C.15 STUDENT ASSOCIATIONS.

Every school board governing an area vocational technical institute shall give recognition as an authorized extracurricular activity to an area vocational technical institute student association affiliated with the Minnesota vocational technical student association. The student association is authorized to collect a reasonable fee from students to finance the activities of the association in an amount determined by the governing board of the area vocational technical institute which has recognized it.

Every governing body which recognizes a student association shall deposit the fees in a student association fund. The moneys in this fund shall be available for

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expenditure for student recreational, social, welfare, and educational pursuits supplemental to the regular curricular offerings.

*History: 1976 c 25 s 1; 1978 c 764 s 10; 1984 c 463 art 5 s 10,36*

## **136C.17 AREA VOCATIONAL TECHNICAL INSTITUTES AND COMMUNITY COLLEGES; LEGAL COUNSELING AND SERVICE PROGRAMS.**

Notwithstanding the provisions of sections 8.06 and 136.11 or any rules adopted pursuant thereto, an area vocational technical institute or community college student association governing student activities on campus may expend money for the purpose of funding a program to provide legal counseling and services for students. The money to be expended shall be from that portion of the area vocational technical institute student senate funds or community college activity fund account allocated to the student association and derived solely from fees received from students.

*History: 1975 c 212 s 1; 1984 c 463 art 5 s 6,36*

## **136C.21 ACCEPTANCE OF FEDERAL AID.**

The provisions of the act of congress entitled "An act to provide for the promotion of vocational education; to provide cooperation with the states in the promotion of such education in agriculture and in the trades and industries; to provide cooperation with the states in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditures," and approved February 23, 1917, and acts amendatory thereto, be and the same are hereby accepted, and the benefits of all funds appropriated under the provisions of such acts are hereby accepted as provided in such acts.

*History: Ex1959 c 71 art 5 s 40; 1984 c 463 art 5 s 36*

## **136C.211 FUNDS, TREASURER'S DUTIES.**

The state treasurer is appointed custodian of all funds for vocational education, and is charged with the duty and responsibility of receiving and providing for the proper custody and proper disbursement of money paid to the state and the appropriations made for such purpose.

*History: Ex1959 c 71 art 5 s 42; 1984 c 463 art 5 s 36*

## **136C.212 FEDERAL AID, REPORTS TO THE LEGISLATURE.**

The state treasurer, as custodian for vocational educational funds, shall make to the legislature at each biennial session a report of the receipts and disbursements of money received by him under the provisions of federal and state acts relating to vocational education and the state board shall make to the legislature at each biennial session a report of its administration of such acts and the expenditure of money allotted to the state under the provisions of such acts.

*History: Ex1959 c 71 art 5 s 43; 1984 c 463 art 5 s 36*

## **136C.213 APPROPRIATION ACCOUNT.**

There shall be appropriated biennially a sum of not less than the amount to which the state of Minnesota is entitled under sections 3 and 4 of an act of congress of the United States, approved February 23, 1917, and acts amendatory thereto, relating to the promotion of vocational education and for appropriations to the states



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for instruction in agriculture, trade and industrial education, home economics and distributive education, and for the training of teachers of vocational subjects.

**History:** *Ex1959 c 71 art 5 s 44; 1984 c 463 art 5 s 36*

## 136C.22 MATCHING AID.

When aid is received from the United States conditioned upon the state meeting requirements specified by the government of the United States the state board shall allot the necessary funds to be paid by the state out of the general fund.

**History:** *Ex1959 c 71 art 5 s 46; 1969 c 399 s 20; 1984 c 463 art 5 s 36*

## 136C.221 FEDERAL AID.

Any district or any other governmental agency designated by the state board which maintains a vocational school, department, or class shall be entitled to federal money under such acts for the salaries and necessary travel expenses of teachers of agriculture, trade and industrial education, home economics, and distributive education by meeting the requirements fixed by the state board and approved by the United States.

**History:** *Ex1959 c 71 art 5 s 47; 1984 c 463 art 5 s 36*

## 136C.222 TEACHER TRAINING AID.

Teacher training schools and departments shall be entitled to federal money for the preparation or vocational-technical education teachers by meeting the requirements fixed by the state board and approved by the United States for the preparation of such teachers. The state board shall reimburse institutions selected by it to train teachers of vocational subjects to an amount of not to exceed one-half of the expenditures made for such training by these institutions, provided that no federal funds may be applied directly or indirectly to the purchase, erection, preservation, or repair of any building or equipment, or for the purchase or rental of lands or for the support of any religious or privately owned school or college.

