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State of Minnesota

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

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>197,912,000</u>	\$ <u>197,887,000</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** 351,000 351,000
 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	<u>Subd. 20. Agency Administration</u>	<u>2,491,000</u>	<u>2,491,000</u>
5.2	<u>Subd. 21. Balances Forward</u>		
5.3	<u>A balance in the first year under this section</u>		
5.4	<u>does not cancel, but is available for the</u>		
5.5	<u>second year.</u>		
5.6	<u>Subd. 22. Transfers</u>		
5.7	<u>The Minnesota Office of Higher Education</u>		
5.8	<u>may transfer unencumbered balances from</u>		
5.9	<u>the appropriations in this section to the state</u>		
5.10	<u>grant appropriation, the interstate tuition</u>		
5.11	<u>reciprocity appropriation, the child care</u>		
5.12	<u>grant appropriation, the Indian scholarship</u>		
5.13	<u>appropriation, the state work-study</u>		
5.14	<u>appropriation, the get ready appropriation,</u>		
5.15	<u>and the public safety officers' survivors</u>		
5.16	<u>appropriation. Transfers from the child care</u>		
5.17	<u>or state work-study appropriations may only</u>		
5.18	<u>be made to the extent there is a projected</u>		
5.19	<u>surplus in the appropriation. A transfer may</u>		
5.20	<u>be made only with prior written notice to</u>		
5.21	<u>the chairs and ranking minority members</u>		
5.22	<u>of the senate and house of representatives</u>		
5.23	<u>committees and divisions with jurisdiction</u>		
5.24	<u>over higher education finance.</u>		
5.25	<u>Sec. 3. BOARD OF TRUSTEES OF THE</u>		
5.26	<u>MINNESOTA STATE COLLEGES AND</u>		
5.27	<u>UNIVERSITIES</u>		
5.28	<u>Subdivision 1. Total Appropriation</u>	<u>\$ 658,458,000</u>	<u>\$ 691,143,000</u>
5.29	<u>The amounts that may be spent for each</u>		
5.30	<u>purpose are specified in the following</u>		
5.31	<u>subdivisions.</u>		
5.32	<u>Subd. 2. Central Office and Shared Services</u>	<u>33,074,000</u>	<u>33,074,000</u>
5.33	<u>Unit</u>		

6.1 For the Office of the Chancellor and the
 6.2 Shared Services Division.

6.3 **Subd. 3. Operations and Maintenance** 621,269,000 653,954,000

6.4 This appropriation includes \$36,000,000 in
 6.5 fiscal year 2016 and \$69,000,000 in fiscal
 6.6 year 2017 for student tuition relief. The
 6.7 Board of Trustees must establish tuition rates
 6.8 as follows:

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

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

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

6.24 This appropriation includes \$100,000 in
 6.25 fiscal year 2016 to award up to two grants to
 6.26 system institutions with a teacher preparation
 6.27 program approved by the Board of Teaching
 6.28 to provide a school year-long student
 6.29 teaching pilot program, consistent with
 6.30 the student teaching program requirements
 6.31 under Minnesota Statutes, section 122A.09,
 6.32 subdivision 4, paragraph (d). The Board of
 6.33 Trustees must report to the K-12 and higher
 6.34 education committees of the legislature by

7.1 March 1, 2017, on the experiences of the
 7.2 grant recipients and the student teachers
 7.3 with the school year-long student teaching
 7.4 program, and include any recommendations
 7.5 for amending Minnesota Statutes, section
 7.6 122A.09, subdivision 4, paragraph (d), based
 7.7 on the experiences of the grant recipients.

7.8 This appropriation includes \$115,000 in fiscal
 7.9 year 2016 to implement the baccalaureate
 7.10 degree pathways required under article 2,
 7.11 section 1.

7.12 This appropriation includes \$100,000 in
 7.13 fiscal year 2016 to implement the sexual
 7.14 assault policies required under Minnesota
 7.15 Statutes, section 135A.15.

7.16 \$18,000 each year is for transfer to the Cook
 7.17 County Higher Education Board to provide
 7.18 educational programming and academic
 7.19 support services to remote regions in
 7.20 northeastern Minnesota. This appropriation
 7.21 is in addition to the \$102,000 per fiscal year
 7.22 this project currently receives. The project
 7.23 shall continue to provide information to the
 7.24 Board of Trustees on the number of students
 7.25 served, credit hours delivered, and services
 7.26 provided to students. The base appropriation
 7.27 under this paragraph is \$120,000 each year.

