

1.20 Section 1. Minnesota Statutes 2023 Supplement, section 135A.121, subdivision 2, is
 1.21 amended to read:

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

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

1.25 (2) be either (i) a Minnesota resident for resident tuition purposes who is an enrolled
 1.26 member or citizen of a federally recognized American Indian Tribe or Canadian First Nation,
 1.27 or (ii) an enrolled member or citizen of a Minnesota Tribal Nation, regardless of resident
 1.28 tuition status; ~~and~~

2.1 (3) have not (i) obtained a baccalaureate degree, or (ii) been enrolled for ~~180 credits~~ 12
 2.2 semesters or the equivalent, excluding courses taken that qualify as developmental education
 2.3 or below college-level; and

2.4 (4) meet satisfactory academic progress as defined under section 136A.101, subdivision
 2.5 10.

2.6 Sec. 2. ~~[135A.144]~~ TRANSCRIPT ACCESS.

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

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

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

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

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

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

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

1.22 Section 1. Minnesota Statutes 2023 Supplement, section 135A.121, subdivision 2, is
 1.23 amended to read:

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

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 1.26 University of Minnesota or a Minnesota state college or university;

1.27 (2) be either (i) a Minnesota resident for resident tuition purposes who is an enrolled
 1.28 member or citizen of a federally recognized American Indian Tribe or Canadian First Nation,
 2.1 or (ii) an enrolled member or citizen of a Minnesota Tribal Nation, regardless of resident
 2.2 tuition status; ~~and~~

2.3 (3) have not (i) obtained a baccalaureate degree, or (ii) been enrolled for ~~180 credits~~ 12
 2.4 semesters or the equivalent, excluding courses taken that qualify as developmental education
 2.5 or below college-level; and

2.6 (4) meet satisfactory academic progress as defined under section 136A.101, subdivision
 2.7 10.

2.8 Sec. 2. ~~[135A.144]~~ TRANSCRIPT ACCESS.

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

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

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

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 2.20 official transcripts or the certified statement of an individual's academic record provided
 2.21 by a school, and unofficial transcripts or the uncertified statement of an individual's academic
 2.22 record provided by a school.

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

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

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

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

2.27 (4) the school has sent the debt for repayment to the Department of Revenue or to a

2.28 collection agency, as defined in section 332.31, subdivision 3, external to the institution

2.29 and the debt has not been returned to the institution unpaid; or

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

3.1 (b) A school must not charge an additional or higher fee for obtaining a transcript or

3.2 provide less favorable treatment of a transcript request because a student owes a debt to the

3.3 originating school.

3.4 Subd. 3. **Institutional policy.** (a) A school that uses transcript issuance as a tool for debt

3.5 collection must have a policy accessible to students that outlines how the school collects

3.6 on debts owed to the school.

3.7 (b) A school shall seek to use transcript issuance as a tool for debt collection for the

3.8 fewest number of cases possible and in a manner that allows for the quickest possible

3.9 resolution of the debt benefitting the student's educational progress.

3.10 Sec. 3. Minnesota Statutes 2023 Supplement, section 135A.15, subdivision 1, is amended

3.11 to read:

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

3.13 postsecondary institutions:

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

3.15 Universities; and

3.16 (2) private postsecondary institutions that offer in-person courses on a campus located

3.17 in Minnesota and which are eligible institutions as defined in section 136A.103, ~~provided~~

3.18 ~~that a private postsecondary institution with a systemwide enrollment of fewer than 100~~

3.19 ~~students in the previous academic year is exempt from subdivisions 4 to 10 paragraph (a),~~

3.20 that are participating in the federal Pell Grant program under Title IV of the Higher Education

3.21 Act of 1965, Public Law 89-329, as amended.

3.22 Institutions governed by the Board of Regents of the University of Minnesota are

3.23 requested to comply with this section.

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

2.29 (4) the school has sent the debt for repayment to the Department of Revenue or to a

2.30 collection agency, as defined in section 332.31, subdivision 3, external to the institution

2.31 and the debt has not been returned to the institution unpaid; or

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3.8 (b) A school shall seek to use transcript issuance as a tool for debt collection for the

3.9 fewest number of cases possible and in a manner that allows for the quickest possible

3.10 resolution of the debt benefitting the student's educational progress.

3.11 (c) By September 30 each year, beginning in 2024, an institution or system that uses

3.12 transcript issuance as a tool for debt collection shall provide the Office of Higher Education

3.13 with an updated copy of its policy under paragraph (a), and report the number of students,

3.14 as of June 30 of that year, who were denied transcripts due to the student's debt.

34.19 Section 1. Minnesota Statutes 2022, section 135A.15, as amended by Laws 2023, chapter

34.20 52, article 5, section 79, is amended to read:

34.21 **135A.15 CAMPUS SEXUAL HARASSMENT AND VIOLENCE MISCONDUCT**

34.22 **POLICY.**

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

34.24 postsecondary institutions:

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

34.26 Universities; and

34.27 (2) private postsecondary institutions that offer in-person courses on a campus located

34.28 in Minnesota and which are eligible institutions as defined in section 136A.103, ~~provided~~

34.29 ~~that a private postsecondary institution with a systemwide enrollment of fewer than 100~~

34.30 ~~students in the previous academic year is exempt from subdivisions 4 to 10 paragraph (a),~~

35.1 that are participating in the federal program under Title IV of the Higher Education Act of

35.2 1965, Public Law 89-329, as amended.

35.3 Institutions governed by the Board of Regents of the University of Minnesota are

35.4 requested to comply with this section.

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

4.3 Sec. 4. Minnesota Statutes 2022, section 135A.15, subdivision 1a, is amended to read:

4.4 Subd. 1a. ~~Sexual assault definition~~ **Definitions.** (a) For the purposes of this section,
 4.5 the following terms have the meanings given.

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

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

4.11 ~~(b) (d)~~ (d) "Incident" means one report of sexual ~~assault~~ misconduct to a postsecondary
 4.12 institution, regardless of the number of complainants included in the report, the number of
 4.13 respondents included in the report, and whether or not the identity of any party is known
 4.14 by the reporting postsecondary institution. Incident encompasses all nonconsensual events
 4.15 included within one report if multiple events have been identified.

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

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

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

4.23 (f) "Nonconsensual dissemination of sexual images" has the meaning given in section
 4.24 617.261.

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

35.19 Subd. 1a. ~~Sexual assault definition~~ **Definitions.** (a) For the purposes of this section,
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 35.22 as a support during a campus investigation and disciplinary process. This person may be
 35.23 an attorney. An advisor serves as a support to a party by offering comfort or attending
 35.24 meetings.

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35.26 ~~(b) (d)~~ (d) "Incident" means one report of sexual ~~assault~~ misconduct to a postsecondary
 35.27 institution, regardless of the number of complainants included in the report, the number of
 35.28 respondents included in the report, and whether or not the identity of any party is known
 35.29 by the reporting postsecondary institution. Incident encompasses all nonconsensual events
 35.30 included within one report if multiple events have been identified.

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

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

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

36.5 (f) "Nonconsensual dissemination of sexual images" has the meaning given in section
 36.6 617.261.

- 4.25 (g) "Reporting party" means the party in a disciplinary proceeding who has reported
 4.26 being subject to conduct or communication that could constitute sexual harassment or sexual
 4.27 misconduct.
- 4.28 (h) "Responding party" means the party in a disciplinary proceeding who has been
 4.29 reported to be the perpetrator of conduct or communication that could constitute sexual
 4.30 harassment or sexual misconduct.
- 5.1 ~~(e)~~ (i) "Sexual assault" means rape, sex offenses - fondling, sex offenses - incest, or sex
 5.2 offenses - statutory rape as defined in Code of Federal Regulations, title 34, part 668, subpart
 5.3 D, appendix A, as amended.
- 5.4 (j) "Sexual extortion" has the meaning given in section 609.3458.
- 5.5 (k) "Sex trafficking" has the meaning given in section 609.321, subdivision 7a.
- 5.6 (l) "Sexual harassment" has the meaning given in section 363A.03, subdivision 43.
- 5.7 (m) "Sexual misconduct" means an incident of sexual violence, intimate partner violence,
 5.8 domestic violence, sexual assault, sexual harassment, nonconsensual distribution of sexual
 5.9 images, sexual extortion, nonconsensual dissemination of a deepfake depicting intimate
 5.10 parts or sexual acts, sex trafficking, or stalking.
- 5.11 (n) "Stalking" has the meaning given in section 609.749.
- 5.12 Sec. 5. Minnesota Statutes 2022, section 135A.15, subdivision 2, is amended to read:
- 5.13 Subd. 2. **Victims' rights.** (a) The policy required under subdivision 1 shall, at a minimum,
 5.14 require that students and employees be informed of the policy, and shall include provisions
 5.15 for:
- 5.16 (1) filing criminal charges with local law enforcement officials in ~~sexual assault~~ cases
 5.17 defined as sexual misconduct;
- 5.18 (2) the prompt assistance of campus authorities, at the request of the victim, in notifying
 5.19 the appropriate law enforcement officials and disciplinary authorities of a sexual ~~assault~~
 5.20 misconduct incident;
- 5.21 (3) allowing sexual ~~assault~~ misconduct victims to decide whether to report a case to law
 5.22 enforcement; participate in a campus investigation, disciplinary proceeding, or
 5.23 nondisciplinary restorative justice service; or not report altogether;
- 5.24 (4) requiring campus authorities to treat sexual ~~assault~~ misconduct victims with dignity;
- 5.25 (5) requiring campus authorities to offer sexual ~~assault~~ misconduct victims fair and
 5.26 respectful health care, counseling services, or referrals to such services;

- 36.7 (g) "Reporting party" means the party in a disciplinary proceeding who has reported
 36.8 being subjected to conduct or communication that could constitute sexual misconduct.
- 36.9 (h) "Responding party" means the party in a disciplinary proceeding who has been
 36.10 reported to be the perpetrator of conduct or communication that could constitute sexual
 36.11 misconduct.
- 36.12 ~~(e)~~ (i) "Sexual assault" means rape, sex offenses - fondling, sex offenses - incest, or sex
 36.13 offenses - statutory rape as defined in Code of Federal Regulations, title 34, part 668, subpart
 36.14 D, appendix A, as amended.
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- 36.18 (m) "Sexual misconduct" means an incident of sexual violence, intimate partner violence,
 36.19 domestic violence, sexual assault, sexual harassment, nonconsensual distribution of sexual
 36.20 images, sexual extortion, nonconsensual dissemination of a deepfake depicting intimate
 36.21 parts or sexual acts, sex trafficking, or stalking.
- 36.22 (n) "Stalking" means engaging in a course of conduct, on the basis of sex, directed at a
 36.23 specific person that would cause a reasonable person to (1) fear for that person's safety or
 36.24 the safety of others, or (2) suffer substantial emotional distress.
- 36.25 Subd. 2. **Victims' rights.** (a) The policy required under subdivision 1 shall, at a minimum,
 36.26 require that students and employees be informed of the policy, and shall include provisions
 36.27 for:
- 36.28 (1) filing criminal charges with local law enforcement officials in ~~sexual assault~~ cases
 36.29 defined as sexual misconduct that may constitute criminal behavior;
- 37.1 (2) the prompt assistance of campus authorities, at the request of the victim, in notifying
 37.2 the appropriate law enforcement officials and disciplinary authorities of a sexual ~~assault~~
 37.3 misconduct incident;
- 37.4 (3) allowing sexual ~~assault~~ misconduct victims to decide whether to report a case to law
 37.5 enforcement or not report altogether; participate in a campus investigation, disciplinary
 37.6 proceeding, or nondisciplinary informal resolution; or not participate altogether;
- 37.7 (4) requiring campus authorities to treat sexual ~~assault~~ misconduct victims with dignity;
- 37.8 (5) requiring campus authorities to offer sexual ~~assault~~ misconduct victims fair and
 37.9 respectful health care, counseling services, or referrals to such services;

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

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

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

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

6.7 (10) a sexual ~~assault~~ ~~misconduct~~ victim's participation in and the presence of the victim's
6.8 ~~attorney or other support person~~ who is not a fact witness to the sexual ~~assault~~ ~~misconduct~~
6.9 at any meeting with campus officials concerning the victim's sexual ~~assault~~ ~~misconduct~~
6.10 complaint or campus disciplinary proceeding concerning a sexual ~~assault~~ ~~misconduct~~
6.11 complaint;

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

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

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

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

6.23 (15) the assistance of campus authorities, at the request of the sexual misconduct victim,
6.24 in preserving ~~for a sexual-assault complainant or victim~~ materials relevant to a campus
6.25 disciplinary proceeding;

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

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

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

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

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

37.20 (10) a sexual ~~assault~~ ~~misconduct~~ victim's participation in and the presence of the victim's
37.21 ~~attorney or other support person~~ ~~advisor~~ who is not a fact witness to the sexual ~~assault~~
37.22 ~~misconduct~~ at any meeting with campus officials concerning the victim's sexual ~~assault~~
37.23 ~~misconduct~~ complaint or campus disciplinary proceeding concerning a sexual ~~assault~~
37.24 ~~misconduct~~ complaint;

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

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

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

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

38.4 (15) the assistance of campus authorities, at the request of the sexual misconduct victim,
38.5 in preserving ~~for a sexual-assault complainant or victim~~ materials relevant to a campus
38.6 disciplinary proceeding;

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

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

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

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

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

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

7.19 Sec. 6. Minnesota Statutes 2022, section 135A.15, is amended by adding a subdivision to
 7.20 read:

7.21 Subd. 2a. **Campus investigation and disciplinary hearing procedures.** (a) A
 7.22 postsecondary institution must provide a reporting party an opportunity for an impartial,
 7.23 timely, and thorough investigation of a report of sexual misconduct against a student. If an
 7.24 investigation reveals that sexual misconduct has occurred, the institution must take prompt
 7.25 and effective steps reasonably calculated to end the sexual misconduct, prevent its recurrence,
 7.26 and, as appropriate, remedy its effects.

7.27 (b) Throughout any investigation or disciplinary proceeding, a postsecondary institution
 7.28 must treat the reporting parties, responding parties, witnesses, and other participants in the
 7.29 proceeding with dignity, respect, and fairness.

7.30 (c) If a postsecondary institution conducts a hearing, an advisor may provide opening
 7.31 and closing remarks on behalf of a party or assist with formulating questions to the other
 7.32 party or witnesses about related evidence or credibility.

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

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

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

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 38.25 made contingent upon the victim entering into a nondisclosure agreement or other contract
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 38.27 complaint, investigation, or hearing.

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 38.32 postsecondary institution must provide a reporting party an opportunity for an impartial,
 38.33 timely, and thorough investigation of a report of sexual misconduct against a student. If an
 39.1 investigation reveals that sexual misconduct has occurred, the institution must take prompt
 39.2 and effective steps reasonably calculated to end the sexual misconduct, prevent its recurrence,
 39.3 and, as appropriate, remedy its effects.

39.4 (b) Throughout any investigation or disciplinary proceeding, a postsecondary institution
 39.5 must treat the reporting parties, responding parties, witnesses, and other participants in the
 39.6 proceeding with dignity and respect.

39.7 (c) If a postsecondary institution conducts a hearing, an advisor may provide opening
 39.8 and closing remarks on behalf of a party or assist with formulating questions to the other
 39.9 party or witnesses about related evidence or credibility.

39.10 (d) In any disciplinary proceeding arising from an alleged incident of sexual misconduct
 39.11 against a student, a postsecondary institution must apply a preponderance of the evidence
 39.12 standard of proof.

39.13 Subd. 3. **Uniform amnesty.** The sexual ~~harassment and violence~~ misconduct policy
 39.14 required by subdivision 1 must include a provision that a witness or victim of an incident
 39.15 of sexual ~~assault~~ misconduct who reports the incident in good faith shall not be sanctioned

39.16 by the institution for admitting in the report to a violation of the institution's student conduct
39.17 policy on the personal use of drugs or alcohol.

39.18 Subd. 4. **Coordination with local law enforcement.** (a) A postsecondary institution
39.19 must enter into a memorandum of understanding with the primary local law enforcement
39.20 agencies that serve its campus. The memorandum must be entered into no later than January
39.21 1, 2017, and updated every two years thereafter. This memorandum shall clearly delineate
39.22 responsibilities and require information sharing, in accordance with applicable state and
39.23 federal privacy laws, about certain crimes including, but not limited to, sexual assault. This
39.24 memorandum of understanding shall provide:

39.25 (1) delineation and sharing protocols of investigative responsibilities;

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

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

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

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

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

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

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

8.1 Sec. 7. Minnesota Statutes 2022, section 135A.15, subdivision 6, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

9.4 (d) The commissioner of the Office of Higher Education shall calculate statewide numbers
9.5 for each data item reported by an institution under this subdivision. The statewide numbers

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

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

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

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

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

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

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

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

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

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

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

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

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

41.19 (d) The commissioner of the Office of Higher Education shall calculate statewide numbers
41.20 for each data item reported by an institution under this subdivision. The statewide numbers

9.6 must include data from postsecondary institutions that the commissioner could not publish
9.7 due to federal laws governing access to student records.

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

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

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

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

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

9.19 Sec. 8. Minnesota Statutes 2022, section 135A.15, subdivision 8, is amended to read:

9.20 Subd. 8. **Comprehensive training.** (a) A postsecondary institution must provide campus
9.21 security officers and campus administrators responsible for investigating or adjudicating
9.22 complaints of sexual assault with comprehensive training on preventing and responding to
9.23 sexual assault in collaboration with the Bureau of Criminal Apprehension or another law

41.21 must include data from postsecondary institutions that the commissioner could not publish
41.22 due to federal laws governing access to student records.

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

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

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

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

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

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

42.10 (b) Only individuals with explicit authorization from an institution may enter, update,
42.11 or access electronic data related to an incident of sexual ~~assault~~ misconduct collected,
42.12 created, or maintained under this section. The ability of authorized individuals to enter,
42.13 update, or access these data must be limited through the use of role-based access that
42.14 corresponds to the official duties or training level of the individual and the institutional
42.15 authorization that grants access for that purpose. All actions in which the data related to an
42.16 incident of sexual ~~assault~~ misconduct are entered, updated, accessed, shared, or disseminated
42.17 outside of the institution must be recorded in a data audit trail. An institution shall
42.18 immediately and permanently revoke the authorization of any individual determined to have
42.19 willfully entered, updated, accessed, shared, or disseminated data in violation of this
42.20 subdivision or any provision of chapter 13. If an individual is determined to have willfully
42.21 gained access to data without explicit authorization, the matter shall be forwarded to a
42.22 county attorney for prosecution.

42.23 Subd. 8. **Comprehensive training.** (a) A postsecondary institution must provide campus
42.24 security officers and campus administrators responsible for investigating or adjudicating
42.25 complaints of sexual assault misconduct with comprehensive training on preventing and
42.26 responding to sexual assault misconduct in collaboration with the Bureau of Criminal

9.24 enforcement agency with expertise in criminal sexual conduct. The training for campus
 9.25 security officers shall include a presentation on the dynamics of sexual assault,
 9.26 neurobiological responses to trauma, and best practices for preventing, responding to, and
 9.27 investigating sexual ~~assault~~. The training for campus administrators responsible for
 9.28 investigating or adjudicating complaints on sexual ~~assault~~ shall include presentations on
 9.29 preventing sexual ~~assault~~, responding to incidents of sexual ~~assault~~, the dynamics of sexual
 9.30 assault, neurobiological responses to trauma, and compliance with state and federal laws
 9.31 on sexual ~~assault~~.

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

10.4 (1) students pursuing a degree or certificate;

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

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

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

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

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

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

42.27 Apprehension or another law enforcement agency with expertise in criminal sexual conduct.
 42.28 The training for campus security officers shall include a presentation on the dynamics of
 42.29 sexual assault, neurobiological responses to trauma, and best practices for preventing,
 42.30 responding to, and investigating sexual ~~assault~~ ~~misconduct~~. The training for campus
 42.31 administrators responsible for investigating or adjudicating complaints on sexual ~~assault~~
 42.32 ~~misconduct~~ shall include presentations on preventing sexual ~~assault~~ ~~misconduct~~, responding
 42.33 to incidents of sexual ~~assault~~ ~~misconduct~~, the dynamics of sexual assault, neurobiological
 42.34 responses to trauma, and compliance with state and federal laws on sexual ~~assault~~ ~~misconduct~~.

