

CHAPTER 4880
HIGHER EDUCATION SERVICES OFFICE
PRIVATE BUSINESS, TRADE, AND
CORRESPONDENCE SCHOOLS

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NOTE: Parts 4880.0100 to 4880.1400 were originally numbered as parts 3530.6500 to 3530.7800. See Laws 1992, chapter 513, article 1, section 26.

- 4880.0100** [Repealed, L 1993 c 224 art 12 s 39; L 1994 c 532 art 2 s 14; L 1994 c 647 art 8 s 32]
- 4880.0200** [Repealed, L 1993 c 224 art 12 s 39; L 1994 c 532 art 2 s 14; L 1994 c 647 art 8 s 32]
- 4880.0300** [Repealed, L 1993 c 224 art 12 s 39; L 1994 c 532 art 2 s 14; L 1994 c 647 art 8 s 32]
- 4880.0400** [Repealed, L 1993 c 224 art 12 s 39; L 1994 c 532 art 2 s 14; L 1994 c 647 art 8 s 32]
- 4880.0500** [Repealed, L 1993 c 224 art 12 s 39; L 1994 c 532 art 2 s 14; L 1994 c 647 art 8 s 32]
- 4880.0600** [Repealed, L 1993 c 224 art 12 s 39; L 1994 c 532 art 2 s 14; L 1994 c 647 art 8 s 32]
- 4880.0700** [Repealed, L 1993 c 224 art 12 s 39; L 1994 c 532 art 2 s 14; L 1994 c 647 art 8 s 32]
- 4880.0800** [Repealed, L 1993 c 224 art 12 s 39; L 1994 c 532 art 2 s 14; L 1994 c 647 art 8 s 32]
- 4880.0900** [Repealed, L 1993 c 224 art 12 s 39; L 1994 c 532 art 2 s 14; L 1994 c 647 art 8 s 32]
- 4880.1000** [Repealed, L 1993 c 224 art 12 s 39; L 1994 c 532 art 2 s 14; L 1994 c 647 art 8 s 32]
- 4880.1100** [Repealed, L 1993 c 224 art 12 s 39; L 1994 c 532 art 2 s 14; L 1994 c 647 art 8 s 32]
- 4880.1200** [Repealed, L 1993 c 224 art 12 s 39; L 1994 c 532 art 2 s 14; L 1994 c 647 art 8 s 32]
- 4880.1300** [Repealed, L 1993 c 224 art 12 s 39; L 1994 c 532 art 2 s 14; L 1994 c 647 art 8 s 32]
- 4880.1400** [Repealed, L 1993 c 224 art 12 s 39; L 1994 c 532 art 2 s 14; L 1994 c 647 art 8 s 32]

4880.1500 SCOPE.

Parts 4880.1500 to 4880.2400 govern licensing of private business, trade, and correspondence schools.

Statutory Authority: *MS s 136A.01*

History: *20 SR 2214*

4880.1600 CONTRACTS BY UNLICENSED SCHOOLS.

When a contract with a student is deemed unenforceable pursuant to Minnesota Statutes, section 141.25, subdivision 2, a school must refund all tuition, fees, and other charges received from the student or prospective student within 30 days of written notification from the Minnesota Higher Education Services Office.

Statutory Authority: *MS s 136A.01*

History: *20 SR 2214*

4880.1700 APPLICATION FOR LICENSURE.

Subpart 1. **Name of school.** The title or name of the school as it appears on the application for licensure shall be used in all advertising, catalogs, brochures, contracts, letterheads, and any other written or oral references made in Minnesota.

Subp. 2. **Schools at more than one location.** Schools offering programs at more than one location must provide all information required under Minnesota Statutes, section

141.25, subdivision 3, for each school location, on forms provided by the office. If this information is the same for each location, the school shall clearly indicate that on the forms.

Subp. 3. **Instructor and program administrator qualifications.** The school must provide the office with each instructor's name and academic degrees earned or applicable education and experience as specified in part 4880.1900, and must also indicate which courses each instructor teaches.

Subp. 4. **Program.** A program is a course or a grouping of courses that is advertised or listed in the school's catalog, brochures, or other publications, or for which the school grants a degree, diploma, or certificate. A program is the same as a "course of instruction." For each program, the school shall provide the following information:

- A. title of program and formal recognition awarded;
- B. geographic location;
- C. proposed implementation date;
- D. length of program in quarter or semester credits, lessons, or clock hours;
- E. number of graduates expected annually;
- F. curriculum required to complete the program, including:
 - (1) outline of each course and its objectives, subjects, and units in the course;
 - (2) type of work or skill to be learned; and
 - (3) approximate time, hours, or credits to be spent on each subject or unit;
- G. employment opportunities for graduates;
- H. physical resources needed, including equipment currently available;
- I. information services needed;
- J. academic and administrative mechanisms for monitoring the quality of the program; and
- K. documentation of availability, location, and supervision of clinical, internship, practicum, or externship sites, if applicable.

Subp. 5. **Licensure application fees.** The appropriate fee must accompany each application. Application fees are not refundable. The fees are as described in items A to E.

A. An initial licensure fee of \$1,500 shall accompany each initial licensure application.

B. A licensure renewal fee of \$750 shall accompany each annual licensure application for schools offering one program.

C. A licensure renewal fee of \$1,000 shall accompany each annual licensure application for schools offering more than one program.

