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State of Minnesota

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HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 845

- 02/12/2015 Authored by Nornes
The bill was read for the first time and referred to the Committee on Higher Education Policy and Finance
- 04/17/2015 Adoption of Report: Amended and re-referred to the Committee on Ways and Means
- 04/22/2015 Adoption of Report: Placed on the General Register as Amended
Read Second Time
Referred to the Chief Clerk for Comparison with S. F. No. 5
- 04/23/2015 Postponed Indefinitely

1.1 A bill for an act
 1.2 relating to higher education; establishing a budget for higher education;
 1.3 appropriating money to the Office of Higher Education, the Board of Trustees
 1.4 of the Minnesota State Colleges and Universities, the Board of Regents of
 1.5 the University of Minnesota, and the Mayo Clinic; appropriating money for
 1.6 tuition relief; establishing a year-long student teacher program; establishing a
 1.7 teacher shortage loan forgiveness program; regulating the assignment of state
 1.8 college and university students to remedial courses; regulating state college and
 1.9 university transfer pathways; requiring a plan to encourage college completion at
 1.10 the Minnesota State Colleges and Universities and the University of Minnesota;
 1.11 regulating the policies of postsecondary institutions relating to sexual harassment
 1.12 and sexual violence; amending Minnesota Statutes 2014, sections 13.322,
 1.13 by adding a subdivision; 122A.09, subdivision 4; 135A.15, subdivisions 1, 2,
 1.14 by adding subdivisions; proposing coding for new law in Minnesota Statutes,
 1.15 chapters 136A; 136F; 626.

1.16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.17 ARTICLE 1

1.18 HIGHER EDUCATION APPROPRIATIONS

1.19 Section 1. HIGHER EDUCATION APPROPRIATIONS.

1.20 The sums shown in the columns marked "Appropriations" are appropriated to the
 1.21 agencies and for the purposes specified in this article. The appropriations are from the
 1.22 general fund, or another named fund, and are available for the fiscal years indicated
 1.23 for each purpose. The figures "2016" and "2017" used in this article mean that the
 1.24 appropriations listed under them are available for the fiscal year ending June 30, 2016, or
 1.25 June 30, 2017, respectively. "The first year" is fiscal year 2016. "The second year" is fiscal
 1.26 year 2017. "The biennium" is fiscal years 2016 and 2017.

1.27 APPROPRIATIONS
 1.28 Available for the Year

2.1		<u>Ending June 30</u>	
2.2		<u>2016</u>	<u>2017</u>
2.3	Sec. 2. <u>MINNESOTA OFFICE OF HIGHER</u>		
2.4	<u>EDUCATION</u>		
2.5	<u>Subdivision 1. Total Appropriation</u>	<u>\$ 198,086,000</u>	<u>\$ 198,061,000</u>
2.6	<u>The amounts that may be spent for each</u>		
2.7	<u>purpose are specified in the following</u>		
2.8	<u>subdivisions.</u>		
2.9	<u>Subd. 2. State Grants</u>	<u>150,281,000</u>	<u>150,281,000</u>
2.10	<u>If the appropriation in this subdivision for</u>		
2.11	<u>either year is insufficient, the appropriation</u>		
2.12	<u>for the other year is available for it.</u>		
2.13	<u>For the biennium, the tuition maximum is</u>		
2.14	<u>\$13,000 each year for students in four-year</u>		
2.15	<u>programs, and \$5,808 each year for students</u>		
2.16	<u>in two-year programs.</u>		
2.17	<u>The living and miscellaneous expense</u>		
2.18	<u>allowance is \$7,900 each year.</u>		
2.19	<u>Subd. 3. Child Care Grants</u>	<u>6,684,000</u>	<u>6,684,000</u>
2.20	<u>Subd. 4. State Work-Study</u>	<u>14,502,000</u>	<u>14,502,000</u>
2.21	<u>Subd. 5. Interstate Tuition Reciprocity</u>	<u>11,018,000</u>	<u>11,018,000</u>
2.22	<u>If the appropriation in this subdivision for</u>		
2.23	<u>either year is insufficient, the appropriation</u>		
2.24	<u>for the other year is available to meet</u>		
2.25	<u>reciprocity contract obligations.</u>		
2.26	<u>Subd. 6. Safety Officer's Survivors</u>	<u>100,000</u>	<u>100,000</u>
2.27	<u>This appropriation is to provide educational</u>		
2.28	<u>benefits under Minnesota Statutes, section</u>		
2.29	<u>299A.45, to eligible dependent children and</u>		
2.30	<u>to the spouses of public safety officers killed</u>		
2.31	<u>in the line of duty.</u>		

3.1 If the appropriation in this subdivision for
 3.2 either year is insufficient, the appropriation
 3.3 for the other year is available for it.

3.4 **Subd. 7. Indian Scholarships** 3,100,000 3,100,000

3.5 The director must contract with or employ
 3.6 at least one person with demonstrated
 3.7 competence in American Indian culture and
 3.8 residing in or near the city of Bemidji to
 3.9 assist students with the scholarships under
 3.10 Minnesota Statutes, section 136A.126, and
 3.11 with other information about financial aid for
 3.12 which the students may be eligible. Bemidji
 3.13 State University must provide office space
 3.14 at no cost to the Minnesota Office of Higher
 3.15 Education for purposes of administering the
 3.16 American Indian scholarship program under
 3.17 Minnesota Statutes, section 136A.126. This
 3.18 appropriation includes funding to administer
 3.19 the American Indian scholarship program.

3.20 **Subd. 8. Tribal College Grants** 150,000 150,000

3.21 For tribal college assistance grants under
 3.22 Minnesota Statutes, section 136A.1796.

3.23 **Subd. 9. High School-to-College Developmental** 100,000 100,000
 3.24 **Transition Grants**

3.25 For grants under Minnesota Statutes, section
 3.26 136A.862, for the high school-to-college
 3.27 developmental transition program grants.

3.28 **Subd. 10. Intervention for College Attendance** 671,000 671,000
 3.29 **Program Grants**

3.30 For the intervention for college attendance
 3.31 program under Minnesota Statutes, section
 3.32 136A.861.

4.1 This appropriation includes funding to
 4.2 administer the intervention for college
 4.3 attendance program grants.

4.4 Subd. 11. **Student-Parent Information** 122,000 122,000

4.5 Subd. 12. **Get Ready** 180,000 180,000

4.6 Subd. 13. **Midwest Higher Education Compact** 95,000 95,000

4.7 Subd. 14. **Minnesota Minority Partnership** 45,000 45,000

4.8 Subd. 15. **United Family Medicine Residency** 500,000 500,000
 4.9 **Program**

4.10 For a grant to United Family Medicine
 4.11 residency program. This appropriation
 4.12 shall be used to support up to 18 resident
 4.13 physicians each year in family practice at
 4.14 United Family Medicine residency programs
 4.15 and shall prepare doctors to practice family
 4.16 care medicine in underserved rural and
 4.17 urban areas of the state. It is intended
 4.18 that this program will improve health
 4.19 care in underserved communities, provide
 4.20 affordable access to appropriate medical
 4.21 care, and manage the treatment of patients in
 4.22 a cost-effective manner.

4.23 Subd. 16. **MnLINK Gateway and Minitex** 5,905,000 5,905,000

4.24 Subd. 17. **Statewide Longitudinal Education** 882,000 882,000
 4.25 **Data System**

4.26 Subd. 18. **Hennepin County Medical Center** 645,000 645,000

4.27 For transfer to Hennepin County Medical
 4.28 Center for graduate family medical education
 4.29 programs at Hennepin County Medical
 4.30 Center.

