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November 25, 2008

Governor Tim Pawlenty
130 State Capitol
75 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, Minnesota 55155-1606

Dear Governor Pawlenty:

Re: Obsolete Rules Report

Minnesota Statutes § 14.05, subd. 5, directs state agencies to report to you by December 1 of each year whether any of their rules are obsolete, unnecessary, or duplicative of other state or federal statutes or rules. The Minnesota Office of Higher Education has reviewed its rules and found that the following rules are obsolete or need amending. 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- Repeal *Minnesota Rules* 4840.0100 Subp. 3 (superceded by *M.S.* 136A.62 Subd. 3)
- Repeal *Minnesota Rules* 4840.0400

Subpart 1 (superceded by *M.S.* 136A.69)

Subp. 2 (superceded by *M.S.* 136A.645)

Subp. 3 to subp. 6 (superceded by *M.S.* 136A.64)

Subp 7 (superceded by *M.S.* 136A.67)

- Repeal *Minnesota Rules* 4840.0500 Subp. 2 to subp. 7 (superceded by *M.S.* 136A.65)
- Repeal *Minnesota Rules* 4840.0600 (superceded by *M.S.* 136A.65 Subd. 8)

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- Repeal *Minnesota Rules* 4840.0700 (superceded by *M.S.* 136A.65 Subd. 8)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

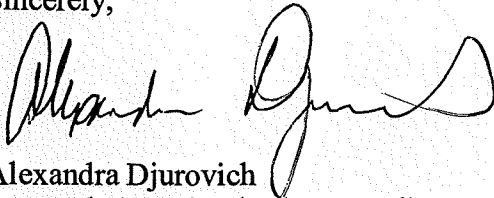
Private career school rules will be amended as follows:

- 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- Repeal *Minnesota Rules* 4880.2600 (superceded by *M.S.* 141.255)
- Repeal *Minnesota Rules* 4880.2800 (superceded by *M.S.* 141.21 Subd. 5)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. It is anticipated that this will be accomplished within four months.

Please let me know if I can provide further assistance.

Sincerely,



Alexandra Djurovich
Research Associate/Rules Coordinator

cc: James Metzger, Chair, Legislative Coordinating Commission
Michele Timmons, Revisor of Statutes
Senator Sandra Pappas, Chair, Senate Higher Education Budget and Policy Division
Senator Claire Robling, Ranking Republican, Higher Education Budget and Policy Division
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