

## CHAPTER 135A

## PUBLIC POSTSECONDARY EDUCATION

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**135A.01 FUNDING POLICY.**

It is the policy of the legislature to provide stable funding for public postsecondary institutions and that the state and students share the cost of public postsecondary education. The legislature intends to provide at least 67 percent of the combined revenue from tuition, the university fee at the University of Minnesota, and state general fund appropriations to public postsecondary institutions. It is also the policy of the legislature that the budgetary process serves to support high quality public postsecondary education.

**History:** 2007 c 144 art 2 s 3

**135A.011 STATE HIGHER EDUCATION OBJECTIVES.**

Minnesota's higher education investment is made in pursuit of the following objectives: (1) to ensure quality by providing a level of excellence that is competitive on a national and international level, through high quality teaching, scholarship, and learning in a broad range of arts and sciences, technical education, and professional fields; (2) to foster student success by enabling and encouraging students to choose institutions and programs that are best suited for their talents and abilities, and to provide an educational climate that supports students in pursuing their goals and aspirations; (3) to promote democratic values and enhance Minnesota's quality of life by developing understanding and appreciation of a free and diverse society; (4) to maintain access by providing an opportunity for all Minnesotans, regardless of personal circumstances, to participate in higher education; and (5) to enhance the economy by assisting the state in being competitive in the world market, and to prepare a highly skilled and adaptable workforce that meets Minnesota's opportunities and needs.

**History:** 2007 c 144 art 2 s 4

**135A.031 APPROPRIATIONS.**

Subdivision 1. **Determination of appropriation.** The appropriations for the University of Minnesota and the Minnesota State Colleges and Universities are determined by considering the biennial budget documents submitted under section 135A.034, performance in advancing the objectives under section 135A.011, available resources according to the state budget forecast, the relative balance between state support for students and public postsecondary institutions, and other factors the legislature considers important in determining the level of state appropriations for public postsecondary education.

Subd. 2. [Repealed, 2007 c 144 art 2 s 52]

Subd. 3. [Repealed, 2007 c 144 art 2 s 52]

Subd. 4. [Repealed, 2007 c 144 art 2 s 52]

Subd. 5. [Repealed, 2007 c 144 art 2 s 52]

Subd. 6. [Repealed, 2007 c 144 art 2 s 52]

Subd. 7. **Reports.** (a) Instructional and noninstructional expenditure data and enrollment data must be submitted in the biennial budget document under section 135A.034. This report must include a description of the methodology for determining instructional and non-

instructional expenditures and estimates of inflation in higher education and the methodology or index used to determine the inflation rate.

(b) By February 1 of each even-numbered year, the Board of Regents of the University of Minnesota and the Board of Trustees of the Minnesota State Colleges and Universities must submit a report to the chairs of the legislative committees with jurisdiction over higher education policy and finance. The report must describe the following:

(1) how state appropriations made to the system in the previous odd-numbered year were allocated and the methodology used to determine the allocation;

(2) data describing how the institution reallocated resources to advance the priorities set forth in the budget submitted under section 135A.034 and the statewide objectives under section 135A.011. The information must indicate whether instruction and support programs received a reduction in or additional resources. The total amount reallocated must be clearly explained;

(3) the tuition rates and fees established by the governing board in each of the past ten years and comparison data for peer institutions and national averages;

(4) data on the number and proportion of students graduating within four, five, and six years from universities and within three years from colleges as reported in the integrated postsecondary education data system. These data must be provided for each institution by race, ethnicity, and gender. Data and information must be submitted that describe the system's plan and progress toward attaining the goals set forth in the plan to increase the number and proportion of students that graduate within four, five, or six years from a university or within three years from a college;

(5) data on, and the methodology used to measure, the number of students traditionally underrepresented in higher education enrolled at the system's institutions. Data and information must be submitted that describe the system's plan and progress toward attaining the goals set forth in the plan to increase the recruitment, retention, and timely graduation of students traditionally underrepresented in higher education; and

(6) data on the revenue received from all sources to support research or workforce development activities or the system's efforts to license, sell, or otherwise market products, ideas, technology, and related inventions created in whole or in part by the system. Data and information must be submitted that describe the system's plan and progress toward attaining the goals set forth in the plan to increase the revenue received to support research or workforce development activities or revenue received from the licensing, sale, or other marketing and technology transfer activities by the system.

