

1450 Energy Park Drive, Suite 350  
St. Paul, MN 55108-5227

Tel: 651.642.0567  
800.657.3866  
Fax: 651.642.0675

info@ohe.state.mn.us  
www.ohe.state.mn.us

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November 30, 2009

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REVISOR OF STATUTES

Ms. Michele Timmons, Revisor  
Office of the Revisor of Statutes  
700 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, Minnesota 55155-1206

Subject: Annual Report on Obsolete, Unnecessary or Duplicative Rules as Required by Minnesota Statutes, Section 14.05, Subdivision 5

Dear Ms. Timmons:

*Minnesota Statutes*, section 14.05, subdivision 5, directs the Minnesota Office of Higher Education to report to you by December 1 of each year whether any of its rules are obsolete, unnecessary, or duplicative of other state or federal statutes or rules.

The Office of Higher Education has previously declared its intention to repeal some obsolete private institution registration and private career school rules; that process is underway. Statutes regulating private postsecondary institutions were revised during the 2007 legislative session moving regulation of any institution offering an associate degree or higher under *Minnesota Statutes* 136A.61 to 136A.71 and those offering programs less than associate level under *Minnesota Statutes* 141.20 to 141.37.

Administrative rules governing the regulation of private postsecondary institutions need to be amended to reflect the statutory changes.

**Private institution registration** rules will be amended as follows:

- Repeal *Minnesota Rules* 4840.0100 Subp. 3 (superseded by *M.S.* 136A.62 Subd. 3)
- Repeal *Minnesota Rules* 4840.0400

Subpart 1 (superseded by *M.S.* 136A.69)

Subp. 2 (superseded by *M.S.* 136A.645)

Subp. 3 to subp. 6 (superseded by *M.S.* 136A.64)

Subp 7 (superseded by *M.S.* 136A.67)

- Repeal *Minnesota Rules* 4840.0500 Subp. 2 to subp. 7 (superceded by *M.S.* 136A.65)
- Repeal *Minnesota Rules* 4840.0600 (superceded by *M.S.* 136A.65 Subd. 8)
- Repeal *Minnesota Rules* 4840.0700 (superceded by *M.S.* 136A.65 Subd. 8)
- Amend *Minnesota Rules* 4840.0500 to delete reference to institution name

**Private career school** rules will be amended as follows:

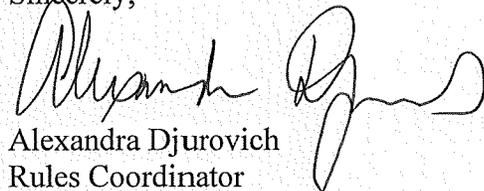
- Amend *Minnesota Rules* 4880.1700 and 4880.2500 to pertain to programs less than associate degree
- Amend *Minnesota Rules* 4880.1800 to add another option to make it easier to comply with inspection reports
- Repeal *Minnesota Rules* 4880.2600 (superceded by *M.S.* 141.255)
- Repeal *Minnesota Rules* 4880.2800 (superceded by *M.S.* 141.21 Subd. 5)

The Office of Higher Education will seek repeal of these rules and needed amendments using the Good Cause Exemption in *Minnesota Statutes*, section 14.388.

The Office of Higher Education has reviewed its remaining rules and found no others that have become obsolete, unnecessary or duplicative over the course of the last year.

Please let me know if I can provide further assistance.

Sincerely,



Alexandra Djurovich  
Rules Coordinator

Cc: Governor Tim Pawlenty  
Mr. Greg Hubinger, Director, Legislative Coordinating Commission  
Senator Sandy Pappas, Chair, Higher Education Budget and Policy Division  
Senator Claire Robling, Ranking Republican, Higher Education Budget and Policy  
Division of Senate Finance Committee  
Representative Tom Rukavina, Chair, Higher Education and Work Force Development  
Policy and Finance Division of House Finance Committee  
Representative Bud Nornes, Ranking Republican, Higher Education and Work Force  
Development Policy and Finance Division of House Finance Committee