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

43.4 (1) students pursuing a degree or certificate;

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

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

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

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

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

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

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

House Language H4024-2	Higher Education Policy	Senate Language UEH4024-1
10.26 Sec. 9. <u>[135A.1581] NAVIGATORS FOR PARENTING STUDENTS.</u>		<div>43.31 (b) Each institution offering student health or counseling services must designate an</div> <div>43.32 existing staff member or existing staff members as confidential resources for victims of</div> <div>43.33 sexual violence or sexual harassment misconduct. The confidential resource must be available</div> <div>44.1 to meet with victims of sexual violence and sexual harassment misconduct. The confidential</div> <div>44.2 resource must provide victims with information about locally available resources for victims</div> <div>44.3 of sexual violence and sexual harassment misconduct including, but not limited to, mental</div> <div>44.4 health services and legal assistance. The confidential resource must provide victims with</div> <div>44.5 information about the process for reporting an incident of sexual violence and sexual</div> <div>44.6 harassment misconduct to campus authorities or local law enforcement. The victim shall</div> <div>44.7 decide whether to report an incident of sexual violence and sexual harassment misconduct</div> <div>44.8 to campus authorities or local law enforcement. Confidential resources must be trained in</div> <div>44.9 all aspects of responding to incidents of sexual violence and sexual harassment misconduct</div> <div>44.10 including, but not limited to, best practices for interacting with victims of trauma, preserving</div> <div>44.11 evidence, campus disciplinary and local legal processes, and locally available resources for</div> <div>44.12 victims. Data shared with a confidential resource is classified as sexual assault</div> <div>44.13 communication data as defined by section 13.822, subdivision 1.</div>
10.27 Subdivision 1. <u>Applicability.</u> (a) This section applies to the following postsecondary		<div>44.14 Subd. 10. Applicability of other laws. This section does not exempt mandatory reporters</div> <div>44.15 from the requirements of section 626.557 or chapter 260E governing the reporting of</div> <div>44.16 maltreatment of minors or vulnerable adults. Nothing in this section limits the authority of</div> <div>44.17 an institution to comply with other applicable state or federal laws related to investigations</div> <div>44.18 or reports of sexual harassment, sexual violence, or sexual assault misconduct.</div>
10.28 institutions:		44.19 EFFECTIVE DATE. This section is effective August 1, 2025.
10.29 (1) institutions governed by the Board of Trustees of the Minnesota State Colleges and		3.15 Sec. 3. <u>[135A.1581] NAVIGATORS FOR PARENTING STUDENTS.</u>
10.30 Universities; and		3.16 Subdivision 1. <u>Applicability.</u> (a) This section applies to the following postsecondary
10.31 (2) private postsecondary institutions that offer in-person courses on a campus located		3.17 institutions:
10.32 in Minnesota and which are eligible institutions as defined in section 136A.103.		3.18 (1) institutions governed by the Board of Trustees of the Minnesota State Colleges and
11.1 (b) Institutions governed by the Board of Regents of the University of Minnesota are		3.19 Universities; and
11.2 requested to comply with this section.		3.20 (2) private postsecondary institutions that offer in-person courses on a campus located
11.3 Subd. 2. Definitions. (a) For purposes of this section, the following terms have the		3.21 in Minnesota and which are eligible institutions as defined in section 136A.103.
11.4 meanings given.		3.22 (b) Institutions governed by the Board of Regents of the University of Minnesota are
11.5 (b) "Institutions of higher education" means an institution of higher education under		3.23 requested to comply with this section.
11.6 subdivision 1.		3.24 Subd. 2. Definitions. (a) For purposes of this section, the following terms have the
		3.25 meanings given.
		3.26 (b) "Institutions of higher education" means an institution of higher education under
		3.27 subdivision 1.

11.7 (c) "Parenting student" means a student enrolled at an institution of higher education
11.8 who is the parent or legal guardian of or can claim as a dependent a child under the age of
11.9 18.

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

11.15 (1) medical and behavioral health coverage and services;

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

11.18 (3) parenting and child care resources;

11.19 (4) employment assistance;

11.20 (5) transportation assistance; and

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

11.23 Subd. 4. **Report.** (a) By June 30, 2026, an institution of higher education must establish
11.24 a process for collecting the parenting status of each enrolled student. By November 30,
11.25 2025, the Office of Higher Education shall establish a process for collecting this information
11.26 from institutions.

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

11.31 (1) summary demographic data;

12.1 (2) enrollment patterns;

12.2 (3) retention rates;

12.3 (4) completion rates;

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

12.5 (6) as possible, time to completion.

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

3.28 (c) "Parenting student" means a student enrolled at an institution of higher education
3.29 who is the parent or legal guardian of or can claim as a dependent a child under the age of
3.30 18.

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

4.6 (1) medical and behavioral health coverage and services;

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

4.9 (3) parenting and child care resources;

4.10 (4) employment assistance;

4.11 (5) transportation assistance; and

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

4.14 Subd. 4. **Report.** (a) By June 30, 2026, an institution of higher education must establish
4.15 a process for collecting the parenting status of each enrolled student. By November 30,
4.16 2025, the Office of Higher Education shall establish a process for collecting this information
4.17 from institutions.

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

4.22 (1) summary demographic data;

4.23 (2) enrollment patterns;

4.24 (3) retention rates;

4.25 (4) completion rates;

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

4.27 (6) time to completion.

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

12.8 Sec. 10. [135A.1582] PROTECTIONS FOR PREGNANT AND PARENTING
 12.9 STUDENTS.

12.10 Subdivision 1. **Definition.** (a) For the purpose of this section, the following term has
 12.11 the meaning given.

12.12 (b) "Parenting student" means a student enrolled at a public college or university who
 12.13 is the parent or legal guardian of or can claim as a dependent a child under the age of 18.

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

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

12.19 (2) limit the student's studies;

12.20 (3) participate in an alternative program;

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

12.22 (5) refrain from joining or cease participating in any course, activity, or program at the
 12.23 college or university.

12.24 (b) A Minnesota state college or university shall provide and the University of Minnesota
 12.25 is requested to provide reasonable modifications to a pregnant student, including
 12.26 modifications that:

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

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

13.1 (c) A Minnesota state college or university must and the University of Minnesota is
 13.2 requested to, for reasons related to a student's pregnancy, childbirth, or any resulting medical
 13.3 status or condition:

13.4 (1) excuse the student's absence;

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

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

13.8 (4) provide the student with access to instructional materials and video recordings of
 13.9 lectures for classes for which the student has an excused absence under this section to the

5.1 Sec. 4. [135A.1582] PROTECTIONS FOR PREGNANT AND PARENTING
 5.2 STUDENTS.

5.3 Subdivision 1. **Definition.** (a) For the purpose of this section, the following term has
 5.4 the meaning given.

5.5 (b) "Parenting student" means a student enrolled at a public college or university who
 5.6 is the parent or legal guardian of or can claim as a dependent a child under the age of 18.

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

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

5.12 (2) limit the student's studies;

5.13 (3) participate in an alternative program;

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

5.15 (5) refrain from joining or cease participating in any course, activity, or program at the
 5.16 college or university.

5.17 (b) A Minnesota state college or university shall provide and the University of Minnesota
 5.18 is requested to provide reasonable modifications to a pregnant student, including
 5.19 modifications that:

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

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

5.24 (c) A Minnesota state college or university must and the University of Minnesota is
 5.25 requested to, for reasons related to a student's pregnancy, childbirth, or any resulting medical
 5.26 status or condition:

5.27 (1) excuse the student's absence;

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

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

6.1 (4) provide the student with access to instructional materials and video recordings of
 6.2 lectures for classes for which the student has an excused absence under this section to the

13.10 same extent that instructional materials and video recordings of lectures are made available
 13.11 to any other student with an excused absence.

13.12 (d) A Minnesota state college or university must and the University of Minnesota is
 13.13 requested to allow a pregnant or parenting student to:

13.14 (1) take a leave of absence; and

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

13.18 (e) If a public college or university provides early registration for courses or programs
 13.19 at the institution for any group of students, the Minnesota state college or university must
 13.20 provide and the University of Minnesota is requested to provide early registration for those
 13.21 courses or programs for pregnant or parenting students in the same manner.

13.22 Subd. 3. **Policy on discrimination.** Each Minnesota state college or university must
 13.23 adopt and the University of Minnesota is requested to adopt a policy for students on
 13.24 pregnancy and parenting discrimination. The policy must:

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

13.29 (2) be posted in an easily accessible, straightforward format on the college or university's
 13.30 website; and

13.31 (3) be made available annually to faculty, staff, and employees of the college or
 13.32 university.

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

14.9 Sec. 11. Minnesota Statutes 2023 Supplement, section 135A.161, is amended by adding
 14.10 a subdivision to read:

14.11 Subd. 5. **Reporting.** The director must evaluate the development and implementation
 14.12 of the Minnesota inclusive higher education initiatives receiving a grant under section
 14.13 135A.162. The director must submit an annual report by October 1 on the progress to expand
 14.14 Minnesota inclusive higher education options for students with intellectual disabilities to

6.3 same extent that instructional materials and video recordings of lectures are made available
 6.4 to any other student with an excused absence.

6.5 (d) A Minnesota state college or university must and the University of Minnesota is
 6.6 requested to allow a pregnant or parenting student to:

6.7 (1) take a leave of absence; and

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

6.11 (e) If a public college or university provides early registration for courses or programs
 6.12 at the institution for any group of students, the Minnesota state college or university must
 6.13 provide and the University of Minnesota is requested to provide early registration for those
 6.14 courses or programs for pregnant or parenting students in the same manner.

6.15 Subd. 3. **Policy on discrimination.** Each Minnesota state college or university must
 6.16 adopt and the University of Minnesota is requested to adopt a policy for students on
 6.17 pregnancy and parenting discrimination. The policy must:

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

6.22 (2) be posted in an easily accessible, straightforward format on the college or university's
 6.23 website; and

6.24 (3) be made available annually to faculty, staff, and employees of the college or
 6.25 university.

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

7.1 Sec. 5. Minnesota Statutes 2023 Supplement, section 135A.161, is amended by adding a
 7.2 subdivision to read:

7.3 Subd. 5. **Reporting.** The director must evaluate the development and implementation
 7.4 of the Minnesota inclusive higher education initiatives receiving a grant under section
 7.5 135A.162. The director must submit an annual report by October 1 on the progress to expand
 7.6 Minnesota inclusive higher education options for students with intellectual disabilities to

14.15 the commissioner and chairs and ranking minority members of the legislative committees
14.16 with jurisdiction over higher education policy and finance. The report must include statutory
14.17 and budget recommendations.

14.18 Sec. 12. Minnesota Statutes 2023 Supplement, section 135A.162, subdivision 2, is amended
14.19 to read:

14.20 Subd. 2. **Eligible grantees.** A Tribal college or public or nonprofit postsecondary
14.21 two-year or four-year institution is eligible to apply for a grant under this section if the
14.22 institution:

14.23 (1) is accredited by the Higher Learning Commission; and

14.24 (2) meets the eligibility requirements under section 136A.103.

14.25 Sec. 13. **[135A.163] STUDENTS WITH DISABILITIES; ACCOMMODATIONS;**
14.26 **GENERAL REQUIREMENTS.**

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

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

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

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

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

15.11 Subd. 3. **Students with disabilities policy; dissemination of policy.** Each institution
15.12 of higher education shall adopt a policy making self-disclosure by a student with a disability
15.13 with sufficient proof of a disability, which starts the interactive process for reasonable
15.14 accommodations under subdivision 4.

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

7.7 the commissioner and chairs and ranking minority members of the legislative committees
7.8 with jurisdiction over higher education policy and finance. The report must include statutory
7.9 and budget recommendations.

7.10 Sec. 6. Minnesota Statutes 2023 Supplement, section 135A.162, subdivision 2, is amended
7.11 to read:

7.12 Subd. 2. **Eligible grantees.** A Tribal college or public or nonprofit postsecondary
7.13 two-year or four-year institution is eligible to apply for a grant under this section if the
7.14 institution:

7.15 (1) is accredited by the Higher Learning Commission; and

7.16 (2) meets the eligibility requirements under section 136A.103.

7.17 Sec. 7. **[135A.163] STUDENTS WITH DISABILITIES; ACCOMMODATIONS;**
7.18 **GENERAL REQUIREMENTS.**

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

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

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

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

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

8.3 Subd. 3. **Students with disabilities policy; dissemination of policy.** Each institution
8.4 of higher education shall adopt a policy making self-disclosure by a student with a disability
8.5 sufficient to start the interactive process for reasonable accommodations under subdivision
8.6 4.

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

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

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

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

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

16.3 (4) a record or evaluation from a relevant licensed professional finding that the individual
 16.4 has a disability;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17.7 **EFFECTIVE DATE.** This section is effective January 1, 2025.

17.8 Sec. 14. **[135A.195] REQUIREMENTS RELATED TO ONLINE PROGRAM**
17.9 **MANAGEMENT COMPANIES.**

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

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

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

17.19 (d) "Managed program" means an online course or program covered under a contract.

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

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

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

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

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

9.33 **EFFECTIVE DATE.** This section is effective January 1, 2025.

44.22 Section 1. **[135A.195] REQUIREMENTS RELATED TO ONLINE PROGRAM**
44.23 **MANAGEMENT COMPANIES.**

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

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

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

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

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

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

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

17.27 (1) includes or allows for tuition sharing;

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

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

18.1 (i) curriculum development, design, or maintenance;

18.2 (ii) student assessment and grading;

18.3 (iii) course assessment;

18.4 (iv) admissions requirements;

18.5 (v) appointment of faculty;

18.6 (vi) faculty assessment;

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

18.8 (viii) institutional governance.

18.9 Subd. 3. **Mandatory contract review and approval.** Prior to being executed, a contract
18.10 must be reviewed and approved by the institution of higher education's governing board.
18.11 A governing board must not approve a contract unless the contract complies with subdivision
18.12 2.

18.13 Subd. 4. **Reporting requirements.** An institution of higher education that contracts
18.14 with an online program management company shall annually submit to its governing board
18.15 a report documenting enrollment in and revenue generated by managed programs.

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

45.9 Subd. 2. **Contract stipulations.** (a) A contract must not contain any provision that:

45.10 (1) includes tuition sharing;

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

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

45.15 (i) curriculum development, design, or maintenance;

45.16 (ii) student assessment and grading;

45.17 (iii) course assessment;

45.18 (iv) admissions requirements;

45.19 (v) appointment of faculty;

45.20 (vi) faculty assessment;

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

45.22 (viii) institutional governance.

45.23 (b) A contract between an institution of higher education and an online program
45.24 management company must contain a provision that the online program management
45.25 company must provide its audited financial statements and the data required under subdivision
45.26 4, paragraph (b), to the chief financial officer of the institution of higher education with
45.27 which it has a contract for use in the reporting requirements in subdivision 4.

45.28 Subd. 3. **Mandatory contract review and approval.** Prior to being executed, a contract
45.29 must be reviewed and approved by the institution of higher education's governing board.
45.30 The Board of Regents of the University of Minnesota is requested to comply with this
46.1 section. The review must include an analysis of the contract's compliance with subdivision
46.2 2 prior to approval.

46.3 Subd. 4. **Reporting requirements.** (a) Each institution of higher education that contracts
46.4 with an online program management company shall require the independent public accountant
46.5 or certified public accountant as part of the institution's annual compliance and financial
46.6 audit, to provide information to determine if the online program management company was
46.7 in material compliance with the terms of the contract in the prior fiscal year. Each institution
46.8 of higher education shall submit an annual expenditure report and the annual compliance
46.9 and financial audit report to the commissioner of management and budget and to the chairs
46.10 and ranking minority members of the committees in the senate and house of representatives

House Language H4024-2	Higher Education Policy	Senate Language UEH4024-1
<p>18.16 Subd. 5. Marketing requirements. (a) An institution of higher education that retains</p> <p>18.17 an online program management company to provide marketing services for its academic</p> <p>18.18 degree programs shall require that:</p> <p>18.19 (1) the online program management company <u>self-identifies as a third-party entity that</u></p> <p>18.20 <u>is separate from</u> the institution at the beginning of any communication with a prospective</p> <p>18.21 <u>student; and</u></p>		<p>46.11 <u>with jurisdiction over higher education finance for review. At a minimum, the annual</u></p> <p>46.12 <u>expenditure report shall include:</u></p> <p>46.13 (1) <u>the information provided by the online program management company under</u></p> <p>46.14 <u>paragraph (b);</u></p> <p>46.15 (2) <u>the total payments made by the institution to the online program management company</u></p> <p>46.16 <u>during each semester of the prior academic year;</u></p> <p>46.17 (3) <u>the number of students who received state financial assistance during the prior</u></p> <p>46.18 <u>academic year and were enrolled in each academic program for which the online program</u></p> <p>46.19 <u>management company provided services; and</u></p> <p>46.20 (4) <u>whether the online program management company was in material compliance with</u></p> <p>46.21 <u>the terms of the contract.</u></p> <p>46.22 (b) <u>An online program management company that enters into a contract with an institution</u></p> <p>46.23 <u>of higher education shall submit an annual report to the institution's chief financial officer</u></p> <p>46.24 <u>detailing all expenditures made on behalf of the institution during the prior academic year.</u></p> <p>46.25 <u>In addition to any other information required by the commissioner, the annual report shall</u></p> <p>46.26 <u>specify the amounts expended by the online program management company on each of the</u></p> <p>46.27 <u>following categories of expenditure:</u></p> <p>46.28 (1) <u>advertising, recruitment, and marketing services;</u></p> <p>46.29 (2) <u>admissions and financial services;</u></p> <p>46.30 (3) <u>instruction services;</u></p> <p>46.31 (4) <u>student support services;</u></p> <p>46.32 (5) <u>technology resources and support services; and</u></p> <p>47.1 (6) <u>curriculum development materials.</u></p> <p>47.2 (c) <u>Any information filed with the commissioner under this section may be disclosed in</u></p> <p>47.3 <u>accordance with chapter 13, except that confidential information shall not be disclosed.</u></p> <p>47.4 Subd. 5. Marketing requirements. (a) An institution of higher education that retains</p> <p>47.5 an online program management company to provide marketing services for its academic</p> <p>47.6 degree programs shall require that:</p> <p>47.7 (1) the online program management company <u>must clearly disclose the third-party</u></p> <p>47.8 <u>relationship between the online program management company and the institution each</u></p> <p>47.9 <u>time it engages in recruitment or marketing activities for an academic program of the</u></p> <p>47.10 <u>institution; and</u></p>

18.22 (2) any digital or print advertising provided by the online program management company
 18.23 for an academic program of the institution includes a clear disclosure of the third-party
 18.24 relationship between the online program management company and the institution.

18.25 (b) An institution of higher education that contracts with an online program management
 18.26 company shall make publicly available on its website a list of all managed programs.

18.27 **EFFECTIVE DATE.** This section is effective July 1, 2024, and applies to contracts
 18.28 entered into on or after that date.

19.1 Sec. 15. **[136A.053] CONSOLIDATED STUDENT AID REPORTING.**

19.2 (a) The commissioner of the Office of Higher Education shall report annually beginning
 19.3 February 15, 2026, to the chairs and ranking minority members of the legislative committees
 19.4 with jurisdiction over higher education, on the details of programs administered under
 19.5 sections 136A.091 to 136A.1276, 136A.1465, and 136A.231 to 136A.246, including the:

- 19.6 (1) total funds appropriated and expended;
- 19.7 (2) total number of students applying for funds;
- 19.8 (3) total number of students receiving funds;
- 19.9 (4) average and total award amounts;
- 19.10 (5) summary demographic data on award recipients;
- 19.11 (6) retention rates of award recipients;
- 19.12 (7) completion rates of award recipients;
- 19.13 (8) average cumulative debt at exit or graduation; and
- 19.14 (9) average time to completion.

19.15 (b) Data must be disaggregated by program, institution, aid year, race and ethnicity,
 19.16 gender, income, family type, dependency status, and any other factors determined to be

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

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

47.16 **EFFECTIVE DATE.** This section is effective July 1, 2024, and applies to contracts
 47.17 entered into on or after that date.

10.1 Sec. 8. **[135A.195] ADMISSIONS APPLICATIONS; LEGACY ADMISSIONS AND**
 10.2 **ADMISSIONS BASED ON DONOR STATUS PROHIBITED.**

10.3 (a) For the purpose of this section, "legacy status" means the familial relationship of an
 10.4 individual applying for admission to an institution of higher education to an alumnus of the
 10.5 institution.

10.6 (b) No public or private institution of higher education in Minnesota shall provide any
 10.7 manner of preferential treatment in the admissions decision to any student applicant on the
 10.8 basis of a student's legacy status or a student's familial relationship to any donor to such
 10.9 institution. The Board of Regents of the University of Minnesota is requested to comply
 10.10 with this section.

