

CHAPTER 4880
HIGHER EDUCATION COORDINATING BOARD
BUSINESS, TRADE, AND CORRESPONDENCE
SCHOOLS

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4880.0100 CONTRACTS BY UNLICENSED SCHOOLS.

When any contract is deemed unenforceable pursuant to Minnesota Statutes, section 141.25, subdivision 2, all moneys paid by a student or prospective student shall be immediately refunded.

Statutory Authority: *MS s 141.23*

History: *L 1992 c 513 art 1 s 26*

NOTE: This part is repealed effective August 1, 1994. See Laws 1993, chapter 224, article 12, sections 39 and 41.

4880.0200 APPLICATION FOR LICENSURE.

Subpart 1. Changes after issuance of license. In the event that there is at any time a substantial change in any of the information required by Minnesota Statutes, section 141.25, subdivision 3, the school shall immediately inform the board of such change.

Subp. 2. Name of school. The title or name of the school as it appears on the application for license shall be the only title or name used in all advertising, catalogs, brochures, contracts, letterheads, and any other written or oral references made in Minnesota.

Subp. 3. Schools at more than one location. Schools offering training programs at more than one location shall specify for each location separately, on forms furnished by the board, all the information required under Minnesota Statutes, section 141.25, subdivision 3. If this information is the same for each location the school shall so specify.

Subp. 4. List of equipment. The list of equipment required under Minnesota Statutes, section 141.25, subdivision 3, clause (d) shall be the major items of equipment, listed separately for each specified field of instruction.

Subp. 5. Information to be submitted on instructor qualifications. To satisfy the requirements of Minnesota Statutes, section 141.25, subdivision 3, clause (f) the school shall name the instructors and supervisors currently employed for each specified field of instruction and certify that each instructor and teaching supervisor has met all teacher qualification requirements of the state of Minnesota in part 3530.6900 and has been approved by the State Department of Education to teach in that specified field.

Statutory Authority: *MS s 141.23*

History: *L 1992 c 513 art 1 s 26,27*

NOTE: This part is repealed effective August 1, 1994. See Laws 1993, chapter 224, article 12, sections 39 and 41.

4880.0300 STANDARDS FOR COURSE CONTENT.

When the primary purpose of the course content or curriculum is to prepare students for occupational entry or advancement, then the course content or curriculum must be designed toward specific preparation for employment; it must reflect occupational trends and meet the changing needs of job requirements; it must be based on the skills and knowledge required in the occupations and thereby enable the majority of those available for and seeking employ-

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ment after graduation to secure at least entry level positions in the occupation for which they have been trained.

Statutory Authority: *MS s 141.23*

History: *L 1992 c 513 art 1 s 26*

NOTE: This part is repealed effective August 1, 1994. See Laws 1993, chapter 224, article 12, sections 39 and 41.

4880.0400 STANDARDS FOR SCHOOL FACILITIES AND STUDENT HOUSING.

Subpart 1. **Sanitation and safety.** The premises and conditions under which students work and study and the living quarters that are owned or approved for student housing by a school shall meet the sanitation and safety requirements of all local and state regulating agencies.

Subp. 2. **Inspection reports.** Copies of inspection reports by the local fire department, state fire marshal, or Minnesota industrial commission shall, if furnished to the school, be filed with the board.

Statutory Authority: *MS s 141.23*

History: *L 1992 c 513 art 1 s 26,27*

NOTE: This part is repealed effective August 1, 1994. See Laws 1993, chapter 224, article 12, sections 39 and 41.

4880.0500 STANDARDS FOR INSTRUCTORS.

Subpart 1. **Out of state.** Any requirements, regulations, or standards approved and adopted by the board, including qualifications of instructors, shall apply to schools domiciled outside the state of Minnesota, as well as schools located in Minnesota.

Subp. 2. **Application form.** Instructors will apply for approval on a form adopted by the board, entitled "Application for Vocational Teacher's Approval."