4.31 Subd. 19. **Teacher Shortage Loan Forgiveness** 590,000 565,000

4.32 For the loan forgiveness program under
 4.33 Minnesota Statutes, section 136A.1791.

5.1 Subd. 20. **Campus Sexual Assault Reporting** 25,000 25,000

5.2 For the sexual assault reporting required
 5.3 under Minnesota Statutes, section 135A.15.

5.4 Subd. 21. **Agency Administration** 2,491,000 2,491,000

5.5 Subd. 22. **Balances Forward**

5.6 A balance in the first year under this section
 5.7 does not cancel, but is available for the
 5.8 second year.

5.9 Subd. 23. **Transfers**

5.10 The Minnesota Office of Higher Education
 5.11 may transfer unencumbered balances from
 5.12 the appropriations in this section to the state
 5.13 grant appropriation, the interstate tuition
 5.14 reciprocity appropriation, the child care
 5.15 grant appropriation, the Indian scholarship
 5.16 appropriation, the state work-study
 5.17 appropriation, the get ready appropriation,
 5.18 and the public safety officers' survivors
 5.19 appropriation. Transfers from the child care
 5.20 or state work-study appropriations may only
 5.21 be made to the extent there is a projected
 5.22 surplus in the appropriation. A transfer may
 5.23 be made only with prior written notice to
 5.24 the chairs and ranking minority members
 5.25 of the senate and house of representatives
 5.26 committees and divisions with jurisdiction
 5.27 over higher education finance.

5.28 Sec. 3. **BOARD OF TRUSTEES OF THE**
 5.29 **MINNESOTA STATE COLLEGES AND**
 5.30 **UNIVERSITIES**

5.31 Subdivision 1. **Total Appropriation** \$ 658,498,000 \$ 691,183,000

5.32 The amounts that may be spent for each
 5.33 purpose are specified in the following
 5.34 subdivisions.

6.1	<u>Subd. 2. Central Office and Shared Services</u>	<u>33,074,000</u>	<u>33,074,000</u>
6.2	<u>Unit</u>		

6.3 For the Office of the Chancellor and the
 6.4 Shared Services Division.

6.5	<u>Subd. 3. Operations and Maintenance</u>	<u>621,309,000</u>	<u>653,994,000</u>
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6.6 This appropriation includes \$36,000,000 in
 6.7 fiscal year 2016 and \$69,000,000 in fiscal
 6.8 year 2017 for student tuition relief. The
 6.9 Board of Trustees must establish tuition rates
 6.10 as follows:

6.11 (1) for the 2015-2016 academic year,
 6.12 the tuition rate at universities must not
 6.13 increase by more than three percent over
 6.14 the 2014-2015 academic year rate, and the
 6.15 tuition rate at colleges must not exceed the
 6.16 2014-2015 academic year rate; and

6.17 (2) for the 2016-2017 academic year, the
 6.18 tuition rate at universities must not exceed
 6.19 the 2015-2016 academic year rate, and the
 6.20 tuition rate at colleges must be reduced by at
 6.21 least one percent compared to the 2015-2016
 6.22 academic year rate.

6.23 The student tuition relief may not be offset
 6.24 by increases in mandatory fees, charges, or
 6.25 other assessments to the student.

6.26 This appropriation includes \$200,000 in
 6.27 fiscal year 2016 to award up to two grants to
 6.28 system institutions with a teacher preparation
 6.29 program approved by the Board of Teaching
 6.30 to provide a school year-long student
 6.31 teaching pilot program, consistent with
 6.32 the student teaching program requirements
 6.33 under Minnesota Statutes, section 122A.09,
 6.34 subdivision 4, paragraph (d). This is a

7.1 onetime appropriation. The Board of
 7.2 Trustees must report to the K-12 and higher
 7.3 education committees of the legislature by
 7.4 March 1, 2017, on the experiences of the
 7.5 grant recipients and the student teachers
 7.6 with the school year-long student teaching
 7.7 program, and include any recommendations
 7.8 for amending Minnesota Statutes, section
 7.9 122A.09, subdivision 4, paragraph (d), based
 7.10 on the experiences of the grant recipients.

7.11 This appropriation includes \$115,000 in fiscal
 7.12 year 2016 to implement the baccalaureate
 7.13 degree pathways required under article 2,
 7.14 section 4.

7.15 This appropriation includes \$40,000 in fiscal
 7.16 year 2016 and \$40,000 in fiscal year 2017
 7.17 to implement the sexual assault policies
 7.18 required under Minnesota Statutes, section
 7.19 135A.15. This is a onetime appropriation.

7.20 \$18,000 each year is for transfer to the Cook
 7.21 County Higher Education Board to provide
 7.22 educational programming and academic
 7.23 support services to remote regions in
 7.24 northeastern Minnesota. This appropriation
 7.25 is in addition to the \$102,000 per fiscal year
 7.26 this project currently receives. The project
 7.27 shall continue to provide information to the
 7.28 Board of Trustees on the number of students
 7.29 served, credit hours delivered, and services
 7.30 provided to students. The base appropriation
 7.31 under this paragraph is \$120,000 each year.

7.32 <u>Subd. 4. Learning Network of Minnesota</u>	<u>4,115,000</u>	<u>4,115,000</u>
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7.33 Sec. 4. **BOARD OF REGENTS OF THE**
 7.34 **UNIVERSITY OF MINNESOTA**

7.35 <u>Subdivision 1. Total Appropriation</u>	<u>\$ 603,256,000</u>	<u>\$ 601,856,000</u>
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8.1	<u>Appropriations by Fund</u>		
8.2		<u>2016</u>	<u>2017</u>
8.3	<u>General</u>	<u>601,099,000</u>	<u>599,699,000</u>
8.4	<u>Health Care Access</u>	<u>2,157,000</u>	<u>2,157,000</u>

8.5 The amounts that may be spent for each
 8.6 purpose are specified in the following
 8.7 subdivisions.

8.8	<u>Subd. 2. Operations and Maintenance</u>	<u>533,011,000</u>	<u>533,011,000</u>
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8.9 This appropriation includes funding for
 8.10 operation and maintenance of the system.

8.11	<u>Subd. 3. Primary Care Education Initiatives</u>	<u>2,157,000</u>	<u>2,157,000</u>
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8.12 This appropriation is from the health care
 8.13 access fund.

8.14 Subd. 4. **Special Appropriations**

8.15	<u>(a) Agriculture and Extension Service</u>	<u>42,922,000</u>	<u>42,922,000</u>
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8.16 For the Agricultural Experiment Station and
 8.17 the Minnesota Extension Service:

8.18 (1) the Agricultural Experiment Station
 8.19 and Minnesota Extension Service must
 8.20 convene agricultural advisory groups to
 8.21 focus research, education, and extension
 8.22 activities on producer needs and implement
 8.23 an outreach strategy that more effectively
 8.24 and rapidly transfers research results and best
 8.25 practices to producers throughout the state;

8.26 (2) this appropriation includes funding for
 8.27 research and outreach on the production of
 8.28 renewable energy from Minnesota biomass
 8.29 resources, including agronomic crops,
 8.30 plant and animal wastes, and native plants
 8.31 or trees. The following areas should be
 8.32 prioritized and carried out in consultation
 8.33 with Minnesota producers and renewable
 8.34 energy and bioenergy organizations:

