

# MINNESOTA STATUTES 1975 SUPPLEMENT

## MINNESOTA HIGHER EDUCATION COMMISSIONS 136A.04

College, Southwest State College and Metropolitan State College are designated state universities.

[1975 c 321 s 3]

### 136.036 In-service education.

[For text of subd 1, see M.S.1974]

**Subd. 2. Provide for superintendents and teachers.** The state college board is granted authority to provide in-service education, on or off-campus, for district superintendents and teachers.

[1975 c 162 s 39]

[For text of subds 3 and 4, see M.S.1974]

### CHAPTER 136A. MINNESOTA HIGHER EDUCATION COMMISSIONS AND AGENCIES

Sec.		Sec.	
136A.04	Duties.	136A.233	Work study grants.
136A.05	Cooperation of institutions of higher education.	136A.61	Policy. [New]
136A.08	Reciprocal agreements relating to non-resident tuition with other states.	136A.62	Definitions. [New]
136A.101	Definitions.	136A.63	Registration. [New]
136A.121	Scholarships and grants-in-aid.	136A.64	Information. [New]
136A.171	Revenue bonds; issuance; proceeds.	136A.65	Approval of degrees and name. [New]
136A.20	Authorization for contracts.	136A.66	List. [New]
136A.23	Trustees of incorporated colleges may prescribe course of study; annual report. [New]	136A.67	Unauthorized representations. [New]
136A.231	Education; post-secondary students; work-study programs.	136A.68	Records. [New]
136A.232	Administration; agreements with educational facilities.	136A.69	Fees. [New]
		136A.70	Rules and regulations. [New]
		136A.71	Injunction. [New]
		136A.80	Definitions. [New]
		136A.81	Program and qualifications. [New]

#### 136A.04 Duties.

The higher education coordinating commission shall:

(a) Continuously study and analyze all phases and aspects of higher education, both public and private, and develop necessary plans and programs to meet present and future needs of the people of the state in respect thereto;

(b) Continuously engage in long range planning of the needs of higher education and, if necessary, cooperatively engage in such planning with neighboring states and agencies of the federal government;

(c) Act as successor to any committee or commission heretofore authorized to engage in exercising any of the powers and duties prescribed by sections 136A.01 to 136A.07;

(d) Review, make recommendations and identify priorities with respect to all plans and proposals for new or additional programs of instruction or substantial changes in existing programs to be established in or offered by, the University of Minnesota, the state colleges, the community colleges, and public area vocational-technical institutes, and private collegiate and non-collegiate institutions offering post-secondary education, and periodically review existing programs offered in or by the above institutions and recommend discontinuing or modifying any existing program, the continuation of which is judged by the commission as being unnecessary or a needless duplication of existing programs;

(e) Develop in cooperation with the post-secondary systems, committee on appropriations of the house of representatives, committee on finance of the senate, and the departments of administration and finance a compatible budgetary reporting format designed to provide data of a nature to facilitate systematic review of the budget submissions of the university of Minnesota, the

# MINNESOTA STATUTES 1975 SUPPLEMENT

## **136A.04 MINNESOTA HIGHER EDUCATION COMMISSIONS**

state college system, the state community college system and the public vocational technical schools; and which includes the relating of dollars to program output;

(f) Review budget requests, including plans for construction or acquisition of facilities, of the university of Minnesota, the state colleges, the state community colleges, and public vocational-technical schools for the purpose of relating present resources and higher educational programs to the state's present and long range needs; and conduct a continuous analysis of the financing of post-secondary institutions and systems, including the assessments as to the extent to which the expenditures and accomplishments are consistent with legislative intent;

(g) Obtain from private post-secondary institutions receiving state funds a report on their use of those funds.

[1975 c 390 s 1]

## **136A.05 Cooperation of institutions of higher education.**

All institutions of higher education, public and private, and all state departments and agencies are requested to cooperate with and supply written information requested by the higher education coordinating commission in order to enable it to carry out and perform its duties.

