

CHAPTER 135A

PUBLIC POST-SECONDARY EDUCATION

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135A.03 APPROPRIATIONS FOR INSTRUCTIONAL SERVICES.

[For text of subd 1, see M.S.1990]

Subd. 1a. **Appropriations for certain enrollments.** The state share of the cost of instruction shall be 32 percent for the following categories:

- (1) enrollment in credit bearing courses at an off-campus site or center, except those courses at Cambridge and Fond du Lac centers; the Arrowhead and Rochester 2 + 2 programs; those offered through telecommunications; those offered by the technical colleges; and those offered as part of a joint degree program; and
- (2) enrollment of students who are concurrently enrolled in a secondary school and for whom the institution is receiving any compensation under the post-secondary enrollment options act.

[For text of subd 2, see M.S.1990]

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, except as provided in subdivision 3a. 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. 3a. **Exclusions from enrollment.** Student enrollment for the purposes of average cost funding shall not include:

- (1) any undergraduate students who do not meet the residency criteria established under subdivision 7;
- (2) enrollment in extension at the technical colleges; and
- (3) students enrolled in recreational or leisure-time activity courses, except for those students enrolled in a degree-granting program for whom the credits would apply toward a baccalaureate degree.

[For text of subds 4 to 6, see M.S.1990]

Subd. 7. **Residency restrictions.** In calculating student enrollment for appropriations, only the following may be included:

- (1) students who resided in the state for at least one calendar year prior to applying for admission;
- (2) Minnesota residents who can demonstrate that they were temporarily absent from the state without establishing residency elsewhere; and
- (3) residents of other states who are attending a Minnesota institution under a tuition reciprocity agreement.

History: 1991 c 356 art 3 s 1-4

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 division of the senate finance committee, and the office of the commissioner of finance. 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 be convened at least annually. 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 June 30, 1993.

History: 1991 c 356 art 3 s 5

135A.052 POST-SECONDARY MISSIONS.

Subdivision 1. **Statement of missions.** The legislature recognizes each public post-secondary system to have a distinctive mission within the overall provision of public higher education in the state and a responsibility to cooperate with the other systems. These missions are as follows:

(1) the technical college system shall offer vocational training and education to prepare students for skilled occupations that do not require a baccalaureate degree;

(2) the community college system shall offer lower division instruction in academic programs, occupational programs in which all credits earned will be accepted for transfer to a baccalaureate degree in the same field of study, and remedial studies, for students transferring to baccalaureate institutions and for those seeking associate degrees;

(3) the state university system shall offer undergraduate and graduate instruction through the master's degree, including specialist certificates, in the liberal arts and sciences and professional education; and

(4) the University of Minnesota shall offer undergraduate, graduate, and professional instruction through the doctoral degree, and shall be the primary state supported academic agency for research and extension services.

Subd. 2. **Implementation.** Each post-secondary system shall review and redesign its programs and courses in accordance with the mission stated in subdivision 1, unless exceptional geographic or financial circumstances exist that necessitate retaining a program that is beyond a system's mission. The higher education advisory council shall review program offerings within each system to determine whether existing program offerings that are inconsistent with the stated mission have been eliminated or transferred. The council shall also review any exceptional circumstances cited as a justification for retaining programs that are beyond a system's mission.

Subd. 3. **Coordination.** The higher education coordinating board shall oversee the implementation of the transfer and elimination of programs. The board shall ensure that duplicate and inappropriate programs are identified and that changes are made in a timely manner.

History: 1991 c 356 art 2 s 1

135A.061 INTERSYSTEM COUNCIL.

An intersystem council is established to improve communications among post-secondary systems on relevant policy issues. The council is composed of officers or other representatives of each public post-secondary governing board and of the higher education coordinating board. The council shall determine its meeting times but shall

meet at least twice each year. Members shall report on discussions and actions of the council to their respective governing boards. The council shall determine its agenda from issues that affect more than one system. These may include: transfer of credit, efficiency of campus and system operations, duplication of programs and courses, mission delineation, cooperative arrangements, academic quality initiatives, and the effects of a system's proposed plans on the other systems. The council shall notify the chairs of the education, appropriations, and finance committees of the legislature in advance of its meetings.

History: 1991 c 356 art 2 s 2

135A.10 CREDIT FOR ADVANCED PLACEMENT PROGRAM.

[For text of subd 1, see M.S.1990]

Subd. 2. [Repealed, 1991 c 265 art 11 s 26]

135A.131 LOCAL ASSESSMENT.

Each public post-secondary governing board may pay when due any assessment by a local unit of government that is less than five percent of the board's appropriation for repair and replacement.

History: 1991 c 356 art 3 s 6

135A.16 POLICY FOR STUDENTS WITH DISABILITIES.

Subdivision 1. **Development.** Each public post-secondary governing board shall have a policy to provide for the needs of enrolled or admitted students on its campuses who have disabilities under section 504 of the Rehabilitation Act of 1973, Public Law Number 93-112. Governing boards of private post-secondary institutions are requested to develop similar policies.

Subd. 2. **Content.** Each policy shall include a list of services each campus must make available to any student who, through a recent assessment, can document a disability. The following three services must be included in the policy:

(1) support, counseling, and information that may include support groups, individual counseling, career counseling and assessment, and referral services;

(2) academic assistance services that may include early registration services, early syllabus availability, course selection and program advising, coursework and testing assistance and modification, and tutoring; and

(3) advocacy services that may include a designated ombudsman serving as the primary contact and coordinator for students needing services, assistance in working individually with faculty and administrators, intervention procedures, and grievance procedures.

