

CHAPTER 559—H.F.No. 870

An act relating to education; requiring that certain schools provide a prospective student with a school catalog before accepting the student; providing in certain cases for tuition refunds from private business, trade, and correspondence schools that do not use written contracts; providing for certain exemptions under the private business, trade and correspondence school act; amending Minnesota Statutes 1978, Sections 141.25, Subdivision 9; 141.271, Subdivision 3, and by adding a subdivision; and 141.35.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1978, Section 141.25, Subdivision 9, is amended to read:

Subd. 9. **CATALOG OR BROCHURE.** (A) No license shall be issued to a school other than one which offers exclusively a correspondence course of instruction, until such school has furnished to the commissioner a catalog or brochure containing the following:

- (a) Identifying data, such as volume number and date of publication;
- (b) Name and address of the school and its governing body and officials;
- (c) A calendar of the school showing legal holidays, beginning and ending dates of each course quarter, term, or semester, and other important dates;
- (d) School policy and regulations on enrollment with respect to enrollment dates and specific entrance requirements for each course;
- (e) School policy and regulations relative to leave, absences, class cuts, make-up work, tardiness, and interruptions for unsatisfactory attendance;
- (f) School policy and regulations relative to standards of progress required of the student by the school which policy must define the grading system of the school, the minimum grades considered satisfactory, conditions for interruption for unsatisfactory grades or progress and a description of the probationary period, if any, allowed by the school, and conditions of re-entrance for those dismissed for unsatisfactory progress;
- (g) School policy and regulations relative to student conduct and conditions for dismissal for unsatisfactory conduct;
- (h) Detailed schedule of fees, charges for tuition, books, supplies, tools, student activities, laboratory fees, service charges, rentals, deposits, and all other charges;
- (i) Policy and regulations of the school relative to the refund of the unused portion of tuition, fees, and other charges in the event the student does not enter the course or withdraws or is discontinued therefrom, which policy shall include an explanation of all provisions of section 141.271;

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(j) A description of the available facilities and equipment;

(k) A course outline for each course offered showing course objectives, subjects or units in the course, type of work or skill to be learned, and approximate time or clock hours to be spent on each subject or unit;

(l) Policy and regulations of the school relative to granting credit for previous education and training.

(B) No license shall be issued to a school which offers exclusively a correspondence course of instruction, until such school has furnished to the commissioner a catalog or brochure containing the following:

(a) Identifying data such as volume number and date of publication;

(b) Name and address of the school, its governing body and officials;

(c) School policy and regulations on enrollment with respect to enrollment dates and specific entrance requirements for each course;

(d) School policy and regulations relative to standards of progress required of the student by the school which policy must define the grading system of the school, the minimum grades considered satisfactory, conditions for interruption for unsatisfactory grades or progress and a description of the probationary period, if any, allowed by the school, and conditions of re-enrollment for those students terminated for unsatisfactory progress;

(e) Detailed schedule of fees, charges for tuition, books, supplies, tools, student activities, laboratory fees, service charges, rentals, deposits, and all other charges;

(f) Policy and regulations of the school relative to the refund of the unused portion of tuition, fees and other charges in the event the student does not enter the course or withdraws or is discontinued therefrom, which policy shall include an explanation of all provisions of section 141.271;

(g) A description of facilities and equipment used by the school;

(h) A course outline for each course offered showing course objectives, subjects or units in each lesson of the course, type of work or skill to be learned, and the total number of lessons for each course of instruction;

(i) Policy and regulations of the school relative to granting credit for previous education and training.

(C) Each school or agent thereof shall deliver the catalog or brochure required in subdivision 9 to each prospective student in such time or manner as to provide the prospective student ample opportunity to read said catalog or brochure before signing any contract or enrollment agreement or before being accepted by a school which does not utilize a written contract or enrollment agreement.

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Sec. 2. Minnesota Statutes 1978, Section 141.271, Subdivision 3, is amended to read:

Subd. 3. **SCHOOLS NOT USING WRITTEN CONTRACTS.** (a) Notwithstanding anything to the contrary, every school which does not utilize a written contract or enrollment agreement shall refund all tuition, fees and other charges paid by a student if the student gives written notice of cancellation within five business days after the day on which the student is accepted by the school regardless of whether the course of instruction has started.

(b) With respect to those schools not utilizing a written contract or enrollment agreement, when a student has been accepted by the school and gives written notice of cancellation following the fifth business day after the day of acceptance by the school, but before the start of the course of instruction, in the case of resident schools, or before the first lesson has been serviced by the school, in the case of correspondence (home study) schools, all tuition, fees and other charges, except 15 percent of the total cost of the course but not to exceed \$50, shall be refunded to the student.

Sec. 3. Minnesota Statutes 1978, Section 141.271, is amended by adding a subdivision to read:

Subd. 13. If a student's enrollment in a school is cancelled for any reason, the school shall notify any agency known to the school to be providing financial aid to the student of the cancellation within 30 days.

Sec. 4. Minnesota Statutes 1978, Section 141.35, is amended to read:

141.35 **EXEMPTIONS.** None of the provisions of sections 141.21 to 141.36 shall apply to the following:

(a) Colleges authorized by the laws of Minnesota or of any other state or foreign country to grant degrees;

(b) Schools of nursing accredited by the state board of nursing or an equivalent public board of another state or foreign country;

(c) Public schools as defined in section 120.05;

(d) Private schools complying with the requirements of section 120.10, subdivision 2;

(e) Private and parochial nonprofit schools exempt from taxation under the constitution of Minnesota;

(f) Courses taught to students in a valid apprenticeship program taught by or required by a trade union;

(g) Schools exclusively engaged in training physically or mentally handicapped persons for the state of Minnesota;

(h) Schools now or hereafter licensed by boards authorized under Minnesota law to issue such licenses;

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(i) Schools and educational programs, or training programs, conducted by persons, firms, corporations, or associations, for the training of their own employees, for which no fee is charged the employee;

(j) Schools engaged exclusively in the teaching of purely avocational or recreational subjects as determined by the commissioner. Private schools teaching a method or procedure to increase the speed with which a student reads are not within this exemption;

(k) Driver training schools and instructors as defined in section 171.33, subdivisions 1 and 2;

(l) Classes, courses, or programs conducted by a bona fide trade, professional, or fraternal organization, solely for that organization's membership;

(m) Courses of instruction in the fine arts provided by organizations exempt from taxation pursuant to section 290.05 and registered with the Minnesota department of commerce pursuant to chapter 309. "Fine arts" means activities resulting in artistic creation or artistic performance of works of the imagination which are engaged in for the primary purpose of creative expression rather than commercial sale or employment. In making this determination the commissioner may seek the advice and recommendation of the Minnesota board of the arts ;

(n) Classes, courses, or programs intended to fulfill the continuing education requirements for licensure or certification in a profession, which classes, courses, or programs have been approved by a legislatively or judicially established board or agency responsible for regulating the practice of the profession, and which are offered primarily to a person who currently practices the profession.

Approved April 14, 1980

CHAPTER 560—H.F.No. 1534

An act relating to real estate; increasing certain fees charged by the county recorder and registrar of titles; providing that the county recorder be notified of deferred assessments; amending Minnesota Statutes 1978, Sections 273.111, Subdivision 11; 357.18, Subdivision 1; 375.14; 429.061, Subdivision 2; 462.358, by adding a subdivision; and 508.82.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1978, Section 357.18, Subdivision 1, is amended to read:

357.18 **COUNTY RECORDER.** Subdivision 1. The fees to be charged by the county recorder shall be as follows:

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