[1975 c 390 s 2]

## **136A.08 Reciprocal agreements relating to nonresident tuition with other states.**

Subdivision 1. The Minnesota higher education coordinating commission herein referred to as the commission, in addition to its general responsibility for cooperatively engaging in planning higher education needs with neighboring states pursuant to section 136A.04, may enter into agreements or understandings which include remission of nonresident tuition for designated categories of students at state institutions of higher education and public area vocational-technical institutes with appropriate state agencies and institutions of higher education in other states to facilitate utilization of public higher education institutions in this state and other states. Such agreements shall have as their purpose the mutual improvement of educational advantages for residents of this state and such other states or institutions of other states with whom agreements are made.

At the discretion of the commission, a higher education reciprocity agreement with the state of Wisconsin may include provision for the transfer of funds between Minnesota and Wisconsin provided that an income tax reciprocity agreement between Minnesota and Wisconsin is in effect for the period of time included under the higher education reciprocity agreement. If provision for transfer of funds between the two states is included in a collegiate education reciprocity agreement, the amount of funds to be transferred shall be determined according to a formula which is mutually acceptable to the commission and a duly designated agency representing Wisconsin. Such formula shall recognize differences in tuition rates between the two states and the number of students attending institutions in each state under the agreement. Any payments to Minnesota by Wisconsin shall be deposited by the commission in the general fund of the state treasury. There is hereby appropriated from any moneys not otherwise appropriated such amounts as may be necessary for payments to Wisconsin under the provisions of a collegiate education reciprocity agreement. The amount of any appropriation required for these purposes shall be certified by the executive director of the higher education coordinating commission to the commissioner of finance annually.

Subd. 2. At the discretion of the commission, a reciprocity agreement with North Dakota may include provision for the transfer of funds between Minnesota and North Dakota. If provision for transfer of funds between the two states is included in an agreement, the amount of funds to be transferred shall be determined according to a formula which is mutually acceptable to the commission and a duly designated agency representing North Dakota. In adopting a formula, the commission shall consider tuition rates in the two

## MINNESOTA HIGHER EDUCATION COMMISSIONS 136A.121

states and the number of students attending institutions in each state under the agreement. Any payment to Minnesota by North Dakota shall be deposited by the commission in the general fund. There is appropriated from the general fund to the higher education coordinating commission the amounts necessary for payments to North Dakota under a reciprocity agreement. The amount of the appropriation required for the payments shall be certified by the executive director of the higher education coordinating commission to the commissioner of finance annually. All provisions in this subdivision pertaining to North Dakota shall also be applied to South Dakota and all authority and conditions granted for higher education reciprocity with North Dakota are also granted for higher education reciprocity with South Dakota.

Subd. 3. The commission may enter into an agreement, with a state with which it has negotiated a reciprocity agreement for tuition, to permit students from both states to receive student aid awards from the student's state of residence for attending an eligible institution in the other state.

Subd. 4. No agreement made by the commission pursuant to this section shall be valid as to an area vocational-technical institute without the approval of the state board for vocational education, as to a state college without the approval of the state college board, as to a community college without the approval of the state board for community colleges, and as to the university of Minnesota without the approval of the board of regents of the university of Minnesota.

[1975 c 390 s 3]

### 136A.101 Definitions.

[For text of subs 1 to 3, see M.S.1974]

Subd. 4. "Eligible institution" means an institution of higher education located in this state or in a state with which the commission has entered into a higher education reciprocity agreement on state student aid programs which provides an organized course of instruction of at least two years duration in the sciences or liberal arts, including performing and visual arts, or a combination of these, at the collegiate level which either (1) is operated by this state, or (2) is operated publicly or privately and as determined by the commission, maintains academic standards substantially equivalent to those of comparable institutions operated in this state or an area vocational-technical school or other vocational school approved by the commission.

[1975 c 390 s 4]

[For text of subs 5 to 7, see M.S.1974]

### 136A.121 Scholarships and grants-in-aid.

[For text of subs 1 and 2, see M.S.1974]

Subd. 3. **Allocation and amount.** (1) Scholarships and grants-in-aid shall be awarded annually on a funds available basis to those first year students and transfer students who meet the commission's requirements;

(2) A financial stipend shall accompany scholarship awards if the scholarship winner demonstrates financial need and will attend an eligible institution. Financial stipends shall range from a maximum of \$1,100 to a minimum of \$100 but in no event shall exceed one-half of the applicant's financial need. Scholarship winners who do not demonstrate financial need under criteria prescribed by the commission shall be awarded honorary scholarships;

(3) A financial stipend based on financial need shall accompany grants-in-aid. Financial stipends shall range from a maximum of \$1,100 to a minimum

# MINNESOTA STATUTES 1975 SUPPLEMENT

## **136A.121 MINNESOTA HIGHER EDUCATION COMMISSIONS**

of \$100, but in no event shall exceed one-half of the applicant's financial need;

(4) In dispensing available funds in a given year, priority shall be given on the following basis:

Renewal scholarships and grants-in-aid.

