CHAPTER 135A

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: *1983 c 258 s 29; 1Sp1985 c 11 s 14; 1994 c 532 art 3 s 1; 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.012 HIGHER EDUCATION ATTAINMENT GOAL.

Subdivision 1. **Purpose.** This section sets a goal for postsecondary education and workforce training credential attainment for Minnesota residents.

Subd. 2. **Postsecondary credentials.** The number of Minnesota residents ages 25 to 44 years who hold postsecondary or industry-recognized credentials should be increased to at least 70 percent by 2025.

Subd. 3. **Rights not created.** The attainment goal in this section is not to the exclusion of any other goals and does not confer a right or create a claim for any person.

Subd. 4. **Data development and analyses.** The Office of Higher Education shall work with the state demographer's office to measure progress towards the attainment of the goal specified in subdivision 2. The United States Census Bureau data shall be used to calculate the number of individuals in the state who hold a postsecondary degree. The Office of Higher Education, demographer's office, the Department of Employment and Economic Development, and the Department of Labor and Industry shall develop a methodology to estimate the number of individuals that hold a credential awarded by a postsecondary institution or recognized by an industry authority as their highest credential using data available at the time that the analysis is completed.

Subd. 5. **Reporting.** (a) Beginning in 2016 and every year thereafter, the Office of Higher Education, in collaboration with the state demographer's office, shall, by October 15, report to the chairs and ranking minority members of the legislative committees with primary jurisdiction over higher education policy and finance on the progress towards meeting or exceeding the goal of this section.

(b) Meeting and maintaining the goal of 70 percent of Minnesota residents ages 25 to 44 years holding a postsecondary or industry-recognized credential will likely be difficult without achieving attainment rates that are comparable across all race and ethnicity groups. The Office of Higher Education shall utilize

benchmarks of 30 percent or higher and 50 percent or higher to report progress by race and ethnicity groups toward meeting the educational attainment rate goal of 70 percent.

History: *2015 c 69 art 3 s 6; 2023 c 44 s 1*

135A.02 [Repealed, 1994 c 532 art 3 s 9]

135A.03 [Repealed, 1994 c 532 art 3 s 9]

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) The University of Minnesota and the Minnesota State Colleges and Universities systems shall include in their biennial budget proposals to the legislature:

(1) a five-year history of systemwide expenditures, reported by:

(i) functional areas, including instruction, research, public service, student financial aid, and auxiliary services, and including direct costs and indirect costs, such as institutional support, academic support, student services, and facilities management, associated with each functional area; and

(ii) objects of expenditure, such as salaries, benefits, supplies, and equipment, including a full explanation of all material changes to the expenditure categories when compared to the prior fiscal year;

(2) a five-year history of the system's total instructional expenditures per full-year equivalent student, by level of instruction, including upper-division undergraduate, lower-division undergraduate, graduate, professional, and other categories of instructional programs offered by the system;

(3) a five-year history of the system's total revenues by funding source, including tuition, state operations and maintenance appropriations, state special appropriations, other restricted state funds, federal appropriations, sponsored research funds, gifts, auxiliary revenue, indirect cost recovery, and any other revenue sources;

(4) an explanation describing how state appropriations made to the system in the previous biennium were allocated and the methodology used to determine the allocation;

(5) 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;

(6) 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;

(7) 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;

(8) 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;

(9) 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;

(10) data on consulting contracts from the last two completed fiscal years for which the work is performed by a consultant who is not an employee of the system, for which the system paid in excess of $500,000. Data must include the name of the consultant, the total value of the contract, a description of the work completed, and a description of the reasons for using an outside consultant and not internal staff. Consulting contracts are defined as contracts from management, investment and financial advisory services, project management, computer/technology advisory services, and construction project management; and

(11) aggregate data on the following:

(i) student demographics;

(ii) a five-year history of student enrollment, including student enrollment by legislative district;

(iii) a five-year history of student debt;

(iv) a five-year history of mandatory student fees by campus;

(v) employee head count and employee demographics;

(vi) facilities, including physical space overview, condition, square footage, distribution by region, any deferred maintenance, and capital bonding requested and received;

(vii) administrative costs, including the definition of "administrators" used by the system, the total number of "administrators" as percent of total employee head count, and system office budget for Minnesota State Colleges and Universities as percent of total system general fund revenue; and

(viii) college and university operating budgets.

(b) Data required by this subdivision shall be submitted by the public postsecondary systems to the Minnesota Office of Higher Education and the Department of Management and Budget and included in the biennial budget document. Representatives from each system, in consultation with the commissioner of management and budget and the commissioner of the Office of Higher Education, shall develop consistent reporting practices for this purpose.

(c) To the extent practicable, each system shall develop the ability to respond to legislative requests for financial analyses that are more detailed than those required by this subdivision, including but not limited to analyses that show expenditures or revenues by institution or program, or in multiple categories of expenditures or revenues, and analyses that show revenue sources for particular types of expenditures.

History: *1994 c 532 art 3 s 2; 1995 c 212 art 2 s 1; 1Sp2001 c 1 art 2 s 6; 2005 c 107 art 2 s 1,2; 2007 c 144 art 2 s 5,6; 2009 c 101 art 2 s 109; 2013 c 99 art 2 s 3,29; 2017 c 89 art 2 s 2*

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.

Subd. 2. **Capital projects.** The Board of Regents of the University of Minnesota and the Board of Trustees of the Minnesota State Colleges and Universities are requested to consider the following criteria in establishing priorities for requests for bond funds for capital projects:

(1) maintenance and preservation of existing facilities;

(2) completion of projects that have received funding;

(3) updating facilities to meet contemporary needs;

(4) providing geographic distribution of capital projects; and

(5) maximizing the use of nonstate contributions.

The criteria listed in this subdivision are not in priority order.

History: *1994 c 532 art 3 s 5; 2000 c 492 art 1 s 50; 2007 c 144 art 2 s 7; 2014 c 294 art 2 s 8*

135A.04 VARIABLE TUITION.

The Board of Regents of the University of Minnesota and the Board of Trustees of the Minnesota State Colleges and Universities shall each 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; 1994 c 532 art 3 s 6; 1995 c 212 art 4 s 64*

135A.041 FEE STATEMENT.

Beginning in the 1993-1994 academic year, fee statements at all public postsecondary campuses shall indicate the state-paid portion of the cost of an average student's education in that system by including the following statement: "Tuition pays for approximately ... % of the cost of a student at a public college. The State of Minnesota pays approximately $..... of the average cost for full-time students."

History: *1Sp1993 c 2 art 3 s 15*

135A.042 FEE WAIVER.

The president of a state university, community college, or technical college may waive the fee assessed to a student applying for admission, if the president determines that the fee would impose an economic hardship on the student or the student's family.

History: *1995 c 212 art 2 s 2*

135A.043 RESIDENT TUITION.

(a) A student, other than a nonimmigrant alien within the meaning of United States Code, title 8, section 1101, subsection (a), paragraph (15), shall qualify for a resident tuition rate or its equivalent at state universities and colleges if the student meets all of the following requirements:

(1) high school attendance within the state for three or more years;

(2) graduation from a state high school or attainment within the state of the equivalent of high school graduation; and

(3) in the case of a student without lawful immigration status: (i) documentation that the student has complied with selective service registration requirements; and (ii) if a federal process exists for the student to obtain lawful immigration status, the student must present the higher education institution with documentation from federal immigration authorities that the student has filed an application to obtain lawful immigration status.

(b) This section is in addition to any other statute, rule, or higher education institution regulation or policy providing eligibility for a resident tuition rate or its equivalent to a student.

(c) The Board of Regents of the University of Minnesota is requested to adopt a policy implementing this section.

History: *2013 c 99 art 4 s 1*

135A.0431 MILITARY VETERANS; RESIDENT TUITION.

(a) A person who is honorably discharged from the armed forces of the United States is entitled to the resident tuition rate at Minnesota public postsecondary institutions.

(b) This section is in addition to any other statute, rule, or higher education institution regulation or policy providing eligibility for a resident tuition rate or its equivalent to a student.

History: *2014 c 312 art 1 s 6*

135A.0434 MANDATORY STUDENT ACTIVITY FEES REFERENDUM.

Subdivision 1. **Referendum.** The governing body of a public postsecondary institution must not increase mandatory student activity fees by greater than two percent relative to the previous academic year unless the increase is approved by a majority of students voting in a campus referendum. This section does not apply to fees paid by students that are directly related to academic, administrative, health services, or debt obligations, including bonds issued under sections 136F.90 to 136F.98. The Board of Regents of the University of Minnesota is requested to adopt a policy implementing this section.

Subd. 2. **Penalty.** If the Board of Regents of the University of Minnesota increases mandatory student activity fees by more than two percent without approval by a vote of the student body as described in subdivision 1, the commissioner of management and budget shall deduct from the university's appropriation base an amount equal to one percent of the university's appropriation base in the first year of the next biennium.

History: *2017 c 89 art 2 s 3*

135A.0435 ATHLETIC FEES.

The Board of Trustees of the Minnesota State Colleges and Universities must not impose or maintain any mandatory student fee or increase tuition for the purpose of maintaining competitive athletic facilities. The Board of Regents of the University of Minnesota is requested to consider adoption of a policy consistent with this section. Nothing in this section prohibits the imposition of a mandatory fee or tuition increase for the purpose of maintaining athletic facilities used solely or primarily for recreation by the general student body.

History: *2026 c 116 s 2*

135A.044 PRIVATE SCHOLARSHIP AID.

A public postsecondary institution may use private sources of funding to provide aid to a student eligible for resident tuition under section 135A.043. This section is in addition to any other authority of an institution to provide financial aid.

History: *2013 c 99 art 4 s 2*

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

135A.046 ASSET PRESERVATION AND REPLACEMENT.

Subdivision 1. **Purpose.** The legislature recognizes that postsecondary governing boards operate campus physical plants that in number, size, and programmatic use differ significantly from the physical plants operated by state departments and agencies. However, the legislature recognizes the need for standards to aid in categorizing and funding capital projects. The purpose of this section is to provide standards for those higher education projects that are intended to preserve and replace existing campus facilities.

Subd. 2. **Standards.** Capital budget expenditures for Higher Education Asset Preservation and Replacement (HEAPR) projects must be for one or more of the following: code compliance including health and safety, Americans with Disabilities Act requirements, hazardous material abatement, access improvement, or air quality improvement; building energy efficiency improvements using current best practices; or building or infrastructure repairs necessary to preserve the interior and exterior of existing buildings; or renewal to support the existing programmatic mission of the campuses. Up to ten percent of an appropriation awarded

under this section may be used for design costs for projects eligible to be funded from this account in anticipation of future funding from the account.

Subd. 3. **Reporting priorities.** Each postsecondary governing board shall establish priorities within its Higher Education Asset Preservation and Replacement projects. By January 15 of each year, it shall submit to the commissioner of management and budget and to the chairs of the higher education finance divisions, the senate Finance Committee, and the house of representatives Capital Investment Committee a list of the projects that have been paid for with money from a higher education asset preservation and replacement appropriation during the preceding calendar year as well as a list of those priority projects for which Higher Education Asset Preservation and Replacement appropriations will be sought in that year's legislative session.

