SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 4346

1.1   A bill for an act

1.2   relating to commerce; modifying provisions governing continuing education course
1.3   delivery methods; amending Minnesota Statutes 2020, sections 45.25, subdivisions
1.4   2a, 5a, 14; 45.306, subdivision 3.

1.5   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6   Section 1. Minnesota Statutes 2020, section 45.25, subdivision 2a, is amended to read:

1.7   Subd. 2a. **Classroom course.** "Classroom course" means ~~an educational process based~~

1.8   ~~on live or real-time instruction including, but not limited to:~~

1.9   ~~(1) a course in which there is no geographic separation of instructor and learner;~~

1.10   ~~(2) a course taught live that is concurrently simulcast to remote locations and where~~

1.11   ~~each location is monitored by a proctor; and~~

1.12   ~~(3) a course taught live that is concurrently simulcast to individual students online and~~

1.13   ~~that includes a process to authenticate the student's identity and technology to guarantee~~

1.14   ~~seat time~~ a course that is taught (1) in a classroom, and (2) only to students that are physically

1.15   present in the classroom.

1.16   Sec. 2. Minnesota Statutes 2020, section 45.25, subdivision 5a, is amended to read:

1.17   Subd. 5a. **Distance learning course.** "Distance learning course" means an education

1.18   process~~, other than the courses specified in subdivision 2a, clauses (2) and (3),~~ that is based

1.19   on the geographical separation of instructor and learner. ~~This~~ Distance learning course

1.20   includes~~,~~ but is not limited to:

2.1   (1) ~~an interactive Internet course that does not meet the requirements of subdivision 2a,~~

2.2   ~~clauses (2) or (3)~~ a course taught live, whether in a classroom or elsewhere, that is

2.3   concurrently simulcast to remote locations or to individual students online; and

2.4   (2) a noninteractive course taught via the Internet~~, video, or other electronic means~~.

2.5   Sec. 3. **Minnesota Statutes 2020, section 45.25, subdivision 14, is amended to read:**

2.6   Subd. 14. **Self-study course.** "Self-study course" means a ~~distance learning~~ course that

2.7   is not ~~entirely taught by the instructor live via the Internet, video, or other electronic means~~

2.8   a classroom course or a distance learning course.

2.9   Sec. 4. **Minnesota Statutes 2020, section 45.306, subdivision 3, is amended to read:**

2.10   Subd. 3. **Final examination.** (a) The final examination must be either an encrypted

2.11   online examination or a paper examination that is monitored by a proctor who certifies that

2.12   the student took the examination. The student must not be allowed to review the course

2.13   content once the examination has begun.

2.14   (b) A final examination is not required for a course taught live that is concurrently

2.15   simulcast to:

2.16   (1) remote locations and where each location is monitored by a proctor; or

2.17   (2) individual students online, provided the simulcast includes (i) a process to authenticate

2.18   the student's identity, and (ii) technology to guarantee seat time.