

## CHAPTER 136A

MINNESOTA HIGHER EDUCATION BOARDS  
AND AGENCIES

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**136A.02 MEMBERSHIP; OFFICERS; ADVISORY COMMITTEES.**

Subdivision 1. The higher education coordinating board shall consist of eight citizen members, one from each congressional district, to be appointed by the governor with the advice and consent of the senate, and three citizen members also to be appointed by the governor with the advice and consent of the senate to represent the state at large. The chair of the student advisory council shall serve as a nonvoting member of the board. All appointees to the board shall be selected for their knowledge of and interest in post secondary education and at least one shall be selected specifically for knowledge of and interest in vocational education. A voting member of the board must not be an employee of or receive compensation from a public or private post-secondary institution while serving on the board.

Subd. 1a. The term of each voting board member shall be six years. As nearly as possible, one-sixth of the terms of the voting board members shall expire each year. The compensation, removal of voting members, and filling of vacancies among voting members on the board shall be as provided in section 15.0575, subdivisions 3, 4, and 5.

*[For text of subds 3 to 6, see M.S.1984]*

Subd. 7. **Student advisory council.** A student advisory council to the board is established. The members of the council shall include the chair of the University of Minnesota university student senate, the state chair of the Minnesota state university student association, the president of the Minnesota community college student association, the president of the Minnesota vocational technical student association, the president of the Minnesota association of private college students, and a student who is enrolled in a private vocational school registered under this chapter, to be appointed by the Minnesota association of private post-secondary schools. A member may be represented by a designee.

The advisory council shall:

- (1) bring to the attention of the board any matter that the council believes needs the attention of the board,
- (2) make recommendations to the board as the council deems appropriate,
- (3) review and comment upon proposals and other matters before the board,
- (4) provide any reasonable assistance to the board, and
- (5) select one of its members to serve as chair and as a nonvoting member of the board. The board shall inform the council of all matters under consideration by the board and shall refer all proposals to the council before the board acts or sends the proposals to the governor or the legislature. The board shall provide time for a report from the advisory council at each meeting of the board.

The student advisory council shall report to the board quarterly and at other times that the council considers desirable. The council shall determine its meeting

time, but the council shall also meet with the executive director of the board within 30 days after the director's request for a council meeting. The student advisory council shall meet quarterly with the higher education advisory council and the board executive committee.

**History:** 1985 c 60 s 1-3

#### **136A.043 INFORMATION TECHNOLOGY.**

The higher education coordinating board shall initiate activities to coordinate state policy development regarding the use of information technology in post-secondary education instruction and administration. These activities shall include at least the following: a survey, conducted in collaboration with the post-secondary education systems, of existing information technology use and needs of institutions and regions; initiation of collaborative activities to share information and resources; and provision of opportunities for post-secondary education policymakers to review issues and needs for policy development.

**History:** 1Sp1985 c 11 s 26

#### **136A.044 DATA ON TEACHER EDUCATION STUDENTS AND GRADUATES.**

The higher education coordinating board, in consultation with the board of teaching, shall publish annual data on the characteristics of students admitted to and graduating from teacher education programs. The data shall be collected from teacher preparation institutions in Minnesota and, if possible, from institutions in adjacent states. The board shall establish the reporting format in consultation with teacher education institutions and the board of teaching.

**History:** 1Sp1985 c 12 art 8 s 43

#### **136A.09 STUDENT SCHOLARSHIPS, PURPOSE.**

The legislature finds and declares that identification of the talented men and women of the state and encouragement of their maximum educational development is in the best interest of the state. The state scholarship program is designed to encourage able and worthy students to continue their education in the eligible institutions of their own choosing and to provide financial assistance for those otherwise not able to do so.

**History:** 1Sp1985 c 11 s 27

#### **136A.095 GRANTS-IN-AID; PURPOSE.**

The legislature finds and declares that the identification of men and women of the state who are economically disadvantaged and the encouragement of their educational development in eligible institutions of their choosing are in the best interests of the state and of the students.