History: *1994 c 643 s 65; 1996 c 463 s 41; 2002 c 393 s 53; 2009 c 93 art 1 s 27; 2009 c 101 art 2 s 109*

135A.05 [Repealed, 1994 c 532 art 3 s 9]

ACADEMICS; PROGRAMS; MISSIONS

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 public postsecondary institution in Minnesota.

History: *1983 c 166 s 2; 1987 c 258 s 12; 1989 c 246 s 2; 2014 c 149 s 1*

135A.052 POSTSECONDARY MISSIONS.

Subdivision 1. **Statement of missions.** (a) The legislature recognizes each type of public postsecondary institution to have a distinctive mission within the overall provision of public higher education in the state and a responsibility to cooperate with each other. These missions are as follows:

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

(2) the community colleges 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) consolidated community technical colleges shall offer the same types of instruction, programs, certificates, diplomas, and degrees as the technical colleges and community colleges offer;

(4) the state universities shall offer undergraduate and graduate instruction through the master's degree, including specialist certificates, in the liberal arts and sciences and professional education, and may offer applied doctoral degrees in education, business, psychology, physical therapy, audiology, cybersecurity, and nursing; and

(5) 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.

(b) It is part of the mission of each system that within the system's resources the system's governing board and chancellor or president shall endeavor to:

(1) prevent the waste or unnecessary spending of public money;

(2) use innovative fiscal and human resource practices to manage the state's resources and operate the system as efficiently as possible;

(3) coordinate the system's activities wherever appropriate with the activities of the other system and governmental agencies;

(4) use technology where appropriate to increase system productivity, improve customer service, increase public access to information about the system, and increase public participation in the business of the system;

(5) utilize constructive and cooperative labor-management practices to the extent otherwise required by chapters 43A and 179A; and

(6) recommend to the legislature appropriate changes in law necessary to carry out the mission of the system.

Subd. 2. [Repealed, 1995 c 212 art 3 s 60]

Subd. 3. [Repealed, 1995 c 212 art 3 s 60]

History: *1991 c 356 art 2 s 1; 1995 c 248 art 11 s 10; 1997 c 183 art 3 s 10; 2005 c 107 art 2 s 3; 1Sp2025 c 5 art 2 s 1*

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

135A.06 Subdivision 1. [Repealed, 1Sp2001 c 1 art 2 s 29]

Subd. 2. [Repealed, 1994 c 532 art 2 s 19]

Subd. 3. [Repealed, 1994 c 532 art 2 s 19]

Subd. 4. [Repealed, 1994 c 532 art 2 s 19]

Subd. 5. [Repealed, 1994 c 532 art 2 s 19]

Subd. 6. [Repealed, 1994 c 532 art 2 s 19]

135A.061 [Repealed, 1994 c 532 art 2 s 19]

135A.062 CONSIDERATION OF CRIMINAL RECORDS LIMITED.

Subdivision 1. **Applicability.** This section applies to postsecondary institutions under section 136A.155, clause (1), except that the Board of Regents of the University of Minnesota is requested to comply with this section.

Subd. 2. **Definition.** As used in this section, "a violent felony or sexual assault" includes a felony-level violation or attempted violation of section 609.185; 609.19; 609.195; 609.20; 609.221; 609.2242, subdivision 4; 609.2247; 609.245, subdivision 1; 609.247, subdivision 2; 609.282; 609.322; 609.342; 609.343; 609.344;

609.345; 609.3451; 609.3458; 609.561, subdivision 1 or 2; 609.582, subdivision 1; 609.66, subdivision 1e; or 609.749; or a statute from another state, the United States, or a foreign jurisdiction, in conformity with any of these sections.

Subd. 3. **Consideration of criminal records limited.** A postsecondary institution may not inquire into, consider, or require disclosure of the criminal record or criminal history of an applicant for admission. After a postsecondary institution has made an offer of admission, the postsecondary institution may inquire into, consider, or require disclosure of a conviction or delinquency adjudication that occurred within the previous five years for a violent felony or sexual assault. The postsecondary institution must provide the applicant with an opportunity to submit an explanatory statement, letters of recommendation, evidence of rehabilitation, and any other supporting documents. The institution must provide clear and detailed instructions and guidance to applicants related to what criminal history requires disclosure. The institution must not require the applicant to provide official records of criminal history. A postsecondary institution that rescinds an offer of admission must:

(1) provide an explanation of the basis for the decision to rescind the offer of admission; and

(2) provide the applicant with an opportunity to appeal the decision to rescind.

Subd. 4. **Other information.** This section shall not prohibit or limit a postsecondary institution from inquiring about student conduct records at the applicant's prior postsecondary institution after making an offer of admission. This section shall not prohibit or limit a postsecondary institution from inquiring about a student's ability to meet licensure requirements in a professional program after making an offer of admission.

Subd. 5. **Limitation on admissibility.** (a) A postsecondary institution that complies with this section is immune from liability in a civil action arising out of the institution's decision to admit a student with a criminal history or the institution's failure to conduct a criminal background check.

(b) Nothing in this section creates or establishes a legal duty upon a postsecondary institution to inquire into or require disclosure of the criminal history or criminal convictions of a student or an applicant for admission.

History: *2024 c 124 art 2 s 1; 2024 c 127 art 35 s 1*

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

135A.08 CREDIT TRANSFER.

Subdivision 1. **Course equivalency.** The Board of Regents of the University of Minnesota and the Board of Trustees of the Minnesota State Colleges and Universities shall develop and maintain course equivalency guides for use between institutions that have a high frequency of transfer. The course equivalency guides must include information on the course equivalency and awarding of credit for learning acquired as a result of the successful completion of formal military courses and occupational training. Course equivalency guides are not 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 and the trustees of the Minnesota State Colleges and Universities 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. [Repealed, 1995 c 212 art 3 s 60]

History: *1Sp1985 c 11 s 19; 1990 c 375 s 3; 1995 c 212 art 3 s 3,4; 2009 c 95 art 2 s 1*

135A.081 [Repealed, 1Sp2001 c 6 art 2 s 78]

135A.082 DEVELOPMENTAL COURSES.

(a) For purposes of this section, "developmental course" means a postsecondary course taken to prepare a student for college-level work that the postsecondary institution does not grant credit for and that cannot be used to meet degree, diploma, or certificate requirements.

(b) A public postsecondary institution that receives financial aid on behalf of students under section 136A.121 must, before a student enrolls in a developmental course: (1) provide the student with a clear, written explanation regarding the difference between a developmental course and a course that provides credits that count toward graduation; and (2) require the student to sign a written acknowledgment that the student understands the difference.

History: *2026 c 116 s 3*

135A.09 [Repealed, 1995 c 212 art 3 s 60]

135A.10 Subdivision 1. [Repealed, 1996 c 310 s 1]

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

135A.101 POSTSECONDARY ENROLLMENT OPTIONS.

Subdivision 1. **Requirements for participation.** To participate in the postsecondary enrollment options program, a college or university must abide by the provisions in this section. The institution may provide information about its programs to a secondary school or to a pupil or parent and may recruit or solicit participation on educational and programmatic grounds.

Subd. 2. **Prohibition.** An institution shall not enroll secondary pupils, for postsecondary enrollment options purposes, in developmental courses or other courses that are not college level. For the purposes of this section, a "developmental course" means a postsecondary course taken to prepare a student for college-level work and for which the postsecondary institution does not grant credit or which cannot be used to meet degree, diploma, or certificate requirements.

Subd. 3. **Minnesota transfer curriculum.** Notwithstanding section 135A.08 or other law to the contrary, all MnSCU institutions must give full credit to a secondary pupil who completes for postsecondary credit a postsecondary course or program that is part or all of a goal area or a transfer curriculum at a MnSCU institution when the pupil enrolls in a MnSCU institution after leaving secondary school. Once one MnSCU institution certifies as completed a secondary student's postsecondary course or program that is part or all of a goal area or a transfer curriculum, every MnSCU institution must consider the student's course or program for that goal area or the transfer curriculum as completed.

History: *1995 c 212 art 2 s 3; 2012 c 239 art 1 s 29; 1Sp2015 c 3 art 2 s 61*

135A.11 [Repealed, 1995 c 212 art 3 s 60]

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

Subdivision 1. **Applicability.** This section applies to each public postsecondary governing board and each public postsecondary institution.

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 postsecondary institutions for American Indian people must take into consideration knowledge of and understanding of American Indian language, history, or culture.

Subd. 5. [Repealed, 1995 c 212 art 3 s 60]

History: *1988 c 703 art 1 s 11; 1989 c 246 s 2; 1995 c 212 art 3 s 6*

135A.121 AMERICAN INDIAN SCHOLARS.

Subdivision 1. **Establishment.** The American Indian Scholars program is established to provide a first-dollar tuition and fee free pathway for eligible Minnesota American Indian students to complete an undergraduate education.

Subd. 2. **Eligibility.** To be eligible each year for the program a student must:

(1) be enrolled in an undergraduate certificate, diploma, or degree program at the University of Minnesota or a Minnesota state college or university;

(2) be either (i) a student eligible for a resident tuition rate who is an enrolled member or citizen of a federally recognized American Indian Tribe or Canadian First Nation, or (ii) an enrolled member or citizen of a Minnesota Tribal Nation, regardless of resident tuition status;

(3) have not (i) obtained a baccalaureate degree, or (ii) been enrolled for 12 semesters or the equivalent, excluding courses taken that qualify as developmental education or below college-level; and

(4) meet satisfactory academic progress as defined under section 136A.101, subdivision 10.

Subd. 3. **Administration.** Minnesota State Colleges and Universities must and the University of Minnesota is requested to provide a full tuition and fee waiver to a student eligible under subdivision 2. Funds appropriated with reference to this section may be used to offset the institutional costs of the waivers; fund existing waivers, scholarships, or grant programs for students eligible under subdivision 2; provide student supports for eligible students; and administer these programs.

Subd. 4. **Reports.** (a) Each institution receiving funds under this section must annually report to the commissioner of the Office of Higher Education the following:

(1) how the systems or institutions have administered, distributed, and awarded the funds;

(2) enrollment and graduation data for all eligible students, including applicants and recipients of funds; and

(3) the aggregate awarded financial aid information for all recipients of funds under this program.

(b) Using the data submitted to the office by institutions pursuant to paragraph (a), as well as other data available to the office, the office shall provide the following on its website by placing a prominent link on its website home page:

(1) information made available in a searchable database, including but not limited to persistence and completion, debt of graduates, employment and wage information, and other relevant data for each institution subject to paragraph (a); and

(2) other information and links that are useful to students and parents who are in the process of selecting a college or university.

History: *2023 c 41 art 2 s 1; 2024 c 124 art 2 s 2; 2024 c 127 art 35 s 2; 2026 c 116 s 4*

MISCELLANEOUS

135A.13 STUDENT SERVICES PRICES.

The governing board of each public postsecondary 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*

135A.131 LOCAL ASSESSMENT.

Each public postsecondary 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.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.136 STUDENT HEALTH CARE.

A Minnesota public postsecondary institution must grant a waiver from its required student health insurance plan coverage if the student requests the waiver and the student has health plan coverage from

another source, including employer group coverage, private insurance, association group coverage, health sharing organizations, and MinnesotaCare. An institution must notify students of the right to request the waiver.