- 9.1 (i) biofuel and other energy production from
9.2 perennial crops, small grains, row crops,
9.3 and forestry products in conjunction with
9.4 the Natural Resources Research Institute
9.5 (NRRI);
- 9.6 (ii) alternative bioenergy crops and cropping
9.7 systems; and
- 9.8 (iii) biofuel coproducts used for livestock
9.9 feed;
- 9.10 (3) this appropriation includes funding
9.11 for the College of Food, Agricultural and
9.12 Natural Resources Sciences to establish and
9.13 provide leadership for organic agronomic,
9.14 horticultural, livestock, and food systems
9.15 research, education, and outreach and for
9.16 the purchase of state-of-the-art laboratory,
9.17 planting, tilling, harvesting, and processing
9.18 equipment necessary for this project;
- 9.19 (4) this appropriation includes funding
9.20 for research efforts that demonstrate a
9.21 renewed emphasis on the needs of the state's
9.22 agriculture community. The following
9.23 areas should be prioritized and carried
9.24 out in consultation with Minnesota farm
9.25 organizations:
- 9.26 (i) vegetable crop research with priority for
9.27 extending the Minnesota vegetable growing
9.28 season;
- 9.29 (ii) fertilizer and soil fertility research and
9.30 development;
- 9.31 (iii) soil, groundwater, and surface water
9.32 conservation practices and contaminant
9.33 reduction research;

- 10.1 (iv) discovering and developing plant
- 10.2 varieties that use nutrients more efficiently;
- 10.3 (v) breeding and development of turf seed
- 10.4 and other biomass resources in all three
- 10.5 Minnesota biomes;
- 10.6 (vi) development of new disease-resistant
- 10.7 and pest-resistant varieties of turf and
- 10.8 agronomic crops;
- 10.9 (vii) utilizing plant and livestock cells to treat
- 10.10 and cure human diseases;
- 10.11 (viii) the development of dairy coproducts;
- 10.12 (ix) a rapid agricultural response fund for
- 10.13 current or emerging animal, plant, and insect
- 10.14 problems affecting production or food safety;
- 10.15 (x) crop pest and animal disease research;
- 10.16 (xi) developing animal agriculture that is
- 10.17 capable of sustainably feeding the world;
- 10.18 (xii) consumer food safety education and
- 10.19 outreach;
- 10.20 (xiii) programs to meet the research and
- 10.21 outreach needs of organic livestock and crop
- 10.22 farmers; and
- 10.23 (xiv) alternative bioenergy crops and
- 10.24 cropping systems; and growing, harvesting,
- 10.25 and transporting biomass plant material; and
- 10.26 (5) by February 1, 2017, the Board of Regents
- 10.27 must submit a report to the legislative
- 10.28 committees and divisions with jurisdiction
- 10.29 over agriculture and higher education finance
- 10.30 on the status and outcomes of research and
- 10.31 initiatives funded in this section.

10.32 **(b) Health Sciences** 9,204,000 9,204,000

11.1 \$346,000 each year is to support up to 12
 11.2 resident physicians in the St. Cloud Hospital
 11.3 family practice residency program. The
 11.4 program must prepare doctors to practice
 11.5 primary care medicine in rural areas of the
 11.6 state. The legislature intends this program
 11.7 to improve health care in rural communities,
 11.8 provide affordable access to appropriate
 11.9 medical care, and manage the treatment of
 11.10 patients in a more cost-effective manner.
 11.11 The remainder of this appropriation is for
 11.12 the rural physicians associates program, the
 11.13 Veterinary Diagnostic Laboratory, health
 11.14 sciences research, dental care, and the
 11.15 Biomedical Engineering Center.
 11.16 **(c) Institute of Technology** 1,140,000 1,140,000
 11.17 For the geological survey and the talented
 11.18 youth mathematics program.
 11.19 **(d) System Special** 5,181,000 5,181,000
 11.20 For general research, the Labor Education
 11.21 Service, Natural Resources Research
 11.22 Institute, Center for Urban and Regional
 11.23 Affairs, Bell Museum of Natural History, and
 11.24 the Humphrey exhibit.
 11.25 **(e) University of Minnesota and Mayo** 7,491,000 7,491,000
 11.26 **Foundation Partnership**
 11.27 For the direct and indirect expenses of the
 11.28 collaborative research partnership between
 11.29 the University of Minnesota and the Mayo
 11.30 Foundation for research in biotechnology
 11.31 and medical genomics. This appropriation is
 11.32 available until expended. An annual report
 11.33 on the expenditure of these funds must be
 11.34 submitted to the governor and the chairs of
 11.35 the legislative committees responsible for

12.1	<u>higher education finance by June 30 of each</u>		
12.2	<u>fiscal year.</u>		
12.3	<u>Subd. 5. Crookston Campus; Agricultural</u>	<u>750,000</u>	<u>750,000</u>
12.4	<u>Education and Health Sciences</u>		
12.5	<u>To reinstate and support the agricultural</u>		
12.6	<u>education program and enhance the health</u>		
12.7	<u>science program on the Crookston campus.</u>		
12.8	<u>Subd. 6. Morris Campus</u>	<u>1,400,000</u>	<u>-0-</u>
12.9	<u>This appropriation includes \$450,000 in</u>		
12.10	<u>fiscal year 2016 to renovate classrooms</u>		
12.11	<u>and small group spaces in the division of</u>		
12.12	<u>education on the Morris campus.</u>		
12.13	<u>This appropriation includes \$250,000 in</u>		
12.14	<u>fiscal year 2016 to improve classroom</u>		
12.15	<u>seating, technology, acoustics, and digital</u>		
12.16	<u>capabilities on the Morris campus.</u>		
12.17	<u>This appropriation includes \$300,000 in</u>		
12.18	<u>fiscal year 2016 to upgrade digital and</u>		
12.19	<u>wireless capabilities in the campus library</u>		
12.20	<u>on the Morris campus.</u>		
12.21	<u>This appropriation includes \$400,000 in fiscal</u>		
12.22	<u>year 2016 to upgrade college athletics and</u>		
12.23	<u>recreation facilities on the Morris campus.</u>		
12.24	<u>This is a onetime appropriation. Funds from</u>		
12.25	<u>this appropriation are available until June</u>		
12.26	<u>30, 2017.</u>		
12.27	<u>Subd. 7. Academic Health Center</u>		
12.28	<u>The appropriation for Academic Health</u>		
12.29	<u>Center funding under Minnesota Statutes,</u>		
12.30	<u>section 297F.10, is estimated to be</u>		
12.31	<u>\$22,250,000 each year.</u>		
12.32	<u>Sec. 5. MAYO CLINIC</u>		
12.33	<u>Subdivision 1. Total Appropriation</u>	<u>\$ 1,351,000</u>	<u>\$ 1,351,000</u>

- 13.1 The amounts that may be spent are specified
 13.2 in the following subdivisions.
- 13.3 Subd. 2. **Medical School** 665,000 665,000
- 13.4 The state must pay a capitation each year for
 13.5 each student who is a resident of Minnesota.
- 13.6 The appropriation may be transferred
 13.7 between each year of the biennium to
 13.8 accommodate enrollment fluctuations. It is
 13.9 intended that during the biennium the Mayo
 13.10 Clinic use the capitation money to increase
 13.11 the number of doctors practicing in rural
 13.12 areas in need of doctors.
- 13.13 Subd. 3. **Family Practice and Graduate** 686,000 686,000
 13.14 **Residency Program**
- 13.15 The state must pay stipend support for up to
 13.16 27 residents each year.