**History:** *Ex1959 c 71 art 5 s 48; 1969 c 261 s 1; 1984 c 463 art 5 s 36*

## 136C.223 TEACHERS' TRAINING, FEDERAL AID.

All disbursements of federal money for the benefit of teacher training schools or departments shall be made on the requisition of the state board by the state treasurer to the legally constituted authorities having custody of the money of such training schools or departments. All disbursements of federal and state money for the benefit of vocational schools, departments, or classes shall be made on the requisition of the state board by the state treasurer to the treasurers legally qualified to receive and disburse the funds for the districts or governmental agencies establishing and maintaining such schools, departments, and classes as herein provided.

**History:** *Ex1959 c 71 art 5 s 49; 1984 c 463 art 5 s 36*

## 136C.25 AVTI FUNDING.

For the 1983-1984 and 1984-1985 school years, post-secondary vocational aids for AVTI's shall be paid for the current fiscal year according to sections 136C.26 to 136C.37, and 136C.41.

**History:** *1983 c 314 art 5 s 2; 1984 c 463 art 5 s 12,36*

**136C.26 AVTI AID DEFINITIONS.**

Subdivision 1. **Applicability.** For the 1983-1984 and 1984-1985 school years, for the purposes of sections 136C.26 to 136C.37, and 136C.41, the following terms have the meanings given them.

Subd. 2. **ADM.** "ADM" means average daily membership computed according to section 136C.33.

Subd. 3. **AVTI.** "AVTI" means a post-secondary area vocational technical institute.

Subd. 4. **Component activities.** "Component activities" means regular instruction, special needs instruction, research, instructional administration, media/library, pupil personnel services, health services, director's office, instructional services, fixed costs, work study/financial aid, physical plant, and repair and betterment.

Subd. 5. **Instructional aid.** "Instructional aid" means state money, exclusive of repair and betterment aid and debt service aid, allocated by the state board of vocational technical education to districts for post-secondary vocational technical education instructional costs.

Subd. 6. **Instructional costs.** "Instructional costs" means expenditures in the following categories: licensed and nonlicensed staff salaries; licensed and nonlicensed staff fringe benefits, excluding teachers' retirement and teachers' social security; staff travel for instructional, administrative, and professional development purposes; purchased services; other expenditures, detailed according to UFARS; supplies and materials; supplies for resale; rents and leases; acquisition or purchase of equipment and machinery; and betterment of equipment and machinery.

Subd. 7. **Program.** "Program" means a post-secondary vocational technical occupational program as classified with a six-digit number by the United States department of education.

Subd. 8. **Repair and betterment aid.** "Repair and betterment aid" means state money, exclusive of instructional aid and debt service aid, allocated by the state board of vocational technical education to districts. The aid is to reconstruct, improve, remodel, and repair existing AVTI buildings and grounds, as necessary to conduct post-secondary vocational technical education.

Subd. 9. **UFARS.** "UFARS" means the uniform financial accounting and reporting system.

*History: 1983 c 314 art 5 s 3; 1984 c 463 art 5 s 13,36*

**136C.27 PROGRAMS OF STUDY.**

Subdivision 1. **Program elimination.** In the absence of compelling reasons to do otherwise, the state board shall eliminate a program if:

(a) fewer than 51 percent of the students are employed in positions closely related to their training within one year of completing their educational objectives; or

(b) the ADM to teacher ratio is significantly below 12 to 1 for a health program or 17 to 1 for a nonhealth program.

Subd. 2. **In-service training.** The state board may provide for in-service training for AVTI instructors.

*History: 1983 c 314 art 5 s 4; 1984 c 464 art 5 s 36*

**136C.28 PROCESS FOR AID ALLOCATION.**

Subdivision 1. **Budget submission.** Before January 1, 1984, each AVTI shall submit an instructional aid budget for the following fiscal year. The instructional aid budget shall detail estimated instructional costs in each expenditure category for each program and component activity of the AVTI's operations. The instructional aid budget shall include estimated revenues from sale of supplies and services, sale of equipment and other capital goods, and other revenues, detailed according to UFARS.

