

CHAPTER 4840

HIGHER EDUCATION SERVICES OFFICE

REGISTRATION AND NAME APPROVAL

4840 0100	DEFINITIONS	4840 0600	DISAPPROVAL AND APPEAL
4840 0300	WHO MUST REGISTER	4840 0700	WITHDRAWAL OF APPROVAL
4840 0400	REQUIREMENTS FOR REGISTRATION	4840 0900	SCHOOLS LICENSED BY AN AGENCY OR DEPARTMENT
4840 0500	APPROVAL OF NAMES AND DEGREES	4840 1100	VOLUNTARY COMPLIANCE

4840.0100 DEFINITIONS.

[For text of subs 1 and 2, see M.R.]

Subp. 3. School. "School" means:

A. an individual, partnership, company, firm, society, trust, association, corporation, or any combination thereof operating or doing business in Minnesota, unless otherwise exempt pursuant to Minnesota Statutes, sections 136A.653 and 136A.657, which:

[For text of subitems (1) to (4), see M.R.]

[For text of item B, see M.R.]

Statutory Authority: *MS s 136A.01; 136A.69*

History: *20 SR 2214*

4840.0300 WHO MUST REGISTER.

All schools shall register annually with the Higher Education Services Office. The office shall maintain and publish a list of registered schools.

Statutory Authority: *MS s 136A.01; 136A.69*

History: *20 SR 2214*

4840.0400 REQUIREMENTS FOR REGISTRATION.

Subpart 1 Registration fees and related costs.

A. Fees are not refundable.

B. A \$550 fee shall accompany each initial registration application.

C. A \$400 fee shall accompany each annual renewal registration application.

D. Applications for renewal for any registration received after the deadline date specified in the renewal materials provided by the office are subject to a late fee equal to 20 percent of the annual registration renewal fee.

E. A school shall reimburse the office for actual costs associated with a site evaluation visit outside Minnesota if the visit is necessary under subpart 3 and Minnesota Statutes, section 136A.64, subdivision 1.

Subp. 2 Plan to preserve permanent records. Each school shall maintain permanent records for all students enrolled at any time. Records include school transcripts, documents, and files containing student data relating to academic credits earned, courses completed, grades awarded, degrees awarded, and periods of attendance

A. To preserve permanent records, a school shall submit and implement a plan which meets all of the following:

(1) at least one copy of the records held in a secure depository,

(2) an appropriate official designated to provide a student with official copies of records or official transcripts upon request;

(3) a method, acceptable to the office, of complying with subitems (1) and (2) for at least 50 years from the day the school ceases to exist; and

(4) if the school has no binding agreement for preserving and providing official copies of student records under this item, a continuous surety bond in an amount not to exceed \$20,000

B. When a school decides to cease postsecondary education operations, it must inform the office of the following:

[For text of subitems (1) to (4), see M.R.]

Subp. 3 **Information.** Each school shall submit the following information accompanied by an affidavit attesting to its accuracy and truthfulness:

[For text of items A to D, see M.R.]

E. all current promotional and recruitment materials and advertisements;

F. the current school catalog and, if not contained in the catalog:

[For text of subitems (1) to (10), see M.R.]

(11) the school's policies about student admission, evaluation, suspension, and dismissal.

Subp. 4. **Additional information.** If the office is unable to determine the nature and activities of a school on the basis of the information in subpart 3, the office shall notify the school of additional information needed.

Subp. 5. **Verification of information.** The office may verify the accuracy of submitted information by inspection, visitation, or any other means it considers necessary.

Subp. 6. **Public information.** All information submitted to the office is public information except financial records and information. The office may disclose financial records or information to defend its decision to approve or disapprove granting of degrees or the use of a name or its decisions to revoke such approval at a hearing under Minnesota Statutes, chapter 14, or other legal proceedings.

Subp. 7. **Unauthorized representations.** No school or any of its officials or employees shall advertise or represent in any manner that a school is approved or accredited by the office or the state of Minnesota. A school may represent that it is registered with the office by using the following language: "(Name of school) is registered with the Minnesota Higher Education Services Office. Registration means that the school has filed information with the Higher Education Services Office, including a plan to protect student records. Registration is not an endorsement of the institution. Credits earned at the institution may not transfer to all other institutions. The educational programs may not meet the needs of every student or employer"

Statutory Authority: *MS s 136A.01; 136A.69*

History: *20 SR 2214*

4840.0500 APPROVAL OF NAMES AND DEGREES.

Subpart 1. **In general.** A school must be registered if it uses the term "academy," "institute," "college," or "university" in its name or if it grants a degree to a student in Minnesota, where the student has not left Minnesota for the major portion of the program or course leading to the degree. It also must substantially meet the criteria in subpart 2. In addition, it must meet the requirements in subparts 4 and 5, as applicable. The office shall maintain and publish a list of the schools approved to use regulated terms in their names and a list of schools approved to grant degrees with a list of the approved specified degrees

[For text of subp 2, see M.R.]

Subp. 3. [Repealed, 20 SR 2214].

[For text of subps 4, to 6, see M.R.]

Subp. 7. **Conditional approval.** The office may grant conditional approval for a degree or use of a term in its name for a period of less than one year if doing so would be in the best interests of currently enrolled students or prospective students.

Subp. 8. [Repealed, 20 SR 2214]

Statutory Authority: *MS s 136A.01, 136A.69*

History: *20 SR 2214*

4840.0600 DISAPPROVAL AND APPEAL.

If a school's degree or use of a term in its name is disapproved by the office, the school may request a hearing under Minnesota Statutes, 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 disapproval.

Statutory Authority: *MS s 136A.01; 136A.69*

History: *20 SR 2214*

4840.0700 WITHDRAWAL OF APPROVAL.

Subpart 1. **Notice and hearing.** The office may refuse to renew, revoke, or suspend approval of a school's degree or use of a regulated term in its name by giving written notice and reasons to the school. The school may request a hearing under Minnesota Statutes, chapter 14. If a hearing is requested, no disapproval shall take effect until after the hearing.

Subp. 2. **Reasons for withdrawal.** Withdrawal of approval may be for one or more of the following reasons:

A. violating the provisions of this chapter or Minnesota Statutes, sections 136A.61 to 136A.71;

B. providing false, misleading, or incomplete information to the office;

C. presenting to prospective students information about the school which is false, fraudulent, misleading, deceptive, or inaccurate in a material respect; or

D. refusing to allow reasonable inspection or to supply reasonable information after a written request by the office has been received.

Statutory Authority: *MS s 136A.01, 136A.69*

History: 20 SR 2214

4840.0800 [Repealed, 20 SR 2214]

4840.0900 SCHOOLS LICENSED BY AN AGENCY OR DEPARTMENT.

The office shall accept as final and not inquire into the substantive basis for a license granted to a school by any agency or department of the state or any other state.

Statutory Authority: *MS s 136A.01; 136A.69*

History: 20 SR 2214

4840.1000 [Repealed, 20 SR 2214]

4840.1100 VOLUNTARY COMPLIANCE.

A school or educational program which is exempt under Minnesota Statutes, section 136A.653, is exempt from parts 4840.0100 to 4840.0900 but may voluntarily waive its exemption by registering. Upon registration the school or educational program is subject to all applicable requirements of parts 4840.0100 to 4840.0900 and Minnesota Statutes, sections 136A.61 to 136A.71.

Statutory Authority: *MS s 136A.01; 136A.69*

History: 20 SR 2214