13.17 **ARTICLE 2**

13.18 **HIGHER EDUCATION POLICIES**

- 13.19 Section 1. Minnesota Statutes 2014, section 122A.09, subdivision 4, is amended to read:
- 13.20 Subd. 4. **License and rules.** (a) The board must adopt rules to license public school
 13.21 teachers and interns subject to chapter 14.
- 13.22 (b) The board must adopt rules requiring a person to pass a skills examination in
 13.23 reading, writing, and mathematics or attain either a composite score composed of the
 13.24 average of the scores in English and writing, reading, and mathematics on the ACT
 13.25 Plus Writing recommended by the board, or an equivalent composite score composed
 13.26 of the average of the scores in critical reading, mathematics, and writing on the SAT
 13.27 recommended by the board, as a requirement for initial teacher licensure, except that the
 13.28 board may issue up to two temporary, one-year teaching licenses to an otherwise qualified
 13.29 candidate who has not yet passed the skills exam or attained the requisite composite score
 13.30 on the ACT Plus Writing or SAT. Such rules must require college and universities offering
 13.31 a board-approved teacher preparation program to provide remedial assistance to persons
 13.32 who did not achieve a qualifying score on the skills examination or attain the requisite
 13.33 composite score on the ACT Plus Writing or SAT, including those for whom English is
 13.34 a second language. The requirement to pass a reading, writing, and mathematics skills

14.1 examination or attain the requisite composite score on the ACT Plus Writing or SAT does
14.2 not apply to nonnative English speakers, as verified by qualified Minnesota school district
14.3 personnel or Minnesota higher education faculty, who, after meeting the content and
14.4 pedagogy requirements under this subdivision, apply for a teaching license to provide direct
14.5 instruction in their native language or world language instruction under section 120B.022,
14.6 subdivision 1. A teacher candidate's official ACT Plus Writing or SAT composite score
14.7 report to the board must not be more than ten years old at the time of licensure.

14.8 (c) The board must adopt rules to approve teacher preparation programs. The board,
14.9 upon the request of a postsecondary student preparing for teacher licensure or a licensed
14.10 graduate of a teacher preparation program, shall assist in resolving a dispute between the
14.11 person and a postsecondary institution providing a teacher preparation program when the
14.12 dispute involves an institution's recommendation for licensure affecting the person or the
14.13 person's credentials. At the board's discretion, assistance may include the application
14.14 of chapter 14.

14.15 (d) The board must provide the leadership and adopt rules for the redesign of teacher
14.16 education programs to implement a research based, results-oriented curriculum that
14.17 focuses on the skills teachers need in order to be effective. Among other components,
14.18 teacher preparation programs may use the Minnesota State Colleges and Universities
14.19 program model to provide a school year-long student teaching program that combines
14.20 clinical opportunities with academic coursework and in-depth student teaching
14.21 experiences to offer students ongoing mentorship, coaching and assessment, help to
14.22 prepare a professional development plan, and structured learning experiences. The board
14.23 shall implement new systems of teacher preparation program evaluation to assure program
14.24 effectiveness based on proficiency of graduates in demonstrating attainment of program
14.25 outcomes. Teacher preparation programs including alternative teacher preparation
14.26 programs under section 122A.245, among other programs, must include a content-specific,
14.27 board-approved, performance-based assessment that measures teacher candidates in three
14.28 areas: planning for instruction and assessment; engaging students and supporting learning;
14.29 and assessing student learning. The board's redesign rules must include creating flexible,
14.30 specialized teaching licenses, credentials, and other endorsement forms to increase
14.31 students' participation in language immersion programs, world language instruction,
14.32 career development opportunities, work-based learning, early college courses and careers,
14.33 career and technical programs, Montessori schools, and project and place-based learning,
14.34 among other career and college ready learning offerings.

14.35 (e) The board must adopt rules requiring candidates for initial licenses to pass an
14.36 examination of general pedagogical knowledge and examinations of licensure-specific

15.1 teaching skills. The rules shall be effective by September 1, 2001. The rules under this
15.2 paragraph also must require candidates for initial licenses to teach prekindergarten or
15.3 elementary students to pass, as part of the examination of licensure-specific teaching
15.4 skills, test items assessing the candidates' knowledge, skill, and ability in comprehensive,
15.5 scientifically based reading instruction under section 122A.06, subdivision 4, and their
15.6 knowledge and understanding of the foundations of reading development, the development
15.7 of reading comprehension, and reading assessment and instruction, and their ability to
15.8 integrate that knowledge and understanding.

15.9 (f) The board must adopt rules requiring teacher educators to work directly with
15.10 elementary or secondary school teachers in elementary or secondary schools to obtain
15.11 periodic exposure to the elementary or secondary teaching environment.

15.12 (g) The board must grant licenses to interns and to candidates for initial licenses
15.13 based on appropriate professional competencies that are aligned with the board's licensing
15.14 system and students' diverse learning needs. All teacher candidates must have preparation
15.15 in English language development and content instruction for English learners in order to be
15.16 able to effectively instruct the English learners in their classrooms. The board must include
15.17 these licenses in a statewide differentiated licensing system that creates new leadership
15.18 roles for successful experienced teachers premised on a collaborative professional culture
15.19 dedicated to meeting students' diverse learning needs in the 21st century, recognizes the
15.20 importance of cultural and linguistic competencies, including the ability to teach and
15.21 communicate in culturally competent and aware ways, and formalizes mentoring and
15.22 induction for newly licensed teachers provided through a teacher support framework.

15.23 (h) The board must design and implement an assessment system which requires a
15.24 candidate for an initial license and first continuing license to demonstrate the abilities
15.25 necessary to perform selected, representative teaching tasks at appropriate levels.

15.26 (i) The board must receive recommendations from local committees as established
15.27 by the board for the renewal of teaching licenses. The board must require licensed teachers
15.28 who are renewing a continuing license to include in the renewal requirements further
15.29 preparation in English language development and specially designed content instruction
15.30 in English for English learners.

15.31 (j) The board must grant life licenses to those who qualify according to requirements
15.32 established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and
15.33 214.10. The board must not establish any expiration date for application for life licenses.

15.34 (k) The board must adopt rules that require all licensed teachers who are renewing
15.35 their continuing license to include in their renewal requirements further preparation in
15.36 the areas of using positive behavior interventions and in accommodating, modifying, and

16.1 adapting curricula, materials, and strategies to appropriately meet the needs of individual
16.2 students and ensure adequate progress toward the state's graduation rule.

16.3 (l) In adopting rules to license public school teachers who provide health-related
16.4 services for disabled children, the board shall adopt rules consistent with license or
16.5 registration requirements of the commissioner of health and the health-related boards who
16.6 license personnel who perform similar services outside of the school.

16.7 (m) The board must adopt rules that require all licensed teachers who are renewing
16.8 their continuing license to include in their renewal requirements further reading
16.9 preparation, consistent with section 122A.06, subdivision 4. The rules do not take effect
16.10 until they are approved by law. Teachers who do not provide direct instruction including, at
16.11 least, counselors, school psychologists, school nurses, school social workers, audiovisual
16.12 directors and coordinators, and recreation personnel are exempt from this section.

16.13 (n) The board must adopt rules that require all licensed teachers who are renewing
16.14 their continuing license to include in their renewal requirements further preparation,
16.15 first, in understanding the key warning signs of early-onset mental illness in children
16.16 and adolescents and then, during subsequent licensure renewal periods, preparation may
16.17 include providing a more in-depth understanding of students' mental illness trauma,
16.18 accommodations for students' mental illness, parents' role in addressing students' mental
16.19 illness, Fetal Alcohol Spectrum Disorders, autism, the requirements of section 125A.0942
16.20 governing restrictive procedures, and de-escalation methods, among other similar topics.