Subd. 2. **Recommended allocations.** After reviewing each budget, the state director of vocational technical education shall recommend aid allocations for the following fiscal year in each expenditure category for each program and component activity.

The state director shall recommend instructional aid allocations sufficient to maintain or improve special needs instruction.

Notwithstanding any laws or rules to the contrary, the recommendations for allocations of instructional aid, to the extent possible, shall be based on average systemwide ADM to teacher ratios of 12 to 1 for health programs and 17 to 1 for nonhealth programs.

The annual student placement rate of each program shall be taken into consideration by the department in recommending instructional aid allocations.

Each AVTI's tuition revenues in the fiscal year for which aid is allocated shall be taken into consideration by the department in recommending instructional aid allocations.

Each AVTI's unappropriated capital balance of the equipment account in the capital expenditure fund, as of June 30 of the fiscal year during which allocations are made, shall be taken into consideration by the state director in recommending instructional aid allocations for the purposes listed in section 136C.29, subdivision 3, clauses (a), (b), (c), and (d). In recommending instructional aid allocations for all other purposes, the department shall take into consideration each AVTI's net positive unappropriated general fund balance, as of June 30 of the fiscal year during which allocations are made, which exceeds ten percent of the AVTI's operating expenditures, as defined by UFARS, for the fiscal year during which allocations are made.

Each AVTI's actual expenditures which exceed the amounts originally budgeted for expenditure during the fourth quarter of the fiscal year in which aids are allocated shall be taken into consideration by the state director in recommending instructional aid allocations.

Allocations of repair and betterment aid shall be recommended for each project proposed by an AVTI. In recommending repair and betterment aid allocations, the state director shall take into consideration each AVTI's net positive unappropriated capital balance of the repair and betterment account of the capital expenditure fund, as of June 30 of the fiscal year during which allocations are made:

Subd. 3. **Hearing.** The aid allocations recommended by the state director shall be taken to a public hearing held by the state board with at least six board members present. The hearing shall continue until all interested persons, representatives, and organizations have had an opportunity to be heard. Notice of the hearing shall be given at least 20 days prior to the date set for the hearing. The notice shall be published in the State Register and mailed to each district submitting a budget, and other interested persons and organizations who register their names with the commissioner of education for that purpose. The state director shall make available at least one free copy of the recommended allocations to the education committees of the legislature and to any person requesting it. An audio magnetic

recording device shall be used to keep a record at every hearing. A transcript of the hearing record shall be made available upon the request of any person, if the request is in writing and the requester pays the cost of preparing the transcript.

Subd. 4. **Hearing report.** After allowing written material to be submitted and added to the hearing record for five days after the public hearing ends, the state director shall proceed as promptly as possible to write a report containing the final proposed allocations of aids. This report shall contain findings and conclusions based on substantial evidence from the hearing record to support the final proposed allocations. The report shall be available to all affected districts upon request for at least 15 days before the state board takes final action allocating aids.

Subd. 5. **Modifications to report.** Any district which is adversely affected by the final proposed allocations of aids may request and shall be given an opportunity to be heard in support of modification of the proposed final allocation of aids at the meeting at which the state board takes final action allocating aids. The state board may place reasonable restrictions on the length of time allowed for testimony.

Subd. 6. **Final allocation.** By June 1, after hearing modification requests, if any, the state board shall take final action to allocate aids. Allocations of instructional aid shall be detailed in each expenditure category for each program and component activity. The total allocation of instructional aid for each AVTI shall specify the amounts of any fund balances and tuition revenues taken into consideration. Allocations of repair and betterment aid shall be detailed for each project. The total allocation of repair and betterment aid for each AVTI shall specify the amount of any fund balance taken into consideration.

Subd. 7. **Subsequent allocation.** The state board may withhold up to one percent of the post-secondary vocational instructional aid appropriation for subsequent allocation. The amount withheld and any additional state and federal money available for post-secondary vocational education shall be allocated, no later than February 15 of the fiscal year for which the aid is allocated, at a public hearing held according to subdivisions 3, 4, and 5.

*History: 1983 c 314 art 5 s 5; 1984 c 463 art 5 s 14,36*

### 136C.29 USE OF AID.

Subdivision 1. **Aid and tuition.** All AVTI aids and all tuition authorized by section 136C.13 shall be used solely for the purposes of post-secondary vocational technical education.

