

## CHAPTER 135A

## POST-SECONDARY EDUCATION

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**135A.01 FUNDING POLICY.**

It is the policy of the legislature that state appropriations for the instructional services at public post-secondary institutions reflect the cost of providing the instructional services.

**History:** 1983 c 258 s 29

**135A.02 APPLICABILITY.**

The total cost of providing instructional services shall be used to appropriate money to the board of regents of the University of Minnesota, state university board, state board for community colleges, and the state board for vocational education to the extent the money is for instructional services.

**History:** 1983 c 258 s 30

**135A.03 APPROPRIATIONS FOR INSTRUCTIONAL SERVICES.**

Subdivision 1. **Determination of appropriation.** The appropriation to each board for instructional services shall equal the total cost of instruction minus the estimated tuition revenue.

Subd. 2. **Determination of total cost of instruction.** The total cost of instruction shall be calculated in the following manner.

(a) Determine the student enrollment, for each instructional category, for the fiscal year two years before the fiscal year for which the appropriation is to be made.

(b) Multiply the student enrollment by the average cost of instruction per student in each instructional category.

(c) Add the resulting products.

Subd. 3. **Determination of student enrollment.** Student enrollment shall be the full-year equivalent or average daily membership enrollment in each instructional category in the fiscal year two years before the fiscal year for which the appropriations are being made. Student enrollment may be estimated on the basis of the fall enrollment. Student enrollment shall exclude students enrolled during a summer session, except when the instructional program is provided during the entire calendar year. Each board shall submit by December 1 of each year the student enrollment data necessary to determine appropriations. The data shall be submitted to the commissioner of finance.

Subd. 4. **Determination of average cost of instruction.** (a) The average cost of instruction shall include direct instructional costs and other costs necessary to provide instruction, such as fees, facilities, administration, and support. The average cost of instruction shall not include summer session costs, except when the instructional program is provided during the entire calendar year.

(b) Each board shall submit by December 1, 1983, its average cost of instruction for each instructional category for the 1984 fiscal year. Annually thereafter by December 1, each board shall submit the average cost of instruction for each instructional category as necessary to determine appropriations. The information shall be submitted to the commissioner of finance.

Subd. 5. **Instructional categories.** Average cost of instruction shall be determined by categories of cost of program and level of instruction and student enrollment in each category.

**History:** 1983 c 258 s 31

#### 135A.04 VARIABLE TUITION.

The board of regents of the University of Minnesota, state university board, state board for community colleges, and state board for vocational education shall establish tuition. Tuition may vary by program, level of instruction, cost of instruction, or other classifications determined by each board.

**History:** 1983 c 258 s 32

#### 135A.05 TASK FORCE.

The commissioner of finance shall establish a task force on average cost funding. The task force shall include representation from each of the public systems of post-secondary education, post-secondary students, the higher education coordinating board, the education division of the house appropriations committee, and education subcommittee of the senate finance committee, the office of state auditor, and the uniform financial accounting and reporting advisory council. The task force shall be convened and chaired by the commissioner of finance or his designee and staffed by the department of finance. The task force shall review and make recommendations on the definition of instructional cost in all four systems, the method of calculating average cost for funding purposes, the method used to assign programs to the proper level of cost at each level of instruction, the adequacy of the accounting data for defining instructional cost in a uniform manner, and the biennial budget format to be used by the four systems in submitting their 1985-1987 biennial budget requests. The task force shall submit a report on these matters to the legislature by December 1 of each year.

**History:** 1983 c 258 s 33

#### 135A.051 PROGRAM REQUIREMENTS.

Subdivision 1. **Extended time.** A student shall be entitled to complete a program according to the requirements in effect at the time the student began the program for 12 months beyond the time usually required to complete a program.

Subd. 2. **Program terminated.** The provisions of this section do not apply to a program or course which is discontinued by an institution.

Subd. 3. **Applicability.** The provisions of this section apply to a student enrolled in an area vocational-technical institute, community college, state university, and the University of Minnesota.

