

**Subject** Higher Education: OHE Policy Bill

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## Overview

This is the higher education policy bill for the 2024 session. It contains various changes to higher education programs and laws.

## Summary

Section	Description
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| 1 | <p><b>American Indian Scholars—Eligibility.</b></p> <p>For the American Indian Scholars program created in 2023, adds an eligibility requirement of meeting satisfactory academic progress. This aligns the program’s eligibility criteria with similar state scholarships.</p>   |
| 2 | <p><b>Transcript access.</b></p> <p>Codifies and makes permanent the transcript access law. In the 2021 higher education bill, the legislature imposed certain prohibitions and requirements on postsecondary institutions regarding withholding student transcripts for nonpayment of debts. See <a href="#">Laws 2021, 1<sup>st</sup> Spec. Sess. ch. 2, art. 2, § 44</a>. That section expires June 30, 2024.</p> <p><b>Subd. 1. Definitions.</b> Defines key terms. The definition of “school” sets the scope and includes the Minnesota State Colleges and Universities (MnState) and private institutions. The University of Minnesota (UMN) is requested to comply. No significant changes from the 2021 law.</p> <p><b>Subd. 2. Prohibited practices.</b> Prohibits a school from withholding a transcript due to an unpaid debt under the enumerated circumstances. As compared to the 2021 law, increases the threshold for de minimus debts from \$250 to \$1,000, and adds a prohibition on denying transcripts to incarcerated persons.</p> <p><b>Subd. 3. Institutional policy.</b> Requires institutions to have clear policies on debt collection and to limit the use of transcript withholding as a debt collection tool.</p> |

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	Requires institutions to report to the Office of Higher Education (OHE) about transcript denials issued under the policies.
3	<b>Sexual harassment and violence policy—Applicability; policy required.</b> Removes an exemption for private institutions with enrollments under 100 students and replaces it with a provision that private institutions are subject to the section if they participate in federal financial aid programs.
4	<b>Sexual harassment and violence policy—Definitions.</b> Adds the following definitions for relevant participants in investigations and disciplinary proceedings: “advisor,” “reporting party,” and “responding party.” Adds a broader term of “sexual misconduct,” which includes the existing defined term “sexual assault,” as well as several newly added terms: “intimate partner violence,” “sexual harassment,” and “stalking.” Conforming changes are made in the other bill sections amending this statute.
5	<b>Sexual harassment and violence policy—Victim’s rights.</b> Gives a victim the right to not to participate in investigations or disciplinary proceedings, or to not report sexual misconduct at all. Prohibits an institution from conditioning these rights, financial aid, or remedial actions on the victim entering into a nondisclosure agreement regarding the incident.
6	<b>Sexual harassment and violence policy—Campus investigation and disciplinary hearing procedures.</b> Requires schools to respond to reports of sexual misconduct with appropriate investigations, disciplinary proceedings, and—if needed—remedial measures. Provides a role for an advisor to assist a party in a hearing.
7	<b>Sexual harassment and violence policy—Data collection and reporting.</b> Utilizes new definition of “sexual misconduct” added in section 4 of the bill.
8	<b>Sexual harassment and violence policy—Comprehensive training.</b> Adds a requirement that mandated training on sexual misconduct issues be culturally responsive.
9	<b>Navigators for parenting students.</b> Creates a new requirement for postsecondary institutions to designate an employee as a “navigator” to assist parenting students.  <b>Subd. 1. Applicability.</b> Provides that this section applies to MnState and private institutions offering in-person classes in Minnesota. UMN is requested to comply.