**History:** 1Sp1985 c 11 s 28

#### **136A.101 DEFINITIONS.**

Subdivision 1. For purposes of sections 136A.09 to 136A.131, the terms defined in this section have the meanings ascribed to them.

Subd. 2. "Board" means the Minnesota higher education coordinating board.

Subd. 3. "Director" means the executive director of the Minnesota higher education coordinating board.

Subd. 4. "Eligible institution" means a post-secondary educational institution located in this state or in a state with which the board has entered into a higher education reciprocity agreement on state student aid programs that either (1) is operated by this state, or (2) is operated publicly or privately and, as determined by the board, maintains academic standards substantially equivalent to those of comparable institutions operated in this state.

Subd. 5. "Financial need" means the demonstrated need of the applicant for financial assistance to meet the actual costs of attending the eligible institution of choice as determined from financial information on the applicant and, if required, on the applicant's parents, by a college scholarship service or equivalent service under criteria established by the board.

Subd. 6. "Qualified applicant" means a person who ranked in the upper quarter of the class at the end of the junior year in high school according to academic standards prescribed by the board for the state scholarship program. It also means any eligible person regardless of academic rank for the state grant-in-aid program.

Subd. 7. "Student" means a person who is enrolled at least half time, as defined by the board, in a program or course of study that applies to a degree, diploma, or certificate.

Subd. 8. "Resident student" includes a student who graduated from a Minnesota high school and has not since established residence in another state.

**History:** *1Sp1985 c 11 s 29*

NOTE: Subdivision 7, as amended by Laws 1985, First Special Session chapter 11, section 29, is effective July 1, 1986. See Laws 1985, First Special Session chapter 11, section 82, subdivision 2.

### 136A.121 SCHOLARSHIPS AND GRANTS-IN-AID.

Subdivision 1. **Eligibility for scholarships.** An applicant is eligible to be considered for a scholarship under sections 136A.09 to 136A.131 if the board finds that the applicant:

- (1) is a resident of the state of Minnesota;
- (2) has met all the requirements for admission as a student to an eligible institution of choice as defined in sections 136A.09 to 136A.131;
- (3) has demonstrated capacity for superior achievement at the institutional level as measured by standards prescribed by the board;
- (4) is a qualified applicant.

Subd. 2. **Eligibility for grants-in-aid.** An applicant is eligible to be considered for a grant-in-aid, regardless of the applicant's sex, creed, race, color, national origin, or ancestry, under sections 136A.09 to 136A.131 if the board finds that the applicant:

- (1) is a resident of the state of Minnesota;
- (2) is a graduate of a secondary school or its equivalent, or is 17 years of age or over, and has met all requirements for admission as a student to an eligible college or vocational school of choice as defined in sections 136A.09 to 136A.131;
- (3) has met the financial need criteria established in rules.

Subd. 3. **Allocation.** Scholarships and grants-in-aid shall be awarded on a funds available basis to those applicants who meet the board's requirements.

Subd. 4. **Scholarship stipends.** An eligible scholarship applicant shall be considered for a financial stipend if the applicant demonstrates financial need. The amount of a financial stipend must not exceed a scholarship applicant's cost of attendance, as defined in subdivision 6, after deducting the following:

(a) a contribution by the scholarship applicant of at least 50 percent of the cost of attending the institution of the applicant's choosing;

(b) a contribution by the scholarship applicant's parents, as determined by a standardized need analysis; and

(c) the amount of a federal Pell grant award for which the scholarship applicant is eligible.

The minimum financial stipend is \$100.

Subd. 5. **Grants-in-aid stipends.** A financial stipend based on financial need must accompany grants-in-aid. The amount of a financial stipend must not exceed a grant applicant's cost of attendance, as defined in subdivision 6, after deducting the following:

(a) a contribution by the grant applicant of at least 50 percent of the cost of attending the institution of the applicant's choosing;

(b) a contribution by the grant applicant's parents, as determined by a standardized need analysis; and

(c) the amount of a federal Pell grant award for which the grant applicant is eligible.