Subd. 2. **Accounting.** Each district providing post-secondary vocational technical education shall maintain, in accordance with section 136C.04, subdivision 6, separate revenue, expenditure, asset and liability accounts for post-secondary vocational technical education within funds separate from all other district funds.

Subd. 3. **Instructional aid.** Instructional aid allocated for the following purposes shall be placed in the equipment account of the capital expenditure fund:

- (a) acquisition or purchase of equipment or machinery;
- (b) betterment of equipment or machinery;
- (c) paying leasing fees for computer systems hardware and related proprietary software, photocopy machines and telecommunications equipment; and
- (d) renting or leasing buildings for school purposes.

Aid allocated for these purposes shall be used solely for these purposes.

All other instructional aid which is allocated shall be placed in the general fund and shall not be transferred to any other fund. The school board shall authorize and approve actual expenditures of the aid allocated.

Subd. 4. **Special needs.** Aid allocated for special needs instruction shall be used solely for that purpose.

Subd. 5. **Repair and betterment aid.** The final allocation of repair and betterment aid by the state board does not constitute approval of a project for the purposes of section 136C.07, subdivision 4a. The aid shall be placed in the repair and betterment fund and used solely for the purposes enumerated in section 136C.26, subdivision 8. The school board shall authorize and approve actual expenditures of the aid allocated, except that expenditures which exceed \$5,000 shall receive prior approval by the state director. The process in section 136C.28 shall not constitute approval for this purpose. Use of the aid shall be governed by the provisions of section 136C.07, subdivision 4a.

*History: 1983 c 314 art 5 s 6; 1984 c 463 art 5 s 15,36*

### 136C.31 DISTRIBUTION OF MONEY.

All money, whether state, federal, or from other sources, which may be made available to the state board for carrying out the purposes of post-secondary vocational technical education shall be allocated by the state board to districts in accordance with law.

*History: 1983 c 314 art 5 s 7; 1984 c 463 art 5 s 16,36*

### 136C.32 CERTAIN EQUIPMENT EXPENDITURES.

Expenditures for the purposes in section 136C.29, subdivision 3, clauses (a), (b), (c), and (d) which exceed \$6,000 shall receive prior approval by the state director. The process in section 136C.28 shall not constitute approval for this purpose.

*History: 1983 c 314 art 5 s 8; 1984 c 463 art 5 s 17,36*

### 136C.33 AVERAGE DAILY MEMBERSHIP.

Subdivision 1. **Membership.** Membership for pupils in AVTI's shall mean the number of pupils on the current roll of the school, counted from the date of entry until the date of withdrawal.

Subd. 2. **Withdrawal.** The date of withdrawal shall mean the date a pupil completes the program and permanently leaves the AVTI. A pupil who has been absent for 15 consecutive school days shall be determined to have permanently left the school. A pupil who permanently leaves the school on or before the 15th day of a quarter shall be determined not to have entered during that quarter. For a pupil who permanently leaves after the 15th school day of a quarter without completing the program, the date of withdrawal shall be the earliest of the following:

- (a) the date the pupil is scheduled to complete the program;
- (b) the date the AVTI fills the vacancy created by leaving; or
- (c) the last day of the quarter during which the pupil permanently leaves the AVTI.

Subd. 3. **Computation.** Average daily membership for pupils enrolled in an AVTI shall equal the quotient obtained by dividing

- (a) the product of

(1) the sum for all pupils of the number of days of the school year each pupil is enrolled in an AVTI, counted from the date of entry until the date of withdrawal, times

- (2) the quotient obtained by dividing

- (i) the number of hours per day each pupil is enrolled, by

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- (ii) six; by
- (b) 175.

The number of hours counted for any pupil in any one program shall not exceed the number of hours approved by the state board for completion of the program. However, a district may count additional hours for membership, if necessary for a pupil who is identified by the district as handicapped or disadvantaged, to complete the program. For disadvantaged students, these additional hours shall not exceed ten percent of the approved number of hours for the program. Adult vocational pupils shall not be counted for the purposes of this section. Additional hours counted shall be reported to the state director.