Subd. 3. **Availability.** The policy and related information must be readily available to enrolled students and applicants for admission. At a minimum, information on services, including a contact person and location, must be included in the campus catalog and in the schedule of course offerings each term.

History: 1991 c 173 s 1

135A.17 PROVISIONS TO FACILITATE VOTING.

Subdivision 1. **Identification cards.** All post-secondary institutions that enroll students accepting state or federal financial aid may provide every full-time student a student identification card that contains the enrolling student's photograph and name.

Subd. 2. **Residential housing list.** All post-secondary institutions that enroll students accepting state or federal financial aid may prepare a current list of students enrolled in the institution and residing in the institution's housing or within ten miles of the institution's campus. The list shall include each student's current address. The list shall be certified and sent to the appropriate county auditor or auditors for use in election day registration as provided under section 201.061, subdivision 3.

History: 1991 c 227 s 2

ACADEMIC EXCELLENCE SCHOLARSHIPS

135A.30 MINNESOTA ACADEMIC EXCELLENCE SCHOLARSHIP.

Subdivision 1. Creation. The Minnesota academic excellence scholarship program is created to reward students who have demonstrated outstanding ability, achievement, and potential in one of the following subjects: English/creative writing, fine arts, foreign language, math, science, or social science.

Subd. 2. Eligibility. To be eligible to receive a scholarship under this section, a student must:

- (1) graduate from a Minnesota public or nonpublic high school in the academic year in which the scholarship is awarded;
- (2) successfully complete a college preparatory curriculum and demonstrate outstanding ability, achievement, and potential in one of the specified subjects;
- (3) be admitted to enroll full time in a nonsectarian, baccalaureate degree-granting program at the University of Minnesota or at a Minnesota state university, or at a Minnesota private, baccalaureate degree-granting college or university; and
- (4) pursue studies in the subject for which the award is made.

Subd. 3. Selection of recipients. The governing board of an eligible institution shall determine, in consultation with its campuses, application dates and procedures, criteria to be considered, and methods of selecting students to receive scholarships. A campus, with the approval of its governing board, may award a scholarship in any of the specified fields of study (1) in which the campus offers a program that is of the quality and rigor to meet the needs of the talented student, and (2) that is pertinent to the mission of the campus.

Subd. 4. Amount of scholarship. The amount of the scholarship must be (1) at public institutions, the cost of tuition and fees for full-time attendance for one academic year, or (2) at private institutions, an amount equal to the lesser of the actual tuition and fees charged by the institution or the tuition and fees in comparable public institutions. Scholarships awarded under this section must not be considered in determining a student's financial need as provided in section 136A.101, subdivision 5.

Subd. 5. Renewals. The scholarship shall be renewed yearly, for up to three additional academic years, if the student:

- (1) maintains full-time enrollment with a grade point average of at least 3.0 on a four point scale;
- (2) pursues studies and continues to demonstrate outstanding ability, achievement, and potential in the field for which the award was made; and
- (3) is achieving satisfactory progress toward a degree.

Subd. 6. Number of awards. The number of scholarships awarded each year shall be determined by the amount of contributions received under subdivision 8 plus the money available in the scholarship account, as provided in section 168.129, subdivision 6, that is credited to a post-secondary institution or system through sales of its license plates. The number of new awards must be determined after subtracting the actual and projected amount necessary for renewals.

Subd. 7. Distribution among campuses. Post-secondary systems with more than one campus shall allocate at least three-fourths of the revenue available from the sale of license plates to the campuses to which the revenue is attributable. The governing board annually shall determine the distribution of the remaining portion among the campuses, after consideration of special needs or circumstances.

Subd. 8. Additional contributions. A post-secondary system or campus may accept contributions, beyond those raised through the sale of license plates, to supplement the campus fund for academic excellence scholarships.

History: 1991 c 356 art 7 s 1

JOINT ADMINISTRATIVE APPOINTMENTS

135A.50 JOINT ADMINISTRATIVE APPOINTMENTS.

Subdivision 1. Appointments. To improve the efficient delivery of services to students and to reduce unnecessary administrative expenditures, each technical college and community college, located in the same or nearby communities, as provided in Laws 1983, chapter 258, section 64, subdivision 1, except those in which both of the cooperating institutions had a full-year equivalent enrollment or average daily membership of at least 1,600 in fiscal year 1989, must consolidate all personnel at the level of presidents, vice-presidents, deans, and other managers in academic support programs in community colleges and all personnel in similar positions at technical colleges in the fiscal year immediately following the pilot programs. This consolidation of personnel is not intended to apply to instructional staff. Personnel involved in the consolidated functions are joint employees of the state board of technical colleges and the state board for community colleges.

Subd. 2. Pilot programs. Notwithstanding any law to the contrary, the state board of technical colleges and the state board for community colleges shall implement pilot programs of administrative consolidation at two locations no later than the 1992-1993 academic year. The boards shall try to begin implementation for the 1991-1992 academic year. The boards shall seek presidents willing to allow their campuses to participate voluntarily. If no president volunteers, the boards shall jointly designate sites.

Subd. 3. Procedures. The community college and technical college systems shall develop necessary plans to implement subdivision 1 at all applicable sites. The systems shall determine necessary statutory changes and changes in system procedures and rules, analyze particular problems that develop during the pilot projects, and shall estimate the cost savings that the administrative consolidations will produce annually. As part of the plan, the systems shall report their progress in developing the plans by February 1, 1992.

History: 1991 c 356 art 2 s 3