The minimum financial stipend is \$100.

Subd. 6. **Cost of attendance.** The cost of attendance consists of allowances specified by the board for room and board and miscellaneous expenses, and

(a) for public institutions, tuition and fees charged by the institution; or

(b) for private institutions, an allowance for tuition and fees equal to the lesser of (1) the actual tuition and fees charged by the institution, or (2) the instructional costs per full-year equivalent student in comparable public institutions.

Subd. 7. **Insufficient appropriation.** If the amount appropriated is determined by the board to be insufficient to make full awards to applicants under subdivisions 4 and 5, before any award for that year has been disbursed, then awards shall be reduced by

(a) adding a surcharge to the contribution of the applicant's parents, and

(b) a percentage increase in the applicant's contribution.

Subd. 8. [Repealed, 1Sp1985 c 11 s 81]

Subd. 9. **Initial awards.** An undergraduate student who has not previously received a scholarship or grant-in-aid and who meets the board's requirements is eligible to apply for and receive an initial scholarship or grant-in-aid in any year of undergraduate study.

Subd. 10. **Renewals.** Each scholarship or grant-in-aid shall be awarded for one academic year, is renewable for a maximum of six semesters or nine quarters or their equivalent, but may not continue after the recipient has obtained a baccalaureate degree.

Subd. 11. **Renewal conditions.** Each scholarship or grant-in-aid is renewable, contingent on continued residency in Minnesota, satisfactory academic standing, recommendation of the eligible institution currently attended, and evidence of continued need.

Subd. 12. **Annual application.** To continue to receive a scholarship or grant-in-aid, the student shall apply for renewal each year.

Subd. 13. **Deadline.** The board shall accept applications for state scholarships and grants-in-aid until February 15 and may establish a deadline for the acceptance of applications that is later than February 15.

Subd. 14. [Repealed, 1Sp1985 c 11 s 81]

*[For text of subd 15, see M.S.1984]*

Subd. 16. **How applied; order.** Scholarships and grants-in-aid awarded under sections 136A.09 to 136A.131 shall be applied to educational costs in the following order: tuition, fees, books, supplies and other expenses. Unpaid portions of the awards revert to the scholarship or grant-in-aid account.

**History:** 1Sp1985 c 11 s 30-42

NOTE: Subdivisions 1, 2, and 10, as amended by Laws 1985, First Special Session chapter 11, sections 30, 31, and 38, are effective July 1, 1986. See Laws 1985, First Special Session chapter 11, section 82, subdivision 2.

### 136A.132 PART-TIME STUDENT GRANT-IN-AID PROGRAM.

*[For text of subds 1 and 2, see M.S.1984]*

Subd. 3. An applicant is eligible to be considered for a part-time student grant if the applicant:

- (a) is a resident of the state of Minnesota;
- (b) is an undergraduate student who has not earned a baccalaureate degree, except that a post-baccalaureate student enrolled in an undergraduate or graduate program who had been enrolled in the same program and had received a part-time grant during the 1984-1985 school year shall be eligible to be considered for a part-time student grant in the 1985-1986 school year;
- (c) is pursuing a program or course of study that applies to a degree, diploma, or certificate; and

(d) is attending an eligible institution (1) in the 1985-1986 academic year less than full time as defined by the board, or (2) after July 1, 1986, either less than half time as defined by the board, or as a new or returning student enrolled at least half time but less than full time as defined by the board.

Subd. 4. A recipient of a part-time grant-in-aid shall be selected by the post-secondary education institution of attendance in accordance with guidelines, policies and rules established by the higher education coordinating board.

Subd. 5. The amount of any part-time student grant-in-aid award shall be based on the need of the applicant determined by the institution in accordance with policies and rules established by the higher education coordinating board.

Subd. 6. Part-time student grants-in-aid shall be awarded for a single term as defined by the institution in accordance with guidelines and policies of the higher education coordinating board. Awards shall not be renewable but the recipient of an award may apply for additional awards for subsequent terms as follows:

- (a) In the 1985-1986 academic year a recipient of an award who is enrolled less than full time as defined by the board may apply for additional awards.
- (b) After July 1, 1986, a recipient of an award who is enrolled less than half time as defined by the board may apply for additional awards.