History: *2012 c 270 s 1*

135A.1365 ACCESS TO MENSTRUAL PRODUCTS.

The Board of Trustees of the Minnesota State Colleges and Universities shall, and the Board of Regents of the University of Minnesota is requested to, provide students with access to menstrual products at no charge. The products must be available in restrooms used by students. For purposes of this section, "menstrual products" means pads, tampons, or other similar products used in connection with the menstrual cycle.

History: *2023 c 41 art 2 s 2*

135A.1367 OPIATE ANTAGONIST.

(a) The Board of Trustees of the Minnesota State Colleges and Universities must, and the Board of Regents of the University of Minnesota is requested to:

(1) maintain a supply of opiate antagonists, as defined in section 604A.04, subdivision 1, at each campus site to be administered in compliance with section 151.37, subdivision 12; and

(2) have at least two doses of a nasal opiate antagonist available on site at each campus residential building.

(b) The commissioner of health shall identify resources, including at least one training video, to help postsecondary institutions implement an opiate antagonist emergency response and make the resources available for institutions.

(c) The Board of Trustees and the Board of Regents may adopt a model plan for use, storage, and administration of opiate antagonists on system campuses.

History: *1Sp2025 c 5 art 2 s 2*

135A.1368 OPIATE ANTAGONISTS; TRIBAL COLLEGES.

(a) For purposes of this section, "opiate antagonist" has the meaning given in section 604A.04, subdivision 1.

(b) The commissioner of health shall distribute money to Leech Lake Tribal College, White Earth Tribal College, and Red Lake Nation Tribal College to make opiate antagonists available according to paragraph (c). The commissioner may determine an appropriate method to equitably allocate the amounts appropriated under this section among the colleges.

(c) A Tribal college receiving money under this section must:

(1) maintain a supply of opiate antagonists at each campus site to be administered in compliance with section 151.37, subdivision 12; and

(2) have at least two doses of a nasal opiate antagonist available on site at each campus residential building.

History: *1Sp2025 c 3 art 19 s 1*

135A.137 MS 2024 [Repealed, 1Sp2025 c 5 art 2 s 63]

135A.14 STATEMENT OF IMMUNIZATION.

Subdivision 1. **Definitions.** As used in this section, the following terms have the meanings given them.

(a) "Administrator" means the administrator of the institution or other person with general control and supervision of the institution.

(b) "Public or private postsecondary educational institution" or "institution" means any of the following institutions having an enrollment of more than 100 persons during any quarter, term, or semester during the preceding year: (1) the University of Minnesota; (2) the state universities; (3) the state community colleges; (4) public technical colleges; (5) private four-year, professional and graduate institutions; (6) private two-year colleges; and (7) schools subject to either sections 136A.61 to 136A.71, 136A.82 to 136A.834, or schools exempt under section 136A.657, and which offer educational programs within the state for an academic year greater than six consecutive months. An institution's report to the Minnesota Office of Higher Education or the Minnesota Department of Education may be considered when determining enrollment.

(c) "Student" means a person born after 1956 who did not graduate from a Minnesota high school in 1997 or later, and who is (1) registering for more than one class during a full academic term, such as a quarter or a semester or (2) housed on campus and is registering for one or more classes. Student does not include persons who are only enrolled in extension classes, correspondence classes, online classes, or evening or weekend adult accelerated programs.

Subd. 2. **Statement of immunization required.** Except as provided in subdivision 3, no student may remain enrolled in a public or private postsecondary educational institution unless the student has submitted to the administrator a statement that the student has received appropriate immunization against measles, rubella, and mumps after having attained the age of 12 months, and against diphtheria and tetanus within ten years of first registration at the institution. This statement must indicate the month and year of each immunization given. Instead of submitting a statement, a student may provide an immunization record maintained by a school according to section 121A.15, subdivision 7, or a school in another state if the required information is contained in the record. A student who has submitted a statement as provided in this subdivision may transfer to a different Minnesota institution without submitting another statement if the student's transcript or other official documentation indicates that the statement was submitted.

Subd. 3. **Exemptions from immunization.** (a) An immunization listed in subdivision 2 is not required if the student submits to the administrator a statement signed by a physician that shows:

(1) that, for medical reasons, the student did not receive an immunization;

(2) that the student has experienced the natural disease against which the immunization protects; or

(3) that a laboratory has confirmed the presence of adequate immunity.

(b) If the student submits a notarized statement that the student has not been immunized as required in subdivision 2 because of the student's conscientiously held beliefs, the immunizations described in subdivision 2 are not required. The institution shall forward this statement to the commissioner of health.

Subd. 4. **Immunization files required.** The institution must maintain an immunization record for each student governed by this section for at least one year from the time of original filing. The immunization records may be inspected by the Department of Health and the community health board in whose jurisdiction the institution is located.

Subd. 5. **Deadline for submitting statement.** The institution shall require that the statement from the student, as required within subdivision 2 or 3, be submitted within 45 days of commencement of the academic term for which the student has registered.

Subd. 6. [Repealed, 2014 c 149 s 75]

Subd. 6a. **Hepatitis and meningitis information.** Each public and private postsecondary institution shall provide information on the transmission, treatment, and prevention of hepatitis A, B, and C, and the risks of meningococcal disease and on the availability and effectiveness of any vaccine to all persons who are first-time enrollees. The institution may provide the information in an electronic format. The institution must consult with the Department of Health on the preparation of the informational materials provided under this subdivision.

Subd. 7. **Modifications to schedule.** (a) The commissioner of health may adopt modifications to the immunization requirements of this section. A proposed modification made under this subdivision must be part of the current immunization recommendations of each of the following organizations: the United States Public Health Service's Advisory Committee on Immunization Practices, the American Academy of Family Physicians, and the American Academy of Pediatrics. In proposing a modification to the immunization schedule, the commissioner must:

(1) consult with the commissioner of education; the commissioner of human services; the chancellor of the Minnesota State Colleges and Universities; and the president of the University of Minnesota; and

(2) consider the following criteria: the epidemiology of the disease, the morbidity and mortality rates for the disease, the safety and efficacy of the vaccine, the cost of a vaccination program, the cost of enforcing vaccination requirements, and a cost-benefit analysis of the vaccination.

(b) Before a proposed modification may be adopted, the commissioner must notify the chairs of the house of representatives and senate committees with jurisdiction over health policy issues. If the chairs of the relevant standing committees determine a public hearing regarding the proposed modifications is in order, the hearing must be scheduled within 60 days of receiving notice from the commissioner. If a hearing is scheduled, the commissioner may not adopt any proposed modifications until after the hearing is held.

(c) The commissioner shall comply with the requirements of chapter 14 regarding the adoption of any proposed modifications to the immunization schedule.

(d) In addition to the publication requirements of chapter 14, the commissioner of health must inform all immunization providers of any adopted modifications to the immunization schedule in a timely manner.

History: *1989 c 215 s 8; 1989 c 246 s 2; 1995 c 212 art 3 s 59; 1Sp1995 c 3 art 16 s 13; 1996 c 398 s 28; 1998 c 397 art 11 s 3; 1999 c 214 art 2 s 2; 1Sp2001 c 9 art 1 s 26; 2002 c 379 art 1 s 113; 2003 c 130 s 12; 2003 c 133 art 2 s 2; 2005 c 107 art 2 s 60; 2012 c 270 s 2; 2014 c 149 s 2; 2015 c 21 art 1 s 109; 2015 c 69 art 2 s 46*

135A.144 TRANSCRIPT ACCESS.

Subdivision 1. **Definitions.** (a) The terms defined in this subdivision apply to this section.

(b) "Debt" means any money, obligation, claim, or sum, due or owed, or alleged to be due or owed, from a student. Debt does not include the fee, if any, charged to all students for the actual costs of providing the transcripts.

(c) "School" means a public institution governed by the Board of Trustees of the Minnesota State Colleges and Universities, private postsecondary educational institution as defined under section 136A.62 or 136A.821, or public or private entity that is responsible for providing transcripts to current or former students of an educational institution. Institutions governed by the Board of Regents of the University of Minnesota are requested to comply with this section.

(d) "Transcript" means the statement of an individual's academic record, including official transcripts or the certified statement of an individual's academic record provided by a school, and unofficial transcripts or the uncertified statement of an individual's academic record provided by a school.

Subd. 2. **Prohibited practices.** (a) A school must not refuse to provide a transcript for a current or former student because the student owes a debt to the school if:

(1) the debt owed is less than $1,000;

(2) the student has entered into and, as determined by the institution, is in compliance with a payment plan with the school;

(3) the transcript request is made by a prospective employer for the student;

(4) the school has sent the debt for repayment to the Department of Revenue or to a collection agency, as defined in section 332.31, subdivision 3, external to the institution and the debt has not been returned to the institution unpaid; or

(5) the person is incarcerated at a Minnesota correctional facility.

(b) A school must not charge an additional or higher fee for obtaining a transcript or provide less favorable treatment of a transcript request because a student owes a debt to the originating school.

Subd. 3. **Institutional policy.** (a) A school that uses transcript issuance as a tool for debt collection must have a policy accessible to students that outlines how the school collects on debts owed to the school.

(b) A school shall seek to use transcript issuance as a tool for debt collection for the fewest number of cases possible and in a manner that allows for the quickest possible resolution of the debt benefiting the student's educational progress.

History: *2024 c 124 art 2 s 3; 2024 c 127 art 35 s 3*

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.1459 POLICIES ON HIRING PRACTICES.

The commissioner of administration, the Board of the Minnesota State Colleges and Universities, the Regents of the University of Minnesota, and statutory and home rule charter cities may adopt policies that address the goal of improving employment for local residents or former criminal offenders.

History: *2009 c 59 art 5 s 24*

135A.15 CAMPUS SEXUAL MISCONDUCT POLICY.

Subdivision 1. **Applicability; policy required.** (a) This section applies to the following postsecondary institutions:

(1) institutions governed by the Board of Trustees of the Minnesota State Colleges and Universities; and

(2) private postsecondary institutions that offer in-person courses on a campus located in Minnesota and which are eligible institutions as defined in section 136A.103, subdivision 1, paragraph (a), that are participating in the federal program under Title IV of the Higher Education Act of 1965, Public Law 89-329, as amended.

Institutions governed by the Board of Regents of the University of Minnesota are requested to comply with this section.

(b) A postsecondary institution must adopt a clear, understandable written policy on sexual misconduct that informs victims of their rights under the crime victims bill of rights, including the right to assistance from the Crime Victims Reimbursement Board and the commissioner of public safety. The policy must apply to students and employees and must provide information about their rights and duties. The policy must apply to criminal incidents against a student or employee of a postsecondary institution occurring on property owned or leased by the postsecondary system or institution or at any activity, program, organization, or event sponsored by the system or institution, or by a fraternity or sorority, or any activity, program, organization, or event sponsored by the system or institution, or by a fraternity or sorority, regardless of whether the activity, program, organization, or event occurs on or off property owned or leased by the postsecondary system or institution. It must include procedures for reporting incidents of sexual misconduct and for disciplinary actions against violators. During student registration, a postsecondary institution shall provide each student with information regarding its policy. A copy of the policy also shall be posted at appropriate locations on campus at all times.