Subd. 4. **Chemical abuse treatment.** A pupil who is absent from an AVTI to participate in a chemical abuse treatment program and who is on the roll of the AVTI according to the provisions of section 136C.34 may be counted in average daily membership during that time for not more than 30 consecutive school days. If a returning pupil needs additional hours to complete the educational program, the AVTI may count the lesser of the following additional hours for membership:

- (a) the number of hours the pupil was counted while participating in the treatment program; or
- (b) 30 times the number of hours per day the pupil is enrolled.

**History:** 1983 c 314 art 5 s 9; 1984 c 463 art 5 s 18,36

## 136C.34 ABSENCE FOR CHEMICAL ABUSE TREATMENT.

If a pupil is absent from an AVTI to participate in a chemical abuse treatment program licensed by the state, the pupil may request the AVTI to remain on the roll in the educational program in which the pupil is enrolled. The AVTI shall grant a request it receives from the pupil.

**History:** 1983 c 314 art 5 s 10; 1984 c 463 art 5 s 36

## 136C.35 LENGTH OF SCHOOL YEAR AND DAY.

For an AVTI, the normal school year shall be at least 175 session days. In all AVTI's, the length of the school day for each pupil, exclusive of the noon intermission, shall be at least six hours. Exceptions may be made by the district for approved AVTI programs provided on a part-time or extended day basis to meet the needs of individual students or classes. These exceptions are authorized only for programs originally provided on a full-time basis.

**History:** 1983 c 314 art 5 s 11; 1984 c 463 art 5 s 36

## 136C.36 PAYMENT OF AVTI INSTRUCTIONAL AID.

Beginning for the 1983-1984 school year, 85 percent of the estimated post-secondary vocational instructional aid entitlement for each district shall be paid during the fiscal year of entitlement in 24 uniform payments on the first business day prior to the 15th of each month and on the first business day prior to the last day of each month.

The amount of entitlement, adjusted for actual data on tuition and fund balances, minus the payments made during the fiscal year of entitlement, shall be the final adjustment paid to each district in two payments on September 15 and September 30 in the fiscal year following entitlement.

**History:** 1983 c 342 art 7 s 4; 1984 c 463 art 5 s 36

**136C.37 AID FOR VOCATIONAL EDUCATION.**

When local districts desire but cannot provide vocational instruction for the related training required by apprentices and other learners in the trade, industrial, and distributive fields, the state board is empowered upon request of such local district or districts to employ itinerant vocational teachers to provide this service and pay the salary and necessary travel expense from authorized federal and state vocational aid funds under such rules as it may adopt. An itinerant vocational teacher in this section is defined as a vocational teacher employed to give part-time or periodic vocational instruction in one or more districts.

*History: Ex 1959 c 71 art 5 s 45; 1975 c 432 s 68; 1977 c 447 art 5 s 8; 1984 c 463 art 5 s 36*

**136C.38 CURRENT FUNDING FOR ADULT VOCATIONAL EDUCATION.**

Subdivision 1. The state shall pay adult vocational aids for each year on a current funding basis.

Subd. 2. **Limited applicability.** The provisions of this section shall apply only for the 1983-1984 and 1984-1985 school years.

Subd. 3. **Adult vocational aid.** The state shall pay to any district or cooperative vocational center 75 percent of the salaries paid to essential, licensed personnel or personnel exempt from licensure pursuant to section 125.031 in that school year for services rendered in that district's or center's adult vocational education programs. Notwithstanding any law or any licensure requirements to the contrary, the portion of a community education director's salary attributable to services rendered for the district's or center's adult vocational education program shall qualify for aid according to this subdivision. In addition, the state shall pay 50 percent of the costs of necessary travel between instructional sites by adult vocational education teachers. The state director may withhold all or any portion of this aid for an adult vocational education program which receives moneys from any other source, and in no event shall a district or center receive a total amount of state aid for salaries and travel pursuant to this section which, when added to moneys from other sources, will provide the program an amount for salaries and travel which exceeds 100 percent of the amount of its expenditures for salaries and travel in the program.

Subd. 4. This aid shall be paid only for services rendered or for travel costs incurred in adult vocational education programs approved for funding by the state director. Policy shall be established by the state board providing criteria to be applied by the state director in approving programs for funding pursuant to this section including: economic impact of the program, legislative mandate for the program, employment opportunities in the occupational area, and proven contribution of the program. All programs shall be operated in accordance with policies and rules promulgated by the state board. These shall provide minimum student-staff ratios required for an adult vocational education program to qualify for this aid.

