

**Fifty-fifth Legislative Assembly, State of North Dakota, begun in the
Capitol in the City of Bismarck, on Monday, the sixth day of January,
one thousand nine hundred and ninety-seven**

SENATE BILL NO. 2033
(Legislative Council)
(Education Services Committee)

AN ACT to provide for a postsecondary enrollment options program; and to amend and reenact subdivision q of subsection 1 of section 28-32-01 of the North Dakota Century Code, relating to the rulemaking authority of the superintendent of public instruction.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Postsecondary enrollment options program. Any North Dakota student enrolled in grade eleven or twelve in a public high school is eligible to receive high school and postsecondary credit for the successful completion of an academic course offered by any postsecondary institution accredited by a regional accrediting organization or a vocational course offered by a postsecondary institution in a program accredited by a national or regional accrediting organization recognized by the United States department of education.

SECTION 2. Permission to enroll - Notification - Credits. Before enrolling in a course for credit under section 1 of this Act, the student must obtain written permission from the student's school district superintendent. The student's school district superintendent shall determine the number of credits for which the student is eligible and shall include the number on the permission document granting permission required by this section. For purposes of determining credit, a three-semester hour course offered by a postsecondary institution is equivalent to a full semester high school course. Upon the student's successful completion of the course, the postsecondary institution shall notify the student's school district superintendent of that fact.

SECTION 3. Costs of attendance - Responsibility of student. The student and the student's parent or legal guardian are responsible for all costs of attendance at a postsecondary institution under sections 1 through 6 of this Act. For purposes of this section, "costs" include tuition, fees, textbooks, materials, equipment, and other necessary charges related to the course in which the student has enrolled.

SECTION 4. Transportation - Responsibility of student. The student and the student's parent or legal guardian are responsible for transportation arrangements and all costs of transportation associated with a student's attendance at a postsecondary institution under sections 1 through 6 of this Act.

SECTION 5. Foundation aid - Extracurricular activities. A student attending a postsecondary institution under sections 1 through 6 of this Act is deemed to be in attendance at the student's school district of residence for purposes of calculating foundation aid and for purposes relating to the student's eligibility to participate in high school extracurricular activities.

SECTION 6. Courses - Statutory and regulatory exemption. The courses for which dual high school and postsecondary credit are available under sections 1 through 6 of this Act are postsecondary courses and are exempt from any statutory or regulatory provisions otherwise applicable to high school courses and to the persons by whom high school courses are taught.

SECTION 7. AMENDMENT. Subdivision q of subsection 1 of section 28-32-01 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

- q. The superintendent of public instruction, except with respect to rules prescribed under section 15-21-07 and, rules implementing chapter 15-22, and rules relating to sections 1 through 6 of this Act.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-fifth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2033.

Senate Vote: Yeas 46 Nays 0 Absent 3

House Vote: Yeas 96 Nays 0 Absent 1

Secretary of the Senate

Received by the Governor at _____ M. on _____, 1997.

Approved at _____ M. on _____, 1997.

Governor

Filed in this office this _____ day of _____, 1997,

at _____ o'clock _____ M.

Secretary of State