Subd. 1a. **Definitions.** (a) For the purposes of this section, the following terms have the meanings given.

(b) "Advisor" means a person who is selected by a responding or reporting party to serve as a support during a campus investigation and disciplinary process. This person may be an attorney. An advisor serves as a support to a party by offering comfort or attending meetings.

(c) "Domestic violence" has the meaning given in section 518B.01, subdivision 2.

(d) "Incident" means one report of sexual misconduct to a postsecondary institution, regardless of the number of complainants included in the report, the number of respondents included in the report, and whether

or not the identity of any party is known by the reporting postsecondary institution. Incident encompasses all nonconsensual events included within one report if multiple events have been identified.

(e) "Intimate partner violence" means any physical or sexual harm or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior against an individual, that may be classified as a sexual misconduct, dating violence, or domestic violence caused by:

(1) a current or former spouse of the individual; or

(2) a person in a sexual or romantic relationship with the individual.

(f) "Nonconsensual dissemination of sexual images" has the meaning given in section 617.261.

(g) "Reporting party" means the party in a disciplinary proceeding who has reported being subjected to conduct or communication that could constitute sexual misconduct.

(h) "Responding party" means the party in a disciplinary proceeding who has been reported to be the perpetrator of conduct or communication that could constitute sexual misconduct.

(i) "Retaliation" means intimidation, threats, coercion, or discrimination against a reporting party, responding party, or witness for the purpose of interfering with any right or privilege or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this section, including in nondisciplinary restorative justice services.

(j) "Sexual assault" means rape, sex offenses - fondling, sex offenses - incest, or sex offenses - statutory rape as defined in Code of Federal Regulations, title 34, part 668, subpart D, appendix A, as amended.

(k) "Sexual extortion" has the meaning given in section 609.3458.

(l) "Sex trafficking" has the meaning given in section 609.321, subdivision 7a.

(m) "Sexual harassment" has the meaning given in section 363A.03, subdivision 43.

(n) "Sexual misconduct" means an incident of sexual violence, intimate partner violence, domestic violence, sexual assault, sexual harassment, nonconsensual distribution of sexual images, sexual extortion, nonconsensual dissemination of a deepfake depicting intimate parts or sexual acts, sex trafficking, or stalking.

(o) "Stalking" has the meaning given in section 609.749.

Subd. 2. **Victims' rights.** (a) The policy required under subdivision 1 shall, at a minimum, require that students and employees be informed of the policy, and shall include provisions for:

(1) filing criminal charges with local law enforcement officials in cases defined as sexual misconduct that may constitute criminal behavior;

(2) the prompt assistance of campus authorities, at the request of the victim, in notifying the appropriate law enforcement officials and disciplinary authorities of a sexual misconduct incident;

(3) allowing sexual misconduct victims to decide whether to report a case to law enforcement or not report altogether; participate in a campus investigation, disciplinary proceeding, or nondisciplinary informal resolution; or not participate altogether;

(4) requiring campus authorities to treat sexual misconduct victims with dignity;

(5) requiring campus authorities to offer sexual misconduct victims fair and respectful health care, counseling services, or referrals to such services;

(6) preventing campus authorities from suggesting to a victim of sexual misconduct that the victim is at fault for the crimes or violations that occurred;

(7) preventing campus authorities from suggesting to a victim of sexual misconduct that the victim should have acted in a different manner to avoid such a crime;

(8) subject to subdivisions 2a and 10, protecting the privacy of sexual misconduct victims by only disclosing data collected under this section to the victim, persons whose work assignments reasonably require access, and, at a sexual misconduct victim's request, police conducting a criminal investigation;

(9) an investigation and resolution of a sexual misconduct complaint by campus disciplinary authorities;

(10) a sexual misconduct victim's participation in and the presence of the victim's advisor at any meeting with campus officials concerning the victim's sexual misconduct complaint or campus disciplinary proceeding concerning a sexual misconduct complaint;

(11) ensuring that a sexual misconduct victim may decide when to repeat a description of the incident of sexual misconduct;

(12) notice to a sexual misconduct victim of the availability of a campus or local program providing victim advocacy services and information on free legal resources and services;

(13) notice to a sexual misconduct victim of the outcome of any campus disciplinary proceeding concerning a sexual misconduct complaint, consistent with laws relating to data practices;

(14) the complete and prompt assistance of campus authorities, at the direction of law enforcement authorities, in obtaining, securing, and maintaining evidence in connection with a sexual misconduct incident;

(15) the assistance of campus authorities, at the request of the sexual misconduct victim, in preserving materials relevant to a campus disciplinary proceeding;

(16) during and after the process of investigating a complaint and conducting a campus disciplinary procedure, the assistance of campus personnel, in cooperation with the appropriate law enforcement authorities, at a sexual misconduct victim's request, in shielding the victim from unwanted contact with the alleged assailant, including transfer of the victim to alternative classes or to alternative college-owned housing, if alternative classes or housing are available and feasible;

(17) forbidding retaliation, and establishing a process for investigating complaints of retaliation, against sexual misconduct victims by campus authorities, the accused, organizations affiliated with the accused, other students, and other employees;

(18) at the request of the victim, providing students who reported sexual misconduct to the institution and subsequently choose to transfer to another postsecondary institution with information about resources for victims of sexual misconduct at the institution to which the victim is transferring; and

(19) consistent with laws governing access to student records, providing a student who reported an incident of sexual misconduct with access to the student's description of the incident as it was reported to the institution, including if that student transfers to another postsecondary institution.

(b) None of the rights given to a student by the policy required by subdivision 1 may be made contingent upon the victim entering into a nondisclosure agreement or other contract restricting the victim's ability to discuss information in connection with a sexual misconduct complaint, investigation, or hearing.

(c) A nondisclosure agreement or other contract restricting the victim's ability to discuss information in connection with a sexual misconduct complaint, investigation, or hearing may not be used as a condition of financial aid or remedial action.

Subd. 2a. **Campus sexual misconduct grievance procedures.** (a) A postsecondary institution must provide a reporting party an opportunity for an impartial, timely, and thorough investigation of a report of sexual misconduct against a student. If an investigation reveals that sexual misconduct has occurred, the institution must take prompt and effective steps reasonably calculated to end the sexual misconduct, prevent its recurrence, and, as appropriate, remedy its effects. Remedial action may include any or all of the following: (1) disciplinary action against the responding party; (2) with the consent of the parties, alternative resolution options; and (3) academic or residential supportive measures, as requested by the reporting party.

(b) An institution must offer and coordinate academic and residential supportive measures as needed and equitably to both the reporting and responding parties participating in a campus sexual misconduct grievance process, including but not limited to exam or assignment extensions, permitted class absence, a change in on-campus residence, and schedule changes.

(c) A postsecondary institution must allow the reporting and responding parties to present and review relevant testimony by parties and witnesses and relevant evidence compiled in an investigative report.

(d) Throughout any investigation or disciplinary proceeding, an institution must treat the reporting parties, responding parties, witnesses, and other participants in the proceeding with dignity and respect.

(e) A postsecondary institution must provide due process protections before imposing disciplinary action against a responding party who is a student. The responding party must be informed in writing of the allegations with sufficient details related to the allegations, including the alleged misconduct; the identity of the reporting party; and to the extent possible, the date, time, and location of the alleged sexual misconduct. The responding party must be provided with the campus code of conduct guidelines listing possible sanctions.

(f) In any grievance process arising from an alleged incident of sexual misconduct against a student, a postsecondary institution must apply, at a minimum, a preponderance of the evidence standard of proof.

(g) An institution must allow equal opportunity during the hearing for the reporting and responding parties to consult an additional support person other than the party's advisor, such as an advocate, if requested and deemed appropriate by the Title IX coordinator or designee.

(h) The reporting and responding parties must be given equal opportunity to question the credibility of the other party and witnesses through a live hearing or questioning by a decision-maker, pursuant to paragraph (l).

(i) If an institution allows for cross-examination of witnesses and parties, the reporting party and the responding party are not permitted to personally cross-examine each other or any witnesses. Any cross-examination must be performed by the party's advisor or an adjudicator of the campus disciplinary proceeding.

(j) A postsecondary institution must hold a hearing related to disciplinary action under this section if requested by either the reporting or responding party.

(k) If a postsecondary institution conducts a hearing, the institution must provide the reporting and responding parties with equal opportunity to provide testimony without encountering the other party in person, and to review testimony provided by the other party in a similar manner. This may be done through video conference or closed-circuit television.

(l) An institution must appoint a decision-maker or panel of decision-makers who are not the investigator to assess the credibility of the reporting party, the responding party, and any other witnesses through a live hearing or direct questioning.

(m) If the facts and circumstances rise to a policy violation, an institution must proceed with the campus sexual misconduct grievance process, if requested by the reporting party, concurrently with a criminal investigation, except that a postsecondary institution may temporarily delay a campus proceeding if requested by law enforcement and if the campus proceeding may impede a criminal investigation.

(n) Personal information of the reporting party such as character witness or sexual behavior of the reporting party is allowable if the information is deemed relevant by the decision-maker and if the information substantiates that the misconduct may have occurred. Mental health and medical information of the reporting party may be considered if: (1) a release is signed by the reporting party; and (2) nonrelevant information is redacted. If a responding party is found responsible, medical and mental health information of the reporting party may be considered to determine sanctions.

(o) Questions and evidence about the reporting party's sexual predisposition or prior sexual behavior are not considered relevant unless such questions and evidence: (1) are offered to prove that someone other than the responding party committed the alleged conduct; or (2) concern specific incidents of the reporting party's prior sexual behavior with respect to the responding party and are offered to prove consent.

(p) The responding and reporting parties may discuss the investigation and disciplinary proceedings with an advisor of choice, the party's parents, or an authorized legal guardian.

(q) An institution must deliver the outcome of the grievance process simultaneously to the reporting and responding parties.

(r) An institution must inform the reporting and responding parties no later than 24 hours before a decision is rendered regarding the timeline of the outcome's release. Alongside the notice of the outcome, an institution must offer community mental health and, if applicable, on-campus resources equitably to a reporting and responding party. The outcome must not be delivered to a reporting or responding party at the end of the day or on a weekend or holiday to ensure that the reporting and responding parties may access supportive services.

(s) Institutions must have a policy prohibiting retaliation that specifies what constitutes retaliation and possible actions for students and employees if retaliation occurs. Retaliation against the reporting party, responding party, or witnesses resulting from a person's participation in a campus sexual misconduct investigation is prohibited.

Subd. 3. **Uniform amnesty.** The sexual misconduct policy required by subdivision 1 must include a provision that a witness or victim of an incident of sexual misconduct who reports the incident in good faith shall not be sanctioned by the institution for admitting in the report to a violation of the institution's student conduct policy on the personal use of drugs or alcohol.

Subd. 4. **Coordination with local law enforcement.** (a) A postsecondary institution must enter into a memorandum of understanding with the primary local law enforcement agencies that serve its campus. The memorandum must be entered into no later than January 1, 2017, and updated every two years thereafter.