7.28 Subd. 4. **Learning Network of Minnesota** 4,115,000 4,115,000

7.29 Sec. 4. **BOARD OF REGENTS OF THE**
 7.30 **UNIVERSITY OF MINNESOTA**

7.31 Subdivision 1. **Total Appropriation** \$ 601,106,000 \$ 601,106,000

7.32	<u>Appropriations by Fund</u>		
7.33		<u>2016</u>	<u>2017</u>
7.34	<u>General</u>	<u>598,949,000</u>	<u>598,949,000</u>
7.35	<u>Health Care Access</u>	<u>2,157,000</u>	<u>2,157,000</u>

8.1 The amounts that may be spent for each
 8.2 purpose are specified in the following
 8.3 subdivisions.

8.4 **Subd. 2. Operations and Maintenance** 533,011,000 533,011,000

8.5 This appropriation includes funding for
 8.6 operation and maintenance of the system.

8.7 **Subd. 3. Primary Care Education Initiatives** 2,157,000 2,157,000

8.8 This appropriation is from the health care
 8.9 access fund.

8.10 **Subd. 4. Special Appropriations**

8.11 **(a) Agriculture and Extension Service** 42,922,000 42,922,000

8.12 For the Agricultural Experiment Station and
 8.13 the Minnesota Extension Service:

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

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

8.31 (i) biofuel and other energy production from
 8.32 perennial crops, small grains, row crops,
 8.33 and forestry products in conjunction with

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

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

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

10.31 \$346,000 each year is to support up to 12
 10.32 resident physicians in the St. Cloud Hospital
 10.33 family practice residency program. The

11.1	<u>program must prepare doctors to practice</u>		
11.2	<u>primary care medicine in rural areas of the</u>		
11.3	<u>state. The legislature intends this program</u>		
11.4	<u>to improve health care in rural communities,</u>		
11.5	<u>provide affordable access to appropriate</u>		
11.6	<u>medical care, and manage the treatment of</u>		
11.7	<u>patients in a more cost-effective manner.</u>		
11.8	<u>The remainder of this appropriation is for</u>		
11.9	<u>the rural physicians associates program, the</u>		
11.10	<u>Veterinary Diagnostic Laboratory, health</u>		
11.11	<u>sciences research, dental care, and the</u>		
11.12	<u>Biomedical Engineering Center.</u>		
11.13	<u>(c) Institute of Technology</u>	<u>1,140,000</u>	<u>1,140,000</u>
11.14	<u>For the geological survey and the talented</u>		
11.15	<u>youth mathematics program.</u>		
11.16	<u>(d) System Special</u>	<u>5,181,000</u>	<u>5,181,000</u>
11.17	<u>For general research, the Labor Education</u>		
11.18	<u>Service, Natural Resources Research</u>		
11.19	<u>Institute, Center for Urban and Regional</u>		
11.20	<u>Affairs, Bell Museum of Natural History, and</u>		
11.21	<u>the Humphrey exhibit.</u>		
11.22	<u>(e) University of Minnesota and Mayo</u>	<u>7,491,000</u>	<u>7,491,000</u>
11.23	<u>Foundation Partnership</u>		
11.24	<u>For the direct and indirect expenses of the</u>		
11.25	<u>collaborative research partnership between</u>		
11.26	<u>the University of Minnesota and the Mayo</u>		
11.27	<u>Foundation for research in biotechnology</u>		
11.28	<u>and medical genomics. This appropriation is</u>		
11.29	<u>available until expended. An annual report</u>		
11.30	<u>on the expenditure of these funds must be</u>		
11.31	<u>submitted to the governor and the chairs of</u>		
11.32	<u>the legislative committees responsible for</u>		
11.33	<u>higher education finance by June 30 of each</u>		
11.34	<u>fiscal year.</u>		
11.35	<u>Subd. 5. Academic Health Center</u>		