10.11 Sec. 9. **[136A.053] CONSOLIDATED STUDENT AID REPORTING.**

10.12 (a) The commissioner of the Office of Higher Education shall report annually beginning
 10.13 February 15, 2026, to the chairs and ranking minority members of the legislative committees
 10.14 with jurisdiction over higher education, on the details of programs administered under
 10.15 sections 136A.091 to 136A.1276, 136A.1465, and 136A.231 to 136A.246, including the:

- 10.16 (1) total funds appropriated and expended;
- 10.17 (2) total number of students applying for funds;
- 10.18 (3) total number of students receiving funds;
- 10.19 (4) average and total award amounts;
- 10.20 (5) summary demographic data on award recipients;
- 10.21 (6) retention rates of award recipients;
- 10.22 (7) completion rates of award recipients;
- 10.23 (8) average cumulative debt at exit or graduation; and
- 10.24 (9) average time to completion.

10.25 (b) Data must be disaggregated by program, institution, aid year, race and ethnicity,
 10.26 gender, income, family type, dependency status, and any other factors determined to be

19.17 relevant by the commissioner. The commissioner must report any additional data and
 19.18 outcomes relevant to the evaluation of programs administered under sections 136A.091 to
 19.19 136A.1276, 136A.1465, and 136A.231 to 136A.246 as evidenced by activities funded under
 19.20 each program.

19.21 Sec. 16. Minnesota Statutes 2022, section 136A.091, subdivision 3, is amended to read:

19.22 Subd. 3. **Financial need.** Need for financial assistance is based on student eligibility for
 19.23 free or reduced-price school meals under the national school lunch program. Student
 19.24 eligibility shall be verified by sponsors of approved academic programs. The office shall
 19.25 award stipends for students within the limits of available appropriations for this section. If
 19.26 the amount appropriated is insufficient, the office shall allocate the available appropriation
 19.27 in the manner it determines. A stipend must not exceed \$1,000 per student.

20.1 Sec. 17. **[136A.097] ORDER OF AID CALCULATIONS.**

20.2 The commissioner must calculate aid for programs in the order of their original enactment
 20.3 from oldest to most recent. The commissioner may determine the order of calculating state
 20.4 financial aid if:

20.5 (1) a student is eligible for multiple state financial aid programs; and

20.6 (2) two or more of those programs calculate funding after accounting for other state aid.

20.7 If the commissioner determines that a greater amount of financial aid would be available
 20.8 to students by calculating aid in a particular order, the commissioner may calculate aid in
 20.9 that order.

20.10 Sec. 18. Minnesota Statutes 2022, section 136A.1241, subdivision 3, is amended to read:

20.11 Subd. 3. **Eligibility.** (a) An individual who is eligible for the Education and Training
 20.12 Voucher Program is eligible for a foster grant.

20.13 (b) If the individual is not eligible for the Education and Training Voucher Program, in
 20.14 order to receive a foster grant, an individual must:

20.15 (1) meet the definition of a resident student under section 136A.101, subdivision 8;

20.16 (2) be at least 13 years of age but fewer than 27 years of age;

20.17 (3) after the individual's 13th birthday, be in or have been in foster care in Minnesota
 20.18 before, on, or after June 27, 2021, including any of the following:

20.19 (i) placement in foster care at any time while 13 years of age or older;

20.20 (ii) adoption from foster care at any time after reaching 13 years of age; or

20.21 (iii) placement from foster care with a permanent legal custodian at any time after
 20.22 reaching 13 years of age;

10.27 relevant by the commissioner. The commissioner must report any additional data and
 10.28 outcomes relevant to the evaluation of programs administered under sections 136A.091 to
 10.29 136A.1276, 136A.1465, and 136A.231 to 136A.246 as evidenced by activities funded under
 10.30 each program.

11.1 Sec. 10. Minnesota Statutes 2022, section 136A.091, subdivision 3, is amended to read:

11.2 Subd. 3. **Financial need.** Need for financial assistance is based on student eligibility for
 11.3 free or reduced-price school meals under the national school lunch program. Student
 11.4 eligibility shall be verified by sponsors of approved academic programs. The office shall
 11.5 award stipends for students within the limits of available appropriations for this section. If
 11.6 the amount appropriated is insufficient, the office shall allocate the available appropriation
 11.7 in the manner it determines. A stipend must not exceed \$1,000 per student.

11.8 Sec. 11. **[136A.097] ORDER OF AID CALCULATIONS.**

11.9 The commissioner must calculate aid for programs in the order of their original enactment
 11.10 from oldest to most recent. The commissioner may determine the order of calculating state
 11.11 financial aid if:

11.12 (1) a student is eligible for multiple state financial aid programs; and

11.13 (2) two or more of those programs calculate funding after accounting for other state aid.

11.14 If the commissioner determines that a greater amount of financial aid would be available
 11.15 to students by calculating aid in a particular order, the commissioner may calculate aid in
 11.16 that order.

11.17 Sec. 12. Minnesota Statutes 2022, section 136A.1241, subdivision 3, is amended to read:

11.18 Subd. 3. **Eligibility.** (a) An individual who is eligible for the Education and Training
 11.19 Voucher Program is eligible for a foster grant.

11.20 (b) If the individual is not eligible for the Education and Training Voucher Program, in
 11.21 order to receive a foster grant, an individual must:

11.22 (1) meet the definition of a resident student under section 136A.101, subdivision 8;

11.23 (2) be at least 13 years of age but fewer than 27 years of age;

11.24 (3) after the individual's 13th birthday, be in or have been in foster care in Minnesota
 11.25 before, on, or after June 27, 2021, including any of the following:

11.26 (i) placement in foster care at any time while 13 years of age or older;

11.27 (ii) adoption from foster care at any time after reaching 13 years of age; or

11.28 (iii) placement from foster care with a permanent legal custodian at any time after
 11.29 reaching 13 years of age;

20.23 (4) have graduated from high school or completed the equivalent as approved by the
 20.24 Department of Education;

20.25 (5) have been accepted for admission to, or be currently attending, an eligible institution;

20.26 (6) have submitted a FAFSA; ~~and~~

20.27 (7) be meeting satisfactory academic progress as defined under section 136A.101,
 20.28 subdivision 10;

20.29 (8) not be in default, as defined by the office, of any federal or state student educational
 20.30 loan;

21.1 (9) not be more than 30 days in arrears in court-ordered child support that is collected
 21.2 or enforced by the public authority responsible for child support enforcement or, if the
 21.3 applicant is more than 30 days in arrears in court-ordered child support that is collected or
 21.4 enforced by the public authority responsible for child support enforcement, be complying
 21.5 with a written payment agreement under section 518A.69 or order for arrearages; and

21.6 (10) not have been convicted of or pled nolo contendere or guilty to a crime involving
 21.7 fraud in obtaining federal Title IV funds within the meaning of Code of Federal Regulations,
 21.8 subtitle B, chapter VI, part 668, subpart C.

21.9 Sec. 19. Minnesota Statutes 2023 Supplement, section 136A.1241, subdivision 5, is
 21.10 amended to read:

21.11 Subd. 5. **Foster grant amount; payment; opt-out.** (a) Each student shall be awarded
 21.12 a foster grant based on the federal need analysis. Applicants are encouraged to apply for all
 21.13 other sources of financial aid. The amount of the foster grant must be equal to the applicant's
 21.14 recognized cost of attendance after accounting for:

21.15 (1) the results of the federal need analysis;

21.16 (2) the amount of a federal Pell Grant award for which the applicant is eligible;

21.17 (3) the amount of the state grant;

21.18 (4) the Federal Supplemental Educational Opportunity Grant;

21.19 (5) the sum of all Tribal scholarships;

21.20 (6) the amount of any other state and federal gift aid;

21.21 (7) the Education and Training Voucher Program;

21.22 (8) extended foster care benefits under section 260C.451;

21.23 (9) the amount of any private grants or scholarships, excluding grants and scholarships
 21.24 provided by the private institution of higher education in which the eligible student is
 21.25 enrolled; and

12.1 (4) have graduated from high school or completed the equivalent as approved by the
 12.2 Department of Education;

12.3 (5) have been accepted for admission to, or be currently attending, an eligible institution;

12.4 (6) have submitted a FAFSA; ~~and~~

12.5 (7) be meeting satisfactory academic progress as defined under section 136A.101,
 12.6 subdivision 10;

12.7 (8) not be in default, as defined by the office, of any federal or state student educational
 12.8 loan;

12.9 (9) not be more than 30 days in arrears in court-ordered child support that is collected
 12.10 or enforced by the public authority responsible for child support enforcement or, if the
 12.11 applicant is more than 30 days in arrears in court-ordered child support that is collected or
 12.12 enforced by the public authority responsible for child support enforcement, be complying
 12.13 with a written payment agreement under section 518A.69 or order for arrearages; and

12.14 (10) not have been convicted of or pled nolo contendere or guilty to a crime involving
 12.15 fraud in obtaining federal Title IV funds within the meaning of Code of Federal Regulations,
 12.16 subtitle B, chapter VI, part 668, subpart C.

12.17 Sec. 13. Minnesota Statutes 2023 Supplement, section 136A.1241, subdivision 5, is
 12.18 amended to read:

12.19 Subd. 5. **Foster grant amount; payment; opt-out.** (a) Each student shall be awarded
 12.20 a foster grant based on the federal need analysis. Applicants are encouraged to apply for all
 12.21 other sources of financial aid. The amount of the foster grant must be equal to the applicant's
 12.22 recognized cost of attendance after accounting for:

12.23 (1) the results of the federal need analysis;

12.24 (2) the amount of a federal Pell Grant award for which the applicant is eligible;

12.25 (3) the amount of the state grant;

12.26 (4) the Federal Supplemental Educational Opportunity Grant;

12.27 (5) the sum of all Tribal scholarships;

12.28 (6) the amount of any other state and federal gift aid;

12.29 (7) the Education and Training Voucher Program;

12.30 (8) extended foster care benefits under section 260C.451;

13.1 (9) the amount of any private grants or scholarships, excluding grants and scholarships
 13.2 provided by the private institution of higher education in which the eligible student is
 13.3 enrolled; and

21.26 (10) for public institutions, the sum of all institutional grants, scholarships, tuition
 21.27 waivers, and tuition remission amounts.

21.28 (b) The foster grant shall be paid directly to the eligible institution where the student is
 21.29 enrolled.

21.30 (c) An eligible private institution may opt out of participating in the foster grant program
 21.31 established under this section. To opt out, the institution shall provide notice to the office
 22.1 by March 1 for the next academic year. An institution that opts out of participating, but
 22.2 participated in the program a previous year, must hold harmless currently enrolled recipients
 22.3 by continuing to provide the benefit under paragraph (d) as long as the student remains
 22.4 eligible.

22.5 (d) An eligible private institution that does not opt out under paragraph (c) and accepts
 22.6 the student's application to attend the institution must provide institutional grants,
 22.7 scholarships, tuition waivers, or tuition remission in an amount equal to the difference
 22.8 between:

22.9 (1) the institution's cost of attendance as calculated under subdivision 4, paragraph (b),
 22.10 clause (1); and

22.11 (2) the sum of the foster grant under this subdivision and the sum of the amounts in
 22.12 paragraph (a), clauses (1) to (9).

22.13 (e) An undergraduate student who is eligible may apply for and receive a foster grant
 22.14 in any year of undergraduate study unless the student has obtained a baccalaureate degree
 22.15 or received foster grant funds for a period of ten full-time semesters or the equivalent for a
 22.16 four-year undergraduate degree. A foster grant student enrolled in a two-year degree,
 22.17 certificate, or diploma program may apply for and receive a foster grant in any year of
 22.18 undergraduate study unless the student has obtained a baccalaureate degree or received
 22.19 foster grant funds for a period of six full-time semesters or the equivalent.

22.20 (f) Foster grants may be awarded to an eligible student for four quarters, three semesters,
 22.21 or the equivalent during the course of a single fiscal year. In calculating the award amount,
 22.22 the office must use the same calculation it would for any other term.

22.23 (g) Students who received the foster grant in the previous year must be given priority.
 22.24 Awards must be made on a first-come, first-served basis in the order complete applications
 22.25 are received. If there are multiple applications with identical completion dates, those
 22.26 applications must be further sorted by application receipt date. Awards must be made to
 22.27 eligible students until the appropriation is expended. Applicants not receiving a grant and
 22.28 for whom the office has received a completed application must be placed on a waiting list
 22.29 in order of application completion date.

13.4 (10) for public institutions, the sum of all institutional grants, scholarships, tuition
 13.5 waivers, and tuition remission amounts.

13.6 (b) The foster grant shall be paid directly to the eligible institution where the student is
 13.7 enrolled.

13.8 (c) An eligible private institution may opt out of participating in the foster grant program
 13.9 established under this section. To opt out, the institution shall provide notice to the office
 13.10 by March 1 for the next academic year. An institution that opts out of participating, but
 13.11 participated in the program a previous year, must hold harmless currently enrolled recipients
 13.12 by continuing to provide the benefit under paragraph (d) as long as the student remains
 13.13 eligible.

13.14 (d) An eligible private institution that does not opt out under paragraph (c) and accepts
 13.15 the student's application to attend the institution must provide institutional grants,
 13.16 scholarships, tuition waivers, or tuition remission in an amount equal to the difference
 13.17 between:

13.18 (1) the institution's cost of attendance as calculated under subdivision 4, paragraph (b),
 13.19 clause (1); and

13.20 (2) the sum of the foster grant under this subdivision and the sum of the amounts in
 13.21 paragraph (a), clauses (1) to (9).

13.22 (e) An undergraduate student who is eligible may apply for and receive a foster grant
 13.23 in any year of undergraduate study unless the student has obtained a baccalaureate degree
 13.24 or received foster grant funds for a period of ten full-time semesters or the equivalent for a
 13.25 four-year undergraduate degree. A foster grant student enrolled in a two-year degree,
 13.26 certificate, or diploma program may apply for and receive a foster grant in any year of
 13.27 undergraduate study unless the student has obtained a baccalaureate degree or received
 13.28 foster grant funds for a period of six full-time semesters or the equivalent.

13.29 (f) Foster grants may be awarded to an eligible student for four quarters, three semesters,
 13.30 or the equivalent during the course of a single fiscal year. In calculating the award amount,
 13.31 the office must use the same calculation it would for any other term.

13.32 (g) The commissioner shall establish a priority application deadline.

14.1 (h) If there is a projected shortfall in available resources, the commissioner must
 14.2 proportionately reduce awards to keep spending within available resources.

14.3 (i) Applicants applying after the priority deadline for whom the office has received a
 14.4 completed application must be placed on a waiting list in order of application completion
 14.5 date. Awards must be made on a first-come, first-served basis in the order complete
 14.6 applications are received. Students who received the Fostering Independence Grant in the
 14.7 previous year shall be given priority. If there are multiple applications with identical

22.30 Sec. 20. Minnesota Statutes 2023 Supplement, section 136A.1465, subdivision 1, is
 22.31 amended to read:

22.32 Subdivision 1. **Definitions.** The following terms have the meanings given:

23.1 (1) "eligible student" means a resident student under section 136A.101, subdivision 8,
 23.2 who is enrolled in any public postsecondary educational institution or Tribal college and
 23.3 who meets the eligibility requirements in subdivision 2;

23.4 (2) "gift aid" ~~means all~~ includes:

23.5 (i) all federal financial aid that is not a loan or pursuant to a work-study program;

23.6 (ii) state financial aid, unless designated for other expenses, that is not a loan or pursuant
 23.7 to a work-study program;

23.8 (iii) institutional financial aid designated for the student's educational expenses, including
 23.9 a grant, scholarship, tuition waiver, fellowship stipend, or other third-party payment, unless
 23.10 designated for other expenses, that is not a loan or pursuant to a work-study program; and

23.11 (iv) all private financial aid that is not a loan or pursuant to a work-study program.

23.12 Financial aid from the state, public postsecondary educational institutions, and Tribal colleges
 23.13 that is specifically designated for other expenses is not gift aid for purposes of the North
 23.14 Star Promise scholarship.

23.15 (3) ~~"office" means the Office of Higher Education;~~

23.16 (3) "other expenses" includes books, required supplies, child care, emergency assistance,
 23.17 food, and housing;

23.18 (4) "public postsecondary educational institution" means an institution operated by this
 23.19 state, or the Board of Regents of the University of Minnesota, ~~or a Tribal college;~~

23.20 (5) "recognized cost of attendance" has the meaning given in Code of Federal Regulations,
 23.21 title 20, chapter 28, subchapter IV, part F, section 108711;

23.22 (5) ~~"scholarship" means funds to pay 100 percent of tuition and fees remaining after~~
 23.23 ~~deducting grants and other scholarships;~~

23.24 (6) "Tribal college" means a college defined in section 136A.1796, subdivision 1,
 23.25 paragraph (c); and

23.26 (7) "tuition and fees" means the actual tuition and mandatory fees charged by an
 23.27 institution.

14.8 completion dates, those applications must be further sorted by application receipt date.
 14.9 Awards must be made to eligible students until the appropriation is expended.

14.10 Sec. 14. Minnesota Statutes 2023 Supplement, section 136A.1465, subdivision 1, is
 14.11 amended to read:

14.12 Subdivision 1. **Definitions.** The following terms have the meanings given:

14.13 (1) "eligible student" means a resident student under section 136A.101, subdivision 8,
 14.14 who is enrolled in any public postsecondary educational institution or Tribal college and
 14.15 who meets the eligibility requirements in subdivision 2;

14.16 (2) "gift aid" ~~means all~~ includes:

14.17 (i) all federal financial aid that is not a loan or pursuant to a work-study program;

14.18 (ii) state financial aid, unless designated for other expenses, that is not a loan or pursuant
 14.19 to a work-study program;

14.20 (iii) institutional financial aid designated for the student's educational expenses, including
 14.21 a grant, scholarship, tuition waiver, fellowship stipend, or other third-party payment, unless
 14.22 designated for other expenses, that is not a loan or pursuant to a work-study program; and

14.23 (iv) all private financial aid that is not a loan or pursuant to a work-study program.

14.24 Financial aid from the state, public postsecondary educational institutions, and Tribal colleges
 14.25 that is specifically designated for other expenses is not gift aid for purposes of the North
 14.26 Star Promise scholarship. Gift aid does not include scholarships funded by the Minnesota
 14.27 State Colleges and Universities related foundations dollars;

14.28 (3) ~~"office" means the Office of Higher Education;~~

14.29 (3) "other expenses" includes books, required supplies, child care, emergency assistance,
 14.30 food, and housing;

15.1 (4) "public postsecondary educational institution" means an institution operated by this
 15.2 state, or the Board of Regents of the University of Minnesota, ~~or a Tribal college;~~

15.3 (5) "recognized cost of attendance" has the meaning given in Code of Federal Regulations,
 15.4 title 20, chapter 28, subchapter IV, part F, section 108711;

15.5 (5) ~~"scholarship" means funds to pay 100 percent of tuition and fees remaining after~~
 15.6 ~~deducting grants and other scholarships;~~

15.7 (6) "Tribal college" means a college defined in section 136A.1796, subdivision 1,
 15.8 paragraph (c); and

15.9 (7) "tuition and fees" means the actual tuition and mandatory fees charged by an
 15.10 institution.

23.28 Sec. 21. Minnesota Statutes 2023 Supplement, section 136A.1465, subdivision 2, is
 23.29 amended to read:

23.30 Subd. 2. **Conditions for eligibility.** A scholarship may be awarded to an eligible student
 23.31 who:

24.1 (1) has completed the Free Application for Federal Student Aid (FAFSA) or the state
 24.2 aid application;

24.3 (2) has a family adjusted gross income below \$80,000;

24.4 (3) is a graduate of a secondary school or its equivalent, or is 17 years of age or over
 24.5 and has met all requirements for admission as a student to an eligible college or university;

24.6 ~~(3)~~ (4) has not earned a baccalaureate degree at the time the scholarship is awarded;

24.7 ~~(4)~~ (5) is enrolled in at least one credit per fall, spring, or summer semester; ~~and~~

24.8 (6) is enrolled in a program or course of study that applies to a degree, diploma, or
 24.9 certificate;

24.10 (7) is not in default, as defined by the office, of any federal or state student educational
 24.11 loan;

24.12 (8) is not more than 30 days in arrears in court-ordered child support that is collected or
 24.13 enforced by the public authority responsible for child support enforcement or, if the applicant
 24.14 is more than 30 days in arrears in court-ordered child support that is collected or enforced
 24.15 by the public authority responsible for child support enforcement, but is complying with a
 24.16 written payment agreement under section 518A.69 or order for arrearages;

24.17 (9) has not been convicted of or pled nolo contendere or guilty to a crime involving
 24.18 fraud in obtaining federal Title IV funds within the meaning of Code of Federal Regulations,
 24.19 subtitle B, chapter VI, part 668, subpart C; and

24.20 ~~(5)~~ (10) is meeting satisfactory academic progress as defined in section 136A.101,
 24.21 subdivision 10.

