

363A.43 CONTINUING EDUCATION; ACCESSIBILITY.

Subdivision 1. **Accessibility.** Upon request by an individual, any continuing education or professional development course, offering, material or activity approved or administered by the state, political subdivisions of the state, the University of Minnesota or the Minnesota State Colleges and Universities, must be made available within a reasonable time period to persons with disabilities in a manner consistent with state and federal laws prohibiting discrimination against persons with disabilities. Reasonable modifications must be made in any policies, practices and procedures that might otherwise deny equal access to continuing education or professional development to individuals with disabilities.

Subd. 2. **Penalties.** Violation of this section is subject to a penalty of \$500 per violation, plus reasonable attorney fees, costs and disbursements, payable to a qualified disabled person under section 363A.03, subdivision 36, who sought the accessible format under subdivision 1, by the public entity or the entity offering the course, material, or activity under a contract with a public entity. The total amount of penalties payable to any individual or class regardless of the number of violations is limited to \$15,000. In any class action or series of class actions which arise from a violation of this section, the amount of attorney fees awarded against the violating public entity may not exceed \$15,000. Any action must be commenced within one year of the occurrence of the alleged violation.

History: 2010 c 271 s 3; 2010 c 347 art 1 s 23

NOTE: This section, as added by Laws 2010, chapter 271, section 3, and amended by Laws 2010, chapter 347, article 1, section 23, is effective January 1, 2013. Laws 2010, chapter 271, section 3, the effective date.