(c) Instructional expenditure and enrollment data shall be submitted by the public postsecondary systems to the Minnesota Office of Higher Education and the Department of Finance and included in the biennial budget document. The specific data shall be submitted only after the director of the Minnesota Office of Higher Education has consulted with a data advisory task force to determine the need, content, and detail of the information.

**History:** 2007 c 144 art 2 s 5,6

**135A.032** [Repealed, 2007 c 144 art 2 s 52]

**135A.033** [Repealed, 2007 c 144 art 2 s 52]

### **135A.034 BUDGET PRIORITIES.**

Subdivision 1. **Operating budget.** The governing boards of the University of Minnesota, and the Minnesota State Colleges and Universities shall each develop, for legislative and executive branch acceptance, its highest budget priorities in accordance with statewide objectives for higher education under section 135A.011.

*[For text of subd 2, see M.S.2006]*

**History:** 2007 c 144 art 2 s 7

**135A.045** [Repealed, 2007 c 144 art 2 s 52]

**135A.053** [Repealed, 2007 c 144 art 2 s 52]

**135A.135 PERSONAL FINANCIAL MANAGEMENT.**

During initial student registration, each technical college, community college, or state university shall, and the University of Minnesota is requested to, provide each student information on personal financial management. Students should understand and be able to manage personal finances including, but not limited to, the responsible use of consumer credit. This requirement may be waived for a student who enrolls in a college course providing similar instruction.

**History:** 2007 c 144 art 2 s 8

**135A.145 SALE OF STUDENT INFORMATION; MARKETING CREDIT CARDS TO STUDENTS.**

Subdivision 1. **Prohibited practices.** No public or private postsecondary educational institution, including its agents, employees, student or alumni organizations, or affiliates, may:

(1) sell, give, or otherwise transfer to any card issuer the name, address, telephone number, or other contact information of an undergraduate student at the postsecondary educational institution without the student's consent; or

(2) enter into any agreement to market credit cards to undergraduate students at a postsecondary educational institution.

For purposes of this section, the terms "credit," "credit card," and "card issuer" have the meanings given them in the Truth in Lending Act, United States Code, title 15, section 1602.

Subd. 2. **Violations.** The attorney general may seek the penalties and remedies available under section 8.31 against any person who violates this section.

**History:** 2007 c 144 art 2 s 9

**135A.153 HIGHER EDUCATION CENTER ON VIOLENCE AND ABUSE.**

*[For text of subs 1 to 4, see M.S.2006]*

Subd. 5. [Repealed, 2007 c 13 art 2 s 9]

**135A.25 TEXTBOOK DISCLOSURE, PRICING, AND ACCESS.**

Subdivision 1. **Short title.** This section may be cited as the Textbook Disclosure, Pricing, and Access Act.

Subd. 2. **Course material disclosures required.** (a) Beginning January 1, 2009, any publisher that sells or distributes course material for classroom use in a postsecondary institution must make the following available in an easily accessible manner to faculty, bookstores, and postsecondary institutions in Minnesota:

(1) the title, edition, author, and International Standard Book Number (ISBN) or other easily identifiable information for all course materials;

(2) the undiscounted price at which the course materials are available to a bookstore;

(3) the formats, including bundled and unbundled, in which those course materials are offered and the undiscounted prices of the various components, both sold separately or packaged together;

(4) a summary of revisions between current and previous editions of course materials; and

(5) the return policy for course material, including any penalties or conditions for returns.