A new or returning student enrolled at least half time but less than full time, as defined by the board, and pursuing a program or course of study that applies to a degree, diploma, or certificate shall be eligible for an award for only one term.

*[For text of subd 7, see M.S.1984]*

**History:** 1Sp1985 c 11 s 43-46

**136A.15 DEFINITIONS.**

*[For text of subs 1 to 6, see M.S.1984]*

Subd. 7. "Eligible student" means a student who is officially registered or accepted for enrollment at an eligible institution in Minnesota or a Minnesota resident who is officially registered as a student or accepted for enrollment at an eligible institution in another state. A Minnesota resident includes a student who graduated from a Minnesota high school and has not since established residence in another state. Eligible student, except for purposes of section 136A.1701, includes parents of an eligible student as the term "parent" is defined in the Higher Education Act of 1965, as amended, and applicable regulations. Except for the purposes of section 136A.1701, eligible student also includes students eligible for auxiliary loans as the term "auxiliary" is defined in the Higher Education Act of 1965, as amended, and applicable regulations. An eligible student, for section 136A.1701, means a student who gives informed consent authorizing the disclosure of data specified in section 136A.162, paragraph (b), to a consumer credit reporting agency.

**History:** *1Sp1985 c 11 s 47*

NOTE: Subdivision 7, as amended by Laws 1985, First Special Session chapter 11, section 47, is effective July 1, 1986. See Laws 1985, First Special Session chapter 11, section 82, subdivision 2.

**136A.162 CLASSIFICATION OF DATA.**

All data on applicants for financial assistance collected and used by the higher education coordinating board for student financial aid programs administered by that board shall be classified as private data on individuals under section 13.02, subdivision 12. Exceptions to this classification are that:

(a) the names and addresses of program recipients or participants are public data; and

(b) the following data collected in the Minnesota supplemental loan program under section 136A.1701 may be disclosed to a consumer credit reporting agency only if the borrower gives informed consent, according to section 13.05, subdivision 4, at the time of application for a loan:

- (1) the lender-assigned borrower identification number;
- (2) the name and address of borrower;
- (3) the name and address of cosigner;
- (4) the date the account is opened;
- (5) the outstanding account balance;
- (6) the dollar amount past due;
- (7) the number of payments past due;
- (8) the number of late payments in previous 12 months;
- (9) the type of account;
- (10) the responsibility for the account; and
- (11) the status or remarks code.

**History:** *1Sp1985 c 11 s 48*

NOTE: This section, as amended by Laws 1985, First Special Session chapter 11, section 48, is effective July 1, 1986. See Laws 1985, First Special Session chapter 11, section 82, subdivision 2.

**136A.233 WORK-STUDY GRANTS.**

*[For text of subd 1, see M.S.1984]*

Subd. 2. For purposes of sections 136A.231 to 136A.235, the following words have the meanings ascribed to them:

(a) "Eligible student" means a Minnesota resident enrolled or intending to enroll full time in a Minnesota post-secondary institution. A Minnesota resident includes a student who graduated from a Minnesota high school and has not since established residence in another state.

(b) "Financial need" means the need for financial assistance in order to attend a post-secondary institution as determined by a post-secondary institution according to guidelines established by the higher education coordinating board.

(c) "Eligible employer" means any eligible post-secondary institution and any nonprofit, nonsectarian agency or state institution located in the state of Minnesota, including state hospitals, and also includes a handicapped person or a person over 65 who employs a student to provide personal services in or about the residence of the handicapped person or the person over 65.

(d) "Eligible post-secondary institution" means any post-secondary institution eligible for participation in the Minnesota state scholarship and grant program as specified in section 136A.101, subdivision 4.

*[For text of subd 3, see M.S.1984]*

**History:** *1Sp1985 c 11 s 49*