

**SENATE**  
**STATE OF MINNESOTA**  
**EIGHTY-NINTH SESSION**

**S.F. No. 1488**

(SENATE AUTHORS: MILLER, Pederson, J., Bonoff, Reinert and Pratt)

DATE	D-PG	OFFICIAL STATUS
03/09/2015	604	Introduction and first reading Referred to Higher Education and Workforce Development
03/16/2015	833a	Comm report: To pass as amended and re-refer to State and Local Government See SF5, Art. 1, Sec. 7

A bill for an act

1.1 relating to higher education; modifying the MnSCU presidential selection process;  
 1.2 clarifying and prescribing the roles of campus authority and system authority  
 1.3 in the MnSCU system; amending Minnesota Statutes 2014, section 136F.06,  
 1.4 subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 136F.  
 1.5

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

1.7 Section 1. Minnesota Statutes 2014, section 136F.06, subdivision 1, is amended to read:

1.8 Subdivision 1. **General authority.** The board shall possess all powers necessary  
 1.9 to govern the state colleges and universities and all related property. Those powers shall  
 1.10 include, but are not limited to, those enumerated in this section. The board shall prescribe  
 1.11 conditions of admission, set tuition and fees, approve programs of study and requirements  
 1.12 for completion of programs, approve the awarding of appropriate certificates, diplomas,  
 1.13 and degrees, enter into contracts and other agreements, and adopt suitable policies for the  
 1.14 institutions it governs. To the extent practicable in ~~protecting~~ balancing statewide interests  
 1.15 with local needs, the board shall provide autonomy to the campuses ~~while holding them~~  
 1.16 ~~accountable for their decisions.~~ The board, in addition to other processes, shall consult  
 1.17 with campus presidents when exercising its authority under this subdivision. Sections  
 1.18 14.01 to 14.47 do not apply to policies and procedures of the board.

1.19 **EFFECTIVE DATE.** This section is effective the day following final enactment.

1.20 Sec. 2. **[136F.401] SELECTION OF PRESIDENTS.**

1.21 Subdivision 1. **Scope.** This section governs the selection of presidents by the board.

1.22 Subd. 2. **Recruitment of candidates.** The board shall recruit and accept  
 1.23 applications for president. The board must select up to ten candidate finalists and

2.1 transmit those names to the local presidential advisory committee convened under section  
2.2 136F.402. Among other considerations the board must consider racial and ethnic diversity  
2.3 of candidate finalists. The board must also forward the application and related information  
2.4 of all other applicants for the president position to the local committee.

2.5 Subd. 3. **Appointment of president.** The board must appoint the president from the  
2.6 candidates recommended by the local presidential advisory committee, unless the board  
2.7 makes a written finding that none of the locally recommended candidates are qualified or  
2.8 unless a timely recommendation was not received as specified in section 136F.402, and in  
2.9 those instances, the board may select as president a candidate not recommended by the local  
2.10 committee. If the board does not appoint a president and decides to commence a new search  
2.11 for a vacancy, it must repeat the process specified by this section and section 136F.402.

2.12 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.13 Sec. 3. **[136F.402] LOCAL PRESIDENTIAL ADVISORY COMMITTEE.**

2.14 (a) The board shall convene a local presidential advisory committee to make  
2.15 recommendations to the board to fill a vacancy in the position of president. The committee  
2.16 shall be composed of 13 members consisting of the following:

2.17 (1) two students attending an affected college or university appointed by the student  
2.18 organization representing students at the campus;

2.19 (2) two members of the faculty at an affected college or university selected by  
2.20 the faculty organization;

2.21 (3) two nonfaculty employee members of an affected college or university appointed  
2.22 by their employee organization;

2.23 (4) four members of the public residing in the vicinity of an affected college or  
2.24 university or otherwise having knowledge of the affected college or university and its  
2.25 needs appointed by affected campus college or university foundations;

2.26 (5) two members who are alumni of the affected college or university appointed by  
2.27 alumni associations; and

2.28 (6) a member of the board of trustees from the congressional district in which the  
2.29 college or university has a main campus.

2.30 (b) For the purpose of this section, "affected college or university" means a college  
2.31 or university for which a presidential vacancy is being filled.

2.32 (c) The advisory committee must determine the needs of the affected college or  
2.33 university and recommend presidential candidates to the board who can address those  
2.34 needs. In making recommendations, the advisory committee must consider the racial and  
2.35 ethnic composition of the students and communities served by the college or university

3.1 and the racial and ethnic diversity among college and university presidents. The advisory  
 3.2 committee shall interview candidates and may recommend up to four candidates to the  
 3.3 board for consideration by the board. Recommendations by the local committee must be  
 3.4 from the applicants forwarded to the committee by the board, but need not be from the  
 3.5 list of finalists provided by the board. The recommendations must be made to the board  
 3.6 within 120 days of receiving the lists of applicants and finalists and related application  
 3.7 materials from the board under section 136F.401.

3.8 (d) Members of the advisory committee shall receive no compensation for their  
 3.9 services, but shall be reimbursed by the board for mileage expenses incurred in performing  
 3.10 services for the committee. The advisory committee shall dissolve upon the naming of  
 3.11 the president.

3.12 (e) The board shall provide training, administrative, and financial support to the  
 3.13 advisory committee to enable it to perform its duties.

3.14 **EFFECTIVE DATE.** This section is effective the day following final enactment.

3.15 Sec. 4. **MNSCU REPORT; APPROPRIATE BALANCE OF CENTRALIZED**  
 3.16 **AND LOCAL AUTHORITY.**

3.17 The Board of Trustees of Minnesota State Colleges and Universities must report  
 3.18 by January 15, 2017, and every two years thereafter, to the chairs and ranking minority  
 3.19 members of the legislative committees with primary jurisdiction over higher education  
 3.20 policy and finance on the appropriate balance between centralized systemwide and local  
 3.21 college or university authority regarding campus operations. The report must be guided  
 3.22 by the premise that there are strengths and efficiencies to be obtained by centralizing and  
 3.23 exercising systemwide authority over campus operations and that there are strengths  
 3.24 and efficiencies to be obtained from local college and university authority over campus  
 3.25 operations. A report must identify the various strengths and efficiencies and report on  
 3.26 board policies and practices that maximize those strengths and efficiencies. A report must  
 3.27 include recommendations on changes to current policies, rules, and laws necessary to  
 3.28 maximize local strengths and efficiencies.

3.29 **EFFECTIVE DATE.** This section is effective the day following final enactment.

3.30 Sec. 5. **REPORT; MNSCU PRESIDENTIAL SELECTION PROCESS.**

3.31 The Board of Trustees of the Minnesota State Colleges and Universities shall report  
 3.32 by September 1, 2015, to the chairs and ranking minority members of the legislative  
 3.33 committees with primary jurisdiction over higher education finance on the board's policies

- 4.1 on selecting presidents, including those policies to comply with new Minnesota Statutes,
- 4.2 sections 136E.401 and 136E.402.
- 4.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.