24.22 Sec. 22. Minnesota Statutes 2023 Supplement, section 136A.1465, subdivision 3, is
 24.23 amended to read:

24.24 Subd. 3. **Scholarship.** (a) Beginning in the fall term of the 2024-2025 academic year,
 24.25 scholarships shall be awarded to eligible students in an amount not to exceed 100 percent
 24.26 of tuition and fees after grants and other scholarships are gift aid is deducted.

24.27 (b) For the 2024-2025, 2025-2026, and 2026-2027 academic years, if funds remain after
 24.28 scholarships are awarded under paragraph (a), supplemental grants shall be awarded to
 24.29 eligible students in an amount equal to 100 percent of tuition and fees plus, subject to
 24.30 available funds, up to 50 percent of the amount of a Pell grant the student would receive
 24.31 based on household size, family adjusted gross income, and results of the federal needs

15.11 Sec. 15. Minnesota Statutes 2023 Supplement, section 136A.1465, subdivision 2, is
 15.12 amended to read:

15.13 Subd. 2. **Conditions for eligibility.** A scholarship may be awarded to an eligible student
 15.14 who:

15.15 (1) has completed the Free Application for Federal Student Aid (FAFSA) or the state
 15.16 aid application;

15.17 (2) has a family adjusted gross income below \$80,000;

15.18 (3) is a graduate of a secondary school or its equivalent, or is 17 years of age or over
 15.19 and has met all requirements for admission as a student to an eligible college or university;

15.20 ~~(3)~~ (4) has not earned a baccalaureate degree at the time the scholarship is awarded;

15.21 ~~(4)~~ (5) is enrolled in at least one credit per fall, spring, or summer semester; ~~and~~

15.22 (6) is enrolled in a program or course of study that applies to a degree, diploma, or
 15.23 certificate;

15.24 (7) is not in default, as defined by the office, of any federal or state student educational
 15.25 loan;

15.26 (8) is not more than 30 days in arrears in court-ordered child support that is collected or
 15.27 enforced by the public authority responsible for child support enforcement or, if the applicant
 15.28 is more than 30 days in arrears in court-ordered child support that is collected or enforced
 15.29 by the public authority responsible for child support enforcement, but is complying with a
 15.30 written payment agreement under section 518A.69 or order for arrearages;

16.1 (9) has not been convicted of or pled nolo contendere or guilty to a crime involving
 16.2 fraud in obtaining federal Title IV funds within the meaning of Code of Federal Regulations,
 16.3 subtitle B, chapter VI, part 668, subpart C; and

16.4 ~~(5)~~ (10) is meeting satisfactory academic progress as defined in section 136A.101,
 16.5 subdivision 10.

16.6 Sec. 16. Minnesota Statutes 2023 Supplement, section 136A.1465, subdivision 3, is
 16.7 amended to read:

16.8 Subd. 3. **Scholarship.** (a) Beginning in the fall term of the 2024-2025 academic year,
 16.9 scholarships shall be awarded to eligible students in an amount not to exceed 100 percent
 16.10 of tuition and fees after grants and other scholarships are gift aid is deducted.

16.11 (b) For the 2024-2025, 2025-2026, and 2026-2027 academic years, if funds remain after
 16.12 scholarships are awarded under paragraph (a), supplemental grants shall be awarded to
 16.13 eligible students in an amount equal to 100 percent of tuition and fees plus, subject to
 16.14 available funds, up to 50 percent of the amount of a Pell grant the student would receive
 16.15 based on household size, family adjusted gross income, and results of the federal needs

24.32 analysis ~~after other gift aid is deducted~~, not to exceed the student's recognized cost of
 25.1 attendance. The commissioner may adjust the supplemental grant amount based on the
 25.2 availability of funds.

25.3 Sec. 23. Minnesota Statutes 2023 Supplement, section 136A.1465, subdivision 4, is
 25.4 amended to read:

25.5 Subd. 4. **Maintain current levels of institutional assistance.** (a) Commencing with
 25.6 the 2024-2025 academic year, a public postsecondary educational institution or Tribal
 25.7 college shall not reduce the institutional gift aid offered or awarded to a student who is
 25.8 eligible to receive funds under this program unless the student's gift aid exceeds the student's
 25.9 annual recognized cost of attendance.

25.10 (b) The public postsecondary educational institution or Tribal college may reduce the
 25.11 institutional gift aid offer of a student who is eligible to receive funds under this program
 25.12 by no more than the amount of the student's gift aid that is in excess of the student's annual
 25.13 recognized cost of attendance.

25.14 (c) The public postsecondary educational institution or Tribal college shall not consider
 25.15 receipt or anticipated receipt of funds under this program when considering a student for
 25.16 qualification for institutional gift aid.

25.17 (d) To ensure financial aid is maximized, a public postsecondary educational institution
 25.18 or Tribal college is encouraged to implement efforts to avoid scholarship displacement
 25.19 through consultation with the Office of Higher Education ~~and students to avoid situations~~
 25.20 ~~where institutional gift aid can only be used for specific purposes.~~

25.21 Sec. 24. Minnesota Statutes 2023 Supplement, section 136A.1465, subdivision 5, is
 25.22 amended to read:

25.23 Subd. 5. **Duration of scholarship authorized; scholarship paid to institution.** (a)
 25.24 Each scholarship is for a period of one semester. A scholarship may be renewed provided
 25.25 that the eligible student continues to meet the conditions of eligibility.

25.26 (b) Scholarships may be provided to an eligible student ~~for up to 60 credits for pursuing~~
 25.27 ~~the completion of a certificate or an associate degree and up to 120 credits for the completion~~
 25.28 ~~of a bachelor's degree who has not previously received the scholarship for four full-time~~
 25.29 ~~semesters or the equivalent. Scholarships may be provided to an eligible student pursuing~~
 25.30 ~~the completion of a bachelor's degree who has not previously received the scholarship for~~
 25.31 ~~eight full-time semesters or the equivalent. The maximum credits for which a student is~~
 25.32 ~~eligible is a total of 120 credits eight full-time semesters or the equivalent. Courses taken~~
 26.1 ~~that qualify as developmental education or below college-level shall be excluded from the~~
 26.2 ~~limit.~~

26.3 (c) A student is entitled to an additional semester or the equivalent of grant eligibility
 26.4 if the student withdraws from enrollment:

16.16 analysis ~~after other gift aid is deducted~~, not to exceed the student's recognized cost of
 16.17 attendance. The commissioner may adjust the supplemental grant amount based on the
 16.18 availability of funds.

16.19 Sec. 17. Minnesota Statutes 2023 Supplement, section 136A.1465, subdivision 4, is
 16.20 amended to read:

16.21 Subd. 4. **Maintain current levels of institutional assistance.** (a) Commencing with
 16.22 the 2024-2025 academic year, a public postsecondary educational institution or Tribal
 16.23 college shall not reduce the institutional gift aid offered or awarded to a student who is
 16.24 eligible to receive funds under this program unless the student's gift aid exceeds the student's
 16.25 annual recognized cost of attendance.

16.26 (b) The public postsecondary educational institution or Tribal college may reduce the
 16.27 institutional gift aid offer of a student who is eligible to receive funds under this program
 16.28 by no more than the amount of the student's gift aid that is in excess of the student's annual
 16.29 recognized cost of attendance.

16.30 (c) The public postsecondary educational institution or Tribal college shall not consider
 16.31 receipt or anticipated receipt of funds under this program when considering a student for
 16.32 qualification for institutional gift aid.

17.1 (d) To ensure financial aid is maximized, a public postsecondary educational institution
 17.2 or Tribal college is encouraged to implement efforts to avoid scholarship displacement
 17.3 through consultation with the Office of Higher Education ~~and students to avoid situations~~
 17.4 ~~where institutional gift aid can only be used for specific purposes.~~

17.5 Sec. 18. Minnesota Statutes 2023 Supplement, section 136A.1465, subdivision 5, is
 17.6 amended to read:

17.7 Subd. 5. **Duration of scholarship authorized; scholarship paid to institution.** (a)
 17.8 Each scholarship is for a period of one semester. A scholarship may be renewed provided
 17.9 that the eligible student continues to meet the conditions of eligibility.

17.10 (b) Scholarships may be provided to an eligible student ~~for up to 60 credits for pursuing~~
 17.11 ~~the completion of a certificate or an associate degree and up to 120 credits for the completion~~
 17.12 ~~of a bachelor's degree who has not previously received the scholarship for four full-time~~
 17.13 ~~semesters or the equivalent. Scholarships may be provided to an eligible student pursuing~~
 17.14 ~~the completion of a bachelor's degree who has not previously received the scholarship for~~
 17.15 ~~eight full-time semesters or the equivalent. The maximum credits for which a student is~~
 17.16 ~~eligible is a total of 120 credits eight full-time semesters or the equivalent. Courses taken~~
 17.17 ~~that qualify as developmental education or below college-level shall be excluded from the~~
 17.18 ~~limit.~~

17.19 (c) A student is entitled to an additional semester or the equivalent of grant eligibility
 17.20 if the student withdraws from enrollment:

26.5 (1) for active military service because the student was ordered to active military service
26.6 as defined in section 190.05, subdivision 5b or 5c;

26.7 (2) for a serious health condition, while under the care of a medical professional, that
26.8 substantially limits the student's ability to complete the term; or

26.9 (3) while providing care that substantially limits the student's ability to complete the
26.10 term to the student's spouse, child, or parent who has a serious health condition.

26.11 ~~(e) The commissioner shall determine a time frame by which the eligible student must~~
26.12 ~~complete the credential.~~

26.13 (d) The scholarship must be paid directly to the eligible institution where the student is
26.14 enrolled.

26.15 Sec. 25. Minnesota Statutes 2022, section 136A.1701, subdivision 4, is amended to read:

26.16 Subd. 4. **Terms and conditions of loans.** (a) The office may loan money upon such
26.17 terms and conditions as the office may prescribe.

26.18 (b) The minimum loan amount and a maximum loan amount to students must be
26.19 determined annually by the office. Loan limits are defined based on the type of program
26.20 enrollment, such as a certificate, an associate's degree, a bachelor's degree, or a graduate
26.21 program. The aggregate principal amount of all loans made subject to this paragraph to a
26.22 student as an undergraduate and graduate student must not exceed \$140,000. The amount
26.23 of the loan must not exceed the cost of attendance as determined by the eligible institution
26.24 less all other financial aid, including PLUS loans or other similar parent loans borrowed on
26.25 the student's behalf. A student may borrow up to the maximum amount twice in the same
26.26 grade level.

26.27 (c) The cumulative borrowing maximums must be determined annually by the office
26.28 and are defined based on program enrollment. In determining the cumulative borrowing
26.29 maximums, the office shall, among other considerations, take into consideration the maximum
26.30 SELF loan amount, student financing needs, funding capacity for the SELF program,
26.31 delinquency and default loss management, and current financial market conditions.

27.1 Sec. 26. Minnesota Statutes 2022, section 136A.1701, subdivision 7, is amended to read:

27.2 Subd. 7. **Repayment of loans.** The office shall establish repayment procedures for loans
27.3 made under this section in accordance with the policies, rules, and conditions authorized
27.4 under section 136A.16, subdivision 2. The office will take into consideration the loan limits
27.5 and current financial market conditions when establishing repayment terms. The office shall
27.6 not require a minimum annual payment, though the office may require minimum monthly
27.7 payments.

17.21 (1) for active military service because the student was ordered to active military service
17.22 as defined in section 190.05, subdivision 5b or 5c;

17.23 (2) for a serious health condition, while under the care of a medical professional, that
17.24 substantially limits the student's ability to complete the term; or

17.25 (3) while providing care that substantially limits the student's ability to complete the
17.26 term to the student's spouse, child, or parent who has a serious health condition.

17.27 ~~(e) The commissioner shall determine a time frame by which the eligible student must~~
17.28 ~~complete the credential.~~

17.29 (d) The scholarship must be paid directly to the eligible institution where the student is
17.30 enrolled.

18.1 Sec. 19. Minnesota Statutes 2022, section 136A.1701, subdivision 4, is amended to read:

18.2 Subd. 4. **Terms and conditions of loans.** (a) The office may loan money upon such
18.3 terms and conditions as the office may prescribe.

18.4 (b) The minimum loan amount and a maximum loan amount to students must be
18.5 determined annually by the office. Loan limits are defined based on the type of program
18.6 enrollment, such as a certificate, an associate's degree, a bachelor's degree, or a graduate
18.7 program. The aggregate principal amount of all loans made subject to this paragraph to a
18.8 student as an undergraduate and graduate student must not exceed \$140,000. The amount
18.9 of the loan must not exceed the cost of attendance as determined by the eligible institution
18.10 less all other financial aid, including PLUS loans or other similar parent loans borrowed on
18.11 the student's behalf. A student may borrow up to the maximum amount twice in the same
18.12 grade level.

18.13 (c) The cumulative borrowing maximums must be determined annually by the office
18.14 and are defined based on program enrollment. In determining the cumulative borrowing
18.15 maximums, the office shall, among other considerations, take into consideration the maximum
18.16 SELF loan amount, student financing needs, funding capacity for the SELF program,
18.17 delinquency and default loss management, and current financial market conditions.

18.18 Sec. 20. Minnesota Statutes 2022, section 136A.1701, subdivision 7, is amended to read:

18.19 Subd. 7. **Repayment of loans.** The office shall establish repayment procedures for loans
18.20 made under this section in accordance with the policies, rules, and conditions authorized
18.21 under section 136A.16, subdivision 2. The office will take into consideration the loan limits
18.22 and current financial market conditions when establishing repayment terms. The office shall
18.23 not require a minimum annual payment, though the office may require minimum monthly
18.24 payments.

27.8 Sec. 27. Minnesota Statutes 2023 Supplement, section 136A.62, subdivision 3, is amended
27.9 to read:

27.10 Subd. 3. **School.** "School" means:

27.11 (1) a Tribal college that has a physical presence in Minnesota;

27.12 (2) any partnership, company, firm, society, trust, association, corporation, or any
27.13 combination thereof, with a physical presence in Minnesota, which: (i) is, owns, or operates
27.14 a private, nonprofit postsecondary education institution; (ii) is, owns, or operates a private,
27.15 for-profit postsecondary education institution; or (iii) provides a postsecondary instructional
27.16 program or course leading to a degree whether or not for profit; or

27.17 (3) any public or private postsecondary educational institution located in another state
27.18 or country ~~which offers or makes available to a Minnesota resident any course, program or~~
27.19 ~~educational activity which does not require the leaving of the state for its completion; or~~
27.20 with a physical presence in Minnesota.

27.21 ~~(4) any individual, entity, or postsecondary institution located in another state that~~
27.22 ~~contracts with any school located within the state of Minnesota for the purpose of providing~~
27.23 ~~educational programs, training programs, or awarding postsecondary credits or continuing~~
27.24 ~~education credits to Minnesota residents that may be applied to a degree program.~~

27.25 Sec. 28. Minnesota Statutes 2022, section 136A.62, is amended by adding a subdivision
27.26 to read:

27.27 Subd. 8. **Postsecondary education.** "Postsecondary education" means the range of
27.28 formal learning opportunities beyond high school, including those aimed at learning an
27.29 occupation or earning an academic credential.

28.1 Sec. 29. Minnesota Statutes 2022, section 136A.62, is amended by adding a subdivision
28.2 to read:

28.3 Subd. 9. **Physical presence.** "Physical presence" means a presence within the state of
28.4 Minnesota for the purpose of conducting activity related to any program at the degree level
28.5 or courses that may be applied to a degree program. Physical presence includes:

28.6 (1) operating a location within the state;

28.7 (2) offering instruction within or originating from Minnesota designed to impart
28.8 knowledge with response utilizing teachers, trainers, counselors or computer resources,
28.9 computer linking, or any form of electronic means; and

28.10 (3) granting an educational credential from a location within the state or to a student
28.11 within the state.

28.12 Physical presence does not include field trips, sanctioned sports recruiting activities, or
28.13 college fairs or other assemblies of schools in Minnesota. No school may enroll an individual,
28.14 allow an individual to sign any agreement obligating the person to the school, accept any

18.25 Sec. 21. Minnesota Statutes 2023 Supplement, section 136A.62, subdivision 3, is amended
18.26 to read:

18.27 Subd. 3. **School.** "School" means:

18.28 (1) a Tribal college that has a physical presence in Minnesota;

18.29 (2) any partnership, company, firm, society, trust, association, corporation, or any
18.30 combination thereof, with a physical presence in Minnesota, which: (i) is, owns, or operates
18.31 a private, nonprofit postsecondary education institution; (ii) is, owns, or operates a private,
19.1 for-profit postsecondary education institution; or (iii) provides a postsecondary instructional
19.2 program or course leading to a degree whether or not for profit; or

19.3 (3) any public or private postsecondary educational institution located in another state
19.4 or country ~~which offers or makes available to a Minnesota resident any course, program or~~
19.5 ~~educational activity which does not require the leaving of the state for its completion; or~~
19.6 with a physical presence in Minnesota.

19.7 ~~(4) any individual, entity, or postsecondary institution located in another state that~~
19.8 ~~contracts with any school located within the state of Minnesota for the purpose of providing~~
19.9 ~~educational programs, training programs, or awarding postsecondary credits or continuing~~
19.10 ~~education credits to Minnesota residents that may be applied to a degree program.~~

19.11 Sec. 22. Minnesota Statutes 2022, section 136A.62, is amended by adding a subdivision
19.12 to read:

19.13 Subd. 8. **Postsecondary education.** "Postsecondary education" means the range of
19.14 formal learning opportunities beyond high school, including those aimed at learning an
19.15 occupation or earning an academic credential.

19.16 Sec. 23. Minnesota Statutes 2022, section 136A.62, is amended by adding a subdivision
19.17 to read:

19.18 Subd. 9. **Physical presence.** "Physical presence" means a presence within the state of
19.19 Minnesota for the purpose of conducting activity related to any program at the degree level
19.20 or courses that may be applied to a degree program. Physical presence includes:

19.21 (1) operating a location within the state;

19.22 (2) offering instruction within or originating from Minnesota designed to impart
19.23 knowledge with response utilizing teachers, trainers, counselors or computer resources,
19.24 computer linking, or any form of electronic means; and

19.25 (3) granting an educational credential from a location within the state or to a student
19.26 within the state.

19.27 Physical presence does not include field trips, sanctioned sports recruiting activities, or
19.28 college fairs or other assemblies of schools in Minnesota. No school may enroll an individual,
19.29 allow an individual to sign any agreement obligating the person to the school, accept any

28.15 moneys from the individual, or follow up with an individual by means of an in-person
 28.16 meeting in Minnesota at a college fair or assembly.

28.17 Sec. 30. Minnesota Statutes 2022, section 136A.63, subdivision 1, is amended to read:

28.18 Subdivision 1. **Annual registration.** All schools ~~located within Minnesota and all schools~~
 28.19 ~~located outside Minnesota~~ with a physical presence in Minnesota which offer degree
 28.20 programs or courses within Minnesota shall register annually with the office.

28.21 Sec. 31. Minnesota Statutes 2022, section 136A.646, is amended to read:

28.22 **136A.646 ADDITIONAL SECURITY.**

28.23 (a) New institutions that have been granted conditional approval for degrees or names
 28.24 to allow them the opportunity to apply for and receive accreditation under section 136A.65,
 28.25 subdivision 7, shall provide a surety bond in a sum equal to ten percent of the net revenue
 28.26 from tuition and fees in the registered institution's prior fiscal year, but in no case shall the
 28.27 bond be less than \$10,000.

28.28 (b) Any registered institution that is notified by the United States Department of Education
 28.29 that it has fallen below minimum financial standards and that its continued participation in
 28.30 Title IV will be conditioned upon its satisfying ~~either the Zone Alternative, an alternative~~
 28.31 ~~standard set forth in Code of Federal Regulations, title 34, section 668.175, paragraph (f),~~
 29.1 ~~or a Letter of Credit Alternative, Code of Federal Regulations, title 34, section 668.175,~~
 29.2 ~~paragraph (e),~~ shall provide a surety bond in a sum equal to the "letter of credit" required
 29.3 by the United States Department of Education in the Letter of Credit Alternative, but in no
 29.4 event shall such bond be less than \$10,000 nor more than \$250,000. If the letter of credit
 29.5 required by the United States Department of Education is higher than ten percent of the
 29.6 Title IV, Higher Education Act program funds received by the institution during its most
 29.7 recently completed fiscal year, the office shall reduce the office's surety requirement to
 29.8 represent ten percent of the Title IV, Higher Education Act program funds received by the
 29.9 institution during its most recently completed fiscal year, subject to the minimum and
 29.10 maximum in this paragraph.