Thereafter, until the funds are exhausted, to first year and transfer applicants, on the basis of their rank in the case of scholarships, and on the basis of need with first year and transfer applicants treated as a single pool of applicants in the case of grants-in-aid, as determined by standards prescribed by the commission.

(5) Each scholarship or grant-in-aid shall be awarded for one academic year but shall be renewable until a total of eight semesters or twelve quarters or their equivalent have been covered, or a baccalaureate degree obtained, whichever occurs first;

(6) Each scholarship or grant-in-aid shall be renewable, contingent on continued residency in Minnesota, United States citizenship, satisfactory academic standing and recommendation of the college or vocational school and, in the case of financial assistance, evidence of continued need;

(7) The student must apply for renewal of his scholarship or grant-in-aid each year;

(8) The student must continue to attend an eligible institution;

(9) All scholarship winners shall be notified of their award by the commission and shall be given appropriate evidence of the award;

(10) All grant-in-aid recipients shall be duly notified thereof by the commission;

(11) Financial scholarships and grants-in-aid awarded under the terms of sections 136A.09 to 136A.131 shall be applied to educational costs in the following order: tuition, fees, books, supplies and other expenses. Unpaid portions of such awards shall revert to the commission scholarship or grant-in-aid account.

[1975 c 390 s 5]

### **136A.171 Revenue bonds; issuance; proceeds.**

The higher education coordinating commission is hereby authorized to issue revenue bonds in an aggregate amount not to exceed \$90,000,000 for the purpose of obtaining funds for loans made in accordance with the provisions of this chapter. Proceeds from the issuance of bonds may be held and invested by the commission pending disbursement in the form of loans. All interest and profits from such investments shall inure to the benefit of the commission and shall be available to the commission for costs incurred in administering loans under this chapter and for loan reserve funds.

[1975 c 390 s 6]

### **136A.20 Authorization for contracts.**

The higher education coordinating commission is authorized to enter into contractual arrangements with eligible private colleges in Minnesota. Such contracts may provide for payments to such private colleges for educating Minnesota residents in programs approved by the commission. Such contrac-

# MINNESOTA STATUTES 1975 SUPPLEMENT

## MINNESOTA HIGHER EDUCATION COMMISSIONS' 136A.233

tual arrangements shall provide for payment from the state treasury to each private college providing the service prescribed by the contract of an amount not to exceed \$150 per student in each institution which grants a bachelor's degree and \$120 per student in each institution which grants an associate degree, but not a bachelor's degree, for each Minnesota resident who is not a recipient of a state grant-in-aid enrolled as a full time student and, in addition, \$500 for institutions granting a bachelor's degree and \$400 for institutions granting an associate degree, for every student who receives a state grant under the Minnesota state grant-in-aid program and is enrolled in each private college as a full time student.

[1975 c 390 s 7]

### **136A.23 Trustees of incorporated colleges may prescribe course of study; annual report.**

The trustees of any incorporated college or seminary, in addition to their other powers, may prescribe its course of study and discipline, grant such literary honors and degrees as are usually granted by similar institutions, and give suitable diplomas in evidence thereof. They may make all rules, ordinances, and bylaws necessary and proper to carry into effect its powers. They may require the treasurer and other officers and agents to give bonds. Every such college shall be subject to visitation and examination by the commission, and shall annually report such information as the commission deems necessary.

[1975 c 90 s 1]

### **136A.231 Education; post-secondary students; work-study programs.**

The legislature has found and hereby declares that a state work-study program is in the best interests of the state in that such a program can (1) assist in meeting the financial needs of students (2) provide the opportunity for students to obtain valuable learning service experiences and (3) assist governmental and nonprofit service agencies by providing student assistance at low cost.

