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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. **3959**

03/02/2020 Authored by Klevorn, Bernardy, Quam, Pelowski, Bahner and others
The bill was read for the first time and referred to the Higher Education Finance and Policy Division

- 1.1 A bill for an act
- 1.2 relating to higher education; amending certain institutional approval provisions;
- 1.3 amending Minnesota Statutes 2018, sections 136A.65, subdivision 8; 136A.829,
- 1.4 subdivision 1.
- 1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6 Section 1. Minnesota Statutes 2018, section 136A.65, subdivision 8, is amended to read:
- 1.7 Subd. 8. **Disapproval of registration appeal.** (a) By giving written notice and reasons
- 1.8 to the school, the office may ~~refuse to renew;~~
- 1.9 (1) revoke, ~~or~~ suspend, or refuse to renew registration;
- 1.10 (2) refuse approval of a school's degree, ~~or;~~ and
- 1.11 (3) refuse approval of use of a regulated term in its name ~~by giving written notice and~~
- 1.12 ~~reasons to the school.~~
- 1.13 (b) Reasons for revocation or suspension of registration or approval may be for one or
- 1.14 more of the following reasons:
- 1.15 (1) violating the provisions of sections 136A.61 to 136A.71;
- 1.16 (2) providing false, misleading, or incomplete information to the office;
- 1.17 (3) presenting information about the school which is false, fraudulent, misleading,
- 1.18 deceptive, or inaccurate in a material respect to students or prospective students; ~~or~~
- 1.19 (4) refusing to allow reasonable inspection or to supply reasonable information after a
- 1.20 written request by the office has been received;

(5) using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility, in the conduct of business in this state or elsewhere; or

(6) having been administratively or judicially determined to have committed fraud or any other material violation of law involving federal, state, or local government funds.

(c) Any order refusing, revoking, or suspending a school's registration, approval of a school's degree, or use of a regulated term in the school's name is appealable in accordance with chapter 14. The request must be in writing and made to the office within 30 days of the date the school is notified of the action of the office. If a school has been operating and its registration has been revoked, suspended, or refused by the office, the order is not effective until the final determination of the appeal, unless immediate effect is ordered by the court.

Sec. 2. Minnesota Statutes 2018, section 136A.829, subdivision 1, is amended to read:

Subdivision 1. **Grounds.** The office may, after notice and upon providing an opportunity for a hearing, under chapter 14 if requested by the parties adversely affected, refuse to issue, refuse to renew, revoke, or suspend a license or solicitor's permit for any of the following grounds:

(1) violation of any provisions of sections 136A.821 to 136A.833 or any rule adopted by the office;

(2) furnishing to the office false, misleading, or incomplete information;

(3) presenting to prospective students information relating to the private career school that is false, fraudulent, deceptive, substantially inaccurate, or misleading;

(4) refusal to allow reasonable inspection or supply reasonable information after written request by the office;

(5) using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility, in the conduct of business in this state or elsewhere;

(6) having been administratively or judicially determined to have committed fraud or any other material violation of law involving federal, state, or local government funds; or

~~(5)~~ (7) the existence of any circumstance that would be grounds for the refusal of an initial or renewal license under section 136A.822.