29.11 (c) In lieu of a bond, the applicant may deposit with the commissioner of management
 29.12 and budget:

29.13 (1) a sum equal to the amount of the required surety bond in cash;

29.14 (2) securities, as may be legally purchased by savings banks or for trust funds, in an
 29.15 aggregate market value equal to the amount of the required surety bond; or

29.16 (3) an irrevocable letter of credit issued by a financial institution to the amount of the
 29.17 required surety bond.

29.18 (d) The surety of any bond may cancel it upon giving 60 days' notice in writing to the
 29.19 office and shall be relieved of liability for any breach of condition occurring after the
 29.20 effective date of cancellation.

19.30 moneys from the individual, or follow up with an individual by means of an in-person
 19.31 meeting in Minnesota at a college fair or assembly.

20.1 Sec. 24. Minnesota Statutes 2022, section 136A.63, subdivision 1, is amended to read:

20.2 Subdivision 1. **Annual registration.** All schools ~~located within Minnesota and all schools~~
 20.3 ~~located outside Minnesota~~ with a physical presence in Minnesota which offer degree
 20.4 programs or courses within Minnesota shall register annually with the office.

20.5 Sec. 25. Minnesota Statutes 2022, section 136A.646, is amended to read:

20.6 **136A.646 ADDITIONAL SECURITY.**

20.7 (a) New institutions that have been granted conditional approval for degrees or names
 20.8 to allow them the opportunity to apply for and receive accreditation under section 136A.65,
 20.9 subdivision 7, shall provide a surety bond in a sum equal to ten percent of the net revenue
 20.10 from tuition and fees in the registered institution's prior fiscal year, but in no case shall the
 20.11 bond be less than \$10,000.

20.12 (b) Any registered institution that is notified by the United States Department of Education
 20.13 that it has fallen below minimum financial standards and that its continued participation in
 20.14 Title IV will be conditioned upon its satisfying ~~either the Zone Alternative, an alternative~~
 20.15 ~~standard set forth in Code of Federal Regulations, title 34, section 668.175, paragraph (f),~~
 20.16 ~~or a Letter of Credit Alternative, Code of Federal Regulations, title 34, section 668.175,~~
 20.17 ~~paragraph (e),~~ shall provide a surety bond in a sum equal to the "letter of credit" required
 20.18 by the United States Department of Education in the Letter of Credit Alternative, but in no
 20.19 event shall such bond be less than \$10,000 nor more than \$250,000. If the letter of credit
 20.20 required by the United States Department of Education is higher than ten percent of the
 20.21 Title IV, Higher Education Act program funds received by the institution during its most
 20.22 recently completed fiscal year, the office shall reduce the office's surety requirement to
 20.23 represent ten percent of the Title IV, Higher Education Act program funds received by the
 20.24 institution during its most recently completed fiscal year, subject to the minimum and
 20.25 maximum in this paragraph.

20.26 (c) In lieu of a bond, the applicant may deposit with the commissioner of management
 20.27 and budget:

20.28 (1) a sum equal to the amount of the required surety bond in cash;

20.29 (2) securities, as may be legally purchased by savings banks or for trust funds, in an
 20.30 aggregate market value equal to the amount of the required surety bond; or

20.31 (3) an irrevocable letter of credit issued by a financial institution to the amount of the
 20.32 required surety bond.

21.1 (d) The surety of any bond may cancel it upon giving 60 days' notice in writing to the
 21.2 office and shall be relieved of liability for any breach of condition occurring after the
 21.3 effective date of cancellation.

29.21 (e) In the event of a school closure, the additional security must first be used to destroy
29.22 any private educational data under section 13.32 left at a physical campus in Minnesota
29.23 after all other governmental agencies have recovered or retrieved records under their record
29.24 retention policies. Any remaining funds must then be used to reimburse tuition and fee costs
29.25 to students that were enrolled at the time of the closure or had withdrawn in the previous
29.26 ~~420~~ 180 calendar days but did not graduate. Priority for refunds will be given to students
29.27 in the following order:

29.28 (1) cash payments made by the student or on behalf of a student;

29.29 (2) private student loans; and

29.30 (3) Veteran Administration education benefits that are not restored by the Veteran
29.31 Administration. If there are additional security funds remaining, the additional security
29.32 funds may be used to cover any administrative costs incurred by the office related to the
29.33 closure of the school.

21.4 (e) In the event of a school closure, the additional security must first be used to destroy
21.5 any private educational data under section 13.32 left at a physical campus in Minnesota
21.6 after all other governmental agencies have recovered or retrieved records under their record
21.7 retention policies. Any remaining funds must then be used to reimburse tuition and fee costs
21.8 to students that were enrolled at the time of the closure or had withdrawn in the previous
21.9 ~~420~~ 180 calendar days but did not graduate. Priority for refunds will be given to students
21.10 in the following order:

21.11 (1) cash payments made by the student or on behalf of a student;

21.12 (2) private student loans; and

21.13 (3) Veteran Administration education benefits that are not restored by the Veteran
21.14 Administration. If there are additional security funds remaining, the additional security
21.15 funds may be used to cover any administrative costs incurred by the office related to the
21.16 closure of the school.

47.20 Section 1. Minnesota Statutes 2022, section 136A.645, is amended to read:

47.21 **136A.645 SCHOOL CLOSURE.**

47.22 (a) When a school intends to cease postsecondary education operations, announces its
47.23 closure, or is informed by the office that the office anticipates the school's closure due to
47.24 its registration status or ability to meet criteria for approval under section 136A.65, the
47.25 school must provide the office:

47.26 (1) a notice of closure, including the name of the school, the name of the school owner,
47.27 an active mailing address and telephone number that the school owner may be reached at
47.28 after the school physically closes, the name of the school director, and the planned date for
47.29 termination of postsecondary operations;

47.30 (2) a report of all students currently enrolled and all students enrolled within the prior
47.31 120 days, including the following information for each student: name, address, school email
48.1 address, alternate email address, program of study, number of credits completed, number
48.2 of credits remaining, and enrollment status at closure;

48.3 (3) a report of refunds due to any student and the amount due;

48.4 (4) a written statement from the school's owner or designee affirming that all recruitment
48.5 efforts, school marketing, advertisement, solicitation, and enrollment of new students has
48.6 ceased;

48.7 (5) a copy of any communication between the school's accreditors about the school
48.8 closure;

48.9 (6) confirmation that the requirements for student records under section 136A.68 have
48.10 been satisfied, including:

48.11 (i) the planned date for the transfer of the student records;

- 48.12 (ii) confirmation of the name and address of the organization to receive and hold the
48.13 student records; and
- 48.14 (iii) the official at the organization receiving the student records who is designated to
48.15 provide official copies of records or transcripts upon request;
- 48.16 (7) academic information, including the school's most recent catalog, all course syllabi,
48.17 and faculty credential information; and
- 48.18 (8) copies of any teach-out, transfer, or train-out agreement between the school and a
48.19 new school for students to be able to complete their studies. A teach-out fulfills the original
48.20 contract or agreement between the closing school and the student. If a teach-out is arranged
48.21 for another approved school to do the remaining occupational training, that other school
48.22 must (i) provide comparable education and training and (ii) agree that students transferring
48.23 from the closing school pay only what the cost of tuition and fees remain unpaid according
48.24 to the terms and conditions in the enrollment agreement entered into between the student
48.25 and the closing school.
- 48.26 (b) When a school intends to cease or announce the closure of a degree or nondegree
48.27 program, or is informed by the office that the office anticipates the program's closure due
48.28 to the program's registration status or its ability to meet criteria for approval under section
48.29 136A.65, or when the program loses eligibility in federal financial aid under title IV of the
48.30 Higher Education Act of 1965, Public Law 89-329, as amended, the school must provide
48.31 to the office:
- 49.1 (1) a notice of closure, including the name of the degree or nondegree program, the name
49.2 and contact information of the program chair, and the planned date for termination of the
49.3 degree or nondegree program;
- 49.4 (2) a report of all students currently enrolled and all students enrolled within the prior
49.5 120 days in the degree or nondegree program, including the following information for each
49.6 student: name, address, school email address, alternate email address, program of study,
49.7 number of credits completed, number of credits remaining, and enrollment status at closure
49.8 of the program if the program is terminated due to loss of eligibility in the federal Pell Grant
49.9 program;
- 49.10 (3) a written statement from the school's owner or designee affirming that all recruitment
49.11 efforts, school marketing, advertisement, solicitation, and enrollment of new students in the
49.12 degree or nondegree program has ceased;
- 49.13 (4) academic information, including the degree or nondegree program's most recent
49.14 catalog, all course syllabi, and faculty credential information; and
- 49.15 (5) copies of any teach-out, transfer, or train-out agreement between the school and a
49.16 new school for students to be able to complete their studies. A teach-out fulfills the original
49.17 contract or agreement between the closing school and the student. If a teach-out is arranged
49.18 for another approved school to do the remaining occupational training, that other school

30.1 Sec. 32. Minnesota Statutes 2022, section 136A.65, subdivision 4, is amended to read:

30.2 Subd. 4. **Criteria for approval.** (a) A school applying to be registered and to have its

30.3 degree or degrees and name approved must substantially meet the following criteria:

30.4 (1) the school has an organizational framework with administrative and teaching personnel

30.5 to provide the educational programs offered;

30.6 (2) the school has financial resources sufficient to meet the school's financial obligations,

30.7 including refunding tuition and other charges consistent with its stated policy if the institution

30.8 is dissolved, or if claims for refunds are made, to provide service to the students as promised,

30.9 and to provide educational programs leading to degrees as offered;

30.10 (3) the school operates in conformity with generally accepted accounting principles

30.11 according to the type of school;

30.12 (4) the school provides an educational program leading to the degree it offers;

30.13 (5) the school provides appropriate and accessible library, laboratory, and other physical

30.14 facilities to support the educational program offered;

30.15 (6) the school has a policy on freedom or limitation of expression and inquiry for faculty

30.16 and students which is published or available on request;

30.17 (7) the school uses only publications and advertisements which are truthful and do not

30.18 give any false, fraudulent, deceptive, inaccurate, or misleading impressions about the school,

49.19 must: (i) provide comparable education and training; and (ii) agree that students transferring

49.20 from the closing school pay only the cost of tuition and fees that remain unpaid according

49.21 to the terms and conditions in the enrollment agreement entered into between the student

49.22 and the closing school if the program is terminated due to loss of eligibility in the federal

49.23 Pell Grant program.

49.24 ~~(b)~~ (c) Without limitation as to other circumstance, a school shall be deemed to have

49.25 ceased operations when the school:

49.26 (1) has an unscheduled nonemergency closure or cancellation of classes for more than

49.27 24 hours without prior notice to the office;

49.28 (2) announces it is closed or closing;

49.29 (3) files for bankruptcy; or

49.30 (4) fails to complete a renewal application when required under section 136A.63,

49.31 subdivision 2.

49.32 ~~(e)~~ (d) When a school is deemed to have ceased operations, the office shall provide the

49.33 school a reasonable time to correct student records and grant credentials. After that time,

50.1 the office must revoke the school's registration. This revocation is not appealable under

50.2 section 136A.65, subdivision 8.

50.3 Sec. 2. Minnesota Statutes 2022, section 136A.65, subdivision 4, is amended to read:

50.4 Subd. 4. **Criteria for approval.** (a) A school applying to be registered and to have its

50.5 degree or degrees and name approved must substantially meet the following criteria:

50.6 (1) the school has an organizational framework with administrative and teaching personnel

50.7 to provide the educational programs offered;

50.8 (2) the school has financial resources sufficient to meet the school's financial obligations,

50.9 including refunding tuition and other charges consistent with its stated policy if the institution

50.10 is dissolved, or if claims for refunds are made, to provide service to the students as promised,

50.11 and to provide educational programs leading to degrees as offered;

50.12 (3) the school operates in conformity with generally accepted accounting principles

50.13 according to the type of school;

50.14 (4) the school provides an educational program leading to the degree it offers;

50.15 (5) the school provides appropriate and accessible library, laboratory, and other physical

50.16 facilities to support the educational program offered;

50.17 (6) the school has a policy on freedom or limitation of expression and inquiry for faculty

50.18 and students which is published or available on request;

50.19 (7) the school uses only publications and advertisements which are truthful and do not

50.20 give any false, fraudulent, deceptive, inaccurate, or misleading impressions about the school,

30.19 its personnel, programs, services, or occupational opportunities for its graduates for promotion
30.20 and student recruitment;

30.21 (8) the school's compensated recruiting agents who are operating in Minnesota identify
30.22 themselves as agents of the school when talking to or corresponding with students and
30.23 prospective students;

30.24 (9) the school provides information to students and prospective students concerning:

30.25 (i) comprehensive and accurate policies relating to student admission, evaluation,
30.26 suspension, and dismissal;

30.27 (ii) clear and accurate policies relating to granting credit for prior education, training,
30.28 and experience and for courses offered by the school;

30.29 (iii) current schedules of fees, charges for tuition, required supplies, student activities,
30.30 housing, and all other standard charges;

31.1 (iv) policies regarding refunds and adjustments for withdrawal or modification of
31.2 enrollment status; and

31.3 (v) procedures and standards used for selection of recipients and the terms of payment
31.4 and repayment for any financial aid program;

31.5 (10) the school must not withhold a student's official transcript because the student is
31.6 in arrears or in default on any loan issued by the school to the student if the loan qualifies
31.7 as an institutional loan under United States Code, title 11, section 523(a)(8)(b); ~~and~~

31.8 (11) the school has a process to receive and act on student complaints; and

31.9 (12) the school includes a joint and several liability for torts and compliance with the
31.10 requirements of sections 136A.61 to 136A.71 in any contract effective after July 1, 2026,
31.11 with any individual, entity, or postsecondary school located in another state for the purpose
31.12 of providing educational programs, training programs, or awarding postsecondary credits
31.13 or continuing education credits to Minnesota residents that may be applied to a degree
31.14 program.

31.15 (b) An application for degree approval must also include:

31.16 (i) title of degree and formal recognition awarded;

31.17 (ii) location where such degree will be offered;

31.18 (iii) proposed implementation date of the degree;

50.21 its personnel, programs, services, or occupational opportunities for its graduates for promotion
50.22 and student recruitment;

50.23 (8) the school's compensated recruiting agents who are operating in Minnesota identify
50.24 themselves as agents of the school when talking to or corresponding with students and
50.25 prospective students;

50.26 (9) the school provides information to students and prospective students concerning:

50.27 (i) comprehensive and accurate policies relating to student admission, evaluation,
50.28 suspension, and dismissal;

50.29 (ii) clear and accurate policies relating to granting credit for prior education, training,
50.30 and experience and for courses offered by the school;

51.1 (iii) current schedules of fees, charges for tuition, required supplies, student activities,
51.2 housing, and all other standard charges;

51.3 (iv) policies regarding refunds and adjustments for withdrawal or modification of
51.4 enrollment status; and

51.5 (v) procedures and standards used for selection of recipients and the terms of payment
51.6 and repayment for any financial aid program;

51.7 (10) the school must not withhold a student's official transcript because the student is
51.8 in arrears or in default on any loan issued by the school to the student if the loan qualifies
51.9 as an institutional loan under United States Code, title 11, section 523(a)(8)(b); ~~and~~

51.10 (11) the school has a process to receive and act on student complaints; and

51.11 (12) the school must not use nondisclosure agreements or other contracts restricting a
51.12 student's ability to disclose information in connection with school actions or conduct that
51.13 would be covered under section 136A.672.

51.14 (b) An application for degree approval must also include:

51.15 (i) title of degree and formal recognition awarded;

51.16 (ii) location where such degree will be offered;

51.17 (iii) proposed implementation date of the degree;

- 31.19 (iv) admissions requirements for the degree;
- 31.20 (v) length of the degree;
- 31.21 (vi) projected enrollment for a period of five years;
- 31.22 (vii) the curriculum required for the degree, including course syllabi or outlines;
- 31.23 (viii) statement of academic and administrative mechanisms planned for monitoring the
- 31.24 quality of the proposed degree;
- 31.25 (ix) statement of satisfaction of professional licensure criteria, if applicable;
- 31.26 (x) documentation of the availability of clinical, internship, externship, or practicum
- 31.27 sites, if applicable; and
- 31.28 (xi) statement of how the degree fulfills the institution's mission and goals, complements
- 31.29 existing degrees, and contributes to the school's viability.

- 51.18 (iv) admissions requirements for the degree;
- 51.19 (v) length of the degree;
- 51.20 (vi) projected enrollment for a period of five years;
- 51.21 (vii) the curriculum required for the degree, including course syllabi or outlines;
- 51.22 (viii) statement of academic and administrative mechanisms planned for monitoring the
- 51.23 quality of the proposed degree;
- 51.24 (ix) statement of satisfaction of professional licensure criteria, if applicable;
- 51.25 (x) documentation of the availability of clinical, internship, externship, or practicum
- 51.26 sites, if applicable; and
- 51.27 (xi) statement of how the degree fulfills the institution's mission and goals, complements
- 51.28 existing degrees, and contributes to the school's viability.
- 52.1 Sec. 3. Minnesota Statutes 2022, section 136A.65, subdivision 8, is amended to read:
- 52.2 Subd. 8. **Disapproval of registration; appeal.** (a) By giving written notice and reasons
- 52.3 to the school, the office may:
- 52.4 (1) revoke, suspend, or refuse to renew school registration;
- 52.5 (2) revoke, suspend, or refuse approval of a school's degree or nondegree program; and
- 52.6 (3) revoke, suspend, or refuse approval of the use of a regulated term in its name.
- 52.7 (b) Reasons for revocation or suspension of registration or approval may be for one or
- 52.8 more of the following reasons:
- 52.9 (1) violating the provisions of sections 136A.61 to 136A.71;
- 52.10 (2) providing false, misleading, or incomplete information to the office;
- 52.11 (3) presenting information about the school which is false, fraudulent, misleading,
- 52.12 deceptive, or inaccurate in a material respect to students or prospective students;
- 52.13 (4) refusing to allow reasonable inspection or to supply reasonable information after a
- 52.14 written request by the office has been received;
- 52.15 (5) failing to have enrollment within the last two years at the school; or
- 52.16 (6) failing to have any enrollment within two years of a program's approval, except for
- 52.17 programs that require extensive approval processes by the United States Department of
- 52.18 Education, or the program's institutional or programmatic accreditor; or
- 52.19 (7) having been administratively determined by the commissioner or judicially determined
- 52.20 to have committed fraud or any other material violation of law involving federal, state, or
- 52.21 local government funds.

32.1 Sec. 33. Minnesota Statutes 2022, section 136A.675, subdivision 2, is amended to read:

32.2 Subd. 2. **Additional reporting.** (a) In addition to the information required for the

32.3 indicators in subdivision 1, an institution must notify the office within ten business days if

32.4 any of the events in paragraphs (b) to (e) occur.

32.5 (b) Related to revenue, debt, and cash flow, notice is required if:

32.6 (1) the institution defaulted on a debt payment or covenant and has not received a waiver

32.7 of the violation from the financial institution within 60 days;

32.8 (2) for institutions with a federal composite score of less than 1.5, the institution's owner

32.9 withdraws equity that directly results in a composite score of less than 1.0, unless the

32.10 withdrawal is a transfer between affiliated entities included in a common composite score;

32.11 (3) the United States Department of Education requires a 25 percent or greater Letter of

32.12 Credit, except when the Letter of Credit is imposed due to a change of ownership;

32.13 (4) the United States Department of Education requires Heightened Cash Monitoring 2;

52.22 (c) Reasons for revocation or suspension of registration or approval under paragraph

52.23 (a), clause (2), may be for one or more of the following reasons:

52.24 (1) the degree or nondegree program does not meet the provisions of sections 136A.61

52.25 to 136A.71;

52.26 (2) providing false, misleading, or incomplete information to the office about the degree

52.27 or nondegree program;

52.28 (3) presenting information about the degree or nondegree program that is false, fraudulent,

52.29 misleading, deceptive, or inaccurate in a material respect to students or prospective students;

53.1 (4) refusing to allow reasonable inspection or to supply reasonable information about

53.2 the degree or nondegree program after a written request by the office has been received;

53.3 (5) failing to have any enrollment within two years of a program's approval, except for

53.4 programs that require extensive approval processes by the United States Department of

53.5 Education, or the program's institutional or programmatic accreditor; or

53.6 (6) the program loses eligibility in federal financial aid under title IV of the Higher

53.7 Education Act of 1965, Public Law 89-329, as amended.

53.8 ~~(c)~~ (d) Any order refusing, revoking, or suspending a school's registration, approval of

53.9 a school's degree, or use of a regulated term in the school's name is appealable in accordance

53.10 with chapter 14. The request must be in writing and made to the office within 30 days of

53.11 the date the school is notified of the action of the office. If a school has been operating and

53.12 its registration has been revoked, suspended, or refused by the office, the order is not effective

53.13 until the final determination of the appeal, unless immediate effect is ordered by the court.

