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Minnesota Statutes Annotated [Currentness](#)

Human Rights (Ch. 363, 363a)

▢ [Chapter 363A](#). Human Rights

▢ Unfair Discriminatory Practices

→ **363A.13. Educational institution**

Subdivision 1. Utilization; benefit or services. It is an unfair discriminatory practice to discriminate in any manner in the full utilization of or benefit from any educational institution, or the services rendered thereby to any person because of race, color, creed, religion, national origin, sex, age, marital status, status with regard to public assistance, sexual orientation, or disability, or to fail to ensure physical and program access for disabled persons. For purposes of this subdivision, program access includes but is not limited to providing taped texts, interpreters or other methods of making orally delivered materials available, readers in libraries, adapted classroom equipment, and similar auxiliary aids or services. Program access does not include providing attendants, individually prescribed devices, readers for personal use or study, or other devices or services of a personal nature.

Subd. 2. Exclude, expel, or selection. It is an unfair discriminatory practice to exclude, expel, or otherwise discriminate against a person seeking admission as a student, or a person enrolled as a student because of race, color, creed, religion, national origin, sex, age, marital status, status with regard to public assistance, sexual orientation, or disability.

Subd. 3. Admission form or inquiry. It is an unfair discriminatory practice to make or use a written or oral inquiry, or form of application for admission that elicits or attempts to elicit information, or to make or keep a record, concerning the creed, religion, sexual orientation, or disability of a person seeking admission, except as permitted by rules of the department.

Subd. 4. Purpose for information and record. It is an unfair discriminatory practice to make or use a written or oral inquiry or form of application that elicits or attempts to elicit information, or to keep a record concerning the race, color, national origin, sex, age, or marital status of a person seeking admission, unless the information is collected for purposes of evaluating the effectiveness of recruitment, admissions, and other educational policies, and is maintained separately from the application.

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Minnesota Statutes Annotated [Currentness](#)

Human Rights (Ch. 363, 363a)

▣ [Chapter 363A](#). Human Rights

▣ Exemptions to Unfair Discriminatory Practices

→ **363A.23. Exemption based on education**

Subdivision 1. Religious or denominational institution. It is not an unfair discriminatory practice for a religious or denominational institution to limit admission or give preference to applicants of the same religion. The provisions of [section 363A.13](#) relating to sex, shall not apply to a private educational institution, or branch or level of a private educational institution, in which students of only one sex are permitted to enroll. Nothing in this chapter shall prohibit an educational institution from using academic qualifications or achievements as criteria for admission or requiring from applicants information which relates to academic qualifications or achievements.

Subd. 2. Athletic teams. Notwithstanding any other provisions of this chapter or any law to the contrary, it is not an unfair discriminatory practice for an educational institution or a public service to operate or sponsor separate athletic teams and activities for members of each sex or to restrict membership on an athletic team to participants of one sex, if this separation or restriction meets the requirements of [section 121A.04](#).

Subd. 3. Process for investigating charges against some athletic programs. The Department of Human Rights shall investigate all charges alleging sex discrimination in athletic programs in educational institutions and public services pursuant to the standards and requirements of [section 121A.04](#) and the procedures enumerated in this chapter.

Subd. 4. Other rights, procedures, and remedies. Nothing in this chapter restricts or limits the rights, procedures, and remedies available under section 504 of the Rehabilitation Act of 1973, [United States Code, title 29, section 794](#), or the Individuals with Disabilities Education Act, [United States Code, title 20, sections 1401](#) and following.

CREDIT(S)

Amended by [Laws 2005, c. 56, § 1](#).

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