[1975 c 430 s 1]

### **136A.232 Administration; agreements with educational facilities.**

The higher education coordinating commission shall develop and administer a work-study program. The commission shall enter into agreements with institutions of post-secondary education.

[1975 c 430 s 2]

### **136A.233 Work study grants.**

Subdivision 1. Notwithstanding the provisions of sections 136A.09 to 136A.13, the higher education coordinating commission may offer work-study grants to post-secondary institutions according to the full time equivalent enrollment of all eligible post-secondary institutions that apply to participate in the program. "Eligible post-secondary institution" means any post-secondary institution eligible for participation in the Minnesota state scholarship and grant program as specified in section 136A.101, subdivision 4.

Subd. 2. For purposes of this subdivision, the following words have the meanings ascribed to them:

"Eligible student" means a Minnesota resident enrolled or intending to enroll full time in a Minnesota post-secondary institution.

"Financial need" means the need for financial assistance in order to attend a post-secondary institution as determined by a post-secondary institution according to guidelines established by the higher education coordinating commission.

"Eligible employer" means any eligible post-secondary institution and any nonprofit, nonsectarian agency located in the state of Minnesota.

Work-study payments shall be made to eligible students by post-secondary institutions as follows:

- (a) Students shall be selected for participation in the program by the

# MINNESOTA STATUTES 1975 SUPPLEMENT

## 136A.233 MINNESOTA HIGHER EDUCATION COMMISSIONS

post-secondary institution on the basis of student financial need.

(b) No eligible student shall be employed under the state work-study program during the period when he or she is not a full time student.

(c) Students will be paid for hours actually worked and the maximum hourly rate of pay shall not exceed the maximum hourly rate of pay permitted under the federal college work-study program.

(d) Minimum pay rates will be determined by an applicable federal or state law.

(e) Not less than 20 percent of the compensation paid to the student under the state work-study program shall be paid by the eligible employer.

(f) Not more than 50 percent of the institution's work-study allocation shall be used to employ students by the post-secondary institutions under the provisions of this program.

(g) The percent of the institution's work-study allocation provided to graduate students shall not exceed the percent of graduate student enrollment at the participating institution.

[1975 c 430 s 3]

### 136A.61 Policy.

The legislature has found and hereby declares that the availability of legitimate courses and programs leading to academic degrees offered by responsible private institutions of post-secondary education and the existence of legitimate private colleges and universities are in the best interests of the people of this state. The legislature has found and declares that the state can provide assistance and protection for persons choosing private institutions and programs, by establishing policies and procedures to assure the authenticity and legitimacy of private post-secondary education institutions and programs.

[1975 c 201 s 1]

### 136A.62 Definitions.

**Subdivision 1. Words, terms, and phrases.** The following words, terms, and phrases shall have the meanings ascribed to them in this section for the purposes of sections 136A.61 to 136A.71.

**Subd. 2. Commission.** "Commission" means the Minnesota higher education coordinating commission.

**Subd. 3. School.** "School" means any individual, partnership, company, firm, society, trust, association, corporation, or any combination thereof, which (a) is, owns, or operates a private, nonprofit post-secondary education institution, (b) provides a post-secondary instructional program or course leading to a degree whether or not for profit, or (c) uses the term "college", "academy", "institute" or "university" in its name.

**Subd. 4. Degree.** "Degree" means any award given by a school for completion of a program or course which is designated by the term degree, associate, bachelor, baccalaureate, masters, or doctorate, or any other award which the commission shall include by regulation.

**Subd. 5. Records.** "Records" means those school documents and files containing student data relating to academic credits, grades, degrees awarded, periods of attendance, and such other matters as the commission shall determine by regulation.

[1975 c 201 s 2]

### 136A.63 Registration.

All schools located within Minnesota shall register annually with the commission. The commission shall have the authority to require those schools located outside Minnesota which offer programs or courses within Minnesota to register annually.

