

CHAPTER 135A

POST-SECONDARY EDUCATION

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135A.01 FUNDING POLICY.

It is the policy of the legislature that direct state appropriations, exclusive of tuition, for the instructional services at public post-secondary institutions reflect a portion of the estimated cost of providing the instructional services.

History: 1983 c 258 s 29; 1Sp1985 c 11 s 14

135A.02 APPLICABILITY.

The total cost of providing instructional services shall be used to appropriate money to the board of regents of the University of Minnesota, state university board, state board for community colleges, and the state board for vocational education to the extent the money is for instructional services.

History: 1983 c 258 s 30

135A.03 APPROPRIATIONS FOR INSTRUCTIONAL SERVICES.

Subdivision 1. Determination of appropriation. The direct appropriation to each board for instructional services shall equal 67 percent of the estimated total cost of instruction for the University of Minnesota, the state university system, and the community college system, and, for technical institutes, at least 67 percent of the estimated total cost of instruction.

Subd. 2. Determination of total cost of instruction. The total cost of instruction shall be calculated in the following manner.

(a) Determine the student enrollment, for each instructional category, for the fiscal year two years before the fiscal year for which the appropriation is to be made.

(b) Multiply the student enrollment by the average cost of instruction per student in each instructional category.

(c) Add the resulting products.

Subd. 3. Determination of student enrollment. Student enrollment shall be the full-year equivalent or average daily membership enrollment in each instructional category in the fiscal year two years before the fiscal year for which the appropriations are being made. Student enrollment for the purpose of calculating appropriations for the second year of the biennium may be estimated on the basis of the latest enrollment data available. Student enrollment shall include students enrolled in courses that award credit or otherwise satisfy any of the requirements of an academic or vocational program.

Subd. 4. Determination of average cost of instruction. (a) The average cost of instruction shall include direct instructional costs and other costs necessary to provide instruction, such as facilities, administration, and support. The average cost of instruction shall include only those costs attributable to academic or vocational programs.

(b) Every biennium each board shall submit the average cost of instruction for each instructional category as necessary to determine appropriations as part of their biennial budget request.

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Subd. 5. **Instructional categories.** Average cost of instruction shall be determined by categories of cost of program and level of instruction and student enrollment in each category.

Subd. 6. **Determination of tuition.** Notwithstanding anything in this chapter to the contrary, the board of regents of the University of Minnesota, state university board, state board for community colleges, and the state board of vocational technical education shall not be required to establish tuition at any specific percentage of instructional cost.

History: 1983 c 258 s 31; 1984 c 654 art 4 s 11-13; 1Sp1985 c 11 s 15; 1987 c 258 s 12; 1987 c 401 s 8

135A.04 VARIABLE TUITION.

The board of regents of the University of Minnesota, state university board, state board for community colleges, and state board for vocational education shall establish tuition. Tuition may vary by program, level of instruction, cost of instruction, or other classifications determined by each board. Tuition may be set at any percentage of instructional cost established by the respective boards.

History: 1983 c 258 s 32; 1Sp1985 c 11 s 16; 1987 c 401 s 9; 1988 c 703 art 1 s 9

135A.05 TASK FORCE.

The executive director of the Minnesota higher education coordinating board shall administer a task force on average cost funding. The task force shall include representation from each of the public systems of post-secondary education, post-secondary students, the education division of the house appropriations committee, the education subcommittee of the senate finance committee, the office of the commissioner of finance, the office of state auditor, and the uniform financial accounting and reporting advisory council. The task force shall be convened and chaired by the executive director or a designee and staffed by the higher education coordinating board. The task force shall review and make recommendations on the definition of instructional cost in all four systems, the method of calculating average cost for funding purposes, the method used to assign programs to the proper level of cost at each level of instruction, the adequacy of the accounting data for defining instructional cost in a uniform manner, and the biennial budget format to be used by the four systems in submitting their biennial budget requests. The task force shall submit a report on these matters to the legislature by December 1 of each odd-numbered year. The task force expires as provided in section 15.059, subdivision 6.

History: 1983 c 258 s 33; 1Sp1985 c 11 s 17; 1988 c 629 s 33

135A.051 PROGRAM REQUIREMENTS.