D. Applications for licensure renewal 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 licensure renewal fee.

E. A solicitor permit fee of \$250 shall accompany each solicitor permit application.

Subp. 6. **Changes after issuance of license.** If a change occurs in any of the information required by Minnesota Statutes, section 141.25, subdivision 3, during the licensure year, the school shall inform the office within 30 days of the change.

Subp. 7. **Change of ownership.** Within 30 days of a change in ownership or control, a school must submit a licensure renewal application with the appropriate fee to the office.

Subp. 8. **New program.** Prior to implementation of a new program, a school shall submit the information required under subpart 4 to the office. The office shall notify the school no later than 60 days after receipt of the required information whether the proposed new program meets the standards specified in Minnesota Statutes, section 141.25, subdivision 7, clause (e), and whether the proposed new program can be added to the list of programs offered by the school.

Statutory Authority: *MS s 136A.01*

History: *20 SR 2214*

4880.1800 STANDARDS FOR SCHOOL FACILITIES AND STUDENT HOUSING.

Subpart 1. **Sanitation and safety.** The premises and conditions under which students work and study and the living quarters that are owned or approved for student housing by a school shall meet the sanitation and safety requirements of all local and state regulating agencies.

Subp. 2. **Inspection reports.** Copies of inspection reports by the local fire department, state fire marshal, or Minnesota Industrial Commission shall, if furnished to the school, be filed with the office.

Subp. 3. **Clinical, internship, practicum, or externship sites.** The school shall obtain sites for students to complete clinical, internship, practicum, or externship requirements if the educational program requires it.

Subp. 4. **Library and information services.** The school shall furnish library resources and information services to support the educational programs it offers.

Statutory Authority: *MS s 136A.01*

History: *20 SR 2214*

4880.1900 STANDARDS FOR INSTRUCTORS.

All instructors shall have:

A. recognized standing as a tradesperson or specialist supported by evidence from previous employers, or the possession of a baccalaureate degree;

B. a high school diploma or its equivalent; and

C. three years of full-time, trade, or professional experience in the trade or specialty taught, or successful completion of a college curriculum leading to a baccalaureate degree in that trade or specialty, or a combination of experience and education in the trade or specialty equivalent to three years of full-time experience.

Statutory Authority: *MS s 136A.01*

History: *20 SR 2214*

4880.2000 STANDARDS FOR OUT-OF-STATE SCHOOLS.

All requirements, regulations, or standards approved and adopted by the office, including qualifications of instructors, are applicable to out-of-state schools required to be licensed pursuant to Minnesota Statutes, chapter 141.

Statutory Authority: *MS s 136A.01*

History: *20 SR 2214*

4880.2100 CONTENTS OF CATALOG OR BROCHURE.

Subpart 1. **Refund policy.** The catalog or brochures of a school must state the refund policy that includes the requirements in Minnesota Statutes, section 141.271.

Subp. 2. **Clinical, internship, practicum, or externship sites.** The school must publish in its catalog or brochures the most current locations of the clinical, internship, practicum, or externship sites for programs that require this experience for completion of a program.

Subp. 3. **Supplementary pages.** If supplementary pages are used, they must be included as part of the catalog or brochures. The supplementary page or pages shall be clearly identified as affecting Minnesota students. If information on supplementary pages contradicts the catalog or brochures, it shall clearly indicate on these pages that the supplementary information supersedes information contained elsewhere in the catalog or brochures.

Subp. 4. **Submitting changes.** If a school proposes to change information required by Minnesota Statutes, section 141.25, subdivision 9, that is contained in the school catalog or brochures during the license year, the school must submit the revised catalog or brochures to the office for review and approval prior to distribution to students or prospective students. No later than 30 days after receipt of the submitted materials, the office shall notify the school whether the changes are approved.

Statutory Authority: *MS s 136A.01*

History: *20 SR 2214*

4880.2200 PLACEMENT.

Subpart 1. **Standards.** For each program, the majority of graduates seeking employment must be able to secure at least entry level positions in the occupation for which they have been prepared, or a related occupation.

Subp. 2. **Report.** A certified copy of the school's placement record of students who graduated in the year prior to the year for which the license is to be issued shall be filed with the office with the licensure renewal application. In addition to the information specified in Minnesota Statutes, section 141.25, subdivision 10, the report must include the complete mailing address of each graduate's place of employment.

Statutory Authority: *MS s 136A.01*

History: *20 SR 2214*

4880.2300 SOLICITORS.

A school shall not authorize a solicitor to engage in sales activities until the solicitor provides evidence of a solicitor's permit. A person obtaining a solicitor's permit shall be referred to orally and in writing as a "solicitor" or "representative." A school must not refer to a solicitor as a "counselor" or "registrar." A school may file a blanket surety bond to cover all of its solicitors instead of the solicitor's bond specified in Minnesota Statutes, section 141.26, subdivision 3, provided the amount of the blanket bond is not less than the amount specified in Minnesota Statutes, section 141.26, multiplied by the number of solicitors employed by the school.

Statutory Authority: *MS s 136A.01*

History: *20 SR 2214*

4880.2400 LICENSURE REQUIREMENTS FOR AVOCATIONAL SCHOOLS.

A school that promises, makes reference to, or advertises preparation for gainful employment upon completion of one of its programs shall not be considered as engaged exclusively in the teaching of purely avocational or recreational subjects under Minnesota Statutes, section 141.35, clause (j), and shall be subject to licensure under parts 4880.1500 to 4880.2400.

Statutory Authority: *MS s 136A.01*

History: *20 SR 2214*