

45.25 DEFINITIONS.

Subdivision 1. **Scope.** As used in sections 45.25 to 45.43, the terms defined in this section have the meanings given them.

Subd. 2. **Appropriate and related knowledge.** "Appropriate and related knowledge" means facts, information, or principles that are clearly relevant to the licensee in performing responsibilities under a license. These facts, information, or principles must convey substantive and procedural knowledge as it relates to postlicensing issues and must be relevant to the technical aspects of a particular area of continuing education.

Subd. 2a. **Classroom course.** "Classroom course" means an educational process based on live or real-time instruction including, but not limited to:

- (1) a course in which there is no geographic separation of instructor and learner;
- (2) a course taught live that is concurrently simulcast to remote locations and where each location is monitored by a proctor; and
- (3) a course taught live that is concurrently simulcast to individual students online and that includes a process to authenticate the student's identity and technology to guarantee seat time.

Subd. 3. **Classroom hour.** "Classroom hour" means a 50-minute hour. Breaks must not be accumulated in order to dismiss the class early. Classes must not be offered to any one student for longer than eight hours in one day, excluding meal breaks.

Subd. 4. **Commissioner.** "Commissioner" means the commissioner of commerce.

Subd. 5. **Coordinator.** "Coordinator" means an individual who is responsible for monitoring approved educational offerings.

Subd. 5a. **Distance learning course.** "Distance learning course" means an education process, other than the courses specified in subdivision 2a, clauses (2) and (3), that is based on the geographical separation of instructor and learner. This includes, but is not limited to:

- (1) an interactive Internet course that does not meet the requirements of subdivision 2a, clauses (2) or (3); and
- (2) a noninteractive course taught via the Internet, video, or other electronic means.

Subd. 6. **Education provider.** "Education provider" means a person offering or providing approved education.

Subd. 7. **Encrypted online examination.** "Encrypted online examination" means an examination offered over the Internet that is (1) inaccessible to anyone but the student taking the examination, who must have a unique login and password to see it, and (2) protected with security measures that make it unreadable if it is electronically stolen. In addition, the student must not have the ability to download and save the examination in any readable form.

Subd. 8. **Instructor.** "Instructor" means an individual who (1) lectures in an approved educational offering, or (2) creates an interactive Internet or self-study course.

Subd. 9. **Licensee.** "Licensee" means a person licensed by the Department of Commerce for whom an examination is required before licensure.

Subd. 10. **Overpayment.** "Overpayment" means any payment of money in excess of a statutory fee.

Subd. 11. **Person.** "Person" means a natural person, firm, institution, partnership, corporation, limited liability company, limited liability partnership, or association.

Subd. 12. **Proctor.** "Proctor" means a disinterested third party with no conflict of interest who verifies a student's identity and processes an affidavit testifying that the student received no outside assistance with the course or examination.

Subd. 13. **Professional designation.** "Professional designation" means a written, proctored, and graded examination, the passage of which leads to a bona fide professional designation used by licensees.

Subd. 14. **Self-study course.** "Self-study course" means a distance learning course that is not entirely taught by the instructor live via the Internet, video, or other electronic means.

History: 2009 c 63 s 3,78; 2011 c 108 s 2-4; 2014 c 249 s 1,2