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	<p><b>Subd. 2. Definitions.</b> Defines key terms.</p> <p><b>Subd. 3. Navigators.</b> Requires postsecondary institutions to provide navigators to assist parenting students with finding support services.</p> <p><b>Subd. 4. Report.</b> Requires institutions to report to OHE regarding enrolled students who are parents. Requires a report from OHE to the legislature on parenting students.</p>
10	<p><b>Protections for pregnant and parenting students.</b></p> <p>This section creates new protections for pregnant and parenting students at public postsecondary institutions. These are requirements/prohibitions on MnState institutions, and are “requests” to UMN institutions.</p> <p><b>Subd. 1. Definitions.</b> Defines “parenting student.”</p> <p><b>Subd. 2. Rights and protections.</b> Prohibits institutions from requiring a pregnant or parenting student to take any of the enumerated actions, which generally concern enrollment and course loads. Requires institutions to provide certain reasonable modifications and allowances to pregnant students and those with medical conditions related to pregnancy or childbirth.</p> <p><b>Subd. 3. Policy on discrimination.</b> Requires institutions to adopt a policy on pregnancy and parenting discrimination.</p> <p><b>Subd. 4. Rulemaking.</b> Requires OHE to adopt rules as necessary to administer this section.</p>
11	<p><b>Inclusive Higher Education Technical Assistance Center—Reporting.</b></p> <p>Moves a reporting requirement from the inclusive higher education grant section (§ 135A.162) to the section on the Inclusive Higher Education Technical Assistance Center. The existing reporting requirement is repealed in section 48 of the bill.</p>
12	<p><b>Inclusive higher education grants—Eligible grantees.</b></p> <p>Adds Tribal colleges to the list of eligible institutions.</p>
13	<p><b>Students with disabilities; accommodations; general requirements.</b></p> <p><b>Subd. 1. Short title.</b> Provides a short title, the “Minnesota Respond, Innovate, Succeed, and Empower (RISE) Act.”</p> <p><b>Subd. 2. Definitions.</b> Defines key terms. The scope of application is set within the definition of “institution of higher education,” which includes public</p>

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postsecondary institutions, Tribal colleges, and private institutions that receive federal funding. The University of Minnesota is requested to comply.

**Subd. 3. Students with disabilities policy; documentation; dissemination of information.** Requires institutional policies allowing a student with a disability to self-disclose (with supporting documentation listed in subdivision 4) to the institution. Mandates dissemination of the policy by the institution.

**Subd. 4. Establishment of reasonable accommodation; documentation.** Requires institutions to engage in an “interactive process” with the student to establish reasonable accommodations. Lists forms of documentation that can establish that a student has a disability.

**Subd. 5. Higher education requirements for students with disabilities.** Places various obligations on institutions regarding interactions with students who have disabilities and provides certain rights to students with disabilities.

14	<b>Requirements related to online program management companies.</b>
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**Subd. 1. Definitions.** Defines key terms, including “online program management company” (OPM) and “tuition sharing.” The scope of application is set within the definition of “institution of higher education,” which includes public postsecondary institutions. The University of Minnesota is requested to comply.

**Subd. 2. Contract stipulations.** Prohibits agreements with OPMs that: (1) allow tuition sharing; (2) limit intellectual property rights of faculty members; or (3) give OPMs control over institutional governance, curricula, educational programing, etc.

**Subd. 3. Mandatory contract review and approval.** Requires governing boards of public postsecondary systems to review and approve institutions’ contracts with OPMs.

**Subd. 4. Reporting requirements.** Requires institutions to report to their governing boards regarding enrollment in and revenue generated by OPM programs.

**Subd. 5. Marketing requirements.** Places public-facing transparency obligations on institutions regarding their relationships with OPMs.

15	<b>Consolidated student aid reporting.</b>
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Allows OHE to consolidate its mandated reporting for multiple financial aid programs it administers.

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16	<b>Summer academic enrichment program—Financial need.</b> Clarifies eligibility criteria regarding free and reduced-price school meals, given the new universal free school meals program in Minnesota.
17	<b>Order of aid calculations.</b> Allows OHE to determine the order that students' financial aid awards may be calculated if students are eligible for more than one program. The goal of the ordering should be to provide the greatest amount of aid to students.
18	<b>Fostering independence higher education grants—Eligibility.</b> Adds requirements to the program's eligibility criteria to align it with similar state grant and scholarship programs.
19	<b>Fostering independence higher education grants—Foster grant amount; payment; opt-out.</b> Prioritizes applications on a first-come, first-served basis when program funds are insufficient to make awards to all eligible applicants. Provides for a waiting list.
20	<b>North Star Promise—Definitions.</b> Clarifies existing definitions for the program. Provides that financial aid for expenses other than tuition and mandatory fees is not deducted when calculating a student's award.
21	<b>North Star Promise—Conditions for eligibility.</b> Adds additional criteria to align the program with similar state scholarships and grants.
22	<b>North Star Promise—Scholarship.</b> Provides technical clarifications. Caps supplemental ("Pell plus") grants at the student's recognized cost of attendance.
23	<b>North Star Promise—Maintain current levels of institutional assistance.</b> Provides technical clarifications.
24	<b>North Star Promise—Duration of scholarship authorized; scholarship paid to institution.</b> Provides technical clarifications. Aligns the eligibility criteria with similar state scholarships and grants.