13.1 board may issue up to two temporary, one-year teaching licenses to an otherwise qualified
13.2 candidate who has not yet passed the skills exam or attained the requisite composite score
13.3 on the ACT Plus Writing or SAT. Such rules must require college and universities offering
13.4 a board-approved teacher preparation program to provide remedial assistance to persons
13.5 who did not achieve a qualifying score on the skills examination or attain the requisite
13.6 composite score on the ACT Plus Writing or SAT, including those for whom English is
13.7 a second language. The requirement to pass a reading, writing, and mathematics skills
13.8 examination or attain the requisite composite score on the ACT Plus Writing or SAT does
13.9 not apply to nonnative English speakers, as verified by qualified Minnesota school district
13.10 personnel or Minnesota higher education faculty, who, after meeting the content and
13.11 pedagogy requirements under this subdivision, apply for a teaching license to provide direct
13.12 instruction in their native language or world language instruction under section 120B.022,
13.13 subdivision 1. A teacher candidate's official ACT Plus Writing or SAT composite score
13.14 report to the board must not be more than ten years old at the time of licensure.

13.15 (c) The board must adopt rules to approve teacher preparation programs. The board,
13.16 upon the request of a postsecondary student preparing for teacher licensure or a licensed
13.17 graduate of a teacher preparation program, shall assist in resolving a dispute between the
13.18 person and a postsecondary institution providing a teacher preparation program when the
13.19 dispute involves an institution's recommendation for licensure affecting the person or the
13.20 person's credentials. At the board's discretion, assistance may include the application
13.21 of chapter 14.

13.22 (d) The board must provide the leadership and adopt rules for the redesign of teacher
13.23 education programs to implement a research based, results-oriented curriculum that
13.24 focuses on the skills teachers need in order to be effective. Among other components,
13.25 teacher preparation programs may use the Minnesota State Colleges and Universities
13.26 program model to provide a school year-long student teaching program that combines
13.27 clinical opportunities with academic coursework and in-depth student teaching
13.28 experiences to offer students ongoing mentorship, coaching and assessment, help to
13.29 prepare a professional development plan, and structured learning experiences. The board
13.30 shall implement new systems of teacher preparation program evaluation to assure program
13.31 effectiveness based on proficiency of graduates in demonstrating attainment of program
13.32 outcomes. Teacher preparation programs including alternative teacher preparation
13.33 programs under section 122A.245, among other programs, must include a content-specific,
13.34 board-approved, performance-based assessment that measures teacher candidates in three
13.35 areas: planning for instruction and assessment; engaging students and supporting learning;
13.36 and assessing student learning. The board's redesign rules must include creating flexible,

14.1 specialized teaching licenses, credentials, and other endorsement forms to increase
14.2 students' participation in language immersion programs, world language instruction,
14.3 career development opportunities, work-based learning, early college courses and careers,
14.4 career and technical programs, Montessori schools, and project and place-based learning,
14.5 among other career and college ready learning offerings.

14.6 (e) The board must adopt rules requiring candidates for initial licenses to pass an
14.7 examination of general pedagogical knowledge and examinations of licensure-specific
14.8 teaching skills. The rules shall be effective by September 1, 2001. The rules under this
14.9 paragraph also must require candidates for initial licenses to teach prekindergarten or
14.10 elementary students to pass, as part of the examination of licensure-specific teaching
14.11 skills, test items assessing the candidates' knowledge, skill, and ability in comprehensive,
14.12 scientifically based reading instruction under section 122A.06, subdivision 4, and their
14.13 knowledge and understanding of the foundations of reading development, the development
14.14 of reading comprehension, and reading assessment and instruction, and their ability to
14.15 integrate that knowledge and understanding.

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

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

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

14.33 (i) The board must receive recommendations from local committees as established
14.34 by the board for the renewal of teaching licenses. The board must require licensed teachers
14.35 who are renewing a continuing license to include in the renewal requirements further

15.1 preparation in English language development and specially designed content instruction
15.2 in English for English learners.

15.3 (j) The board must grant life licenses to those who qualify according to requirements
15.4 established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and
15.5 214.10. The board must not establish any expiration date for application for life licenses.

15.6 (k) The board must adopt rules that require all licensed teachers who are renewing
15.7 their continuing license to include in their renewal requirements further preparation in
15.8 the areas of using positive behavior interventions and in accommodating, modifying, and
15.9 adapting curricula, materials, and strategies to appropriately meet the needs of individual
15.10 students and ensure adequate progress toward the state's graduation rule.

