

STATEMENT OF NEED AND REASONABLENESS

MINNESOTA HIGHER EDUCATION COORDINATING BOARD

In the Matter of the Proposed Adoption of the Rule
Governing Requirements for Registration
of the Private Institutions Registration Program

September 25, 1989

4840.0400 - subp. 1.A.

The current fee has been in place since 1975, as authorized by Minnesota Statutes 136A.69. The proposed change will allow the Board to charge fees as permitted by Minnesota Statutes, section 16A.128, and remove the fixing of fees by Board rulemaking.

This change is reasonable because the fees charged will be within limits set in statute; by deleting the fee amount from agency rules eliminates the Board rulemaking process to adjust the Private Institutions Registration program fee.

- subp. 1.B.

From time to time, it is necessary to conduct a visit to an out-of-state institution to review current practices, student work, or to visit one of its off-campus sites. It is expensive to conduct these visits, and by current practice, the visits are subsidized by registration fees paid by all private institutions. Staff will make all travel arrangements and bill the out-of-state institution after the visit. Annually, there are one or two visits to private institutions outside of Minnesota. There were no visits in 1988.

This change will allocate the cost of administering the program more fairly to the benefitting institutions. Site visits to private institutions within Minnesota will not impose additional costs to the institution.

- subp. 2.

The Board has not been specific about student records, or requirements on preservation of records. Current rule specifies these requirements to private institutions within Minnesota only. The proposed rule covers all students attending programs offered within Minnesota, including those offered by out-of-state institutions.

subp. 2.A.3.

The proposed rule requires that the plan to preserve records proposed by a private institution must be acceptable to the Board, and that the plan must include provisions to preserve records for at least 50 years. According to the Minnesota Historical Society, archives division, this length of time is not unreasonable to expect student records to be preserved. Statutes allow a "minimum of ten years" which is not adequate for student record purposes. To illustrate this point, Board staff receive requests from retired persons who need official copies of transcripts of college work completed 30-40 years ago.

subp. 2.B.1.2.3.

The proposed rule requires that private institutions that plan to close their operations, inform the Board of their intention. Current rule does not include a provision that a private institution inform the Board. The intent of this requirement is to provide for an orderly transition of student records while the private institution is still operating and under the jurisdiction of the state.