This memorandum shall clearly delineate responsibilities and require information sharing, in accordance with applicable state and federal privacy laws, about certain crimes including, but not limited to, sexual assault. This memorandum of understanding shall provide:

(1) delineation and sharing protocols of investigative responsibilities;

(2) protocols for investigations, including standards for notification and communication and measures to promote evidence preservation; and

(3) a method of sharing information about specific crimes, when directed by the victim, and a method of sharing crime details anonymously in order to better protect overall campus safety.

(b) Prior to the start of each academic year, a postsecondary institution shall distribute an electronic copy of the memorandum of understanding to all employees on the campus that are subject to the memorandum.

(c) An institution is exempt from the requirement that it develop a memorandum of understanding under this section if the institution and local or county law enforcement agencies establish a sexual misconduct protocol team to facilitate effective cooperation and collaboration between the institution and law enforcement.

Subd. 5. **Online reporting system.** (a) A postsecondary institution must provide an online reporting system to receive complaints of sexual misconduct from students and employees. The system must permit anonymous reports, provided that the institution is not obligated to investigate an anonymous report unless a formal report is submitted through the process established in the institution's sexual misconduct policy.

(b) A postsecondary institution must provide students making reports under this subdivision with information about who will receive and have access to the reports filed, how the information gathered through the system will be used, and contact information for on-campus and off-campus organizations serving victims of sexual misconduct.

(c) Data collected under this subdivision is classified as private data on individuals as defined by section 13.02, subdivision 12. Postsecondary institutions not otherwise subject to chapter 13 must limit access to the data to only the data subject and persons whose work assignments reasonably require access.

Subd. 6. **Data collection and reporting.** (a) Postsecondary institutions must annually report statistics on sexual misconduct. This report must be prepared in addition to any federally required reporting on campus security, including reports required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, United States Code, title 20, section 1092(f). The report must include, but not be limited to, the number of incidents of sexual misconduct of each offense listed under the definition in subdivision 1a, reported to the institution in the previous calendar year, as follows:

(1) the number that were investigated by the institution;

(2) the number that were referred for a disciplinary proceeding at the institution;

(3) the number the victim chose to report to local or state law enforcement;

(4) the number for which a campus disciplinary proceeding is pending, but has not reached a final resolution;

(5) the number in which the alleged perpetrator was found responsible by the disciplinary proceeding at the institution;

(6) the number that resulted in any action by the institution greater than a warning issued to the accused;

(7) the number that resulted in a disciplinary proceeding at the institution that closed without resolution;

(8) the number that resulted in a disciplinary proceeding at the institution that closed without resolution because the accused withdrew from the institution;

(9) the number that resulted in a disciplinary proceeding at the institution that closed without resolution because the victim chose not to participate in the procedure; and

(10) the number of reports made through the online reporting system established in subdivision 5, excluding reports submitted anonymously.

(b) If an institution previously submitted a report indicating that one or more disciplinary proceedings was pending, but had not reached a final resolution, and one or more of those disciplinary proceedings reached a final resolution within the previous calendar year, that institution must submit updated totals from the previous year that reflect the outcome of the pending case or cases.

(c) The reports required by this subdivision must be submitted to the Office of Higher Education by October 1 of each year. Each report must contain the data required under paragraphs (a) and (b) from the previous calendar year.

(d) The commissioner of the Office of Higher Education shall calculate statewide numbers for each data item reported by an institution under this subdivision. The statewide numbers must include data from postsecondary institutions that the commissioner could not publish due to federal laws governing access to student records.

(e) The Office of Higher Education shall publish on its website:

(1) the statewide data calculated under paragraph (d); and

(2) the data items required under paragraphs (a) and (b) for each postsecondary institution in the state.

Each postsecondary institution shall publish on the institution's website the data items required under paragraphs (a) and (b) for that institution.

(f) Reports and data required under this subdivision must be prepared and published as summary data, as defined in section 13.02, subdivision 19, and must be consistent with applicable law governing access to educational data. If an institution or the Office of Higher Education does not publish data because of applicable law, the publication must explain why data are not included.

Subd. 7. **Access to data; audit trail.** (a) Data on incidents of sexual misconduct shared with campus security officers or campus administrators responsible for investigating or adjudicating complaints of sexual misconduct are classified as private data on individuals as defined by section 13.02, subdivision 12, for the purposes of postsecondary institutions subject to the requirements of chapter 13. Postsecondary institutions not otherwise subject to chapter 13 must limit access to the data to only the data subject and persons whose work assignments reasonably require access.

(b) Only individuals with explicit authorization from an institution may enter, update, or access electronic data related to an incident of sexual misconduct collected, created, or maintained under this section. The ability of authorized individuals to enter, update, or access these data must be limited through the use of role-based access that corresponds to the official duties or training level of the individual and the institutional authorization that grants access for that purpose. All actions in which the data related to an incident of sexual

misconduct are entered, updated, accessed, shared, or disseminated outside of the institution must be recorded in a data audit trail. An institution shall immediately and permanently revoke the authorization of any individual determined to have willfully entered, updated, accessed, shared, or disseminated data in violation of this subdivision or any provision of chapter 13. If an individual is determined to have willfully gained access to data without explicit authorization, the matter shall be forwarded to a county attorney for prosecution.

Subd. 8. **Comprehensive training.** (a) A postsecondary institution must provide campus security officers and campus administrators responsible for investigating or adjudicating complaints of sexual misconduct with comprehensive training on preventing and responding to sexual misconduct in collaboration with the Bureau of Criminal Apprehension or another law enforcement agency with expertise in criminal sexual conduct. The training for campus security officers shall include a presentation on the dynamics of sexual assault, neurobiological responses to trauma, and best practices for preventing, responding to, and investigating sexual misconduct. The training for campus administrators responsible for investigating or adjudicating complaints on sexual misconduct shall include presentations on preventing sexual misconduct, responding to incidents of sexual misconduct, the dynamics of sexual assault, neurobiological responses to trauma, and compliance with state and federal laws on sexual misconduct.

(b) The following categories of students who attend, or will attend, one or more courses on campus or will participate in on-campus activities must be provided sexual misconduct training:

(1) students pursuing a degree or certificate;

(2) students who are taking courses through the Postsecondary Enrollment Options Act; and

(3) any other categories of students determined by the institution.

Students must complete such training no later than ten business days after the start of a student's first semester of classes. Once a student completes the training, institutions must document the student's completion of the training and provide proof of training completion to a student at the student's request. Students enrolled at more than one institution within the same system at the same time are only required to complete the training once.

The training shall include information about topics including but not limited to sexual misconduct as defined in subdivision 1a; consent as defined in section 609.341, subdivision 4; preventing and reducing the prevalence of sexual misconduct; procedures for reporting campus sexual misconduct; and campus resources on sexual misconduct, including organizations that support victims of sexual misconduct.

(c) A postsecondary institution shall annually train individuals responsible for responding to reports of sexual misconduct. This training shall include information about best practices for interacting with victims of sexual misconduct, including how to reduce the emotional distress resulting from the reporting, investigatory, and disciplinary process.

(d) To the extent possible, trainings must be culturally responsive and address the unique experiences and challenges faced by students based on race, ethnicity, color, national origin, disability, socioeconomic status, religion, sex, gender identity, sexual orientation, and pregnancy or parenting status.

Subd. 9. **Student health services.** (a) An institution's student health service providers must screen students for incidents of sexual misconduct. Student health service providers shall offer students information on resources available to victims and survivors of sexual misconduct including counseling, mental health services, and procedures for reporting incidents to the institution.

(b) Each institution offering student health or counseling services must designate an existing staff member or existing staff members as confidential resources for victims of sexual misconduct. The confidential resource must be available to meet with victims of sexual misconduct. The confidential resource must provide victims with information about locally available resources for victims of sexual misconduct including, but not limited to, mental health services and legal assistance. The confidential resource must provide victims with information about the process for reporting an incident of sexual misconduct to campus authorities or local law enforcement. The victim shall decide whether to report an incident of sexual misconduct to campus authorities or local law enforcement. Confidential resources must be trained in all aspects of responding to incidents of sexual misconduct including, but not limited to, best practices for interacting with victims of trauma, preserving evidence, campus disciplinary and local legal processes, and locally available resources for victims. Data shared with a confidential resource is classified as sexual assault communication data as defined by section 13.822, subdivision 1.

Subd. 10. **Applicability of other laws.** This section does not exempt mandatory reporters from the requirements of section 626.557 or chapter 260E governing the reporting of maltreatment of minors or vulnerable adults. Nothing in this section limits the authority of an institution to comply with other applicable state or federal laws related to investigations or reports of sexual misconduct.

History: *1989 c 293 s 15; 1992 c 571 art 5 s 1; 1995 c 212 art 3 s 7; 2002 c 220 art 7 s 8; 2010 c 364 s 1; 2015 c 69 art 4 s 2; 2017 c 89 art 3 s 1; 2019 c 64 art 2 s 3; 2020 c 109 art 1 s 2; 1Sp2020 c 2 art 8 s 18; 2023 c 52 art 5 s 79; 2024 c 124 art 2 s 4; 2024 c 127 art 35 s 4; 1Sp2025 c 5 art 2 s 3,4; 2026 c 88 art 1 s 36*

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

Subdivision 1. **Creation and designation.** The Higher Education Center on Violence and Abuse is created. The Higher Education Center on Violence and Abuse shall be located at and managed by a public or private postsecondary institution in Minnesota.

Subd. 2. [Repealed, 1995 c 212 art 3 s 60]

Subd. 3. **Duties.** The Higher Education Center on Violence and Abuse shall:

(1) serve as a clearinghouse of information on curriculum models and other resources for professional education and for education of faculty, students, and staff about violence and harassment required under Laws 1992, chapter 571, article 16, section 1;

(2) sponsor conferences and research to assist higher education institutions in developing curricula about violence and abuse;

(3) fund pilot projects to stimulate multidisciplinary curricula about violence and abuse; and

(4) coordinate policies to ensure that professions and occupations with responsibilities toward victims and offenders have the knowledge and skills needed to prevent and respond appropriately to the problems of violence and abuse.

Subd. 4. **Professional education and licensure.** The center shall convene task forces for professions that work with victims and perpetrators of violence. Task forces must be formed for the following professions: teachers, school administrators, guidance counselors, law enforcement officers, lawyers, physicians, nurses, psychologists, and social workers. Each task force must include representatives of the licensing agency, higher education systems offering programs in the profession, appropriate professional associations, students or recent graduates, representatives of communities served by the profession, and employers or experienced

professionals. The center must establish guidelines for the work of the task forces. Each task force must review current programs, licensing regulations and examinations, and accreditation standards to identify specific needs and plans for ensuring that professionals are adequately prepared and updated on violence and abuse issues.

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

History: *1993 c 326 art 12 s 15; 1995 c 212 art 3 s 8,53,54,59*

135A.155 HAZING POLICY.

The Board of Trustees of the Minnesota State Colleges and Universities shall, and the University of Minnesota is requested to, adopt a clear, understandable written policy on student conduct, including hazing. The policy must include procedures for reporting incidents of inappropriate hazing and for disciplinary actions against individual violators and organizations. The policy shall be made available to students by appropriate means as determined by each institution, which may include publication in a student handbook or other institutional publication, or posting by electronic display on the Internet, and shall be posted at appropriate locations on campus. A private postsecondary institution that is an eligible institution as defined in section 136A.155, must adopt a policy that meets the requirements of this section.