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

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

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

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

15.31 Sec. 2. **[136A.1791] TEACHER SHORTAGE LOAN FORGIVENESS**
15.32 **PROGRAM.**

15.33 **Subdivision 1. Definitions.** (a) The terms used in this section have the meanings
15.34 given them in this subdivision.

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

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

16.7 (d) "Teacher" means an individual holding a teaching license issued under chapter
16.8 122A who is employed by a school district in a nonadministrative teaching position in
16.9 a teacher shortage area.

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

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

16.17 Subd. 3. **Annual designation of teacher shortage areas.** The commissioner of
16.18 education shall annually designate the teaching disciplines and subject matter areas
16.19 experiencing teacher shortages. The commissioner of education shall periodically conduct
16.20 a survey of school districts and approved teacher preparation programs to determine
16.21 current teacher shortage areas.

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

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

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

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

16.32 Subd. 5. **Amount of loan forgiveness.** Within the limits of available funding, the
16.33 annual amount of teacher shortage loan forgiveness for an approved applicant shall not
16.34 exceed \$1,000 or the cumulative balance of the applicant's qualified educational loans,
16.35 including principal and interest, whichever amount is less. Applicants are responsible for
16.36 securing their own qualified educational loans. A teacher shall be eligible for the loan

17.1 forgiveness program for not more than five consecutive years following graduation from
17.2 an approved teacher preparation program.

17.3 Subd. 6. **Penalties.** An individual who submits an application or other information
17.4 to the commissioner under this section which contains false or misleading information
17.5 may have the individual's teaching license suspended or revoked pursuant to section
17.6 122A.20 and may be subject to discipline by the individual's employing school district.

17.7 Subd. 7. **Fund established.** A teacher shortage loan forgiveness repayment fund
17.8 is created for deposit of money appropriated to or received by the commissioner for use
17.9 under the program. Money deposited in the fund shall not revert to any fund of the state at
17.10 the end of any fiscal year but shall remain in the loan forgiveness repayment fund and be
17.11 continuously available for loan forgiveness under the program.

17.12 Subd. 8. **Annual reporting.** The commissioner shall annually by February 1 report
17.13 to the chairs of the higher education committees of the legislature regarding the number of
17.14 individuals who received loan forgiveness pursuant to this section, which teacher shortage
17.15 areas the teachers taught in, the amount paid to each program participant, and other
17.16 information identified by the commissioner as indicators of outcomes from the program.

17.17 Subd. 9. **Rulemaking.** The commissioner shall adopt rules pursuant to chapter 14 to
17.18 administer this section.

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

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

17.24 Subd. 2. **Testing process for determining if remediating is necessary.** A college
17.25 or university testing process used to determine whether an individual is placed in a
17.26 remedial, noncredit course must comply with this subdivision. Prior to taking a test, an
17.27 individual must be given reasonable time and opportunity to review materials provided by
17.28 the college or university covering the material to be tested which must include a sample
17.29 test. An individual who is required to take a remedial, noncredit course as a result of a
17.30 test given by a college or university must be given an opportunity to retake the test at the
17.31 earliest time determined by the individual when testing is otherwise offered. The college
17.32 or university must provide an individual with study materials for the purpose of retaking
17.33 and passing the test.

17.34 **Sec. 4. BACCALAUREATE DEGREE PATHWAYS.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20.1 (c) The Board of Regents of the University of Minnesota shall submit a report
20.2 describing the plan developed under this section and an implementation schedule to the
20.3 legislative committees with jurisdiction over higher education policy no later than January
20.4 15, 2016. This report must include identification of the financial and other resources
20.5 needed to implement the plan developed under this section.