16.21 **EFFECTIVE DATE.** This section is effective for the 2016-2017 school year and
16.22 later.

16.23 Sec. 2. **[136A.1791] TEACHER SHORTAGE LOAN FORGIVENESS**
16.24 **PROGRAM.**

16.25 Subdivision 1. Definitions. (a) The terms used in this section have the meanings
16.26 given them in this subdivision.

16.27 (b) "Qualified educational loan" means a government, commercial, or foundation
16.28 loan for actual costs paid for tuition, reasonable education expenses, and reasonable living
16.29 expenses related to the education of a teacher.

16.30 (c) "School district" means an independent school district, special school district,
16.31 intermediate district, education district, special education cooperative, service cooperative,
16.32 a cooperative center for vocational education, or a charter school located in this state.

16.33 (d) "Teacher" means an individual holding a teaching license issued under chapter
16.34 122A who is employed by a school district in a nonadministrative teaching position in
16.35 a teacher shortage area.

17.1 (e) "Teacher shortage area" means academic teaching disciplines or subject matter
17.2 designated by the commissioner of education as areas in which a shortage of teachers
17.3 exists in the state.

17.4 Subd. 2. **Program established; administration.** The commissioner shall establish
17.5 and administer a teacher shortage loan forgiveness program. A teacher is eligible for
17.6 the program if the teacher is teaching in a teacher shortage area and complies with the
17.7 requirements of subdivision 4.

17.8 Subd. 3. **Annual designation of teacher shortage areas.** The commissioner of
17.9 education shall annually designate the teaching disciplines and subject matter areas
17.10 experiencing teacher shortages. The commissioner of education shall periodically conduct
17.11 a survey of school districts and approved teacher preparation programs to determine
17.12 current teacher shortage areas.

17.13 Subd. 4. **Application for loan forgiveness.** Each applicant for loan forgiveness
17.14 shall, in accordance with the rules of the commissioner, do the following:

17.15 (1) complete and file an application for teacher shortage loan forgiveness. The
17.16 individual shall be responsible for the prompt submission of any information required by
17.17 the commissioner;

17.18 (2) file a new application and submit information as required by the commissioner
17.19 annually on the basis of which the applicant's eligibility for the renewed loan forgiveness
17.20 will be evaluated and determined; and

17.21 (3) complete and return on a form approved by the commissioner an affidavit
17.22 verifying that the applicant is teaching in a teacher shortage area.

17.23 Subd. 5. **Amount of loan forgiveness.** Within the limits of available funding, the
17.24 annual amount of teacher shortage loan forgiveness for an approved applicant shall not
17.25 exceed \$1,000 or the cumulative balance of the applicant's qualified educational loans,
17.26 including principal and interest, whichever amount is less. Applicants are responsible for
17.27 securing their own qualified educational loans. A teacher shall be eligible for the loan
17.28 forgiveness program for not more than five consecutive years following graduation from
17.29 an approved teacher preparation program.

17.30 Subd. 6. **Disbursement.** (a) The commissioner must make annual disbursements
17.31 directly to the participant of the amount for which a participant is eligible, for each year
17.32 that a participant is eligible.

17.33 (b) Within 60 days of receipt of a disbursement, the participant must provide the
17.34 commissioner with verification that the full amount of loan repayment disbursement has
17.35 been applied toward the designated loans. A participant that previously received funds

18.1 under this section but has not provided the commissioner with such verification is not
18.2 eligible to receive additional funds.

18.3 Subd. 7. **Penalties.** An individual who submits an application or other information
18.4 to the commissioner under this section which contains false or misleading information
18.5 may have the individual's teaching license suspended or revoked pursuant to section
18.6 122A.20 and may be subject to discipline by the individual's employing school district.

18.7 Subd. 8. **Fund established.** A teacher shortage loan forgiveness repayment fund
18.8 is created for deposit of money appropriated to or received by the commissioner for use
18.9 under the program. Money deposited in the fund shall not revert to any fund of the state at
18.10 the end of any fiscal year but shall remain in the loan forgiveness repayment fund and be
18.11 continuously available for loan forgiveness under the program.

18.12 Subd. 9. **Annual reporting.** The commissioner shall annually by February 1 report
18.13 to the chairs of the higher education committees of the legislature regarding the number of
18.14 individuals who received loan forgiveness pursuant to this section, which teacher shortage
18.15 areas the teachers taught in, the amount paid to each program participant, and other
18.16 information identified by the commissioner as indicators of outcomes from the program.

18.17 Subd. 10. **Rulemaking.** The commissioner shall adopt rules pursuant to chapter 14
18.18 to administer this section.

18.19 **Sec. 3. [136F.302] REGULATING THE ASSIGNMENT OF STUDENTS TO**
18.20 **REMEDIAL COURSES.**

18.21 Subdivision 1. **ACT college ready score.** A state college or university may not
18.22 require an individual to take a remedial, noncredit course in a subject area if the individual
18.23 has received a college ready ACT score in that subject area.

18.24 Subd. 2. **Testing process for determining if remediating is necessary.** A college
18.25 or university testing process used to determine whether an individual is placed in a
18.26 remedial, noncredit course must comply with this subdivision. Prior to taking a test, an
18.27 individual must be given reasonable time and opportunity to review materials provided by
18.28 the college or university covering the material to be tested which must include a sample
18.29 test. An individual who is required to take a remedial, noncredit course as a result of a
18.30 test given by a college or university must be given an opportunity to retake the test at the
18.31 earliest time determined by the individual when testing is otherwise offered. The college
18.32 or university must provide an individual with study materials for the purpose of retaking
18.33 and passing the test.

18.34 **Sec. 4. BACCALAUREATE DEGREE PATHWAYS.**

19.1 Subdivision 1. **Regulate MnSCU baccalaureate transfers.** The Board of Trustees
19.2 of the Minnesota State Colleges and Universities shall implement new transfer pathways
19.3 for associate of arts degrees, associate of science degrees, and associate of fine arts degrees
19.4 toward baccalaureate degree programs. The implementation must, to the greatest extent
19.5 possible, be done in accordance with the implementation plan, including its timeline,
19.6 developed pursuant to Laws 2014, chapter 312, article 1, section 12.

19.7 Subd. 2. **New or enhanced bachelor of applied science degrees.** The board, in
19.8 consultation with system constituency groups, is encouraged to create a plan to enhance or
19.9 develop new bachelor of applied science degree programs in areas of high employment
19.10 need in the state to facilitate transfer pathways for students with associate of applied
19.11 science degrees.

19.12 Subd. 3. **Report.** By March 15, 2016, the board must report to the chairs and
19.13 ranking minority members of the legislative committees with jurisdiction over higher
19.14 education on the status of implementation of transfer pathways under subdivision 1 and
19.15 any deviations from the implementation plan.

19.16 Sec. 5. **COLLEGE COMPLETION; MNSCU.**

19.17 (a) The Board of Trustees of the Minnesota State Colleges and Universities shall
19.18 develop a comprehensive plan to encourage students to complete degrees, diplomas, or
19.19 certificates in their fields of study. The board must consult with students, faculty, and
19.20 administrators of the state colleges and universities and the Office of Higher Education to
19.21 create a plan that would increase program completion at each state college or university.
19.22 Components of this plan may include, but are not limited to:

19.23 (1) replacing developmental or remedial courses, when appropriate, with corequisite
19.24 courses in which students with academic deficiencies are placed into introductory
19.25 credit-bearing coursework while receiving supplemental academic instruction on the
19.26 same subject and during the same term;

19.27 (2) expanding intrusive advising, including the use of early alert systems or requiring
19.28 the approval of an advisor or counselor to register for certain classes;

19.29 (3) developing meta-majors in broad academic disciplines as an alternative to
19.30 undecided majors;

19.31 (4) making available alternative mathematics curriculum, including curriculum most
19.32 relevant to the student's chosen area of study;

19.33 (5) implementing "opt-out scheduling" by automatically enrolling students in a
19.34 schedule of courses chosen by the student's department but allowing students to disenroll
19.35 from such courses if they wish;

20.1 (6) facilitating the transfer of credits between state colleges and universities; and
20.2 (7) strategies to encourage students to enroll full time, including the use of financial
20.3 assistance to reduce a student's need to work.