Subp. 3. **Instructor standards.** All instructors shall meet the following four requirements:

A. recognized standing as a tradesperson or specialist supported by evidence from previous employers, or the possession of a baccalaureate degree, or as otherwise approved by the board;

B. acceptable general formal education as evidenced by a high school diploma;

C. written confirmation by the board that the instructor has complied with items A, B, and C before assuming teaching duties; and

D. three years of trade or professional experience beyond the learner level in the trade or specialty to be taught, or successful completion of a college curriculum leading to a baccalaureate degree in that trade or specialty, or as otherwise approved by the board, with the following exceptions:

(1) Instructors in the area of medical technique employed to teach after July 1, 1971, must have at least three years of experience beyond the learner level in a clinical laboratory, and one of the following:

(a) a baccalaureate degree from an accredited college or university with a major in medical technology;

(b) a baccalaureate degree from an accredited college or university with a major in science related to the practice of laboratory medicine;

(c) successful completion of the following academic courses at an accredited college or university: a minimum of 16 semester (24 quarter) hours of chemistry, including organic or biological chemistry, and a minimum of 16 semester (24 quarter) hours of biological sciences including microbiology or bacteriology, and a course in mathematics at or above the level of algebra; or

(d) hours or distribution of hours, as set forth in unit (c), in professional workshops, seminars, and on-the-job training of comparable and acceptable quality. Evidence of the quality and acceptability of such training shall be submitted in writing to and approved by the board.

(2) Instructors in the area of electronic data processing (software) shall have:

(a) a minimum of two years or 4,000 clock hours of programming (work) experience;

(b) successful completion of a college curriculum leading to a baccalaureate degree in this specialty and a minimum of one year or 2,000 clock hours of programming experience;

(c) a minimum of two years of teaching experience in this specialty and one year or 2,000 clock hours of programming experience; or

(d) prior approval for teaching hardware, and a minimum of one year of teaching (hardware) experience, and verifiable completion of a software cross-training program filed with and approved by the board.

Subp. 4. Statement of intent. It is the intent of the standards of instructor qualifications to establish an effective level of teaching capability. However, it is not the intent to prohibit the employment of any person who by reason of unusual background, experience, or talents is otherwise well qualified to instruct even though the person may not comply with the specific requirements of these standards.

Therefore, any school operating under the provisions of this law and which has satisfied the minimum requirements in all other applicable areas may petition the board for special review of the credentials of such an instructor applicant by a committee of appeal. The committee of appeal shall consist of three qualified members; one each selected by the school and the board and a third selected by the first two.

The committee shall review the credentials of the applicant and make a recommendation to the board.

Statutory Authority: *MS s 141.23*

History: *17 SR 1279; L 1992 c 513 art 1 s 26,27*

NOTE: This part is repealed effective August 1, 1994. See Laws 1993, chapter 224, article 12, sections 39 and 41.

4880.0600 CATALOG OR BROCHURE; SUPPLEMENTARY PAGES.

In order to facilitate the use of the catalog or brochure in the several states to accommodate interim changes in tuition, etc., a supplement page or pages may be used as a part of the catalog or brochure, provided that these are the same size as the other pages and are fastened or secured in such a way as to become an integral part of the catalog or brochure. The supplement page or pages shall be clearly identified as pertaining to the state of Minnesota. In the event that information on the supplementary page or pages contradicts any other information in the catalog or brochure, it shall also clearly indicate on these pages that the supplementary information supersedes that which is contained elsewhere in the catalog or brochure.

Statutory Authority: *MS s 141.23*

History: *L 1992 c 513 art 1 s 26*

NOTE: This part is repealed effective August 1, 1994. See Laws 1993, chapter 224, article 12, sections 39 and 41.

4880.0700 CONTENTS OF CATALOG OR BROCHURE.

Subpart 1. Course outline. In the information required by Minnesota Statutes, section 141.25, subdivision 9, paragraph (A), clause (k), it shall be clearly indicated whether the course is in the nature of a lecture or laboratory. If the course is a combination of lecture and laboratory, the approximate percentage of time for each shall be indicated.

Subp. 2. Submitting changes. When substantial changes occur in the catalog or brochure during the license year, the revised catalog shall be submitted to the board prior to the distribution thereof to any students or prospective students.

Subp. 3. Refund policy. The catalog or brochure shall contain the refund policy printed in its entirety. The policy shall be in accordance with Minnesota Statutes, section 141.271. A simple statement indicating merely that the school is in compliance with Minnesota law or Minnesota refund policies will not suffice. Along with the printed policy shall be an explanation of the word "student," as defined in part 3530.7500.

Subp. 4. Legibility. The contents of the catalog or brochure required by Minnesota Statutes or rules of the State Department of Education shall be clearly legible. If more than one page is used, all pages shall be of the same size and secured or fastened together.

Statutory Authority: *MS s 141.23*

History: *L 1992 c 513 art 1 s 26,27*

NOTE: This part is repealed effective August 1, 1994. See Laws 1993, chapter 224, article 12, sections 39 and 41.

4880.0800 USE OF MORE THAN ONE CATALOG OR BROCHURE.

If a school elects to use a separate catalog or brochure consisting of one or more pages and containing all information required by Minnesota Statutes, section 141.25, subdivision 9, such catalog need not be fastened or secured to any other catalog or brochure, which may be used by the school, but it shall conform to the other requirements of parts 3530.7000 and 3530.7100.

