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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 4029

1.1   A bill for an act

1.2   relating to higher education; amending certain institutional approval provisions;
1.3   amending Minnesota Statutes 2018, sections 136A.657, subdivisions 1, 2;
1.4   136A.833, subdivision 1; 136A.834, subdivisions 1, 2.

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

1.6   Section 1. Minnesota Statutes 2018, section 136A.657, subdivision 1, is amended to read:

1.7   Subdivision 1. **Exemption.** ~~Any~~ (a) A program is exempt from the provisions of sections

1.8   136A.61 to 136A.71 if it is:

1.9   (1) offered by a school or any department or branch of a school ~~(a) which~~ that is

1.10   substantially owned, operated, or supported by a bona fide church or religious organization;

1.11   ~~(b) whose programs are~~

1.12   (2) primarily designed for, aimed at and attended by persons who sincerely hold or seek

1.13   to learn the particular religious faith or beliefs of that church or religious organization; and

1.14   ~~(c) whose programs are~~ (3) primarily intended to prepare its students to become ministers

1.15   of, to enter into some other vocation closely related to, or to conduct their lives in consonance

1.16   with, the particular faith of that church or religious organization~~,~~.

1.17   ~~is exempt from the provisions of sections 136A.61 to 136A.834.~~

1.18   (b) A school or a department or branch of a school is exempt from the provisions of

1.19   sections 136A.61 to 136A.71 if all of its programs are exempt under paragraph (a).

2.1   Sec. 2. Minnesota Statutes 2018, section 136A.657, subdivision 2, is amended to read:

2.2   Subd. 2. **Limitation.** (a) This exemption shall not extend to any program or school or

2.3   to any department or branch of a school ~~which~~ that through advertisements or solicitations

2.4   represents to any students or prospective students that the school, its aims, goals, missions

2.5   or purposes or its programs are different from those described in subdivision 1.

2.6   (b) This exemption shall not extend to any school ~~which~~ that represents to any student

2.7   or prospective student that the major purpose of its programs is to:

2.8   (1) prepare the student for a vocation not closely related to that particular religious faith~~,~~;

2.9   or ~~to~~

2.10   (2) provide the student with a general educational program recognized by other schools

2.11   or the broader educational, business or social community as being substantially equivalent

2.12   to the educational programs offered by schools or departments or branches of schools ~~which~~

2.13   that are not exempt from sections 136A.61 to 136A.71, and rules adopted pursuant thereto.

2.14   Sec. 3. Minnesota Statutes 2018, section 136A.833, subdivision 1, is amended to read:

2.15   Subdivision 1. **Application for exemptions.** A school that seeks an exemption from the

2.16   provisions of sections 136A.822 to 136A.834 for the school and all of its programs or some

2.17   of its programs must apply to the office to establish that the school meets the requirements

2.18   of an exemption. An exemption expires two years from the date of approval or when a

2.19   school adds a new program or makes a modification equal to or greater than 25 percent to

2.20   an existing educational program. If a school is reapplying for an exemption, the application

2.21   must be submitted to the office 90 days before the current exemption expires.

2.22   Sec. 4. Minnesota Statutes 2018, section 136A.834, subdivision 1, is amended to read:

2.23   Subdivision 1. **Exemption.** ~~Any~~ (a) A program is exempt from the provisions of sections

2.24   136A.821 to 136A.832 if it is:

2.25   (1) offered by a private career school or any department or branch of a private career

2.26   school~~.~~

2.27   ~~(1) which~~ that is substantially owned, operated, or supported by a bona fide church or

2.28   religious organization;

2.29   (2) ~~whose programs are~~ primarily designed for, aimed at, and attended by persons who

2.30   sincerely hold or seek to learn the particular religious faith or beliefs of that church or

2.31   religious organization; and

3.1   (3) ~~whose programs are~~ primarily intended to prepare its students to become ministers

3.2   of, to enter into some other vocation closely related to, or to conduct their lives in consonance

3.3   with the particular faith of that church or religious organization~~,~~.

3.4   ~~is exempt from the provisions of sections 136A.821 to 136A.832.~~

3.5   (b) Any private career school or any department or branch of a private career school is

3.6   exempt from the provisions of sections 136A.821 to 136A.832 if all of its programs are

3.7   exempt under paragraph (a).

3.8   Sec. 5. Minnesota Statutes 2018, section 136A.834, subdivision 2, is amended to read:

3.9   Subd. 2. **Limitations.** (a) An exemption shall not extend to any private career school,

3.10   department or branch of a private career school, or program of a private career school ~~which~~

3.11   that through advertisements or solicitations represents to any students or prospective students

3.12   that the school, its aims, goals, missions, purposes, or programs are different from those

3.13   described in subdivision 1.

3.14   (b) An exemption shall not extend to any private career school ~~which~~ or program that

3.15   represents to any student or prospective student that the major purpose of its programs is

3.16   to:

3.17   (1) prepare the student for a vocation not closely related to that particular religious faith;

3.18   or

3.19   (2) provide the student with a general educational program recognized by other private

3.20   career schools or the broader educational, business, or social community as being

3.21   substantially equivalent to the educational programs offered by private career schools or

3.22   departments or branches of private career schools which are not religious in nature and are

3.23   not exempt from sections 136A.82 to 136A.834 and from rules adopted under sections

3.24   136A.82 to 136A.834.