21.17 Sec. 26. Minnesota Statutes 2022, section 136A.675, subdivision 2, is amended to read:

21.18 Subd. 2. **Additional reporting.** (a) In addition to the information required for the

21.19 indicators in subdivision 1, an institution must notify the office within ten business days if

21.20 any of the events in paragraphs (b) to (e) occur.

21.21 (b) Related to revenue, debt, and cash flow, notice is required if:

21.22 (1) the institution defaulted on a debt payment or covenant and has not received a waiver

21.23 of the violation from the financial institution within 60 days;

21.24 (2) for institutions with a federal composite score of less than 1.5, the institution's owner

21.25 withdraws equity that directly results in a composite score of less than 1.0, unless the

21.26 withdrawal is a transfer between affiliated entities included in a common composite score;

21.27 (3) the United States Department of Education requires a 25 percent or greater Letter of

21.28 Credit, except when the Letter of Credit is imposed due to a change of ownership;

21.29 (4) the United States Department of Education requires Heightened Cash Monitoring 2;

32.14 (5) the institution receives written notification that it violated the United States
32.15 Department of Education's revenue requirement under United States Code, title 20, section
32.16 1094(a)(24), as amended; or

32.17 (6) the institution receives written notification by the United States Department of
32.18 Education that it has fallen below minimum financial standards and that its continued
32.19 participation in Title IV is conditioned upon satisfying ~~either the Zone Alternative, an~~
32.20 alternative standard set forth in Code of Federal Regulations, title 34, section 668.175;
32.21 ~~paragraph (f), or a Letter of Credit Alternative, Code of Federal Regulations, title 34, section~~
32.22 ~~668.175, paragraph (e).~~

32.23 (c) Related to accreditation and licensing, notice is required if:

32.24 (1) the institution receives written notification of probation, warning, show-cause, or
32.25 loss of institutional accreditation;

32.26 (2) the institution receives written notification that its institutional accreditor lost federal
32.27 recognition; or

32.28 (3) the institution receives written notification that it has materially violated state
32.29 authorization or institution licensing requirements in a different state that may lead to or
32.30 has led to the termination of the institution's ability to continue to provide educational
32.31 programs or otherwise continue to operate in that state.

32.32 (d) Related to securities, notice is required if:

33.1 (1) the Securities and Exchange Commission (i) issues an order suspending or revoking
33.2 the registration of the institution's securities, or (ii) suspends trading of the institution's
33.3 securities on any national securities exchange;

33.4 (2) the national securities exchange on which the institution's securities are traded notifies
33.5 the institution that it is not in compliance with the exchange's listing requirements and the
33.6 institution's securities are delisted; or

33.7 (3) the Securities and Exchange Commission is not in timely receipt of a required report
33.8 and did not issue an extension to file the report.

33.9 (e) Related to criminal and civil investigations, notice is required if:

33.10 (1) the institution receives written notification of a felony criminal indictment or charges
33.11 of the institution's owner;

33.12 (2) the institution receives written notification of criminal indictment or charges of the
33.13 institution's officers related to operations of the institution; or

33.14 (3) there has been a criminal, civil, or administrative adjudication of fraud or
33.15 misrepresentation in Minnesota or in another state or jurisdiction against the institution or
33.16 its owner, officers, agents, or sponsoring organization.

21.30 (5) the institution receives written notification that it violated the United States
21.31 Department of Education's revenue requirement under United States Code, title 20, section
21.32 1094(a)(24), as amended; or

22.1 (6) the institution receives written notification by the United States Department of
22.2 Education that it has fallen below minimum financial standards and that its continued
22.3 participation in Title IV is conditioned upon satisfying ~~either the Zone Alternative, an~~
22.4 alternative standard set forth in Code of Federal Regulations, title 34, section 668.175;
22.5 ~~paragraph (f), or a Letter of Credit Alternative, Code of Federal Regulations, title 34, section~~
22.6 ~~668.175, paragraph (e).~~

22.7 (c) Related to accreditation and licensing, notice is required if:

22.8 (1) the institution receives written notification of probation, warning, show-cause, or
22.9 loss of institutional accreditation;

22.10 (2) the institution receives written notification that its institutional accreditor lost federal
22.11 recognition; or

22.12 (3) the institution receives written notification that it has materially violated state
22.13 authorization or institution licensing requirements in a different state that may lead to or
22.14 has led to the termination of the institution's ability to continue to provide educational
22.15 programs or otherwise continue to operate in that state.

22.16 (d) Related to securities, notice is required if:

22.17 (1) the Securities and Exchange Commission (i) issues an order suspending or revoking
22.18 the registration of the institution's securities, or (ii) suspends trading of the institution's
22.19 securities on any national securities exchange;

22.20 (2) the national securities exchange on which the institution's securities are traded notifies
22.21 the institution that it is not in compliance with the exchange's listing requirements and the
22.22 institution's securities are delisted; or

22.23 (3) the Securities and Exchange Commission is not in timely receipt of a required report
22.24 and did not issue an extension to file the report.

22.25 (e) Related to criminal and civil investigations, notice is required if:

22.26 (1) the institution receives written notification of a felony criminal indictment or charges
22.27 of the institution's owner;

22.28 (2) the institution receives written notification of criminal indictment or charges of the
22.29 institution's officers related to operations of the institution; or

22.30 (3) there has been a criminal, civil, or administrative adjudication of fraud or
22.31 misrepresentation in Minnesota or in another state or jurisdiction against the institution or
22.32 its owner, officers, agents, or sponsoring organization.

53.14 Sec. 4. Minnesota Statutes 2022, section 136A.675, subdivision 2, is amended to read:

53.15 Subd. 2. **Additional reporting.** (a) In addition to the information required for the

53.16 indicators in subdivision 1, an institution must notify the office within ten business days if

53.17 any of the events in paragraphs (b) to (e) occur.

53.18 (b) Related to revenue, debt, and cash flow, notice is required if:

53.19 (1) the institution defaulted on a debt payment or covenant and has not received a waiver

53.20 of the violation from the financial institution within 60 days;

53.21 (2) for institutions with a federal composite score of less than 1.5, the institution's owner

53.22 withdraws equity that directly results in a composite score of less than 1.0, unless the

53.23 withdrawal is a transfer between affiliated entities included in a common composite score;

53.24 (3) the United States Department of Education requires a 25 percent or greater Letter of

53.25 Credit, except when the Letter of Credit is imposed due to a change of ownership;

53.26 (4) the United States Department of Education requires Heightened Cash Monitoring 2;

53.27 (5) the institution receives written notification that it violated the United States

53.28 Department of Education's revenue requirement under United States Code, title 20, section

53.29 1094(a)(24), as amended; ~~or~~

53.30 (6) the institution receives written notification by the United States Department of

53.31 Education that it has fallen below minimum financial standards and that its continued

53.32 participation in Title IV is conditioned upon satisfying either the Zone Alternative, Code

54.1 of Federal Regulations, title 34, section 668.175, paragraph (f), or a Letter of Credit

54.2 Alternative, Code of Federal Regulations, title 34, section 668.175, paragraph (c); or

54.3 (7) the institution receives written notification by the United States Department of

54.4 Education that one or more of its programs have lost eligibility in federal financial aid under

54.5 title IV of the Higher Education Act of 1965, Public Law 89-329, as amended, for failing

54.6 to satisfy federal Financial Value Transparency and Gainful Employment requirements

54.7 under Code of Federal Regulations, title 34, parts 600 and 668.

54.8 (c) Related to accreditation and licensing, notice is required if:

54.9 (1) the institution receives written notification of probation, warning, show-cause, or

54.10 loss of institutional accreditation;

54.11 (2) the institution receives written notification that its institutional accreditor lost federal

54.12 recognition; or

54.13 (3) the institution receives written notification that it has materially violated state

54.14 authorization or institution licensing requirements in a different state that may lead to or

54.15 has led to the termination of the institution's ability to continue to provide educational

54.16 programs or otherwise continue to operate in that state.

33.17 Sec. 34. Minnesota Statutes 2022, section 136A.821, subdivision 5, is amended to read:

33.18 Subd. 5. **Private career school.** "Private career school" means a person who maintains;

33.19 ~~advertises, administers, solicits for, or conducts~~ a physical presence for any program at less

33.20 than an associate degree level; is not registered as a private institution under sections 136A.61

33.21 to 136A.71; and is not specifically exempted by section 136A.833.

33.22 Sec. 35. Minnesota Statutes 2022, section 136A.821, is amended by adding a subdivision

33.23 to read:

33.24 Subd. 20. **Physical presence.** "Physical presence" means presence within the state of

33.25 Minnesota for the purpose of conducting activity related to any program at less than an

33.26 associate degree level. Physical presence includes:

33.27 (1) operating a location within the state;

33.28 (2) offering instruction within or originating from Minnesota designed to impart

33.29 knowledge with response utilizing teachers, trainers, counselors or computer resources,

33.30 computer linking, or any form of electronic means;

34.1 (3) granting an educational credential from a location within the state or to a student

34.2 within the state; and

54.17 (d) Related to securities, notice is required if:

54.18 (1) the Securities and Exchange Commission (i) issues an order suspending or revoking

54.19 the registration of the institution's securities, or (ii) suspends trading of the institution's

54.20 securities on any national securities exchange;

54.21 (2) the national securities exchange on which the institution's securities are traded notifies

54.22 the institution that it is not in compliance with the exchange's listing requirements and the

54.23 institution's securities are delisted; or

54.24 (3) the Securities and Exchange Commission is not in timely receipt of a required report

54.25 and did not issue an extension to file the report.

54.26 (e) Related to criminal and civil investigations, notice is required if:

54.27 (1) the institution receives written notification of a felony criminal indictment or charges

54.28 of the institution's owner;

54.29 (2) the institution receives written notification of criminal indictment or charges of the

54.30 institution's officers related to operations of the institution; or

55.1 (3) there has been a criminal, civil, or administrative adjudication of fraud or

55.2 misrepresentation in Minnesota or in another state or jurisdiction against the institution or

55.3 its owner, officers, agents, or sponsoring organization.

23.1 Sec. 27. Minnesota Statutes 2022, section 136A.821, subdivision 5, is amended to read:

23.2 Subd. 5. **Private career school.** "Private career school" means a person who maintains;

23.3 ~~advertises, administers, solicits for, or conducts~~ a physical presence for any program at less

23.4 than an associate degree level; is not registered as a private institution under sections 136A.61

23.5 to 136A.71; and is not specifically exempted by section 136A.833.

23.6 Sec. 28. Minnesota Statutes 2022, section 136A.821, is amended by adding a subdivision

23.7 to read:

23.8 Subd. 20. **Physical presence.** "Physical presence" means presence within the state of

23.9 Minnesota for the purpose of conducting activity related to any program at less than an

23.10 associate degree level. Physical presence includes:

23.11 (1) operating a location within the state;

23.12 (2) offering instruction within or originating from Minnesota designed to impart

23.13 knowledge with response utilizing teachers, trainers, counselors or computer resources,

23.14 computer linking, or any form of electronic means;

23.15 (3) granting an educational credential from a location within the state or to a student

23.16 within the state; and

34.3 (4) using an agent, recruiter, institution, or business that solicits for enrollment or credits
 34.4 or for the award of an educational credential.

34.5 Physical presence does not include field trips, sanctioned sports recruiting activities, or
 34.6 college fairs or other assemblies of schools in Minnesota. No school may enroll an individual,
 34.7 allow an individual to sign any agreement obligating the person to the school, accept any
 34.8 moneys from the individual, or follow up with an individual by means of an in-person
 34.9 meeting in Minnesota at a college fair or assembly.

34.10 Sec. 36. Minnesota Statutes 2022, section 136A.822, subdivision 1, is amended to read:

34.11 Subdivision 1. **Required.** A private career school must not maintain, ~~advertise, solicit~~
 34.12 ~~for, administer, or conduct~~ a physical presence for any program in Minnesota without first
 34.13 obtaining a license from the office.

34.14 Sec. 37. Minnesota Statutes 2022, section 136A.822, subdivision 2, is amended to read:

34.15 Subd. 2. **Contract unenforceable.** A contract entered into with a person for a program
 34.16 by or on behalf of a person operating a private career school with a physical presence in
 34.17 Minnesota to which a license has not been issued under sections 136A.821 to 136A.833, is
 34.18 unenforceable in any action.

34.19 Sec. 38. Minnesota Statutes 2022, section 136A.822, subdivision 6, is amended to read:

34.20 Subd. 6. **Bond.** (a) No license shall be issued to any private career school ~~which~~
 34.21 ~~maintains, conducts, solicits for, or advertises~~ with a physical presence within the state of
 34.22 Minnesota for any program, unless the applicant files with the office a continuous corporate
 34.23 surety bond written by a company authorized to do business in Minnesota conditioned upon
 34.24 the faithful performance of all contracts and agreements with students made by the applicant.

34.25 (b)(1) The amount of the surety bond shall be ten percent of the preceding year's net
 34.26 revenue from student tuition, fees, and other required institutional charges collected, but in
 34.27 no event less than \$10,000, except that a private career school may deposit a greater amount
 34.28 at its own discretion. A private career school in each annual application for licensure must
 34.29 compute the amount of the surety bond and verify that the amount of the surety bond complies
 34.30 with this subdivision. A private career school that operates at two or more locations may
 34.31 combine net revenue from student tuition, fees, and other required institutional charges
 34.32 collected for all locations for the purpose of determining the annual surety bond requirement.
 35.1 The net revenue from tuition and fees used to determine the amount of the surety bond
 35.2 required for a private career school having a license for the sole purpose of recruiting students
 35.3 in Minnesota shall be only that paid to the private career school by the students recruited
 35.4 from Minnesota.

35.5 (2) A person required to obtain a private career school license due to the use of
 35.6 "academy," "institute," "college," or "university" in its name and which is also licensed by
 35.7 another state agency or board, except not including those schools licensed exclusively in

23.17 (4) using an agent, recruiter, institution, or business that solicits for enrollment or credits
 23.18 or for the award of an educational credential.

23.19 Physical presence does not include field trips, sanctioned sports recruiting activities, or
 23.20 college fairs or other assemblies of schools in Minnesota. No school may enroll an individual,
 23.21 allow an individual to sign any agreement obligating the person to the school, accept any
 23.22 moneys from the individual, or follow up with an individual by means of an in-person
 23.23 meeting in Minnesota at a college fair or assembly.

23.24 Sec. 29. Minnesota Statutes 2022, section 136A.822, subdivision 1, is amended to read:

23.25 Subdivision 1. **Required.** A private career school must not maintain, ~~advertise, solicit~~
 23.26 ~~for, administer, or conduct~~ a physical presence for any program in Minnesota without first
 23.27 obtaining a license from the office.

23.28 Sec. 30. Minnesota Statutes 2022, section 136A.822, subdivision 2, is amended to read:

23.29 Subd. 2. **Contract unenforceable.** A contract entered into with a person for a program
 23.30 by or on behalf of a person operating a private career school with a physical presence in
 24.1 Minnesota to which a license has not been issued under sections 136A.821 to 136A.833, is
 24.2 unenforceable in any action.

24.3 Sec. 31. Minnesota Statutes 2022, section 136A.822, subdivision 6, is amended to read:

24.4 Subd. 6. **Bond.** (a) No license shall be issued to any private career school ~~which~~
 24.5 ~~maintains, conducts, solicits for, or advertises~~ with a physical presence within the state of
 24.6 Minnesota for any program, unless the applicant files with the office a continuous corporate
 24.7 surety bond written by a company authorized to do business in Minnesota conditioned upon
 24.8 the faithful performance of all contracts and agreements with students made by the applicant.

24.9 (b)(1) The amount of the surety bond shall be ten percent of the preceding year's net
 24.10 revenue from student tuition, fees, and other required institutional charges collected, but in
 24.11 no event less than \$10,000, except that a private career school may deposit a greater amount
 24.12 at its own discretion. A private career school in each annual application for licensure must
 24.13 compute the amount of the surety bond and verify that the amount of the surety bond complies
 24.14 with this subdivision. A private career school that operates at two or more locations may
 24.15 combine net revenue from student tuition, fees, and other required institutional charges
 24.16 collected for all locations for the purpose of determining the annual surety bond requirement.
 24.17 The net revenue from tuition and fees used to determine the amount of the surety bond
 24.18 required for a private career school having a license for the sole purpose of recruiting students
 24.19 in Minnesota shall be only that paid to the private career school by the students recruited
 24.20 from Minnesota.

24.21 (2) A person required to obtain a private career school license due to the use of
 24.22 "academy," "institute," "college," or "university" in its name and which is also licensed by
 24.23 another state agency or board, except not including those schools licensed exclusively in

35.8 order to participate in state grants or SELF loan financial aid programs, shall be required
35.9 to provide a school bond of \$10,000.

35.10 (c) The bond shall run to the state of Minnesota and to any person who may have a cause
35.11 of action against the applicant arising at any time after the bond is filed and before it is
35.12 canceled for breach of any contract or agreement made by the applicant with any student.
35.13 The aggregate liability of the surety for all breaches of the conditions of the bond shall not
35.14 exceed the principal sum deposited by the private career school under paragraph (b). The
35.15 surety of any bond may cancel it upon giving 60 days' notice in writing to the office and
35.16 shall be relieved of liability for any breach of condition occurring after the effective date
35.17 of cancellation.

35.18 (d) In lieu of bond, the applicant may deposit with the commissioner of management
35.19 and budget a sum equal to the amount of the required surety bond in cash, an irrevocable
35.20 letter of credit issued by a financial institution equal to the amount of the required surety
35.21 bond, or securities as may be legally purchased by savings banks or for trust funds in an
35.22 aggregate market value equal to the amount of the required surety bond.

35.23 (e) Failure of a private career school to post and maintain the required surety bond or
35.24 deposit under paragraph (d) may result in denial, suspension, or revocation of the school's
35.25 license.

35.26 Sec. 39. Minnesota Statutes 2022, section 136A.822, subdivision 7, is amended to read:

35.27 Subd. 7. **Resident agent.** Private career schools located outside the state of Minnesota
35.28 that ~~offer, advertise, solicit for, or conduct any program~~ have a physical presence within
35.29 the state of Minnesota shall first file with the secretary of state a sworn statement designating
35.30 a resident agent authorized to receive service of process. The statement shall designate the
35.31 secretary of state as resident agent for service of process in the absence of a designated
35.32 agent. If a private career school fails to file the statement, the secretary of state is designated
35.33 as the resident agent authorized to receive service of process. The authorization shall be
36.1 irrevocable as to causes of action arising out of transactions occurring prior to the filing of
36.2 written notice of withdrawal from the state of Minnesota filed with the secretary of state.

36.3 Sec. 40. Minnesota Statutes 2022, section 136A.822, subdivision 8, is amended to read:

36.4 Subd. 8. **Minimum standards.** A license shall be issued if the office first determines:

36.5 (1) that the applicant has a sound financial condition with sufficient resources available
36.6 to:

36.7 (i) meet the private career school's financial obligations;

36.8 (ii) refund all tuition and other charges, within a reasonable period of time, in the event
36.9 of dissolution of the private career school or in the event of any justifiable claims for refund
36.10 against the private career school by the student body;

36.11 (iii) provide adequate service to its students and prospective students; and

24.24 order to participate in state grants or SELF loan financial aid programs, shall be required
24.25 to provide a school bond of \$10,000.

24.26 (c) The bond shall run to the state of Minnesota and to any person who may have a cause
24.27 of action against the applicant arising at any time after the bond is filed and before it is
24.28 canceled for breach of any contract or agreement made by the applicant with any student.
24.29 The aggregate liability of the surety for all breaches of the conditions of the bond shall not
24.30 exceed the principal sum deposited by the private career school under paragraph (b). The
24.31 surety of any bond may cancel it upon giving 60 days' notice in writing to the office and
24.32 shall be relieved of liability for any breach of condition occurring after the effective date
24.33 of cancellation.