[1975 c 201 s 3]

# MINNESOTA STATUTES 1975 SUPPLEMENT

## MINNESOTA HIGHER EDUCATION COMMISSIONS 136A.71

### **136A.64 Information.**

As a basis for registration, schools shall provide the commission with such information as the commission needs to determine the nature and activities of the school, including but not limited to, requirements for admission, enrollments, tuition charge, refund policies, curriculum, degrees granted, and faculty employed. The commission shall have the authority to verify the accuracy of the information submitted to it by inspection or any other means it deems necessary.

[1975 c 201 s 4]

### **136A.65 Approval of degrees and name.**

No school subject to registration shall grant a degree unless such degree is approved by the commission, nor shall any school subject to registration use the name "college", "academy", "institute" or "university" in its name without approval by the commission. The commission shall establish procedures for approval, including notice and an opportunity for a hearing pursuant to chapter 15 if such approval is not granted. If a hearing is requested, no disapproval shall take effect until after such hearing.

[1975 c 201 s 5]

### **136A.66 List.**

The commission shall maintain a list of schools authorized to grant degrees and schools authorized to use the name "college", "academy", "institute" or "university", and shall make such list available to the public.

[1975 c 201 s 6]

### **136A.67 Unauthorized representations.**

No school and none of its officials or employees shall advertise or represent in any manner that such school is approved or accredited by the commission or state of Minnesota except that any school which is duly registered with the commission, or any of its officials or employees, may represent that the school is registered with the commission.

[1975 c 201 s 7]

### **136A.68 Records.**

After August 1, 1975, all schools located in this state must maintain permanent records of all students enrolled therein at any time. The commission may require schools to provide a plan acceptable to the commission for preserving all such records for at least ten years. The commission may require that such plan include the filing of a continuous surety bond or a deposit of funds in trust in an amount not to exceed \$20,000 for the purpose of preserving records after such school ceases to exist.

[1975 c 201 s 8]

### **136A.69 Fees.**

The commission may collect reasonable registration fees not to exceed \$200 for an initial registration of each school and \$150 for each annual renewal of such existing registration.

[1975 c 201 s 9]

### **136A.70 Rules and regulations.**

The commission shall adopt policies and prescribe appropriate rules and regulations to carry out the purposes of sections 136A.61 to 136A.71. Such rules and regulations may include delegation of authority for implementation of sections 136A.61 to 136A.71 to the commission's executive director.

[1975 c 201 s 10]

### **136A.71 Injunction.**

# MINNESOTA STATUTES 1975 SUPPLEMENT

## 136A.71 MINNESOTA HIGHER EDUCATION COMMISSIONS

Upon application of the attorney general the district courts shall have jurisdiction to enjoin any violations of sections 136A.61 to 136A.71.

[1975 c 201 s 11]

### 136A.80 Definitions.

Subdivision 1. For the purposes of sections 136A.80 and 136A.81, the following words have the meanings ascribed to them.

Subd. 2. "Senior citizen" means a person who has reached 62 years of age before the beginning of any term, semester or quarter, in which a course of study is pursued.

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

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

Subd. 5. "Institution of higher education" means a state college, community college, area vocational technical institute, or the University of Minnesota.

[1975 c 219 s 1]

### 136A.81 Program and qualifications.

**Subdivision 1. Fees and tuition.** Except for an administration fee of \$2 per credit hour, to be collected only when a course is taken for credit, a senior citizen who is a legal resident of Minnesota is entitled without payment of tuition or activity fees to attend courses offered for credit or audit any courses offered for credit, or enroll in noncredit courses, in any state supported institution of higher education in Minnesota when space is available after all tuition-paying students have been accommodated. Senior citizens enrolled under the provisions of sections 136A.80 and 136A.81 shall not be included by such institutions in their computation of full time equivalent students when requesting staff or appropriations. The enrollee shall be responsible for laboratory and material fees.

**Subd. 2. Term; income of senior citizens.** There shall be no limit to the number of terms, quarters or semesters a senior citizen may attend courses, nor income limitation imposed in determining eligibility.

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

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

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

[1975 c 219 s 2-6]

## CHAPTER 136B. MIDWESTERN BOARD FOR MEDICAL AND ALLIED EDUCATION

Sec.  
136B.01 Repealed.

Sec.  
136B.02 Repealed.

136B.01 [Repealed, 1975 c 61 s 26]

136B.02 [Repealed, 1975 c 61 s 26]