History: *1Sp1997 c 4 art 7 s 41; 1999 c 214 art 2 s 3; 2010 c 364 s 2*

135A.157 NOTICE TO STUDENTS REGARDING POSSIBLE IMPACT OF CRIMINAL RECORDS.

(a) A public or private postsecondary educational institution located in this state shall give notice under this section to each person accepted for admission to be a student at the institution. This notice shall be given at or before the time of acceptance for admission to the institution and at or before the time students select a major.

(b) A notice provided under this section must inform students that arrests, charges, or convictions of criminal offenses may limit employment possibilities in specific careers and occupations and may limit their ability to obtain federal, state, and other financial aid, and must encourage students to investigate these possibilities. The notice must not discourage students from applying for federal, state, or other financial aid.

(c) A postsecondary educational institution is not liable for failing to provide the notice required by this section.

History: *2009 c 95 art 2 s 2*

135A.158 INFORMATION PROVIDED TO STUDENT PARENTS AND PREGNANT STUDENTS.

A public or regionally accredited private postsecondary educational institution must provide information according to this section to students who are parents of one or more children age 12 or younger, and to students who notify the institution that they are pregnant. The information must include a fact sheet on the legal rights of student parents and pregnant students and a list of resources to support student parents and pregnant students. The list of resources may include resources for prenatal care, child care, transportation, and housing. This information must be available in languages that reflect the primary languages of the institution's student body. The Board of Regents of the University of Minnesota is requested to comply with this section.

History: *2017 c 89 art 2 s 4*

135A.1581 NAVIGATORS FOR PARENTING STUDENTS.

Subdivision 1. **Applicability.** (a) This section applies to the following postsecondary institutions:

(1) institutions governed by the Board of Trustees of the Minnesota State Colleges and Universities; and

(2) private postsecondary institutions that offer in-person courses on a campus located in Minnesota and which are eligible institutions as defined in section 136A.103.

(b) Institutions governed by the Board of Regents of the University of Minnesota are requested to comply with this section.

Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Institutions of higher education" means an institution of higher education under subdivision 1.

(c) "Parenting student" means a student enrolled at an institution of higher education who is the parent or legal guardian of or can claim as a dependent a child under the age of 18.

Subd. 3. **Navigators.** An institution of higher education must designate at least one employee of the institution to act as a college navigator for current or incoming students at the institution who are parenting students. The navigator must provide to the students information regarding support services and other resources available to the students at the institution, including:

(1) medical and behavioral health coverage and services;

(2) public benefit programs, including programs related to food security, affordable housing, and housing subsidies;

(3) parenting and child care resources;

(4) employment assistance;

(5) transportation assistance; and

(6) any other resources developed by the institution to assist the students, including student academic success strategies.

Subd. 4. **Report.** (a) By June 30, 2026, an institution of higher education must establish a process for collecting the parenting status of each enrolled student. By November 30, 2026, the Office of Higher Education shall establish a process for collecting this information from institutions.

(b) Annually, beginning January 15, 2028, the Office of Higher Education must submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over higher education and children, youth, and families. The report must include the following for parenting students:

(1) summary demographic data;

(2) enrollment patterns;

(3) retention rates;

(4) completion rates;

(5) average cumulative debt at exit or graduation as possible; and

(6) time to completion.

Data must be disaggregated by institution, academic year, race and ethnicity, gender, and other factors determined to be relevant by the commissioner.

History: *2024 c 124 art 2 s 5; 2024 c 127 art 35 s 5*

135A.1582 PROTECTIONS FOR PREGNANT AND PARENTING STUDENTS.

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Parenting student" means a student enrolled at a postsecondary institution who is the parent or legal guardian of or can claim as a dependent a child under the age of 18.

(c) "Postsecondary institution" means an institution governed by the Board of Trustees of the Minnesota State Colleges and Universities or a private postsecondary institution that offers in-person courses on a campus located in Minnesota and is an eligible institution as defined in section 136A.103. Institutions governed by the Board of Regents of the University of Minnesota are requested to comply with this section.

(d) "Pregnancy or related conditions" has the meaning given in Code of Federal Regulations, title 34, section 106.2.

(e) "Priority registration" means an opportunity to register for courses before the opening of general registration for the majority of undergraduate students.

Subd. 2. **Rights and protections.** (a) A postsecondary institution may not require and the University of Minnesota is requested not to require a pregnant or parenting student, solely because of the student's status as a pregnant or parenting student or due to issues related to the student's pregnancy or parenting, to:

(1) take a leave of absence or withdraw from the student's degree or certificate program;

(2) limit the student's studies;

(3) participate in an alternative program;

(4) change the student's major, degree, or certificate program; or

(5) refrain from joining or cease participating in any course, activity, or program at the postsecondary institution.

(b) A postsecondary institution shall provide and the University of Minnesota is requested to provide reasonable modifications to a pregnant student, including modifications that:

(1) would be provided to a student with a temporary medical condition; or

(2) are related to the health and safety of the student and the student's unborn child, such as allowing the student to maintain a safe distance from substances, areas, and activities known to be hazardous to pregnant women or unborn children.

(c) A postsecondary institution must and the University of Minnesota is requested to, for reasons related to a student's pregnancy, childbirth, or any resulting medical status or condition:

(1) excuse the student's absence for a reasonable period of time as determined to be medically necessary by a student's treating health care provider insofar as to not compromise the fundamental outcomes of the

academic course, program, or activity. If the postsecondary institution has a student medical leave or student temporary disability policy that provides a longer period of leave, the policy must be made available to students affected by pregnancy and related conditions;

(2) allow the student to make up missed assignments or assessments;

(3) allow the student additional time to complete assignments in the same manner as the institution allows for a student with a temporary medical condition;

(4) provide the student with access to instructional materials and video recordings of lectures for classes for which the student has an excused absence under this section to the same extent that instructional materials and video recordings of lectures are made available to any other student with an excused absence; and

(5) ensure the benefits and services provided to students affected by pregnancy are no less than those provided to students with temporary medical conditions.

(d) A postsecondary institution must and the University of Minnesota is requested to allow a pregnant or parenting student to:

(1) take a leave of absence for a reasonable period of time as determined to be medically necessary by a student's treating health care provider or the health care provider of the parenting student's child insofar as to not compromise the fundamental outcomes of the academic course, program, or activity. If the postsecondary institution has a student medical leave or student temporary disability policy that provides a longer period of leave, the policy must be made available to students affected by pregnancy and related conditions and to parenting students;

(2) if in good academic standing at the time the student takes a leave of absence, return to the student's degree or certificate program in good academic standing without being required to reapply for admission; and

(3) obtain reasonable modifications, including an excused absence for parenting students to attend to their child's health care needs, unless the modification would compromise the fundamental outcomes of the academic course, program, or activity.

(e) If a postsecondary institution provides early registration for courses or programs at the institution for any group of students, the institution must provide and the University of Minnesota is requested to provide early registration for those courses or programs for pregnant or parenting students in the same manner. Priority registration for parenting students shall include the following considerations:

(1) automatically assign eligible pregnant and parenting students a registration window time that occurs no later than the earliest undergraduate registration period offered;

(2) ensure that priority registration is granted without a separate petition, discretionary approval, or case-by-case determination beyond verification of parenting status;

(3) annual notification provided to all enrolled students describing the rights and protections afforded to pregnant and parenting students;

(4) provide notification of the priority registration process to each student who self-identifies as a pregnant or parenting student; and

(5) publish information regarding programs, services, and student rights specific to parenting students on the postsecondary institution's website.

(f) Postsecondary institutions must adopt policies and procedures to implement this subdivision. The Board of Regents of the University of Minnesota is requested to comply with this subdivision.

Subd. 3. **Policy on discrimination.** Each postsecondary institution must adopt and the University of Minnesota is requested to adopt a policy for students on pregnancy and parenting discrimination. The policy must:

(1) include the contact information of the Title IX coordinator who is the designated point of contact for a student requesting each protection or modification under this section. Contact information must include the Title IX coordinator's name, phone number, email, and office;

(2) be posted in an easily accessible, straightforward format on the postsecondary institution's website; and

(3) be made available annually to faculty, staff, and employees of the postsecondary institution.

Subd. 4. **Administration.** The commissioner of the Office of Higher Education must, in consultation with the Board of Trustees of the Minnesota State Colleges and Universities, the Board of Regents of the University of Minnesota, and other relevant stakeholders, establish guidelines, as necessary, to administer this section. The guidelines must establish minimum periods for which a pregnant or parenting student must be given a leave of absence under subdivision 2, paragraph (d). In establishing the minimum periods, the Office of Higher Education shall consider the maximum amount of time a student may be absent without significantly interfering with the student's ability to complete the student's degree or certificate program.

History: *2024 c 124 art 2 s 6; 2024 c 127 art 35 s 6; 1Sp2025 c 5 art 2 s 5; 2026 c 116 s 5-7*

135A.16 MS 2022 [Repealed, 2024 c 124 art 2 s 48; 2024 c 127 art 35 s 48]

135A.161 [Renumbered 136A.921]

135A.162 Subdivision 1. [Renumbered 136A.922, subdivision 1]

Subd. 2. [Renumbered 136A.922, subd 2]

Subd. 3. [Renumbered 136A.922, subd 3]

Subd. 4. [Renumbered 136A.922, subd 4]

Subd. 5. [Renumbered 136A.922, subd 5]

Subd. 6. [Renumbered 136A.922, subd 6]

Subd. 7. MS 2023 Supp [Repealed, 2024 c 124 art 2 s 48; 2024 c 127 art 35 s 48]

135A.163 STUDENTS WITH DISABILITIES; ACCOMMODATIONS; GENERAL REQUIREMENTS.

Subdivision 1. **Short title.** This section may be cited as the "Minnesota Respond, Innovate, Succeed, and Empower (RISE) Act."

Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Institution of higher education" means a public institution of higher education, Tribal college, and private institution of higher education that receives federal funding. The Board of Regents of the University of Minnesota is requested to comply with this section.

(c) "Plain language" means communication the audience can understand the first time the audience reads or hears it.

(d) "Student with a disability" means an admitted or enrolled student who meets the definition of an individual with a disability under the Americans with Disabilities Act and includes a student with an intellectual disability as defined in Code of Federal Regulations, title 34, section 668.231, who is admitted or enrolled in a comprehensive transition and postsecondary program.

Subd. 3. **Students with disabilities policy; dissemination of policy.** (a) Each institution of higher education shall adopt a policy making self-disclosure by a student with a disability sufficient to start the interactive process for reasonable accommodations under subdivision 4.

(b) The policy adopted under this section must be transparent and explicit. The policy must include information describing the process by which the institution of higher education determines eligibility for accommodations for an individual with a disability and information about the disability resource center and other areas within the institution that provide student accommodations, such as housing and residence life. Each institution of higher education shall disseminate the information to applicants, students, parents, and faculty in plain language and in accessible formats. The information must be available during the student application process, during student orientation, in academic catalogs, and on the institution's public website.

