

LETTER OPINION  
97-L-138

August 18, 1997

Honorable Lyle Hanson  
State Representative  
337 15th Avenue NE  
Jamestown, ND 58401

Dear Representative Hanson:

Thank you for your August 4, 1997, letter asking whether 1997 Senate Bill 2033 (codified as N.D.C.C. ch. 15-41.1) limits the postsecondary enrollment options program provided therein to public postsecondary institutions or whether private postsecondary institutions may also participate.

The postsecondary institutions which public high school eleventh and twelfth grade students may attend for participation in the postsecondary enrollment options program are described as ". . .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." N.D.C.C. § 15-41.1-01.

The plain language of the section indicates, and it is my opinion, that "any" properly accredited postsecondary institution is an eligible institution for participation by public high school eleventh and twelfth grade students without limitation as to whether the postsecondary institution is public or private. See N.D.C.C. §§ 1-02-02 and 1-02-03.

Sincerely,

Heidi Heitkamp  
ATTORNEY GENERAL

rel/pg

cc: Dr. Wayne G. Sanstead, Superintendent of Public Instruction