(b) Any publisher that sells or distributes course material for classroom use in a postsecondary institution must make all bundled course material available to bookstores and post-

secondary institutions in an unbundled form, or must provide notice if unbundled material is not available.

(c) Disclosure under this section is not required for mass market and trade books that are not published, marketed, or sold primarily for classroom use in or by postsecondary institutions.

(d) Nothing in this section shall be construed to limit any existing academic freedom or rights of faculty members to determine the most appropriate course material for the courses they teach.

**Subd. 3. Educational strategies.** Public postsecondary institutions must develop educational materials considering the recommendations in studies by the Minnesota Office of Higher Education and others and at least annually convene and sponsor meetings and workshops, and provide educational strategies for faculty, students, administrators, institutions, and bookstores to inform all interested parties on strategies for reducing the costs of course materials for students attending postsecondary institutions.

**Subd. 4. Minnesota Office of Higher Education responsibilities.** (a) For private postsecondary institutions, the Minnesota Office of Higher Education must develop educational materials considering the recommendations by the Minnesota Office of Higher Education and others and at least annually convene and sponsor meetings and workshops and provide educational strategies for faculty, students, administrators, institutions, and bookstores to inform all interested parties on strategies for reducing the costs of course materials for students attending postsecondary institutions.

(b) The Minnesota Office of Higher Education must identify methods to compile and distribute information on publishers that sell or distribute course material for classroom use in postsecondary institutions in a manner that meets the requirements and complies with subdivision 2. The Minnesota Office of Higher Education must also evaluate ways to make this information available for use by students and faculty in postsecondary institutions.

**Subd. 5. Bookstores; course materials.** The University of Minnesota and private colleges are encouraged to comply with the requirements for instructors and bookstores under section 136F.58, subdivision 2.

**History:** 2007 c 144 art 2 s 10

### 135A.51 DEFINITIONS.

*[For text of subd 1, see M.S.2006]*

**Subd. 2. Senior citizen.** “Senior citizen” means a person who has reached 62 years of age before the beginning of any term, semester or quarter, in which a course of study is pursued, or a person receiving a railroad retirement annuity who has reached 60 years of age before the beginning of the term.

*[For text of subds 3 to 5, see M.S.2006]*

**History:** 2007 c 144 art 2 s 11

### 135A.52 PROGRAM AND QUALIFICATIONS.

**Subdivision 1. Fees and tuition.** Except for an administration fee established by the governing board at a level to recover costs, to be collected only when a course is taken for credit, a senior citizen who is a legal resident of Minnesota is entitled without payment of tuition or activity fees to attend courses offered for credit, audit any courses offered for credit, or enroll in any noncredit courses in any state supported institution of higher education in Minnesota when space is available after all tuition-paying students have been accommodated. A senior citizen enrolled under this section must pay any materials, personal property, or service charges for the course. In addition, a senior citizen who is enrolled in a course for credit must pay an administrative fee in an amount established by the governing board of the institution to recover costs. There shall be no administrative fee charges to a senior citizen

auditing a course. For the purposes of this section and section 135A.51, the term “noncredit courses” shall not include those courses designed and offered specifically and exclusively for senior citizens.

The provisions of this section and section 135A.51 do not apply to noncredit courses designed and offered by the University of Minnesota, and the Minnesota State Colleges and Universities specifically and exclusively for senior citizens. Senior citizens enrolled under the provisions of this section and section 135A.51 shall not be included by such institutions in their computation of full-time equivalent students when requesting staff or appropriations.

**Subd. 2. Term; income of senior citizens.** (a) Except under paragraph (b), there shall be no limit to the number of terms, quarters or semesters a senior citizen may attend courses, nor income limitation imposed in determining eligibility.

(b) A senior citizen enrolled in a closed enrollment contract training program is not eligible for benefits under subdivision 1.

*[For text of subds 3 to 5, see M.S.2006]*

**History:** 2007 c 144 art 2 s 12,13