Subd. 5. In any fiscal year when moneys requested for programs approved for funding are more than the amount appropriated, the state director shall, to the extent possible, continue full funding for programs which are approved by July 1 for aid for even numbered years or by the preceding March 1 for aid for odd numbered years. The state director shall prorate any remaining moneys among programs which are approved for funding after these dates.

Subd. 6. Boards may charge tuition for participation in adult vocational education programs. Nothing in this section shall prohibit the charging of differential tuition rates for residents or nonresidents of a district. If adult vocational education is provided by another district or a cooperative center by contract pursuant to subdivision 7, the contract shall provide for this issue.

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Subd. 7. Any board may contract with the board of a district containing a post-secondary vocational-technical school or the board of a cooperative center for the provision of adult vocational education services. The board providing these services may also act as fiscal agent for the other contracting district if so agreed. Information copies of all contracts shall be provided to the state director.

Subd. 8. All adult vocational education aid shall be paid to the district or cooperative center providing the services. The district providing the services may bill the contracting district for any unpaid costs incurred in providing these services if so agreed in the contract.

Subd. 9. Each district providing adult vocational education shall establish and maintain separate, accurate and detailed revenue and expenditure accounts related to these adult vocational education programs. All adult vocational education aid received by the district from any source shall be utilized solely for the purposes of adult vocational education programs.

Subd. 10. Effective July 1, 1978, any individual enrolled in an adult farm management program for longer than six years shall be charged a tuition rate equal to the full cost of the program attributable to that individual.

Subd. 11. State money shall not be used to pay for more than 75 percent of the independent telephone communications training program and the Minnesota electric cooperative linepersons training program. The appropriate industry or association shall pay at least 25 percent of the cost of each program.

**History:** 1976 c 271 s 61; 1977 c 447 art 5 s 9; 1978 c 764 s 67,68; 1979 c 334 art 5 s 24-26; 1979 c 335 s 15; 1980 c 609 art 5 s 16,17; 1981 c 358 art 5 s 35-38; 1982 c 548 art 5 s 10,11; 1983 c 314 art 5 s 12; 1984 c 463 art 5 s 23,36

## 136C.41 DEBT SERVICE AID.

Subdivision 1. The state board shall provide, for credit against the debt service levy of qualifying districts, post-secondary vocational debt service aid equal to the state portion of debt service costs. The state portion of debt service costs shall equal the amount necessary to make payments due in each school year ending June 30 with respect to qualifying bonds issued to finance post-secondary vocational facilities and interest thereon, multiplied by the average of the district's nonresident reimbursement percentage pursuant to Minnesota Statutes 1974, Section 121.21, Subdivision 5, in fiscal years ended June 30, 1973, 1974, and 1975. For purposes of the computation of debt service aid, qualifying bonds shall include only:

(a) bonds issued prior to January 1, 1978;

(b) bonds issued after January 1, 1978, to finance post-secondary vocational facilities projects which receive funds appropriated in Laws 1978, Chapter 792, Section 8; and

(c) bonds issued at any time to refund the bonds described in (a) and (b). No district shall qualify for this post-secondary vocational debt service aid unless it has certified a levy in the total amount required by section 475.61, for collection in the calendar year in which the aid credit is to be given.

Subd. 2. There shall be no post-secondary vocational debt service aid for the state portion of debt service costs for bonds issued on or after January 1, 1978 to finance post-secondary vocational facilities and interest thereon, unless these bonds are issued to finance post-secondary vocational facilities projects which receive funds appropriated in Laws 1978, Chapter 792, Section 8.

Subd. 3. Post-secondary vocational debt service aid shall be computed each year before October 1 by the state board as the percentage specified in subdivision 1



of the sum of the principal and interest on qualifying bonds which will become due in the school year commencing on the following July 1.

Subd. 4. The amount for each school district shall be certified by the board on or before October 1 to the school district, and to the county auditors of all counties containing taxable property within the school district, and to the state commissioner of finance. This amount shall be deducted by the county auditors from the amount of the debt service levies of the school district to be assessed and extended against the taxable property therein for collection in the following year, and shall be payable instead from the appropriation made by this section.

Subd. 5. The commissioner of finance shall issue to the state treasurer warrants for payment of one-half of the amount to the treasurer of the school district on or before July 15 and one-half thereof on or before November 15 in the following year, in lieu of the distributions of this amount otherwise payable by county treasurers at these times under the provisions of section 276.11.