Statutory Authority: *MS s 141.23*

History: *L 1992 c 513 art 1 s 26*

NOTE: This part is repealed effective August 1, 1994. See Laws 1993, chapter 224, article 12, sections 39 and 41.

4880.0900 PLACEMENT RECORDS.

Subpart 1. Contents. The certified copy of the school's placement record required to be filed with the board by schools offering or advertising a placement service shall contain names of all graduates regardless of whether they have been placed on jobs or not. It shall also contain the job title of those placed, the department or section, if any, in which they are employed, and the complete address of the actual site of employment.

Subp. 2. Time span of records. The information provided shall pertain only to the initial placement of students who graduated in the year prior to the year for which the license is to be issued, or in a different time period which may be specified by the board.

Statutory Authority: *MS s 141.23*

History: *L 1992 c 513 art 1 s 26, 27*

NOTE: This part is repealed effective August 1, 1994. See Laws 1993, chapter 224, article 12, sections 39 and 41.

4880.1000 SOLICITORS.

A school shall not authorize any solicitor to engage in any sales activities unless and until the solicitor offers evidence of having secured a solicitor's permit. A person obtaining a solicitor's permit shall be referred to orally and in writing as a "solicitor" or "representative." There shall be no use of such words as "counselor" or "registrar" in reference to a solicitor. In lieu of the solicitor's bond required by Minnesota Statutes, section 141.26, subdivision 3, a school may file a blanket surety bond to cover all of its solicitors, provided that the blanket bond shall be in a sum which is not less than \$2,000 times the number of solicitors employed by the school. The aggregate liability of the surety for all breaches of the conditions of the bond by any one solicitor shall not exceed the principal sum of \$2,000.

Statutory Authority: *MS s 141.23*

History: *L 1992 c 513 art 1 s 26*

NOTE: This part is repealed effective August 1, 1994. See Laws 1993, chapter 224, article 12, sections 39 and 41.

4880.1100 CONTRACTS.

Subpart 1. Student defined. "Student" used in Minnesota Statutes, section 141.271 means the student if the student is the party to the contract, or the student's parent or guardian or another person if the parent or guardian or other person is the party to the contract on behalf of the student.

Subp. 2. Date of contract. If a school, other than a school which offers a correspondence course of instruction, utilizes a written contract of enrollment, and retains the right to accept or reject a student, the school shall give the student written notice of acceptance or rejection. The date of execution of the contract shall be presumed to be the date of delivery of the notice of acceptance, and if delivered by mail, the postmark date of the letter of acceptance.

Statutory Authority: *MS s 141.23*

History: *17 SR 1279; L 1992 c 513 art 1 s 26*

NOTE: This part is repealed effective August 1, 1994. See Laws 1993, chapter 224, article 12, sections 39 and 41.

4880.1200 DEGREE GRANTING.

A school which offers both degree and nondegree programs shall obtain a license for its nondegree programs. The school is not exempt by reason of Minnesota Statutes, section 141.35, clause (a).

Statutory Authority: *MS s 141.23*

History: *L 1992 c 513 art 1 s 26*

NOTE: This part is repealed effective August 1, 1994. See Laws 1993, chapter 224, article 12, sections 39 and 41.

4880.1300 INSPECTIONS.

Subpart 1. Guidelines. The board, with advice from the advisory commission, shall establish guidelines for use by delegates when conducting inspections pursuant to Minnesota Statutes, section 141.30.

Subp. 2. Qualifications of inspectors. Any delegate appointed by the board to conduct an inspection as authorized in Minnesota Statutes, section 141.30, shall be qualified to make the judgments which are necessitated by such an inspection. A delegate shall be impartial and shall have no personal interest in the outcome of the inspection.

Statutory Authority: *MS s 141.23*

History: *17 SR 1279; L 1992 c 513 art 1 s 26,27*

NOTE: This part is repealed effective August 1, 1994. See Laws 1993, chapter 224, article 12, sections 39 and 41.

4880.1400 EXEMPTION OF SCHOOLS DEEMED AVOCATIONAL.

If any school holds promise of, makes reference to, or advertises gainful employment or improvement of effectiveness in employment, it shall not be deemed as being engaged exclusively in the teaching of purely avocational or recreational subjects.

Statutory Authority: *MS s 141.23*

History: *L 1992 c 513 art 1 s 26*

NOTE: This part is repealed effective August 1, 1994. See Laws 1993, chapter 224, article 12, sections 39 and 41.