20.4 (b) The development of the plan required under this section shall not discourage the
20.5 development or delay the implementation or expansion of existing programs to encourage
20.6 college completion.

20.7 (c) The Board of Trustees of the Minnesota State Colleges and Universities shall
20.8 submit a report describing the plan developed under this section and an implementation
20.9 schedule to the legislative committees with jurisdiction over higher education policy no
20.10 later than January 15, 2016. This report must include identification of the financial and
20.11 other resources needed by state colleges or universities to implement the plan developed
20.12 under this section.

20.13 **Sec. 6. COLLEGE COMPLETION; UNIVERSITY OF MINNESOTA.**

20.14 (a) The Board of Regents of the University of Minnesota is requested to develop a
20.15 comprehensive plan to encourage students to complete degrees, diplomas, or certificates
20.16 in their fields of study. The board is requested to consult with students, faculty, and
20.17 administrators of the University of Minnesota and the Office of Higher Education to create
20.18 a plan that would increase program completion among University of Minnesota students.
20.19 Components of this plan may include, but are not limited to:

20.20 (1) offering interdisciplinary courses that encourage students to think across
20.21 disciplinary boundaries and take advantage of the universitywide intellectual expertise;

20.22 (2) expanding undergraduate academic advising, including intrusive advising, and
20.23 the use of online advising tools;

20.24 (3) assisting undecided students with personalized services to help them develop a
20.25 plan for major and career selection;

20.26 (4) requiring all students to fill out, and regularly update, their four-year degree plans;

20.27 (5) facilitating student transfers to the University of Minnesota through support of
20.28 the Minnesota Transfer Curriculum and other transfer tools;

20.29 (6) developing strategies to encourage students to enroll full time and graduate
20.30 in four years; and

20.31 (7) enhancing financial literacy programs that focus on low-income students.

20.32 (b) The development of the plan required under this section shall not discourage the
20.33 development or delay the implementation or expansion of existing programs to encourage
20.34 college completion.

21.1 (c) The Board of Regents of the University of Minnesota shall submit a report
 21.2 describing the plan developed under this section and an implementation schedule to the
 21.3 legislative committees with jurisdiction over higher education policy no later than January
 21.4 15, 2016. This report must include identification of the financial and other resources
 21.5 needed to implement the plan developed under this section.

21.6 ARTICLE 3

21.7 CAMPUS SEXUAL ASSAULT

21.8 Section 1. Minnesota Statutes 2014, section 13.322, is amended by adding a
 21.9 subdivision to read:

21.10 Subd. 6. **Campus sexual assault data.** Data relating to allegations of sexual assault
 21.11 at a postsecondary institution are classified under section 135A.15.

21.12 Sec. 2. Minnesota Statutes 2014, section 135A.15, subdivision 1, is amended to read:

21.13 Subdivision 1. **Policy required.** The Board of Trustees of the Minnesota State
 21.14 Colleges and Universities shall, and the University of Minnesota is requested to, adopt
 21.15 a clear, understandable written policy on sexual harassment and sexual violence that
 21.16 informs victims of their rights under the crime victims bill of rights, including the right to
 21.17 assistance from the Crime Victims Reparations Board and the commissioner of public
 21.18 safety. The policy must apply to students and employees and must provide information
 21.19 about their rights and duties. The policy must apply to criminal incidents against a student
 21.20 or employee of a postsecondary institution occurring on property owned or leased by the
 21.21 postsecondary system or institution in which the victim is a student or employee of that
 21.22 system or institution or at any activity, program, organization, or event sponsored by the
 21.23 system or institution, including fraternities and sororities. It must include procedures for
 21.24 reporting incidents of sexual harassment or sexual violence and for disciplinary actions
 21.25 against violators. During student registration, each technical college, community college,
 21.26 or state university shall, and the University of Minnesota is requested to, provide each
 21.27 student with information regarding its policy. A copy of the policy also shall be posted at
 21.28 appropriate locations on campus at all times. ~~Each private postsecondary institution that~~
 21.29 ~~is an eligible institution as defined in section 136A.155, must adopt a policy that meets~~
 21.30 ~~the requirements of this section.~~

21.31 Sec. 3. Minnesota Statutes 2014, section 135A.15, is amended by adding a subdivision
 21.32 to read:

22.1 Subd. 1a. **Applicability to private institutions.** Each private postsecondary
 22.2 institution that is an eligible institution as defined in section 136A.103 must comply with
 22.3 all of the requirements imposed in this section.

22.4 Sec. 4. Minnesota Statutes 2014, section 135A.15, subdivision 2, is amended to read:

22.5 Subd. 2. **Victims' rights.** (a) The policy required under subdivision 1 shall, at
 22.6 a minimum, require that students and employees be informed of the policy, and shall
 22.7 include provisions for:

22.8 (1) filing criminal charges with local law enforcement officials in sexual assault cases;

22.9 (2) the prompt assistance of campus authorities, at the request of the victim, in
 22.10 notifying the appropriate law enforcement officials and disciplinary authorities of a
 22.11 sexual assault incident;

22.12 (3) allowing sexual assault victims to decide whether to refer a case to law
 22.13 enforcement;

22.14 (4) requiring campus authorities to treat sexual assault victims with dignity;

22.15 (5) requiring campus authorities to offer sexual assault victims fair and respectful
 22.16 health care, counseling services, or referrals to such services;

22.17 (6) preventing campus authorities from suggesting a victim of sexual assault is at
 22.18 fault for the crimes or violations that occurred;

22.19 (7) preventing campus authorities from suggesting that a victim of sexual assault
 22.20 should have acted in a different manner to avoid such a crime;

22.21 (8) protecting the privacy of sexual assault victims by, unless otherwise required by
 22.22 law, only disclosing data collected under this section to the victim, persons whose work
 22.23 assignments reasonably require access, and, at a sexual assault victim's request, police
 22.24 conducting a criminal investigation;

22.25 ~~(9)~~ (9) an investigation and resolution of a sexual assault complaint by campus
 22.26 disciplinary authorities;

22.27 ~~(4)~~ (10) a sexual assault victim's participation in and the presence of the victim's
 22.28 attorney or other support person at any meeting with campus officials concerning a sexual
 22.29 assault complaint or campus disciplinary proceeding concerning a sexual assault complaint;

22.30 (11) ensuring that a sexual assault victim is not required to repeat unnecessarily a
 22.31 description of the incident of sexual assault;

22.32 (12) notice to a sexual assault victim of the availability of a campus or local program
 22.33 providing sexual assault advocacy services;

23.1 ~~(5)~~ (13) notice to a sexual assault victim of the outcome of any campus disciplinary
23.2 proceeding concerning a sexual assault complaint, consistent with laws relating to data
23.3 practices;

23.4 ~~(6)~~ (14) the complete and prompt assistance of campus authorities, at the direction
23.5 of law enforcement authorities, in obtaining, securing, and maintaining evidence in
23.6 connection with a sexual assault incident;