Subd. 6. The amount necessary is annually appropriated from the general fund to the respective districts entitled to these payments. This appropriation shall not lapse until and unless otherwise provided by law, but shall be reduced by the amount of any funds specifically appropriated for the same purpose in any year from any state fund. In the event that the appropriation is revoked in any future year, the state board shall certify this fact to each school district theretofore entitled to an aid credit under this subdivision.

Subd. 7. The appropriation heretofore made for post-secondary vocational debt service aid payable in the school year ending June 30, 1977, is confirmed, and the board shall continue to provide for the payment of debt service aids therefrom at or before the due dates of school district bonds and interest in that school year. In addition, the state board shall pay to districts which expended cash balances to finance the construction of new post-secondary vocational facilities and which the state board prior to May 15, 1975 agreed to repay for these expenditures the amount of the repayment specified in the agreement. Funds received in repayment shall revert to the fund of origin in the district.

**History:** 1975 c 432 s 66; 1976 c 271 s 58; 1978 c 792 s 28; 1984 c 463 art 5 s 19,36

### 136C.42 VOCATIONAL TECHNICAL BUILDING FUND.

Subdivision 1. **Purpose.** A vocational technical building fund is created as a separate bookkeeping account in the general books of the state for the purpose of providing money appropriated to the state board of vocational technical education for the acquisition and betterment of public land, buildings, and capital improvements needed for the area vocational technical education program of the state.

Subd. 2. **Receipts.** The commissioner of finance and treasurer shall deposit in the fund as received all proceeds of vocational technical building bonds, except accrued interest and premiums received upon the sale thereof. All such receipts are annually appropriated for the permanent acquisition purposes of the fund, and shall be and remain available for expenditure in accordance with this section until the purposes of the appropriations have been accomplished or abandoned.

Subd. 3. **Disbursements.** Disbursements from the fund shall be made by the state treasurer upon the order of the commissioner of finance at the times and in the amounts requested by the state board of vocational technical education in accordance with the applicable appropriation acts, for grants to school districts for the acquisition and betterment of land, buildings, and capital improvements for area vocational technical institutes. These grants shall only be made upon the conditions and in accordance with all standards and criteria established by the state board and

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in the legislative act authorizing the specific post-secondary vocational facilities project.

Subd. 4. Eighty-five percent of the cost of post-secondary vocational facilities authorized by specific legislative act after January 1, 1979 shall be financed through appropriations from the vocational technical building fund and 15 percent of the cost of these facilities shall be financed by the school district operating the post-secondary vocational technical school. No local bonds shall be authorized, issued, or sold, nor shall any election be held to authorize the issuance of bonds, if the proceeds will be used to finance a project for which specific legislative approval is required, until after that specific legislative approval has been given.

**History:** 1975 c 436 s 7; 1978 c 792 s 25-27; 1984 c 463 art 5 s 7,36

## 136C.43 VOCATIONAL TECHNICAL BUILDING BONDS.

Subdivision 1. **Purpose; appropriation.** For the purpose of providing money appropriated from the vocational technical building fund for the acquisition of public land, buildings, and capital improvements needed for the state plan for the administration of vocational education in accordance with the provisions of section 136C.42, when requested by the state board of education, the commissioner of finance shall sell and issue bonds of the state of Minnesota for the prompt and full payment of which, with interest thereon, the full faith and credit and taxing powers of the state are irrevocably pledged. Bonds shall be issued pursuant to this section only as authorized by a law specifying the purpose thereof and the maximum amount of the proceeds authorized to be expended therefor, as set forth in section 136C.42. Any such law, together with this section and the laws herein referred to, constitutes complete authority for the issue, and such bonds shall not be subject to restrictions or limitations contained in any other law.