Subdivision 1. **Extended time.** A student shall be entitled to complete a program according to the requirements in effect at the time the student began the program for 12 months beyond the time usually required to complete a program.

Subd. 2. **Program terminated.** The provisions of this section do not apply to a program or course which is discontinued by an institution.

Subd. 3. **Applicability.** The provisions of this section apply to a student enrolled in a technical institute, community college, state university, and the University of Minnesota.

History: 1983 c 166 s 2; 1987 c 258 s 12

135A.06 SYSTEM PLANS AND MISSIONS.

Subdivision 1. **Planning reports.** It is the intention of the legislature that the planning efforts of the public post-secondary education systems be summarized and reported to the legislature. It is the further intention that the system missions be differentiated from one another to best serve the needs of the citizens of Minnesota.

To accomplish these goals, the University of Minnesota board of regents, the state university board, the state board for community colleges, and the state board of vocational technical education shall each submit to the governor and the legislature on December 1 of each even-numbered year a planning report for its system. The report shall contain the mission of the system and short- and long-range plans for programs, staff, and facilities. It shall specify the mission and plans for two, five, and ten years. The assumptions used in developing the plans shall be included. The report shall also include plans for and progress toward achieving mission differentiation while maintaining the state's overall post-secondary objectives.

Subd. 2. Missions; intersystem plan. Each system shall review its mission as it relates to instruction, research, and public service. The systems, in cooperation with the higher education coordinating board, shall jointly review their missions, develop strategies to achieve mission differentiation, and create an overall intersystem plan that ensures achieving the state's post-secondary objectives. The higher education coordinating board shall establish an agenda, determine schedules for accomplishing that agenda, and develop criteria for the intersystem plan.

Subd. 3. System plans. Each system shall develop a program plan for instruction, research, and public service. Each system shall consult with the higher education coordinating board and with the other systems throughout the planning process. The higher education coordinating board shall coordinate intersystem efforts in the development of the program plans to achieve intersystem cooperation and differentiation.

Each planning report shall consider at least the following elements:

(1) a statement of program priorities for undergraduate, graduate, and professional education, including data about program cost and average class size within each institution;

(2) a review of plans for adjusting the number of facilities, staff, and programs to projected level of demand, including consideration of campus and program mergers, campus and program closings, new governance structures, the relationship between fixed costs and projected enrollment changes, and consolidation of institutions, services, and programs that serve the same geographic area under different governing boards;

(3) enrollment projections for two, five, and ten years based on recent available projections produced by the higher education coordinating board or, if different projections are used, they shall be compared to those prepared by the higher education coordinating board, and the system shall identify the method and assumptions used to prepare its projections;

(4) estimated financial costs and savings of alternative plans for adjusting facilities, staff, and programs to declining enrollments and fiscal resources;

(5) opportunities for providing services cooperatively with other public and private institutions in the same geographic area; and

(6) differentiating and coordinating missions to reduce or eliminate duplication of services and offerings, to improve delivery of services, and to establish clear and distinct roles and priorities.

Subd. 4. Capital requests. A capital budget request submitted by a system must specifically relate a proposed capital project to the plans required under this section.

Subd. 5. HECB review and comment. The higher education coordinating board shall review and comment on the reports prepared by the systems. The board shall submit the review and comment and the intersystem plan to the governor and legislature by December 1.

Systems shall submit the reports to the board on September 1. Before the board submits its review and comment, each system shall be given the opportunity to respond to the review. The board shall provide copies of its review and comment to the systems by October 15 and the systems shall submit any responses to the board by November 15. The system responses shall accompany the review and comment when it is submitted.

As part of its review and comment, the board shall present information on the costs, enrollment, and participation in public post-secondary institutions and on the progress the systems and the board are making toward an integrated intersystem planning effort.

History: 1983 c 258 s 34; 1Sp1985 c 11 s 18; 1987 c 401 s 10

135A.07 [Repealed, 1Sp1985 c 11 s 81]

135A.08 CREDIT TRANSFER.

Subdivision 1. Course equivalency. The regents of the University of Minnesota, state university board, state board for community colleges, and state board of vocational technical education, in conjunction with the higher education coordinating board, shall develop and maintain course equivalency guides for use between institutions that have a high frequency of transfer. Subject to the determination of the higher education coordinating board made in consultation with the state board of vocational technical education, course equivalency guides shall not be required for vocational technical programs that have not been divided into identifiable courses. The governing boards of private institutions that grant associate and baccalaureate degrees and that have a high frequency of transfer students are requested to participate in developing these guides.