20.6 ARTICLE 3

20.7 CAMPUS SEXUAL ASSAULT

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

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

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

20.13 Subdivision 1. **Policy required.** The Board of Trustees of the Minnesota State
20.14 Colleges and Universities shall, and the University of Minnesota is requested to, adopt
20.15 a clear, understandable written policy on sexual harassment and sexual violence that
20.16 informs victims of their rights under the crime victims bill of rights, including the right to
20.17 assistance from the Crime Victims Reparations Board and the commissioner of public
20.18 safety. The policy must apply to students and employees and must provide information
20.19 about their rights and duties. The policy must apply to criminal incidents against a student
20.20 or employee of a postsecondary institution occurring on property owned or leased by the
20.21 postsecondary system or institution in which the victim is a student or employee of that
20.22 system or institution or at any activity, program, organization, or event sponsored by the
20.23 system or institution, including fraternities and sororities. It must include procedures for
20.24 reporting incidents of sexual harassment or sexual violence and for disciplinary actions
20.25 against violators. During student registration, each technical college, community college,
20.26 or state university shall, and the University of Minnesota is requested to, provide each
20.27 student with information regarding its policy. A copy of the policy also shall be posted at
20.28 appropriate locations on campus at all times. ~~Each private postsecondary institution that~~
20.29 ~~is an eligible institution as defined in section 136A.155, must adopt a policy that meets~~
20.30 ~~the requirements of this section.~~

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

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

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

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

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

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

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

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

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

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

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

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

21.25 ~~(9)~~ (9) an investigation and resolution of a sexual assault complaint by campus
 21.26 disciplinary authorities;

21.27 ~~(10)~~ (10) a sexual assault victim's participation in and the presence of the victim's
 21.28 attorney or other support person at any meeting with campus officials concerning a sexual
 21.29 assault complaint or campus disciplinary proceeding concerning a sexual assault complaint;

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

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

22.1 ~~(5)~~ (13) notice to a sexual assault victim of the outcome of any campus disciplinary
 22.2 proceeding concerning a sexual assault complaint, consistent with laws relating to data
 22.3 practices;

22.4 ~~(6)~~ (14) the complete and prompt assistance of campus authorities, at the direction
 22.5 of law enforcement authorities, in obtaining, securing, and maintaining evidence in
 22.6 connection with a sexual assault incident;

22.7 ~~(7)~~ (15) the assistance of campus authorities in preserving for a sexual assault
 22.8 complainant or victim materials relevant to a campus disciplinary proceeding; ~~and~~

22.9 ~~(8)~~ (16) during and after the process of investigating a complaint and conducting
 22.10 a campus disciplinary procedure, the assistance of campus personnel, in cooperation
 22.11 with the appropriate law enforcement authorities, at a sexual assault victim's request, in
 22.12 shielding the victim from unwanted contact with the alleged assailant, including transfer
 22.13 of the victim to alternative classes or to alternative college-owned housing, if alternative
 22.14 classes or housing are available and feasible;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26.19 Subd. 8. **Comprehensive training.** (a) The Board of Trustees of the Minnesota
26.20 State Colleges and Universities shall, and the University of Minnesota is requested
26.21 to, provide campus security officers and campus administrators responsible for
26.22 investigating or adjudicating complaints of sexual assault with comprehensive training on
26.23 preventing and responding to sexual assault in collaboration with the Bureau of Criminal
26.24 Apprehension or another law enforcement agency with expertise in criminal sexual
26.25 conduct. The training for campus security officers shall include a presentation on the
26.26 dynamics of sexual assault, neurobiological responses to trauma, and best practices for
26.27 preventing, responding to, and investigating sexual assault. The training for campus
26.28 administrators responsible for investigating or adjudicating complaints on sexual assault
26.29 shall include presentations on preventing sexual assault, responding to incidents of
26.30 sexual assault, the dynamics of sexual assault, neurobiological responses to trauma, and
26.31 compliance with state and federal laws on sexual assault.

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

26.35 (1) students pursuing a degree or certificate;

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

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

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

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

27.21 Subd. 9. **Student health services.** (a) The Board of Trustees of the Minnesota
27.22 State Colleges and Universities shall, and the University of Minnesota is requested to,
27.23 develop and implement a policy that requires student health service providers to screen
27.24 students for incidents of sexual assault. Student health service providers shall offer
27.25 students information on resources available to victims and survivors of sexual assault
27.26 including counseling, mental health services, and procedures for reporting incidents of
27.27 sexual assault to the institution.

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

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

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

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

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

28.15 Sec. 13. **EFFECTIVE DATE.**

28.16 This article is effective August 1, 2016.

APPENDIX
Article locations in H0845-1

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