**History:** 1983 c 166 s 2

**135A.06 SYSTEM PLANS: UNIVERSITY OF MINNESOTA; STATE UNIVERSITY BOARD; STATE BOARD FOR COMMUNITY COLLEGES; STATE BOARD FOR VOCATIONAL EDUCATION.**

Subdivision 1. It is the intent of the legislature that the planning efforts of the public post-secondary education systems be summarized and reported to the legislature. These planning efforts include, but are not limited to, the on-going intrasystem and intersystem planning processes and the information provided by the systems to the governor's commission on the future of post-secondary education. In order to accomplish this goal, the University of Minnesota board of regents, the state university board, the state board for community colleges, and the state board for vocational education shall each submit to the governor and the legislature on December 1 of each even-numbered year a planning report for its system. The planning report shall contain the mission of the system and short- and long-range plans for programs, staff, and facilities. The report shall specify the mission and plans for two, five, and ten years. The assumptions used in developing the plans shall be included.

Subd. 2. **Mission.** Each system shall review its mission as it relates to instruction, research, and public service.

Subd. 3. **System plans.** (a) Each system shall review its program plan for instruction, research, and public service. Program plans shall include a statement of program priorities for undergraduate, graduate, and professional education. Program plans shall also include data about program cost and average class size within each institution.

(b) Each system shall review its plan for adjusting the number of facilities, staff, and programs to projected level of demand. Plans for adjustments shall consider campus and program mergers, campus and program closings, new governance structures, and other methods including consolidation of institutions, services, and programs with institutions serving the same geographic area which are operated by different governing boards.

(c) Each system shall consult with the higher education coordinating board throughout the planning process.

Subd. 4. **Planning factors.** Each planning report shall consider the following factors at a minimum.

(a) Enrollment projections for two, five, and ten years. If a system uses projections which are different from the most recent available projections produced by the higher education coordinating board, the system shall compare its projections with enrollment projections prepared by the higher education coordinating board, and the system shall identify the method and assumptions used to prepare its projections;

(b) Estimated financial costs and savings of alternative plans for adjusting facilities, staff, and programs to declining enrollments and fiscal resources;

(c) Opportunities for providing services cooperatively with other public and private institutions in the same geographic area.

Subd. 5. **HECB review and comment.** The higher education coordinating board shall review and comment on the reports prepared by the systems. In order to provide sufficient time for this review, systems shall submit the reports to the coordinating board on September 1 prior to the December 1 submission to the governor and legislature. Before the higher education coordinating board forwards its review and comment to the legislature, each system shall be given the opportunity by the higher education coordinating board to respond to the higher education coordinating board review. In order to provide sufficient time for the

systems to respond, the HECB shall provide copies of its review and comment to the systems by October 15 and the systems shall submit any responses to the higher education coordinating board by November 15, prior to the January 2 submission to the governor and the legislature. The system responses shall accompany the higher education coordinating board review and comment when it is submitted to the governor and the legislature. As part of its review and comment, the higher education coordinating board shall present information on the costs, enrollment, and participation in public post-secondary institutions.

**History:** 1983 c 258 s 34

### 135A.07 EXECUTIVE SALARIES.

Subdivision 1. Notwithstanding the provisions of chapters 15A and 43A and any other law passed during the 1983 legislative session, the state university board, the community college board, the higher education coordinating board, the state board of education, and the state board of vocational technical education may establish salaries for the chancellor, executive director, commissioner, and the state director, respectively, based on the level of responsibility and authority of the positions. The boards may also consider appropriate market comparisons with comparable positions in the midwest.

Subd. 2. **Education salaries.** Notwithstanding Laws 1981, chapter 359, sections 4 and 5, any law enacted in the 1983 legislative session, or any other law to the contrary, the salaries of the chancellor of the state university system, the chancellor of the community college system, the director of vocational technical education, and the executive director of the Minnesota educational computing consortium shall be established pursuant to section 15A.081, subdivision 1.

**History:** 1983 c 258 s 35; 1983 c 299 s 32