Subd. 2. Common numbering. The regents of the University of Minnesota, state university board, state board for community colleges, and state board of vocational technical education, in conjunction with the higher education coordinating board, shall develop and maintain a common numbering convention to distinguish remedial, lower division, upper division, and graduate level coursework. The governing boards of private institutions that grant associate and baccalaureate degrees are requested to cooperate in the development of this numbering convention.

Subd. 3. General education requirements. The state board for community colleges, in conjunction with the regents of the University of Minnesota, state university board, boards of private institutions that grant baccalaureate degrees, and the higher education coordinating board, shall develop a systemwide standard of distributed general education requirements for the associate of arts degree. The boards shall ensure that the associate of arts degree fulfills the entire general education requirement for the baccalaureate degree if the intent of the degree program is that the general education component be completed in the first two years of study.

History: 1Sp1985 c 11 s 19

135A.09 EXPENSE ALLOWANCES.

The state board of vocational technical education and the higher education coordinating board may each establish an annual expense allowance for the state director of vocational technical education and the executive director of the higher education coordinating board, respectively. The state university board and the state board for community colleges may each establish an expense allowance for the chancellors and campus presidents. The allowances are not subject to chapter 16A, but each board shall report the allowances and expenditures annually to the chairs of the house appropriations and senate finance committees, and to the commissioner of finance.

History: 1Sp1986 c 1 art 10 s 6

135A.10 CREDIT FOR ADVANCED PLACEMENT PROGRAM.

Subdivision 1. Policy and procedures to award credit. The board of regents of the University of Minnesota, the state university board, and the state board for community colleges shall each develop a clear and uniform policy for its system for awarding post-secondary credit toward a degree for a student who earns an acceptable score on an advanced placement program examination. Each policy must include procedures to inform students and prospective students about credit award and procedures to

assure implementation on each campus. The higher education coordinating board shall assist in developing the policy.

Subd. 2. Data about credit award. Each year the University of Minnesota, state universities, and community colleges shall provide the higher education coordinating board information and data about credit awarded for advanced placement program examinations.

History: 1986 c 447 s 12

135A.11 COMMUNITY SERVICE.

Each public post-secondary system is requested to review its curricula, especially in required courses in general education and departmental majors, to determine the current and future opportunities for incorporating community service components. Each system is encouraged to locate curricular areas in which the system can assist students to voluntarily pursue community service that is relevant to their studies.

History: 1988 c 703 art 1 s 10

135A.12 UNIQUE NEEDS AND ABILITIES OF AMERICAN INDIAN PEOPLE.

Subdivision 1. Applicability. This section applies to the higher education coordinating board, each public post-secondary governing board, each public post-secondary institution, and each school board that operates a technical institute.

Subd. 2. Programs and services. The board of each institution, at the request of ten or more full-time American Indian students, shall establish an advisory committee, in consultation with tribal designated representatives. The advisory committee shall recommend instructional programs and student services to meet the unique needs of American Indian people.

Subd. 3. American Indian languages. A student who is proficient in an American Indian language shall have the opportunity to be assessed, placed, or to receive credit for skills in that language in the same manner that a student is assessed, placed, or receives credit for skills in languages other than the English language.

Subd. 4. Qualifications for American Indian studies and services. American Indian individuals who understand and have demonstrated knowledge of American Indian language, history, or culture may be considered to be competent to provide instruction in American Indian language, history, or culture programs. Qualifications to provide noninstructional services at post-secondary institutions for American Indian people must take into consideration knowledge of and understanding of American Indian language, history, or culture.

Subd. 5. Consultation. When the higher education coordinating board conducts studies, performs evaluations, reviews programs, and makes recommendations that affect educational programs and services for American Indian people, it shall consult with tribal designated representatives.

History: 1988 c 703 art 1 s 11

135A.13 STUDENT SERVICES PRICES.

The governing board of each public post-secondary system is requested to establish prices for goods and services sold through student services that approximate as nearly as possible the cost of providing quality goods and services.

History: 1988 c 703 art 1 s 12