Subd. 4. **Establishment of reasonable accommodation; documentation.** (a) An institution of higher education shall engage in an interactive process to document the student's accommodation needs to establish a reasonable accommodation. An institution may request documentation as part of the interactive process to establish accommodations for the student with a disability.

(b) The following documentation submitted by an admitted or enrolled student is sufficient documentation for the interactive process to establish reasonable accommodations for a student with a disability:

(1) documentation that the individual has had an individualized education program (IEP). The institution of higher education may request additional documentation from an individual who has had an IEP if the IEP was not in effect immediately before the date when the individual exited high school;

(2) documentation that the individual has received services or accommodations under a section 504 plan. The institution of higher education may request additional documentation from an individual who has received services or accommodations provided to the individual under a section 504 plan if the section 504 plan was not in effect immediately before the date when the individual exited high school;

(3) documentation of a plan or record of service for the individual from a private school, a local educational agency, a state educational agency, or an institution of higher education provided under a section 504 plan or in accordance with the Americans with Disabilities Act of 1990;

(4) a record or evaluation from an appropriately qualified health or other service professional who is knowledgeable about the individual's condition, finding that the individual has a disability;

(5) a plan or record of a disability from another institution of higher education;

(6) documentation of a disability due to military service; or

(7) additional information from an appropriately qualified health or other service professional who is knowledgeable about the student's condition and can clarify the need for a new accommodation not included in subdivision 4, paragraph (b), clauses (1) to (6).

(c) An institution of higher education may establish less burdensome criteria to determine reasonable accommodations for an enrolled or admitted student with a disability.

(d) An institution of higher education shall include a representative list of potential reasonable accommodations and disability resources for individuals with a disability that is accessible to applicants, students, parents, and faculty in plain language and in accessible formats. The information must be provided during the student application process, during student orientation, in academic catalogs, and on the institution's public website. The reasonable accommodations and disability resources available to students are individualized and not limited to the list.

Subd. 5. **Higher education requirements for students with disabilities.** Institutions of higher education shall:

(1) before the beginning of each academic term, offer an opportunity for admitted students to self-identify as having a disability for which they may request an accommodation. The person or office responsible for arranging accommodations at the institution must initiate contact with any student who has self-identified under this clause. This does not preclude a student from requesting an accommodation for a disability at any other time;

(2) not require a student to be reevaluated for or submit documentation to prove the presence of a permanent disability if the student previously provided proof of their disability status and is not requesting any new accommodations;

(3) provide the student's accommodation letter to the student's instructors, if the student gives affirmative permission to share the information, and, if requested by the student, facilitate communication between the student and the student's instructors;

(4) if a course instructor cannot provide an accommodation because it would fundamentally alter the nature of that course, require an instructor to provide a notification detailing why an accommodation cannot be provided to the student and submit that information to the student and the person or office responsible for arranging accommodations; and

(5) provide a student with a disability who is denied accommodations the option to include the person or office responsible for arranging accommodations in the institution's grievance or appeal process, to resolve equitable access barriers and prevent academic or financial penalty due to no fault of the student.

History: *2024 c 124 art 2 s 9; 2024 c 127 art 35 s 9*

135A.165 DEAF STUDENTS; TUITION ASSISTANCE.

(a) For the purpose of this section, a "deaf person" means an individual with a hearing loss of such severity that the individual must depend primarily on visual communication, such as writing, lip reading, manual communication, and gestures.

(b) A deaf person, who is a resident student as defined in section 136A.101, subdivision 8, is entitled to tuition assistance for the tuition and fees remaining after deducting any federal or state grants or other public or private grants made to the person for the purpose of paying the tuition and fees at a Minnesota state college or university or the University of Minnesota. A deaf person must receive either a federal Pell grant or a state grant under section 136A.121 for a term to receive tuition assistance for that term.

History: *2005 c 107 art 2 s 4*

135A.17 PROVISIONS TO FACILITATE VOTING.

Subdivision 1. **Identification cards.** All postsecondary 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 postsecondary institutions that enroll students accepting 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. All postsecondary institutions that enroll students accepting state financial aid must, to the extent the information may be disclosed pursuant to Code of Federal Regulations, title 34, part 99, prepare a current list of students enrolled in the institution and residing in the institution's housing or in the city or cities in which the campus is situated, if available. The list shall include each student's current address, unless the student is enrolled in the Safe at Home address confidentiality program as provided in chapter 5B. 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. A residential housing list provided under this subdivision may not be used or disseminated by a county auditor or the secretary of state for any other purpose.

History: *1991 c 227 s 2; 2008 c 244 art 1 s 1; 2023 c 62 art 4 s 8*

135A.18 AUTHORIZATION FOR AGREEMENTS.

The governing board of a public postsecondary system may enter into an agreement with a school board to provide a nonsectarian course taught by secondary teachers or postsecondary faculty members to an eligible pupil, as defined in section 124D.09, subdivision 5, and offered at a secondary school or another location.

History: *1992 c 499 art 9 s 14; 1998 c 397 art 11 s 3*

135A.181 [Repealed, 1995 c 212 art 2 s 4]

135A.19 FINANCIAL EMERGENCY.

The Board of Trustees of the Minnesota State Colleges and Universities and the Board of Regents of the University of Minnesota may immediately lay off employees, without notice, if the respective board has declared a financial emergency. All other contractual provisions relating to layoffs continue to apply. A financial emergency may be declared if, at any time: (1) the projected revenue for the system from tuition and the general fund for the current or next fiscal year is less than 93 percent of the anticipated expenditures in the board approved budget, and (2) if tuition would need to be increased more than three times the annual inflation rate to solve the shortfall.

For employees of the Minnesota State Colleges and Universities covered under a collective bargaining agreement, this section applies to all collective bargaining agreements effective after July 1, 1995, and shall be effective for each collective bargaining agreement covering those employees the day after it has been ratified by the Legislative Commission on Employee Relations. For represented employees of the University of Minnesota, this section applies the day following signing of the next agreement. For employees not covered by a collective bargaining agreement, this section is effective July 1, 1995. The Board of Trustees of the Minnesota State Colleges and Universities and the Board of Regents of the University of Minnesota shall balance layoffs of faculty, other employees, and administrators. The boards should strive to provide uninterrupted service and instruction to students.

History: *1995 c 212 art 2 s 5*

135A.191 RESEARCH DOGS AND CATS.

(a) A higher education research facility that receives public money or a facility that provides research in collaboration with a higher education facility that confines dogs or cats for science, education, or research purposes and plans on euthanizing a dog or cat for other than science, education, or research purposes must first offer the dog or cat to an animal rescue organization. A facility that is required to offer dogs or cats to an animal rescue organization under this section may enter into an agreement with the animal rescue organization to protect the facility. A facility that provides a dog or cat to a rescue organization under this section is immune from any civil liability that otherwise might result from its actions, provided that the facility is acting in good faith.

(b) For the purposes of this section, "animal rescue organization" means any nonprofit organization incorporated for the purpose of rescuing animals in need and finding permanent, adoptive homes for the animals.

History: *2014 c 312 art 13 s 47; 2015 c 69 art 3 s 19*

135A.195 REQUIREMENTS RELATED TO ONLINE PROGRAM MANAGEMENT COMPANIES.

Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have the meanings given.

(b) "Contract" means an agreement entered into by an institution of higher education with an online program management company. Contract includes any amendment or addendum to the agreement.

(c) "Institution of higher education" means an institution governed by either the Board of Trustees of the Minnesota State Colleges and Universities or the Board of Regents of the University of Minnesota. The Board of Regents of the University of Minnesota is requested to comply with this section.

(d) "Managed program" means an online course or program that is fully delivered online in a virtual space.

(e) "Online program management company" means a private, for-profit, third-party entity that enters into a contract with an institution of higher education to provide bundled products and services to develop, deliver, or provide managed programs, when the services provided include recruitment and marketing.

(f) "Tuition sharing" means compensation or payment to an online program management company based on a percentage of revenue or fees collected from managed programs.

Subd. 2. **Contract stipulations.** A contract must not contain any provision that:

(1) includes or allows for tuition sharing;

(2) grants the online program management company ownership rights to any or all intellectual property rights, patentable discoveries, or inventions of faculty members of an institution of higher education; or

(3) grants the online program management company decision making authority over:

(i) curriculum development, design, or maintenance;

(ii) student assessment and grading;

(iii) course assessment;

(iv) admissions requirements;

(v) appointment of faculty;

(vi) faculty assessment;

(vii) decision to award course credit or credential; or

(viii) institutional governance.

Subd. 3. **Mandatory contract review and approval.** Prior to being executed, a contract must be reviewed and approved by the institution of higher education's governing board. The Board of Regents of the University of Minnesota is requested to comply with this subdivision. The review must include an analysis of the contract's compliance with subdivision 2 prior to approval. A governing board must not approve a contract unless the contract complies with subdivision 2.

Subd. 4. **Reporting requirements.** An institution of higher education that contracts with an online program management company shall annually submit to the chairs and ranking minority members of the committees in the senate and house of representatives with jurisdiction over higher education finance an assessment and analysis that provides for a rigorous review and monitoring of online program management. The Board of Regents of the University of Minnesota is requested to comply with this subdivision. The report must, at a minimum, include:

(1) a comparison of the actual enrollment and revenue and the enrollment and revenue projections outlined in the financial pro forma;

(2) enrollment data reporting in 2026 and each year thereafter that includes measures of student persistence and completion;

(3) evidence of good standing and engagement with the Higher Learning Commission and any applicable specialized accreditors and licensing bodies, and evidence of any approvals that may be required to offer courses and programs;

(4) an assessment of the degree to which the programs offered compete with similar programs;

(5) a description and evidence of how institutions gather student feedback and student complaints related to online program management courses and program offerings, and the process for addressing any concerns and complaints; and

(6) the most recent compliance analysis under subdivision 3.

Subd. 5. **Marketing requirements.** (a) An institution of higher education that retains an online program management company to provide marketing services for its academic degree programs shall require that:

(1) the online program management company must clearly disclose the third-party relationship between the online program management company and the institution each time it engages in recruitment or marketing activities for an academic program of the institution; and

(2) all recruitment and marketing communications from the online program management company receive prior approval from the institution.

(b) An institution of higher education that contracts with an online program management company shall make publicly available on its website a list of the online programs that are supported by the online program management company.

Subd. 6. **Exemption.** Notwithstanding subdivision 1, paragraph (b), this section does not apply to an addendum or amendment to a contract entered into by an institution of higher education on or before July 1, 2023, that increases or decreases the number of managed programs. This subdivision expires July 1, 2028.

History: *2024 c 124 art 2 s 10; 2024 c 127 art 35 s 10*

MIDWESTERN HIGHER EDUCATION COMPACT

135A.20 MIDWESTERN HIGHER EDUCATION COMPACT.

The Midwestern Higher Education Compact is enacted into law and entered into with all jurisdictions legally joining therein in the form substantially as follows:

ARTICLE I

Purpose

The purpose of the Midwestern Higher Education Compact shall be to provide greater higher education opportunities and services in the Midwestern region, with the aim of furthering regional access to, research in and choice of higher education for the citizens residing in the several states which are parties to this compact.