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25	<b>SELF loan program—Terms and conditions of loans.</b> Allows a student to borrow up to the maximum loan amount twice in the same “grade level.”
26	<b>SELF loan program—Repayment of loans.</b> Adds a prohibition on minimum annual payments, but allows minimum monthly payments.
27	<b>Minnesota Private and Out-of-State Public Postsecondary Education Act—Definitions.</b> Amends the definition of “school” for this act to add references to “physical presence,” a new definition added in section 29 of the bill.
28	<b>Minnesota Private and Out-of-State Public Postsecondary Education Act—Definitions.</b> Adds a definition of “postsecondary education.”
29	<b>Minnesota Private and Out-of-State Public Postsecondary Education Act—Definitions.</b> Adds a definition of “physical presence.”
30	<b>Minnesota Private and Out-of-State Public Postsecondary Education Act—Registration.</b> Uses the new definition of physical presence added in section 29 of the bill.
31	<b>Minnesota Private and Out-of-State Public Postsecondary Education Act—Additional security.</b> Corrects a reference to federal rules. Updates the closed school refund dates to a timeframe of 180 days.
32	<b>Minnesota Private and Out-of-State Public Postsecondary Education Act—Criteria for approval.</b> For contracts with out-of-state schools to provide educational programming, requires the contract to include a joint-and-several liability provision and to mandate compliance with the act.
33	<b>Minnesota Private and Out-of-State Public Postsecondary Education Act—Additional reporting.</b> Corrects a reference to federal rules.

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34	<b>Private Career School Act—Definitions.</b> Amends the definition of “private career school” for this act to add references to “physical presence,” a new definition added in section 35 of the bill.
35	<b>Private Career School Act—Definitions.</b> Adds a definition of “physical presence.”
36	<b>Private Career School Act—Licensure.</b> Uses the new definition of physical presence added in section 35 of the bill.
37	<b>Private Career School Act—Licensure.</b> Uses the new definition of physical presence added in section 35 of the bill.
38	<b>Private Career School Act—Licensure.</b> Uses the new definition of physical presence added in section 35 of the bill.
39	<b>Private Career School Act—Licensure.</b> Uses the new definition of physical presence added in section 35 of the bill.
40	<b>Private Career School Act—Licensure.</b> Adds two requirements for the licensure of a private career school. First, that the school has not previously had a license revoked. Second, for contracts with out-of-state schools to provide educational programming, requires the contract to include a joint-and-several liability provision and to mandate compliance with the act.
41	<b>Private Career School Act—Prohibitions.</b> Prohibits a school from claiming that its programs qualify for national certifications that are not in fact recognized by Minnesota employers.
42	<b>Private Career School Act—Revocation of license or permit.</b> Allows OHE to grant a private career school a probationary license to allow time to correct deficiencies.
43	<b>Private Career School Act—Revocation of license or permit.</b> Prohibits a school whose license has been revoked from reapplying for licensure within two years and adds requirements for relicensure.
44	<b>Private Career School Act—Exemptions.</b> Consolidates exemptions for schools accredited by state licensing boards. Clarifies the definition of a “trade union.” Clarifies the exemption for certain private

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	professional and trade organizations. Clarifies the exemption for test preparation programs.
45	<b>Workforce development scholarships—Program eligibility.</b> Adds “energy” to the list of programs of study or certification eligible for scholarships.
46	<b>University of Minnesota—Previous appropriation.</b> Amends a 2023 UMN appropriation rider for the Medical School on the CentraCare Health System Campus in St. Cloud to change the specific purposes for which the money may be used.
47	<b>Repealer.</b> Paragraph (a) repeals the existing statute requiring public postsecondary institutions to have policies regarding assistance and support for students with disabilities. This statute is replaced by the new statute proposed in section 13 of the bill.  Paragraph (b) repeals the existing reporting requirement for inclusive higher education grants. Section 11 of the bill moved this requirement to the section on the Inclusive Higher Education Technical Assistance Center.



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