



Minn. Stat. 135A.157 “Higher Education Notice”

This legislation was recommended by the Collateral Sanctions Committee of the Minnesota Legislature in response to the stories of a number of students who made their way through college, spending time and money, only to find that their criminal record prevented or inhibited them from finding a job within their field of study.

Effective August 1, 2009, Minn. Stat. 135A.157 will require all public and private postsecondary educational institutions within the State of Minnesota to give notice of the potential effects of criminal convictions on future employment. By giving future students the notice required by this law, such students will know that their options may be limited in certain fields before they invest time and money in a particular area of study. Ideally, it will also make the general public more aware of some of the onerous and often unreasonable statutory employment restrictions and lead to the change of these policies. This legislation was developed by the Council on Crime and Justice, supported by the Second Chance Coalition, and authored by Senator Ron Latz and House Representative Sheldon Johnson.

There is currently no central location that contains comprehensive information regarding which types of criminal records will prevent or restrict employment in which fields.¹ A web-based location is needed to make sure that students who have criminal records can find accurate information on career restrictions that affect them. The Council is seeking funding and support for the development of this resource.

[135A.157] NOTICE TO STUDENTS REGARDING POSSIBLE IMPACT OF CRIMINAL RECORDS.

- (a) A public or private postsecondary educational institution located in this state shall give notice under this section to each person accepted for admission to be a student at the institution. This notice shall be given at or before the time of acceptance for admission to the institution and at or before the time students select a major.
- (b) A notice provided under this section must inform students that arrests, charges, or convictions of criminal offenses may limit employment possibilities in specific careers and occupations and may limit their ability to obtain federal, state, and other financial aid, and must encourage students to investigate these possibilities. The notice must not discourage students from applying for federal, state, or other financial aid.
- (c) A postsecondary educational institution is not liable for failing to provide the notice required by this section.

¹ Currently, two sources of information are Minn. Stat. 609B COLLATERAL SANCTIONS <https://www.revisor.leg.state.mn.us/statutes/?id=609B> , and the Minnesota Legislature’s Overview of Background Check Statutes <http://www.house.leg.state.mn.us/hrd/pubs/bkgdchck.pdf> .