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S.F. No. 4269 – 2nd Engrossment - Postsecondary education institutions incarcerated and postprison persons provisions modifications.

Author: Senator Clare Oumou Verbeten

Prepared by: Joan White, Senate Counsel (651/296-3814)
Kenneth P. Backhus, Senate Counsel (651/296-4396)

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Section 1 (135A.062) establishes a new section of law related to the consideration of criminal records when applying to a higher education institution. This section defines the term “violent felony or sexual assault” for purposes of this section. This section prohibits a postsecondary institution from inquiring into, considering, or requiring the disclosure of the criminal record or criminal history of an applicant for admission. After an offer of admission, the institution may inquire into a conviction for a violent felony or sexual assault that occurred in the previous five years. The institution must allow the applicant to submit an explanatory statement, letters of recommendation, and other supporting documents, but cannot require the applicant to provide official records. An institution that rescinds an offer must provide an explanation and provide the applicant with an opportunity to appeal. This section does not prohibit an institution, after making an offer of admission, from inquiring about student conduct records at a prior institution or inquiring about the student's ability to meet licensure requirements in a professional program. Provides civil immunity to institutions that comply with this section. Clarifies that institutions do not have a legal duty to inquire into or require disclosure of the criminal history of a student or applicant for admission.

Section 2 (136A.786) requires the commissioner of corrections to collect information on incarcerated persons who are federal student aid borrowers and relay that information to the commissioner of higher education. It also requires the commissioner of the Office of Higher Education to assist incarcerated persons in enrolling in a federal income-driven repayment plan.

Section 3 (241.267) prohibits the commissioner of corrections from establishing a personal education partnership with higher education institutions that are organized as a private for-profit institution or charge incarcerated students to a higher per-credit rate than the rate for nonincarcerated students.

Section 4 (244.60) provides that if the commissioner of corrections requires a person on supervised release to work or be employed, enrollment and participation in postsecondary education satisfies the requirement.

Section 5 repeals Minnesota Statutes, section 241.265 and Minnesota Statutes, section 609B.311, Minnesota Statutes, section 241.265 prohibits the commissioner of corrections from paying for a college education program beyond the associate of arts degree level for an inmate convicted of first or second-degree murder and paying for an associate of arts college education program for an inmate convicted of first or second-degree murder if the inmate's participation in the program does not increase the cost of the program to the institution. **Minnesota Statutes, section 609B.311** references and restates the law repealed above, related to the commissioner being prohibited from paying for certain higher education programs for an inmate convicted of first or second-degree murder.