23.7 ~~(7)~~ (15) the assistance of campus authorities in preserving for a sexual assault
23.8 complainant or victim materials relevant to a campus disciplinary proceeding; ~~and~~

23.9 ~~(8)~~ (16) during and after the process of investigating a complaint and conducting
23.10 a campus disciplinary procedure, the assistance of campus personnel, in cooperation
23.11 with the appropriate law enforcement authorities, at a sexual assault victim's request, in
23.12 shielding the victim from unwanted contact with the alleged assailant, including transfer
23.13 of the victim to alternative classes or to alternative college-owned housing, if alternative
23.14 classes or housing are available and feasible;

23.15 (17) forbidding retaliation, and establishing a process for investigating complaints of
23.16 retaliation, against sexual assault victims by campus authorities, the accused, organizations
23.17 affiliated with the accused, other students, and other employees;

23.18 (18) allowing sexual assault victims to practice their religion and exercise their
23.19 civil rights without interference by the investigative, criminal justice, or student conduct
23.20 process of the institution;

23.21 (19) at the request of the victim, providing students who reported sexual assaults to
23.22 the institution and subsequently choose to transfer to another postsecondary institution
23.23 with information about resources for victims of sexual assault at the institution to which
23.24 the victim is transferring; and

23.25 (20) consistent with laws governing access to student records, providing a student
23.26 who reported an incident of sexual assault with access to the student's description of the
23.27 incident as it was reported to the institution, including if that student transfers to another
23.28 postsecondary institution.

23.29 (b) For the purposes of this section, "sexual assault" means forcible sex offenses
23.30 as defined in Code of Federal Regulations, title 34, part 668, subpart D, appendix A, as
23.31 amended.

23.32 Sec. 5. Minnesota Statutes 2014, section 135A.15, is amended by adding a subdivision
23.33 to read:

23.34 Subd. 3. **Uniform amnesty.** The Board of Trustees of the Minnesota State Colleges
23.35 and Universities shall, and the University of Minnesota is requested to, include in the

24.1 system's sexual harassment and violence policy a provision that no student who reports,
24.2 in good faith, an act of sexual harassment or sexual violence shall be sanctioned by the
24.3 institution for admitting to a violation of the institution's student conduct policy on the use
24.4 of drugs or alcohol as part of the report.

24.5 Sec. 6. Minnesota Statutes 2014, section 135A.15, is amended by adding a subdivision
24.6 to read:

24.7 Subd. 4. **Coordination with local law enforcement.** (a) The Board of Trustees
24.8 of the Minnesota State Colleges and Universities shall, and the University of Minnesota
24.9 is requested to, direct each campus in the system to enter into a memorandum of
24.10 understanding with the primary local law enforcement agencies that serve the campus.
24.11 The memorandum must be entered into no later than January 1, 2017, and updated every
24.12 two years thereafter. This memorandum shall clearly delineate responsibilities and
24.13 require information sharing, in accordance with applicable state and federal privacy laws,
24.14 about certain crimes including, but not limited to, sexual assault. This memorandum
24.15 of understanding shall provide:

24.16 (1) delineation and sharing protocols of investigative responsibilities;

24.17 (2) protocols for investigations, including standards for notification and
24.18 communication and measures to promote evidence preservation; and

24.19 (3) a method of sharing information about specific crimes, when directed by the
24.20 victim, and a method of sharing crime details anonymously in order to better protect
24.21 overall campus safety.

24.22 (b) Prior to the start of each academic year, the Board of Trustees of the Minnesota
24.23 State Colleges and Universities shall, and the University of Minnesota is requested to,
24.24 distribute an electronic copy of the memorandum of understanding to all employees on the
24.25 campus that are subject to the memorandum.

24.26 (c) A campus is exempt from the requirement that it develop a memorandum of
24.27 understanding under this section if the campus and local or county law enforcement
24.28 agencies establish a sexual assault protocol team to facilitate effective cooperation and
24.29 collaboration between the institution and law enforcement.

24.30 Sec. 7. Minnesota Statutes 2014, section 135A.15, is amended by adding a subdivision
24.31 to read:

24.32 Subd. 5. **Online reporting system.** (a) The Board of Trustees of the Minnesota
24.33 State Colleges and Universities shall, and the University of Minnesota is requested to,
24.34 provide an online reporting system to receive complaints of sexual harassment and sexual

25.1 violence from students and employees. The system must permit anonymous reports,
25.2 provided that the institution is not obligated to investigate an anonymous report, unless
25.3 a formal report is submitted through the process established in the institution's sexual
25.4 harassment and sexual violence policy or an investigation is otherwise required by law.

25.5 (b) The Board of Trustees of the Minnesota State Colleges and Universities shall,
25.6 and the University of Minnesota is requested to, provide students making reports under
25.7 this section with information about who will receive and have access to the reports filed,
25.8 how the information gathered through the system will be used, and contact information for
25.9 on-campus and off-campus organizations serving victims of sexual violence.

25.10 (c) Data collected under this subdivision is classified as private data on individuals
25.11 as defined by section 13.02, subdivision 12.

25.12 Sec. 8. Minnesota Statutes 2014, section 135A.15, is amended by adding a subdivision
25.13 to read:

25.14 Subd. 6. **Data collection and reporting.** (a) The Board of Trustees of the Minnesota
25.15 State Colleges and Universities and the University of Minnesota shall annually report
25.16 statistics on sexual assault. This report must be prepared in addition to any federally
25.17 required reporting on campus security, including reports required by the Jeanne Clery
25.18 Disclosure of Campus Security Policy and Campus Crime Statistics Act, United States
25.19 Code, title 20, section 1092(f). The report must include, but not be limited to, the number
25.20 of incidents of sexual assault reported to the institution in the previous calendar year,
25.21 as follows:

25.22 (1) the number that were investigated by the institution;

25.23 (2) the number that were referred for a disciplinary proceeding at the institution;

25.24 (3) the number the victim chose to report to local or state law enforcement;

25.25 (4) the number for which a campus disciplinary proceeding is pending, but has not
25.26 reached a final resolution;

25.27 (5) the number in which the alleged perpetrator was found responsible by the
25.28 disciplinary proceeding at the institution;

25.29 (6) the number that resulted in any action by the institution greater than a warning
25.30 issued to the accused;

25.31 (7) the number that resulted in a disciplinary proceeding at the institution that closed
25.32 without resolution;

25.33 (8) the number that resulted in a disciplinary proceeding at the institution that closed
25.34 without resolution because the accused withdrew from the institution;

26.1 (9) the number that resulted in a disciplinary proceeding at the institution that closed
26.2 without resolution because the victim chose not to participate in the procedure; and

26.3 (10) the number of reports made through the online reporting system established in
26.4 subdivision 5, excluding reports submitted anonymously.

26.5 (b) If an institution previously submitted a report indicating that one or more
26.6 disciplinary proceedings was pending, but had not reached a final resolution, and one or
26.7 more of those disciplinary proceedings reached a final resolution within the previous fiscal
26.8 year, that institution must submit an updated report for the previous year that reflects
26.9 the outcome of the pending case or cases.

26.10 (c) The reports required by this subdivision must be submitted to the Office of
26.11 Higher Education by October 1 of each year. Each report must contain the data required
26.12 under paragraphs (a) and (b) from the previous fiscal year. An institution's report under
26.13 this subdivision is classified as private data on individuals as defined by section 13.02,
26.14 subdivision 12.

26.15 (d) The commissioner of the Office of Higher Education shall calculate statewide
26.16 numbers for each data item reported by an institution under this subdivision. The statewide
26.17 numbers should include data from postsecondary institutions that the commissioner could
26.18 not publish due to federal laws governing access to student records.