Subd. 2. **Issuance.** The bonds shall be sold upon sealed bids and upon notice, at a price, in form and denominations, bearing interest at a rate or rates, maturing in amounts and on dates, subject to prepayment upon notice and at times and prices, payable at a bank or banks within or outside the state, with or without provisions for registration, conversion, exchange, and issuance of notes in anticipation of the sale or delivery of definitive bonds, and in accordance with further regulations, as the commissioner of finance shall determine subject to the approval of the attorney general, but not subject to the provisions of sections 14.02, 14.04 to 14.36, 14.38, 14.44 to 14.45, and 14.57 to 14.62. The bonds shall be executed by the commissioner of finance and attested by the state treasurer under their official seals. The signatures on the bonds and on any interest coupons and the seals may be printed or otherwise reproduced, except that each bond shall be authenticated by the manual signature on its face of one of the officers or of a person authorized to sign on behalf of a bank designated by them as authenticating agent. The commissioner of finance shall ascertain and certify to the purchasers of the bonds the performance and existence of all acts, conditions, and things necessary to make them valid and binding general obligations of the state of Minnesota, subject to the approval of the attorney general.

Subd. 3. **Expenses.** All expenses incidental to the sale, printing, execution, and delivery of bonds pursuant to this section, including but not limited to actual and necessary travel and subsistence expenses of state officers and employees for such purposes, shall be paid from the vocational technical building fund and the amounts necessary therefor are appropriated from that fund; provided that if any amount is specifically appropriated for this purpose in an act authorizing the issuance of bonds pursuant to this section, such expenses shall be limited to the amount so appropriated.

Subd. 4. **Vocational technical building bond account in the state bond fund.** The commissioner of finance shall maintain in the state bond fund a separate

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bookkeeping account designated as the vocational technical building bond account, to record receipts and disbursements of money transferred to the fund to pay vocational technical building bonds and interest thereon, and of income from the investment of such money, which income shall be credited to the account in each fiscal year in an amount equal to the approximate average rate of return that year on all funds invested by the state treasurer, as determined by the treasurer, times the average balance in the account that year.

**Subd. 5. Appropriations to bond account.** There shall be credited to the vocational technical building bond account the premium and accrued interest received on each issue of vocational technical building bonds and, from the general fund in the state treasury, on November 1 in each year, a sum of money equal to the amount of the tax which the Constitution would otherwise require to be levied for collection in the following year, for the purpose of increasing the balance then on hand in the account to an amount sufficient to pay principal and interest due and to become due with respect to vocational technical building bonds. All money so credited and all income from the investment thereof is annually appropriated to the bond account for the payment of such bonds and interest thereon, and shall be available in the bond account prior to the levy of the tax for the state bond fund in any year as required by the Constitution. The commissioner of finance and the state treasurer are directed to make the appropriate entries in the accounts of the respective funds.

**Subd. 6. Tax levy.** On or before December 1 in each year, if the full amount appropriated to the bond account in subdivision 5 has not been credited thereto, the tax required by the Constitution shall be levied upon all taxable property within the state. This tax shall be levied upon all real property used for the purposes of a homestead, as well as other taxable property, notwithstanding the provisions of section 273.13, subdivisions 6 and 7, and shall be subject to no limitation of rate or amount until all vocational technical building bonds and interest thereon are fully paid. The proceeds of this tax are appropriated and shall be credited to the state bond fund, and the principal of and interest on the bonds are payable from such proceeds, and the whole thereof, or so much as may be necessary, is appropriated for such payments. If at any time there is not sufficient money from the proceeds of such taxes to pay the principal and interest when due on vocational technical building bonds, such principal and interest shall be paid out of the general fund in the state treasury, and the amount necessary therefor is hereby appropriated.

*History: 1975 c 436 s 8; 1982 c 424 s 130; 1984 c 463 art 5 s 8,36*

## **136C.44 VOCATIONAL TECHNICAL BUILDING APPROPRIATIONS.**

Money appropriated from the state building fund to the state board of vocational technical education for post-secondary vocational technical construction in school districts shall be used for grants to school districts for the acquisition and betterment of land, buildings, and capital improvements for area vocational technical institutes. These grants shall only be made upon the conditions and in accordance with all standards and criteria established in state board rules and in the legislative act authorizing the specific post-secondary vocational facilities project. A grant shall cover 85 percent of the cost of the post-secondary vocational facilities authorized by the specific legislative act, and 15 percent of the cost of these facilities shall be financed by the school district operating the post-secondary vocational technical school, unless otherwise provided by the specific legislative act. No local bonds shall be authorized, issued, or sold, nor shall any election be held to authorize the issuance of bonds, if the proceeds will be used to finance a project for which specific legislative approval is required, until after that specific legislative approval has been given.

*History: 1981 c 362 s 13; 1984 c 463 art 5 s 9,36*