25.1 (d) In lieu of bond, the applicant may deposit with the commissioner of management
25.2 and budget a sum equal to the amount of the required surety bond in cash, an irrevocable
25.3 letter of credit issued by a financial institution equal to the amount of the required surety
25.4 bond, or securities as may be legally purchased by savings banks or for trust funds in an
25.5 aggregate market value equal to the amount of the required surety bond.

25.6 (e) Failure of a private career school to post and maintain the required surety bond or
25.7 deposit under paragraph (d) may result in denial, suspension, or revocation of the school's
25.8 license.

25.9 Sec. 32. Minnesota Statutes 2022, section 136A.822, subdivision 7, is amended to read:

25.10 Subd. 7. **Resident agent.** Private career schools located outside the state of Minnesota
25.11 that ~~offer, advertise, solicit for, or conduct any program~~ have a physical presence within
25.12 the state of Minnesota shall first file with the secretary of state a sworn statement designating
25.13 a resident agent authorized to receive service of process. The statement shall designate the
25.14 secretary of state as resident agent for service of process in the absence of a designated
25.15 agent. If a private career school fails to file the statement, the secretary of state is designated
25.16 as the resident agent authorized to receive service of process. The authorization shall be
25.17 irrevocable as to causes of action arising out of transactions occurring prior to the filing of
25.18 written notice of withdrawal from the state of Minnesota filed with the secretary of state.

25.19 Sec. 33. Minnesota Statutes 2022, section 136A.822, subdivision 8, is amended to read:

25.20 Subd. 8. **Minimum standards.** A license shall be issued if the office first determines:

25.21 (1) that the applicant has a sound financial condition with sufficient resources available
25.22 to:

25.23 (i) meet the private career school's financial obligations;

25.24 (ii) refund all tuition and other charges, within a reasonable period of time, in the event
25.25 of dissolution of the private career school or in the event of any justifiable claims for refund
25.26 against the private career school by the student body;

25.27 (iii) provide adequate service to its students and prospective students; and

36.12 (iv) maintain and support the private career school;

36.13 (2) that the applicant has satisfactory facilities with sufficient tools and equipment and

36.14 the necessary number of work stations to prepare adequately the students currently enrolled,

36.15 and those proposed to be enrolled;

36.16 (3) that the applicant employs a sufficient number of qualified teaching personnel to

36.17 provide the educational programs contemplated;

36.18 (4) that the private career school has an organizational framework with administrative

36.19 and instructional personnel to provide the programs and services it intends to offer;

36.20 (5) that the quality and content of each occupational course or program of study provides

36.21 education and adequate preparation to enrolled students for entry level positions in the

36.22 occupation for which prepared;

36.23 (6) that the premises and conditions where the students work and study and the student

36.24 living quarters which are owned, maintained, recommended, or approved by the applicant

36.25 are sanitary, healthful, and safe, as evidenced by certificate of occupancy issued by the

36.26 municipality or county where the private career school is physically situated, a fire inspection

36.27 by the local or state fire marshal, or another verification deemed acceptable by the office;

36.28 (7) that the contract or enrollment agreement used by the private career school complies

36.29 with the provisions in section 136A.826;

36.30 (8) that contracts and agreements do not contain a wage assignment provision or a

36.31 confession of judgment clause; ~~and~~

37.1 (9) that there has been no adjudication of fraud or misrepresentation in any criminal,

37.2 civil, or administrative proceeding in any jurisdiction against the private career school or

37.3 its owner, officers, agents, or sponsoring organization;

37.4 (10) the private career school or its owners, officers, agents, or sponsoring organization

37.5 has not had a license revoked under section 136A.829, or its equivalent in other states or

37.6 has closed the institution prior to all students, enrolled at the time of the closure, completing

37.7 their program within two years of the effective date of the revocation; and

37.8 (11) the school includes a joint and several liability for torts and compliance with the

37.9 requirements of sections 136A.82 to 136A.834 in any contract effective after July 1, 2026,

37.10 with any individual, entity, or postsecondary school located in another state for the purpose

37.11 of providing educational programs, training programs, or awarding postsecondary credits

37.12 to Minnesota residents that may be applied to a program.

37.13 Sec. 41. Minnesota Statutes 2022, section 136A.828, subdivision 3, is amended to read:

37.14 Subd. 3. **False statements.** (a) A private career school, agent, or solicitor shall not make,

37.15 or cause to be made, any statement or representation, oral, written or visual, in connection

37.16 with the offering or publicizing of a program, if the private career school, agent, or solicitor

25.28 (iv) maintain and support the private career school;

25.29 (2) that the applicant has satisfactory facilities with sufficient tools and equipment and

25.30 the necessary number of work stations to prepare adequately the students currently enrolled,

25.31 and those proposed to be enrolled;

26.1 (3) that the applicant employs a sufficient number of qualified teaching personnel to

26.2 provide the educational programs contemplated;

26.3 (4) that the private career school has an organizational framework with administrative

26.4 and instructional personnel to provide the programs and services it intends to offer;

26.5 (5) that the quality and content of each occupational course or program of study provides

26.6 education and adequate preparation to enrolled students for entry level positions in the

26.7 occupation for which prepared;

26.8 (6) that the premises and conditions where the students work and study and the student

26.9 living quarters which are owned, maintained, recommended, or approved by the applicant

26.10 are sanitary, healthful, and safe, as evidenced by certificate of occupancy issued by the

26.11 municipality or county where the private career school is physically situated, a fire inspection

26.12 by the local or state fire marshal, or another verification deemed acceptable by the office;

26.13 (7) that the contract or enrollment agreement used by the private career school complies

26.14 with the provisions in section 136A.826;

26.15 (8) that contracts and agreements do not contain a wage assignment provision or a

26.16 confession of judgment clause; ~~and~~

26.17 (9) that there has been no adjudication of fraud or misrepresentation in any criminal,

26.18 civil, or administrative proceeding in any jurisdiction against the private career school or

26.19 its owner, officers, agents, or sponsoring organization; and

26.20 (10) the private career school or its owners, officers, agents, or sponsoring organization

26.21 has not had a license revoked under section 136A.829, or its equivalent in other states or

26.22 has closed the institution prior to all students, enrolled at the time of the closure, completing

26.23 their program within two years of the effective date of the revocation.

26.24 Sec. 34. Minnesota Statutes 2022, section 136A.828, subdivision 3, is amended to read:

26.25 Subd. 3. **False statements.** (a) A private career school, agent, or solicitor shall not make,

26.26 or cause to be made, any statement or representation, oral, written or visual, in connection

26.27 with the offering or publicizing of a program, if the private career school, agent, or solicitor

37.17 knows or reasonably should have known the statement or representation to be false,
37.18 fraudulent, deceptive, substantially inaccurate, or misleading.

37.19 (b) Other than opinion-based statements or puffery, a school shall only make claims that
37.20 are evidence-based, can be validated, and are based on current conditions and not on
37.21 conditions that are no longer relevant.

37.22 (c) A school shall not guarantee or imply the guarantee of employment.

37.23 (d) A school shall not guarantee or advertise any certain wage or imply earnings greater
37.24 than the prevailing wage for entry-level wages in the field of study for the geographic area
37.25 unless advertised wages are based on verifiable wage information from graduates.

37.26 (e) If placement statistics are used in advertising or other promotional materials, the
37.27 school must be able to substantiate the statistics with school records. These records must
37.28 be made available to the office upon request. A school is prohibited from reporting the
37.29 following in placement statistics:

37.30 (1) a student required to receive a job offer or start a job to be classified as a graduate;

38.1 (2) a graduate if the graduate held a position before enrolling in the program, unless
38.2 graduating enabled the graduate to maintain the position or the graduate received a promotion
38.3 or raise upon graduation;

38.4 (3) a graduate who works less than 20 hours per week; and

38.5 (4) a graduate who is not expected to maintain the position for at least 180 days.

38.6 (f) A school shall not use endorsements, commendations, or recommendations by a
38.7 student in favor of a school except with the consent of the student and without any offer of
38.8 financial or other material compensation. Endorsements may be used only when they portray
38.9 current conditions.

38.10 (g) A school may advertise that the school or its programs have been accredited by an
38.11 accrediting agency recognized by the United States Department of Education or the Council
38.12 for Higher Education Accreditation, but shall not advertise any other accreditation unless
38.13 approved by the office. The office may approve an institution's advertising of accreditation
38.14 that is not recognized by the United States Department of Education or the Council for
38.15 Higher Education if that accreditation is industry specific. Clear distinction must be made
38.16 when the school is in candidacy or application status versus full accreditation.

38.17 (h) A school may advertise that financial aid is available, including a listing of the
38.18 financial aid programs in which the school participates, but federal or state financial aid
38.19 shall not be used as a primary incentive in advertisement, promotion, or recruitment.

38.20 (i) A school may advertise placement or career assistance, if offered, but shall not use
38.21 the words "wanted," "help wanted," or "trainee," either in the headline or the body of the
38.22 advertisement.

26.28 knows or reasonably should have known the statement or representation to be false,
26.29 fraudulent, deceptive, substantially inaccurate, or misleading.

26.30 (b) Other than opinion-based statements or puffery, a school shall only make claims that
26.31 are evidence-based, can be validated, and are based on current conditions and not on
26.32 conditions that are no longer relevant.

27.1 (c) A school shall not guarantee or imply the guarantee of employment.

27.2 (d) A school shall not guarantee or advertise any certain wage or imply earnings greater
27.3 than the prevailing wage for entry-level wages in the field of study for the geographic area
27.4 unless advertised wages are based on verifiable wage information from graduates.

27.5 (e) If placement statistics are used in advertising or other promotional materials, the
27.6 school must be able to substantiate the statistics with school records. These records must
27.7 be made available to the office upon request. A school is prohibited from reporting the
27.8 following in placement statistics:

27.9 (1) a student required to receive a job offer or start a job to be classified as a graduate;

27.10 (2) a graduate if the graduate held a position before enrolling in the program, unless
27.11 graduating enabled the graduate to maintain the position or the graduate received a promotion
27.12 or raise upon graduation;

27.13 (3) a graduate who works less than 20 hours per week; and

27.14 (4) a graduate who is not expected to maintain the position for at least 180 days.

27.15 (f) A school shall not use endorsements, commendations, or recommendations by a
27.16 student in favor of a school except with the consent of the student and without any offer of
27.17 financial or other material compensation. Endorsements may be used only when they portray
27.18 current conditions.

27.19 (g) A school may advertise that the school or its programs have been accredited by an
27.20 accrediting agency recognized by the United States Department of Education or the Council
27.21 for Higher Education Accreditation, but shall not advertise any other accreditation unless
27.22 approved by the office. The office may approve an institution's advertising of accreditation
27.23 that is not recognized by the United States Department of Education or the Council for
27.24 Higher Education if that accreditation is industry specific. Clear distinction must be made
27.25 when the school is in candidacy or application status versus full accreditation.

27.26 (h) A school may advertise that financial aid is available, including a listing of the
27.27 financial aid programs in which the school participates, but federal or state financial aid
27.28 shall not be used as a primary incentive in advertisement, promotion, or recruitment.

27.29 (i) A school may advertise placement or career assistance, if offered, but shall not use
27.30 the words "wanted," "help wanted," or "trainee," either in the headline or the body of the
27.31 advertisement.

38.23 (j) A school shall not be advertised under any "help wanted," "employment," or similar
 38.24 classification.

38.25 (k) A school shall not falsely claim that it is conducting a talent hunt, contest, or similar
 38.26 test.

38.27 (l) A school shall not make a claim that its program qualifies for a national certification
 38.28 if that national certification entity is not accepted or recognized by Minnesota employers.
 38.29 A school may validate that a national certification is accepted or recognized by Minnesota
 38.30 employers by providing three certified letters from employers that the national certification
 38.31 entity is recognized in Minnesota by employers.

39.1 ~~(j)~~ (m) The commissioner, at any time, may require a retraction of a false, misleading,
 39.2 or deceptive claim. To the extent reasonable, the retraction must be published in the same
 39.3 manner as the original claim.

39.4 Sec. 42. Minnesota Statutes 2022, section 136A.829, subdivision 3, is amended to read:

39.5 Subd. 3. **Powers and duties.** The office shall have (in addition to the powers and duties
 39.6 now vested therein by law) the following powers and duties:

39.7 (a) To negotiate and enter into interstate reciprocity agreements with similar agencies
 39.8 in other states, if in the judgment of the office such agreements are or will be helpful in
 39.9 effectuating the purposes of Laws 1973, chapter 714;

39.10 (b) To grant conditional private career school license for periods of less than one year
 39.11 if in the judgment of the office correctable deficiencies exist at the time of application and
 39.12 when refusal to issue private career school license would adversely affect currently enrolled
 39.13 students;

39.14 (c) The office may upon its own motion, and shall upon the verified complaint in writing
 39.15 of any person setting forth fact which, if proved, would constitute grounds for refusal or
 39.16 revocation under Laws 1973, chapter 714, investigate the actions of any applicant or any
 39.17 person or persons holding or claiming to hold a license or permit. However, before proceeding
 39.18 to a hearing on the question of whether a license or permit shall be refused, revoked or
 39.19 suspended for any cause enumerated in subdivision 1, the office shall grant a reasonable
 39.20 time to the holder of or applicant for a license or permit to correct the situation. If within
 39.21 such time the situation is corrected and the private career school is in compliance with the
 39.22 provisions of sections 136A.82 to 136A.834, no further action leading to refusal, revocation,
 39.23 or suspension shall be taken.

39.24 (d) To grant a private career school a probationary license for periods of less than three
 39.25 years if, in the judgment of the office, correctable deficiencies exist at the time of application
 39.26 that need more than one year to correct and when the risk of harm to students can be
 39.27 minimized through the use of restrictions and requirements as conditions of the license.
 39.28 Probationary licenses may include requirements and restrictions for:

28.1 (j) A school shall not be advertised under any "help wanted," "employment," or similar
 28.2 classification.

28.3 (k) A school shall not falsely claim that it is conducting a talent hunt, contest, or similar
 28.4 test.

28.5 (l) A school shall not make a claim that its program qualifies for a national certification
 28.6 if that national certification entity is not accepted or recognized by Minnesota employers.
 28.7 A school may validate that a national certification is accepted or recognized by Minnesota
 28.8 employers by providing three certified letters from employers that the national certification
 28.9 entity is recognized in Minnesota by employers.

28.10 ~~(j)~~ (m) The commissioner, at any time, may require a retraction of a false, misleading,
 28.11 or deceptive claim. To the extent reasonable, the retraction must be published in the same
 28.12 manner as the original claim.

28.13 Sec. 35. Minnesota Statutes 2022, section 136A.829, subdivision 3, is amended to read:

28.14 Subd. 3. **Powers and duties.** The office shall have (in addition to the powers and duties
 28.15 now vested therein by law) the following powers and duties:

28.16 (a) To negotiate and enter into interstate reciprocity agreements with similar agencies
 28.17 in other states, if in the judgment of the office such agreements are or will be helpful in
 28.18 effectuating the purposes of Laws 1973, chapter 714;

28.19 (b) To grant conditional private career school license for periods of less than one year
 28.20 if in the judgment of the office correctable deficiencies exist at the time of application and
 28.21 when refusal to issue private career school license would adversely affect currently enrolled
 28.22 students;

28.23 (c) The office may upon its own motion, and shall upon the verified complaint in writing
 28.24 of any person setting forth fact which, if proved, would constitute grounds for refusal or
 28.25 revocation under Laws 1973, chapter 714, investigate the actions of any applicant or any
 28.26 person or persons holding or claiming to hold a license or permit. However, before proceeding
 28.27 to a hearing on the question of whether a license or permit shall be refused, revoked or
 28.28 suspended for any cause enumerated in subdivision 1, the office shall grant a reasonable
 28.29 time to the holder of or applicant for a license or permit to correct the situation. If within
 28.30 such time the situation is corrected and the private career school is in compliance with the
 28.31 provisions of sections 136A.82 to 136A.834, no further action leading to refusal, revocation,
 28.32 or suspension shall be taken.

29.1 (d) To grant a private career school a probationary license for periods of less than three
 29.2 years if, in the judgment of the office, correctable deficiencies exist at the time of application
 29.3 that need more than one year to correct and when the risk of harm to students can be
 29.4 minimized through the use of restrictions and requirements as conditions of the license.
 29.5 Probationary licenses may include requirements and restrictions for:

39.29 (1) periodic monitoring and submission of reports on the school's deficiencies to ascertain
39.30 whether compliance improves;

39.31 (2) periodic collaborative consultations with the school on noncompliance with sections
39.32 136A.82 to 136A.834 or how the institution is managing compliance;

40.1 (3) the submission of contingency plans such as teach-out plans or transfer pathways
40.2 for students;

40.3 (4) a prohibition from accepting tuition and fee payments prior to the add/drop period
40.4 of the current period of instruction or before the funds have been earned by the school
40.5 according to the refund requirements of section 136A.827;

40.6 (5) a prohibition from enrolling new students;

40.7 (6) enrollment caps;

40.8 (7) the initiation of alternative processes and communications with students enrolled at
40.9 the school to notify students of deficiencies or probation status;

40.10 (8) the submission of a surety under section 136A.822, subdivision 6, paragraph (b),
40.11 clause (1), that exceeds ten percent of the preceding year's net revenue from student tuition,
40.12 fees, and other required institutional charges collected; or

40.13 (9) submission of closure information under section 136A.8225.

40.14 Sec. 43. Minnesota Statutes 2022, section 136A.829, is amended by adding a subdivision
40.15 to read:

40.16 Subd. 4. **Effect.** A private career school or its owners, officers, or sponsoring organization
40.17 is prohibited from applying for licensure under section 136A.822 within two years of the
40.18 effective date of a revocation or within two years from the last date of instruction if the
40.19 school closed prior to all students completing their courses and programs. A school applying
40.20 for licensure must:

40.21 (1) meet the requirements for licensure under section 136A.822;

40.22 (2) pay the licensure fees as a new school under section 136A.824, subdivision 1;

40.23 (3) correct any deficiencies that were identified in the revocation order or closed school
40.24 requests under section 136A.8225;

40.25 (4) pay any outstanding fines or penalties under section 136A.832; and

40.26 (5) pay any outstanding student refunds under section 136A.827.

40.27 Sec. 44. Minnesota Statutes 2023 Supplement, section 136A.833, subdivision 2, is amended
40.28 to read:

40.29 Subd. 2. **Exemption reasons.** Sections 136A.821 to 136A.832 shall not apply to the
40.30 following:

29.6 (1) periodic monitoring and submission of reports on the school's deficiencies to ascertain
29.7 whether compliance improves;

29.8 (2) periodic collaborative consultations with the school on noncompliance with sections
29.9 136A.82 to 136A.834 or how the institution is managing compliance;

29.10 (3) the submission of contingency plans such as teach-out plans or transfer pathways
29.11 for students;

29.12 (4) a prohibition from accepting tuition and fee payments prior to the add/drop period
29.13 of the current period of instruction or before the funds have been earned by the school
29.14 according to the refund requirements of section 136A.827;

29.15 (5) a prohibition from enrolling new students;

29.16 (6) enrollment caps;

29.17 (7) the initiation of alternative processes and communications with students enrolled at
29.18 the school to notify students of deficiencies or probation status;

29.19 (8) the submission of a surety under section 136A.822, subdivision 6, paragraph (b),
29.20 clause (1), that exceeds ten percent of the preceding year's net revenue from student tuition,
29.21 fees, and other required institutional charges collected; or

29.22 (9) submission of closure information under section 136A.8225.

29.23 Sec. 36. Minnesota Statutes 2022, section 136A.829, is amended by adding a subdivision
29.24 to read:

29.25 Subd. 4. **Effect.** A private career school or its owners, officers, or sponsoring organization
29.26 is prohibited from applying for licensure under section 136A.822 within two years of the
29.27 effective date of a revocation or within two years from the last date of instruction if the
29.28 school closed prior to all students completing their courses and programs. A school applying
29.29 for licensure must:

29.30 (1) meet the requirements for licensure under section 136A.822;

29.31 (2) pay the licensure fees as a new school under section 136A.824, subdivision 1;

30.1 (3) correct any deficiencies that were identified in the revocation order or closed school
30.2 requests under section 136A.8225;

30.3 (4) pay any outstanding fines or penalties under section 136A.832; and

30.4 (5) pay any outstanding student refunds under section 136A.827.