26.19 (e) The Office of Higher Education shall publish on its Web site:

26.20 (1) the statewide data calculated under paragraph (d); and

26.21 (2) consistent with federal laws governing access to student records and in
26.22 consultation with the applicable institution, the data items required under paragraphs (a)
26.23 and (b) for each postsecondary institution in the state.

26.24 This data shall be published as summary data as defined by section 13.02, subdivision 19,
26.25 and shall not identify alleged victims or perpetrators of crimes. Consistent with federal
26.26 laws governing access to student records, each state college or university shall, and the
26.27 University of Minnesota is requested to, publish on the institution's Web site the data items
26.28 required under paragraphs (a) and (b) for that institution.

26.29 (f) If an institution or the Office of Higher Education is unable to publish data under
26.30 this subdivision due to state or federal laws governing access to student records, it must
26.31 explain in its report why the institution did not publish such data.

26.32 Sec. 9. Minnesota Statutes 2014, section 135A.15, is amended by adding a subdivision
26.33 to read:

26.34 Subd. 7. **Access to data; audit trail.** (a) Data on incidents of sexual assault shared
26.35 with campus security officers or campus administrators responsible for investigating or

27.1 adjudicating complaints of sexual assault are classified as private data on individuals as
27.2 defined by section 13.02, subdivision 12, for the purposes of postsecondary institutions
27.3 subject to the requirements of chapter 13. Postsecondary institutions not otherwise subject
27.4 to chapter 13 must limit access to the data to only the data subject and persons whose
27.5 work assignments reasonably require access.

27.6 (b) Only individuals with explicit authorization from an institution may enter, update,
27.7 or access electronic data collected, created, or maintained under this section. The ability of
27.8 authorized individuals to enter, update, or access data must be limited through the use of
27.9 role-based access that corresponds to the official duties or training level of the individual
27.10 and the institutional authorization that grants access for that purpose. All actions in which
27.11 data are entered, updated, accessed, shared, or disseminated outside of the institution
27.12 must be recorded in a data audit trail. An institution shall immediately and permanently
27.13 revoke the authorization of any individual determined to have willfully entered, updated,
27.14 accessed, shared, or disseminated data in violation of this subdivision or any provision of
27.15 chapter 13. If an individual is determined to have willfully gained access to data without
27.16 explicit authorization, the matter shall be forwarded to a county attorney for prosecution.

27.17 Sec. 10. Minnesota Statutes 2014, section 135A.15, is amended by adding a
27.18 subdivision to read:

27.19 Subd. 8. **Comprehensive training.** (a) The Board of Trustees of the Minnesota
27.20 State Colleges and Universities shall, and the University of Minnesota is requested
27.21 to, provide campus security officers and campus administrators responsible for
27.22 investigating or adjudicating complaints of sexual assault with comprehensive training on
27.23 preventing and responding to sexual assault in collaboration with the Bureau of Criminal
27.24 Apprehension or another law enforcement agency with expertise in criminal sexual
27.25 conduct. The training for campus security officers shall include a presentation on the
27.26 dynamics of sexual assault, neurobiological responses to trauma, and best practices for
27.27 preventing, responding to, and investigating sexual assault. The training for campus
27.28 administrators responsible for investigating or adjudicating complaints on sexual assault
27.29 shall include presentations on preventing sexual assault, responding to incidents of
27.30 sexual assault, the dynamics of sexual assault, neurobiological responses to trauma, and
27.31 compliance with state and federal laws on sexual assault.

27.32 (b) The Board of Trustees of the Minnesota State Colleges and Universities shall,
27.33 and the University of Minnesota is requested to, require that the following categories of
27.34 students complete a training on sexual assault:

27.35 (1) students pursuing a degree or certificate;

28.1 (2) students who are taking courses through the Postsecondary Enrollment Options
28.2 Act; and
28.3 (3) any other categories of students determined by the institution.

28.4 Students must complete such training no later than ten business days after the start of a
28.5 student's first semester of classes. Once a student completes such training, institutions
28.6 must document the student's completion of the training and provide proof of training
28.7 completion to a student at the student's request. Students enrolled at more than one
28.8 institution within the same system at the same time are only required to complete the
28.9 training once. This training shall include information about topics including, but not
28.10 limited to, sexual assault as defined in subdivision 2; consent as defined in section 609.341,
28.11 subdivision 4; preventing and reducing the prevalence of sexual assault; procedures for
28.12 reporting campus sexual assault; and campus resources on sexual assault, including
28.13 organizations that support victims of sexual assault.

28.14 (c) The Board of Trustees of the Minnesota State Colleges and Universities shall,
28.15 and the University of Minnesota is requested to, annually train individuals responsible
28.16 for responding to reports of sexual assault. This training shall include information about
28.17 best practices for interacting with victims of sexual assault, including how to reduce the
28.18 emotional distress resulting from the reporting, investigatory, and disciplinary process.

28.19 Sec. 11. Minnesota Statutes 2014, section 135A.15, is amended by adding a
28.20 subdivision to read:

28.21 Subd. 9. **Student health services.** (a) The Board of Trustees of the Minnesota
28.22 State Colleges and Universities shall, and the University of Minnesota is requested to,
28.23 develop and implement a policy that requires student health service providers to screen
28.24 students for incidents of sexual assault. Student health service providers shall offer
28.25 students information on resources available to victims and survivors of sexual assault
28.26 including counseling, mental health services, and procedures for reporting incidents of
28.27 sexual assault to the institution.

28.28 (b) The Board of Trustees of the Minnesota State Colleges and Universities shall, and
28.29 the University of Minnesota is requested to, require that each institution offering student
28.30 health or counseling services designate an existing staff member or existing staff members
28.31 as confidential resources for victims of sexual assault. The confidential resource must be
28.32 available to meet with victims of sexual assault on a walk-in basis. The confidential
28.33 resource must provide victims of sexual assault with information about locally available
28.34 resources for victims of sexual assault including, but not limited to, mental health services
28.35 and legal assistance. The confidential resource must provide victims of sexual assault

29.1 with information about the process for reporting an incident of sexual assault to campus
29.2 authorities or local law enforcement. The victim of sexual assault shall decide whether
29.3 to report an incident of sexual assault to campus authorities or local law enforcement.
29.4 Confidential resources must be trained in all aspects of responding to incidents of sexual
29.5 assault including, but not limited to, best practices for interacting with victims of trauma,
29.6 preserving evidence, campus disciplinary and local legal processes, and locally available
29.7 resources for victims of sexual assault. Data shared with a confidential resource is
29.8 classified as sexual assault communication data as defined by section 13.822, subdivision 1.

29.9 **EFFECTIVE DATE.** The policy required under this subdivision must be in place
29.10 by January 1, 2017.

29.11 Sec. 12. **[626.891] COOPERATION WITH POSTSECONDARY INSTITUTIONS.**

29.12 Local law enforcement agencies, including law enforcement agencies operated
29.13 by statutory cities, home rule charter cities, and counties must enter into and honor the
29.14 memoranda of understanding required under section 135A.15.

29.15 Sec. 13. **EFFECTIVE DATE.**

29.16 This article is effective August 1, 2016.

APPENDIX
Article locations in H0845-2

ARTICLE 1	HIGHER EDUCATION APPROPRIATIONS	Page.Ln 1.17
ARTICLE 2	HIGHER EDUCATION POLICIES	Page.Ln 13.17
ARTICLE 3	CAMPUS SEXUAL ASSAULT	Page.Ln 21.6