ARTICLE II

The Commission

(A) The compacting states hereby create the Midwestern Higher Education Commission, hereinafter called the commission. The commission shall be a body corporate of each compacting state. The commission shall have all the responsibilities, powers and duties set forth herein, including the power to sue and be sued, and such additional powers as may be conferred upon it by subsequent action of the respective legislatures of the compacting states in accordance with the terms of this compact.

(B) The commission shall consist of five resident members of each state as follows: the governor or the governor's designee who shall serve during the tenure of office of the governor; two legislators, one from each house (except Nebraska, which may appoint two legislators from its unicameral legislature), who shall serve two-year terms and be appointed by the appropriate appointing authority in each house of the legislature; and two other at-large members, at least one of whom shall be selected from the field of higher education. The at-large members shall be appointed in a manner provided by the laws of the appointing state. One of the two at-large members initially appointed in each state shall serve a two-year term. The other, and any regularly appointed successor to either at-large member, shall serve a four-year term. All vacancies shall be filled in accordance with the laws of the appointing states. Any commissioner appointed to fill a vacancy shall serve until the end of the incomplete term.

(C) The commission shall select annually, from among its members, a chair, a vice-chair and a treasurer.

(D) The commission shall appoint an executive director who shall serve at its pleasure and who shall act as secretary to the commission. The treasurer, the executive director and such other personnel as the commission may determine, shall be bonded in such amounts as the commission may require.

(E) The commission shall meet at least once each calendar year. The chair may call additional meetings and, upon the request of a majority of the commission members of three or more compacting states, shall call additional meetings. Public notice shall be given of all meetings and meetings shall be open to the public.

(F) Each compacting state represented at any meeting of the commission is entitled to one vote. A majority of the compacting states shall constitute a quorum for the transaction of business, unless a larger quorum is required by the bylaws of the commission.

ARTICLE III

Powers and Duties of the Commission

(A) The commission shall adopt a seal and suitable bylaws governing its management and operations.

(B) Irrespective of the civil service, personnel or other merit system laws of any of the compacting states, the commission in its bylaws shall provide for the personnel policies and programs of the compact.

(C) The commission shall submit a budget to the governor and legislature of each compacting state at such time and for such period as may be required. The budget shall contain specific recommendations of the amount or amounts to be appropriated by each of the compacting states.

(D) The commission shall report annually to the legislatures and governors of the compacting states, to the Midwestern Governors' Conference and to the Midwestern Legislative Conference of the Council of State Governments concerning the activities of the commission during the preceding year. Such reports shall also embody any recommendations that may have been adopted by the commission.

(E) The commission may borrow, accept, or contract for the services of personnel from any state or the United States or any subdivision or agency thereof, from any interstate agency, or from any institution, foundation, person, firm or corporation.

(F) The commission may accept for any of its purposes and functions under the compact, any and all donations and grants of money, equipment, supplies, materials and services (conditional or otherwise) from any state or the United States or any subdivision or agency thereof, or interstate agency, or from any institution, foundation, person, firm, or corporation, and may receive, utilize and dispose of the same.

(G) The commission may enter into agreements with any other interstate education organizations or agencies and with higher education institutions located in nonmember states and with any of the various states of these United States to provide adequate programs and services in higher education for the citizens of the respective compacting states. The commission shall, after negotiations with interested institutions and interstate organizations or agencies, determine the cost of providing the programs and services in higher education for use in these agreements.

(H) The commission may establish and maintain offices, which shall be located within one or more of the compacting states.

(I) The commission may establish committees and hire staff as it deems necessary for the carrying out of its functions.

(J) The commission may provide for actual and necessary expenses for attendance of its members at official meetings of the commission or its designated committees.

ARTICLE IV

Activities of the Commission

(A) The commission shall collect data on the long-range effects of the compact on higher education. By the end of the fourth year from the effective date of the compact and every two years thereafter, the

commission shall review its accomplishments and make recommendations to the governors and legislatures of the compacting states on the continuance of the compact.

(B) The commission shall study issues in higher education of particular concern to the Midwestern region. The commission shall also study the needs for higher education programs and services in the compacting states and the resources for meeting such needs. The commission shall, from time to time, prepare reports on such research for presentation to the governors and legislatures of the compacting states and other interested parties. In conducting such studies, the commission may confer with any national or regional planning body. The commission may draft and recommend to the governors and legislatures of the various compacting states suggested legislation dealing with problems of higher education.

(C) The commission shall study the need for provision of adequate programs and services in higher education, such as undergraduate, graduate or professional student exchanges in the region. If a need for exchange in a field is apparent, the commission may enter into such agreements with any higher education institution and with any of the compacting states to provide programs and services in higher education for the citizens of the respective compacting states. The commission shall, after negotiations with interested institutions and the compacting states, determine the cost of providing the programs and services in higher education for use in its agreements. The contracting states shall contribute the funds not otherwise provided, as determined by the commission, for carrying out the agreements. The commission may also serve as the administrative and fiscal agent in carrying out agreements for higher education programs and services.

(D) The commission shall serve as a clearinghouse on information regarding higher education activities among institutions and agencies.

(E) In addition to the activities of the commission previously noted, the commission may provide services and research in other areas of regional concern.

ARTICLE V

Finance

(A) The monies necessary to finance the general operations of the commission not otherwise provided for in carrying forth its duties, responsibilities and powers as stated herein shall be appropriated to the commission by the compacting states, when authorized by the respective legislatures, by equal apportionment among the compacting states.

(B) The commission shall not incur any obligations of any kind prior to the making of appropriations adequate to meet the same; nor shall the commission pledge the credit of any of the compacting states, except by and with the authority of the compacting state.

(C) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be included in and become part of the annual report of the commission.

(D) The accounts of the commission shall be open at any reasonable time for inspection by duly authorized representatives of the compacting states and persons authorized by the commission.

ARTICLE VI

Eligible Parties and Entry Into Force

(A) The states of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin shall be eligible to become party to this compact. Additional states will be eligible if approved by a majority of the compacting states.

(B) As to any eligible party state, this compact shall become effective when its legislature shall have enacted the same into law; provided that it shall not become initially effective until enacted into law by five states prior to the 31st day of December 1995.

(C) Amendments to the compact shall become effective upon their enactment by the legislatures of all compacting states.

ARTICLE VII

Withdrawal, Default, and Termination

(A) Any compacting state may withdraw from this compact by enacting a statute repealing the compact, but such withdrawal shall not become effective until two years after the enactment of such statute. A withdrawing state shall be liable for any obligations which it may have incurred on account of its party status up to the effective date of withdrawal, except that if the withdrawing state has specifically undertaken or committed itself to any performance of an obligation extending beyond the effective date of withdrawal, it shall remain liable to the extent of such obligation.

(B) If any compacting state shall at any time default in the performance of any of its obligations, assumed or imposed, in accordance with the provisions of this compact, all rights, privileges and benefits conferred by this compact or agreements hereunder shall be suspended from the effective date of such default as fixed by the commission, and the commission shall stipulate the conditions and maximum time for compliance under which the defaulting state may resume its regular status. Unless such default shall be remedied under the stipulations and within the time period set forth by the commission, this compact may be terminated with respect to such defaulting state by affirmative vote of a majority of the other member states. Any such defaulting state may be reinstated by performing all acts and obligations as stipulated by the commission.

ARTICLE VIII

Severability and Construction

The provisions of this compact entered into hereunder shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any compacting state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact entered into hereunder shall be held contrary to the constitution of any compacting state, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters. The provisions of this compact entered into pursuant hereto shall be liberally construed to effectuate the purposes thereof.

History: *1990 c 518 s 1*

135A.21 MEMBERS OF COMMISSION.

Minnesota members of the Midwestern Higher Education Commission must be appointed as provided in this section. One legislative member must be a member of the house of representatives appointed by the speaker of the house for a two-year term; one legislative member must be a member of the senate appointed

by the Subcommittee on Committees of the Rules and Administration Committee for a two-year term. Two at-large members, at least one of whom must be selected from the field of higher education, must be appointed by the governor. One at-large member must be appointed to a two-year term; one at-large member, and any regularly appointed successor to either at-large position, must be appointed to a four-year term. Vacancies must be filled by the appointing authority for the remainder of the unexpired term.

History: *1990 c 518 s 2*

135A.22 EFFECT ON RECIPROCITY.

The enactment of the Midwestern Higher Education Compact has no effect on tuition reciprocity agreements under section 136A.08 that exist at the time of enactment.

History: *1990 c 518 s 3*

TEXTBOOK DISCLOSURE, PRICING, AND ACCESS

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 postsecondary 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.** 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.

Subd. 5. **Bookstores; course materials.** The University of Minnesota and private colleges are encouraged to comply with the requirements under section 136F.58, subdivisions 2, 2a, and 3.

History: *2007 c 144 art 2 s 10; 2009 c 95 art 2 s 3; 2012 c 270 s 3*

135A.26 [Repealed, 1Sp2011 c 5 art 2 s 15]

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 field of study.

Subd. 4. **Amount of scholarship.** The amount of the scholarship may be (1) at public institutions, up to the cost of tuition and fees for full-time attendance for one academic year, or (2) at private institutions, an amount up 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 may 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 postsecondary 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.** Postsecondary 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 postsecondary 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; 2005 c 107 art 2 s 5-7*

135A.50 [Repealed, 1992 c 513 art 1 s 28]

SENIOR CITIZENS HIGHER EDUCATION PROGRAM

135A.51 DEFINITIONS.

Subdivision 1. **Scope.** For the purposes of this section and section 135A.52, the following words have the meanings ascribed to them.

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.

Subd. 3. **Course.** "Course" means any course of study offered by a state supported institution of higher education in the regular curriculum of a department, school or subdivision of the institution, or a special course given for any purpose, including, but not limited to, adult education.

Subd. 4. **Legal resident.** "Legal resident" means a person who fulfills the residency criteria now or hereafter applicable to students of a state supported institution of higher education.

Subd. 5. **Institution of higher education.** "Institution of higher education" means a state university, community college, technical college, or the University of Minnesota.

History: *1975 c 219 s 1; 1975 c 321 s 2; 1987 c 258 s 12; 1989 c 246 s 2; 1995 c 212 art 3 s 59; 2007 c 144 art 2 s 11; 2010 c 364 s 3; 1Sp2011 c 5 art 2 s 1*

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.

Subd. 3. **Catalogue statement.** Each state supported institution of higher education shall prominently include in its catalogue a statement of benefits provided for senior citizens.

Subd. 4. **Determination of qualifications.** The institution shall determine whether a person qualifies for, and require execution of appropriate forms to request, the senior citizen benefits.

Subd. 5. **Placement.** The institution shall refer interested senior citizens to social service, community, and educational agencies for employment or volunteer work.

Subd. 6. **Farm business management.** Minnesota State Colleges and Universities campuses that offer farm business management may specify space availability in the delivery of farm business management courses.

History: *1975 c 219 s 2-6; 1981 c 194 s 3; 1982 c 548 art 4 s 12; 1984 c 654 art 4 s 24; 1987 c 258 s 12; 1989 c 246 s 2; 1995 c 212 art 3 s 42,59; 2005 c 107 art 2 s 8,9; 2007 c 144 art 2 s 12,13; 1Sp2015 c 4 art 2 s 78*

135A.61 MS 2012 [Renumbered 136A.862]