30.5 Sec. 37. Minnesota Statutes 2023 Supplement, section 136A.833, subdivision 2, is amended
30.6 to read:

30.7 Subd. 2. **Exemption reasons.** Sections 136A.821 to 136A.832 shall not apply to the
30.8 following:

- 41.1 (1) public postsecondary institutions;
- 41.2 (2) postsecondary institutions registered under sections 136A.61 to 136A.71;
- 41.3 (3) postsecondary institutions exempt from registration under sections 136A.653,
41.4 subdivisions 1b, 2, 3, and 3a; 136A.657; and 136A.658;
- 41.5 ~~(4) private career schools of nursing accredited by the state Board of Nursing or an~~
41.6 ~~equivalent public board of another state or foreign country;~~
- 41.7 ~~(5)~~ (4) private schools complying with the requirements of section 120A.22, subdivision
41.8 4;
- 41.9 ~~(6)~~ (5) courses taught to students in an apprenticeship program registered by the United
41.10 States Department of Labor or Minnesota Department of Labor and taught by or required
41.11 by a trade union. A trade union is an organization of workers in the same skilled occupation
41.12 or related skilled occupations who act together to secure all members favorable wages,
41.13 hours, and other working conditions;
- 41.14 ~~(7)~~ (6) private career schools exclusively engaged in training physically or mentally
41.15 disabled persons ~~for the state of Minnesota;~~
- 41.16 ~~(8)~~ (7) private career schools licensed or approved by boards authorized under Minnesota
41.17 law to issue licenses for training programs except private career schools required to obtain
41.18 a private career school license due to the use of "academy," "institute," "college," or
41.19 "university" in their names;
- 41.20 ~~(9)~~ (8) private career schools and educational programs, or training programs, contracted
41.21 for by persons, firms, corporations, government agencies, or associations, for the training
41.22 of their own employees, for which no fee is charged the employee, regardless of whether
41.23 that fee is reimbursed by the employer or third party after the employee successfully
41.24 completes the training;
- 41.25 ~~(10)~~ (9) private career schools engaged exclusively in the teaching of purely avocational,
41.26 recreational, or remedial subjects that are not advertised or maintained for vocational or
41.27 career advancement, including adult basic education, as determined by the office except
41.28 private career schools required to obtain a private career school license due to the use of
41.29 "academy," "institute," "college," or "university" in their names unless the private career
41.30 school used "academy" or "institute" in its name prior to August 1, 2008;
- 41.31 ~~(11)~~ (10) classes, courses, or programs conducted by a bona fide trade, professional, or
41.32 fraternal organization, solely for that organization's membership and not available to the
41.33 public. In making the determination that the organization is bona fide, the office may request
42.1 the school provide three certified letters from persons that qualify as evaluators under section
42.2 136A.828, subdivision 3, paragraph (l), that the organization is recognized in Minnesota;
- 42.3 ~~(12)~~ (11) programs in the fine arts provided by organizations exempt from taxation under
42.4 section 290.05 and registered with the attorney general under chapter 309. For the purposes

- 30.9 (1) public postsecondary institutions;
- 30.10 (2) postsecondary institutions registered under sections 136A.61 to 136A.71;
- 30.11 (3) postsecondary institutions exempt from registration under sections 136A.653,
30.12 subdivisions 1b, 2, 3, and 3a; 136A.657; and 136A.658;
- 30.13 ~~(4) private career schools of nursing accredited by the state Board of Nursing or an~~
30.14 ~~equivalent public board of another state or foreign country;~~
- 30.15 ~~(5)~~ (4) private schools complying with the requirements of section 120A.22, subdivision
30.16 4;
- 30.17 ~~(6)~~ (5) courses taught to students in an apprenticeship program registered by the United
30.18 States Department of Labor or Minnesota Department of Labor and taught by or required
30.19 by a trade union. A trade union is an organization of workers in the same skilled occupation
30.20 or related skilled occupations who act together to secure all members favorable wages,
30.21 hours, and other working conditions;
- 30.22 ~~(7)~~ (6) private career schools exclusively engaged in training physically or mentally
30.23 disabled persons ~~for the state of Minnesota;~~
- 30.24 ~~(8)~~ (7) private career schools licensed or approved by boards authorized under Minnesota
30.25 law to issue licenses for training programs except private career schools required to obtain
30.26 a private career school license due to the use of "academy," "institute," "college," or
30.27 "university" in their names;
- 30.28 ~~(9)~~ (8) private career schools and educational programs, or training programs, contracted
30.29 for by persons, firms, corporations, government agencies, or associations, for the training
30.30 of their own employees, for which no fee is charged the employee, regardless of whether
31.1 that fee is reimbursed by the employer or third party after the employee successfully
31.2 completes the training;
- 31.3 ~~(10)~~ (9) private career schools engaged exclusively in the teaching of purely avocational,
31.4 recreational, or remedial subjects that are not advertised or maintained for vocational or
31.5 career advancement, including adult basic education, as determined by the office except
31.6 private career schools required to obtain a private career school license due to the use of
31.7 "academy," "institute," "college," or "university" in their names unless the private career
31.8 school used "academy" or "institute" in its name prior to August 1, 2008;
- 31.9 ~~(11)~~ (10) classes, courses, or programs conducted by a bona fide trade, professional, or
31.10 fraternal organization, solely for that organization's membership and not available to the
31.11 public. In making the determination that the organization is bona fide, the office may request
31.12 the school provide three certified letters from persons that qualify as evaluators under section
31.13 136A.828, subdivision 3, paragraph (l), that the organization is recognized in Minnesota;
- 31.14 ~~(12)~~ (11) programs in the fine arts provided by organizations exempt from taxation under
31.15 section 290.05 and registered with the attorney general under chapter 309. For the purposes

42.5 of this clause, "fine arts" means activities resulting in artistic creation or artistic performance
 42.6 of works of the imagination which are engaged in for the primary purpose of creative
 42.7 expression rather than commercial sale, vocational or career advancement, or employment.
 42.8 In making this determination the office may seek the advice and recommendation of the
 42.9 Minnesota Board of the Arts;

42.10 ~~(13)~~ (12) classes, courses, or programs intended to fulfill the continuing education
 42.11 requirements for a bona fide licensure or certification in a profession, that have been approved
 42.12 by a legislatively or judicially established board or agency responsible for regulating the
 42.13 practice of the profession or by an industry-specific certification entity, and that are offered
 42.14 exclusively to individuals with the professional licensure or certification. In making the
 42.15 determination that the licensure or certification is bona fide, the office may request the
 42.16 school provide three certified letters from persons that qualify as evaluators under section
 42.17 136A.828, subdivision 3, paragraph (l), that the licensure and certification is recognized in
 42.18 Minnesota;

42.19 ~~(14)~~ (13) review classes, courses, or programs intended to prepare students to sit for
 42.20 undergraduate, graduate, postgraduate, or occupational licensing, certification, or entrance
 42.21 examinations and does not include the instruction to prepare students for that license,
 42.22 occupation, certification, or exam;

42.23 ~~(15)~~ (14) classes, courses, or programs providing 16 or fewer clock hours of instruction;

42.24 ~~(16)~~ (15) classes, courses, or programs providing instruction in personal development
 42.25 that is not advertised or maintained for vocational or career advancement, modeling, or
 42.26 acting;

42.27 ~~(17)~~ (16) private career schools with no physical presence in Minnesota, ~~as determined~~
 42.28 ~~by the office~~, engaged exclusively in offering distance instruction that are located in and
 42.29 regulated by other states or jurisdictions if the distance education instruction does not include
 42.30 internships, externships, field placements, or clinical placements for residents of Minnesota;
 42.31 and

42.32 ~~(18)~~ (17) private career schools providing exclusively training, instructional programs,
 42.33 or courses where tuition, fees, and any other charges, regardless of payment or reimbursement
 42.34 method, for a student to participate do not exceed \$100.

43.1 Sec. 45. Minnesota Statutes 2023 Supplement, section 136F.38, subdivision 3, is amended
 43.2 to read:

43.3 Subd. 3. **Program eligibility.** (a) Scholarships shall be awarded only to a student eligible
 43.4 for resident tuition, as defined in section 135A.043, who is enrolled in any of the following
 43.5 programs of study or certification: (1) advanced manufacturing; (2) agriculture; (3) health
 43.6 care services; (4) information technology; (5) early childhood; (6) transportation; (7)
 43.7 construction; (8) education; (9) public safety; (10) energy; or ~~(10)~~ (11) a program of study
 43.8 under paragraph (b).

31.16 of this clause, "fine arts" means activities resulting in artistic creation or artistic performance
 31.17 of works of the imagination which are engaged in for the primary purpose of creative
 31.18 expression rather than commercial sale, vocational or career advancement, or employment.
 31.19 In making this determination the office may seek the advice and recommendation of the
 31.20 Minnesota Board of the Arts;

31.21 ~~(13)~~ (12) classes, courses, or programs intended to fulfill the continuing education
 31.22 requirements for a bona fide licensure or certification in a profession, that have been approved
 31.23 by a legislatively or judicially established board or agency responsible for regulating the
 31.24 practice of the profession or by an industry-specific certification entity, and that are offered
 31.25 exclusively to individuals with the professional licensure or certification. In making the
 31.26 determination that the licensure or certification is bona fide, the office may request the
 31.27 school provide three certified letters from persons that qualify as evaluators under section
 31.28 136A.828, subdivision 3, paragraph (l), that the licensure and certification is recognized in
 31.29 Minnesota;

31.30 ~~(14)~~ (13) review classes, courses, or programs intended to prepare students to sit for
 31.31 undergraduate, graduate, postgraduate, or occupational licensing, certification, or entrance
 31.32 examinations and does not include the instruction to prepare students for that license,
 31.33 occupation, certification, or exam;

31.34 ~~(15)~~ (14) classes, courses, or programs providing 16 or fewer clock hours of instruction;

32.1 ~~(16)~~ (15) classes, courses, or programs providing instruction in personal development
 32.2 that is not advertised or maintained for vocational or career advancement, modeling, or
 32.3 acting;

32.4 ~~(17)~~ (16) private career schools with no physical presence in Minnesota, ~~as determined~~
 32.5 ~~by the office~~, engaged exclusively in offering distance instruction that are located in and
 32.6 regulated by other states or jurisdictions if the distance education instruction does not include
 32.7 internships, externships, field placements, or clinical placements for residents of Minnesota;
 32.8 and

32.9 ~~(18)~~ (17) private career schools providing exclusively training, instructional programs,
 32.10 or courses where tuition, fees, and any other charges, regardless of payment or reimbursement
 32.11 method, for a student to participate do not exceed \$100.

32.12 Sec. 38. Minnesota Statutes 2023 Supplement, section 136F.38, subdivision 3, is amended
 32.13 to read:

32.14 Subd. 3. **Program eligibility.** (a) Scholarships shall be awarded only to a student eligible
 32.15 for resident tuition, as defined in section 135A.043, who is enrolled in any of the following
 32.16 programs of study or certification: (1) advanced manufacturing; (2) agriculture; (3) health
 32.17 care services; (4) information technology; (5) early childhood; (6) transportation; (7)
 32.18 construction; (8) education; (9) public safety; (10) energy; or ~~(10)~~ (11) a program of study
 32.19 under paragraph (b).

43.9 (b) Each institution may add one additional area of study or certification, based on a
43.10 workforce shortage for full-time employment requiring postsecondary education that is
43.11 unique to the institution's specific region, as reported in the most recent Department of
43.12 Employment and Economic Development job vacancy survey data for the economic
43.13 development region in which the institution is located. A workforce shortage area is one in
43.14 which the job vacancy rate for full-time employment in a specific occupation in a region is
43.15 higher than the state average vacancy rate for that same occupation. The institution may
43.16 change the area of study or certification based on new data once every two years.

43.17 (c) The student must be enrolled for at least nine credits in a two-year college in the
43.18 Minnesota State Colleges and Universities system to be eligible for first- and second-year
43.19 scholarships.

43.20 (d) The student is eligible for a one-year transfer scholarship if the student transfers from
43.21 a two-year college after two or more terms, and the student is enrolled for at least nine
43.22 credits in a four-year university in the Minnesota State Colleges and Universities system.

32.20 (b) Each institution may add one additional area of study or certification, based on a
32.21 workforce shortage for full-time employment requiring postsecondary education that is
32.22 unique to the institution's specific region, as reported in the most recent Department of
32.23 Employment and Economic Development job vacancy survey data for the economic
32.24 development region in which the institution is located. A workforce shortage area is one in
32.25 which the job vacancy rate for full-time employment in a specific occupation in a region is
32.26 higher than the state average vacancy rate for that same occupation. The institution may
32.27 change the area of study or certification based on new data once every two years.

32.28 (c) The student must be enrolled for at least nine credits in a two-year college in the
32.29 Minnesota State Colleges and Universities system to be eligible for first- and second-year
32.30 scholarships.

32.31 (d) The student is eligible for a one-year transfer scholarship if the student transfers from
32.32 a two-year college after two or more terms, and the student is enrolled for at least nine
32.33 credits in a four-year university in the Minnesota State Colleges and Universities system.

33.1 Sec. 39. **[136F.405] ACADEMIC FREEDOM PROTECTION.**

33.2 Subdivision 1. **Definitions.** (a) For purposes of this section, the following term has the
33.3 **meaning given.**

33.4 (b) **"Academic freedom" means the freedom of an educator or researcher in higher**
33.5 **education to investigate and discuss the issues in their academic field and to teach or publish**
33.6 **findings without interference from political figures, boards of trustees, donors, or other**
33.7 **entities.**

33.8 Subd. 2. **Faculty rights.** (a) **Minnesota State Colleges and Universities must maintain**
33.9 **policies that support and encourage academic freedom. A faculty member at a Minnesota**
33.10 **state institution may, without limitation, discuss the subject matter in the classroom of the**
33.11 **courses the faculty member is assigned to teach without interference from political figures,**
33.12 **boards of trustees, donors, or other entities. Each faculty member shall have the right to**
33.13 **teach in an atmosphere of free intellectual inquiry and shall not be subjected to restraints**
33.14 **or harassment that would impair teaching.**

33.15 (b) **A faculty member is entitled to full freedom in research and in the publication of**
33.16 **results, so long as the faculty member fulfills the requirements and duties of the academic**
33.17 **position held.**

33.18 (c) **A Minnesota state institution shall not discriminate against a faculty member for**
33.19 **engaging in political activities or holding or voicing political views, so long as the exercise**
33.20 **of this right does not interfere with the faculty member's job responsibilities as a faculty**
33.21 **member.**

33.22 Subd. 3. **Student rights.** **Policies under this section must also:**

House Language H4024-2		Higher Education Policy	Senate Language UEH4024-1
			33.23 (1) prohibit faculty, in their official capacity, from requiring students to express specified
			33.24 social or political viewpoints for the purposes of academic credit;
			33.25 (2) ensure learning environments, curriculum, and instruction that honor free student
			33.26 inquiry and discussion, and are not for the purpose of political, ideological, religious, or
			33.27 antireligious indoctrination;
			33.28 (3) require student assessments to be based on appropriate knowledge of subjects and
			33.29 disciplines studied and prohibit discrimination on the basis of political, ideological, or
			33.30 religious beliefs; and
			33.31 (4) restrict the introduction of controversial matters without a relationship to the subject
			33.32 being taught.
			34.1 Sec. 40. [137.375] DISABLED VETERANS; UNIVERSITY OF MINNESOTA
			34.2 LANDSCAPE ARBORETUM.
			34.3 (a) For purposes of this section, "disabled veteran" means a veteran as defined in section
			34.4 197.447 who is certified as disabled. "Certified as disabled" means certified in writing by
			34.5 the United States Department of Veterans Affairs or the state commissioner of veterans
			34.6 affairs as having a permanent service-connected disability.
			34.7 (b) The University of Minnesota Landscape Arboretum is requested to provide a disabled
			34.8 veteran and one guest unlimited access to the University of Minnesota Landscape Arboretum
			34.9 located in the city of Chaska free of charge. The disabled veteran must provide a veteran
			34.10 photo identification card with the term "service-connected" on the identification card,
			34.11 verifying that the disabled veteran has a service-connected disability.
			34.12 EFFECTIVE DATE. This section is effective the day following final enactment.
			55.4 Sec. 5. Minnesota Statutes 2022, section 136A.828, is amended by adding a subdivision
			55.5 to read:
			55.6 Subd. 7. Nondisclosure agreements. No private career school shall use nondisclosure
			55.7 agreements or other contracts restricting a student's ability to disclose information in
			55.8 connection with school actions or conduct that would be covered under section 136A.8295.
43.23	Sec. 46. Laws 2023, chapter 41, article 1, section 4, subdivision 2, is amended to read:		
43.24	Subd. 2. Operations and Maintenance	686,558,000	676,294,000
43.25	(a) \$15,000,000 in fiscal year 2024 and		
43.26	\$15,000,000 in fiscal year 2025 are to: (1)		
43.27	increase the medical school's research		
43.28	capacity; (2) improve the medical school's		
43.29	ranking in National Institutes of Health		
43.30	funding; (3) ensure the medical school's		
43.31	national prominence by attracting and		

43.32 retaining world-class faculty, staff, and
43.33 students; (4) invest in physician training
44.1 programs in rural and underserved
44.2 communities; and (5) translate the medical
44.3 school's research discoveries into new
44.4 treatments and cures to improve the health of
44.5 Minnesotans.

44.6 (b) \$7,800,000 in fiscal year 2024 and
44.7 \$7,800,000 in fiscal year 2025 are for health
44.8 training restoration. This appropriation must
44.9 be used to support all of the following: (1)
44.10 faculty physicians who teach at eight residency
44.11 program sites, including medical resident and
44.12 student training programs in the Department
44.13 of Family Medicine; (2) the Mobile Dental
44.14 Clinic; and (3) expansion of geriatric
44.15 education and family programs.

44.16 (c) \$4,000,000 in fiscal year 2024 and
44.17 \$4,000,000 in fiscal year 2025 are for the
44.18 Minnesota Discovery, Research, and
44.19 InnoVation Economy funding program for
44.20 cancer care research.

44.21 (d) \$500,000 in fiscal year 2024 and \$500,000
44.22 in fiscal year 2025 are for the University of
44.23 Minnesota, Morris branch, to cover the costs
44.24 of tuition waivers under Minnesota Statutes,
44.25 section 137.16.

44.26 (e) \$5,000,000 in fiscal year 2024 and
44.27 \$5,000,000 in fiscal year 2025 are for
44.28 systemwide safety and security measures on
44.29 University of Minnesota campuses. The base
44.30 amount for this appropriation is \$1,000,000
44.31 in fiscal year 2026 and later.

44.32 (f) \$366,000 in fiscal year 2024 and \$366,000
44.33 in fiscal year 2025 are for unemployment
45.1 insurance aid under Minnesota Statutes,
45.2 section 268.193.

45.3 (g) \$10,000,000 the first year is for programs
45.4 at the University of Minnesota Medical School
45.5 Campus on the CentraCare Health System

45.6 Campus in St. Cloud. This appropriation may
45.7 be used for tuition support, ~~a residency~~
45.8 ~~program, a rural health research program, a~~
45.9 ~~program to target scholarships to students from~~
45.10 ~~diverse backgrounds, and a scholarship~~
45.11 ~~program targeted at students who will practice~~
45.12 ~~in rural areas including a scholarship program~~
45.13 ~~targeted at students who will practice in rural~~
45.14 ~~areas and targeted at students from diverse~~
45.15 ~~backgrounds; costs associated with opening~~
45.16 ~~and operating a new regional campus; costs~~
45.17 ~~associated with the expansion of a residency~~
45.18 ~~program; and costs associated with starting~~
45.19 ~~and operating a rural health research program.~~
45.20 This appropriation is available until June 30,
45.21 2027, and must be spent ~~on~~ for activities on
45.22 or associated with the CentraCare Health
45.23 System Campus in the greater St. Cloud area.
45.24 This is a onetime appropriation.

45.25 (h) \$374,000 the first year and \$110,000 the
45.26 second year are to pay the cost of supplies and
45.27 equipment necessary to provide access to
45.28 menstrual products for purposes of article 2,
45.29 section 2.

45.30 (i) The total operations and maintenance base
45.31 for fiscal year 2026 and later is \$672,294,000.

45.32 **EFFECTIVE DATE.** This section is effective the day following final enactment.

45.33 Sec. 47. **REPEALER.**

45.34 (a) Minnesota Statutes 2022, section 135A.16, is repealed.

46.1 (b) Minnesota Statutes 2023 Supplement, section 135A.162, subdivision 7, is repealed.

46.2 **EFFECTIVE DATE.** Paragraph (a) is effective January 1, 2025.

34.13 Sec. 41. **REPEALER.**

34.14 (a) Minnesota Statutes 2022, section 135A.16, is repealed.

34.15 (b) Minnesota Statutes 2023 Supplement, section 135A.162, subdivision 7, is repealed.

34.16 **EFFECTIVE DATE.** Paragraph (a) of this section is effective January 1, 2025.