

1.1 CONFERENCE COMMITTEE REPORT ON S.F. No. 5

1.2 A bill for an act
1.3 relating to higher education; establishing a budget for higher education;
1.4 appropriating money to the Office of Higher Education, the Board of Trustees
1.5 of the Minnesota State Colleges and Universities, and the Board of Regents of
1.6 the University of Minnesota; appropriating money for tuition relief; making
1.7 various policy and technical changes to higher-education-related provisions;
1.8 regulating the policies of postsecondary institutions relating to sexual harassment
1.9 and sexual violence; providing goals, standards, programs, and grants; requiring
1.10 reports; amending Minnesota Statutes 2014, sections 5.41, subdivisions 2, 3;
1.11 13.32, subdivision 6; 13.322, by adding a subdivision; 16C.075; 124D.09, by
1.12 adding subdivisions; 124D.091, subdivision 1; 135A.15, subdivisions 1, 2, by
1.13 adding subdivisions; 136A.01, by adding a subdivision; 136A.101, subdivisions
1.14 5a, 8; 136A.121, subdivision 20; 136A.125, subdivisions 2, 4, 4b; 136A.1701,
1.15 subdivision 4; 136A.861, subdivision 1; 137.54; 177.23, subdivision 7; Laws
1.16 2014, chapter 312, article 13, section 47; proposing coding for new law in
1.17 Minnesota Statutes, chapters 135A; 136A; 136F; 175; 626; repealing Minnesota
1.18 Rules, part 4830.7500, subparts 2a, 2b.

1.19 May 17, 2015

1.20 The Honorable Sandra L. Pappas
1.21 President of the Senate

1.22 The Honorable Kurt L. Daudt
1.23 Speaker of the House of Representatives

1.24 We, the undersigned conferees for S.F. No. 5 report that we have agreed upon the
1.25 items in dispute and recommend as follows:

1.26 That the House recede from its amendments and that S.F. No. 5 be further amended
1.27 as follows:

1.28 Delete everything after the enacting clause and insert:

1.29 "ARTICLE 1

1.30 HIGHER EDUCATION APPROPRIATIONS

1.31 Section 1. SUMMARY OF APPROPRIATIONS.

1.32 Subdivision 1. Summary By Fund. The amounts shown in this subdivision
1.33 summarize direct appropriations, by fund, made in this article.

2.1	<u>SUMMARY BY FUND</u>			
2.2		<u>2016</u>	<u>2017</u>	<u>Total</u>
2.3	<u>General</u>	\$ <u>1,530,668,000</u>	\$ <u>1,536,256,000</u>	\$ <u>3,066,924,000</u>
2.4	<u>Health Care Access</u>	<u>2,157,000</u>	<u>2,157,000</u>	<u>4,314,000</u>
2.5	<u>Total</u>	<u>\$ 1,532,825,000</u>	<u>\$ 1,538,413,000</u>	<u>\$ 3,071,238,000</u>

2.6 Subd. 2. Summary By Agency - All Funds. The amounts shown in this subdivision
 2.7 summarize direct appropriations, by agency, made in this article.

2.8	<u>SUMMARY BY AGENCY - ALL FUNDS</u>			
2.9		<u>2016</u>	<u>2017</u>	<u>Total</u>
2.10	<u>Minnesota Office of Higher</u>			
2.11	<u>Education</u>	\$ <u>230,843,000</u>	\$ <u>236,630,000</u>	\$ <u>467,473,000</u>
2.12	<u>Board of Trustees of the</u>			
2.13	<u>Minnesota State Colleges and</u>			
2.14	<u>Universities</u>	<u>672,925,000</u>	<u>672,726,000</u>	<u>1,345,651,000</u>
2.15	<u>Board of Regents of the</u>			
2.16	<u>University of Minnesota</u>	<u>627,706,000</u>	<u>627,706,000</u>	<u>1,251,098,000</u>
2.17	<u>Mayo Clinic</u>	<u>1,351,000</u>	<u>1,351,000</u>	<u>2,702,000</u>
2.18	<u>Total</u>	<u>\$ 1,532,825,000</u>	<u>\$ 1,538,413,000</u>	<u>\$ 3,066,924,000</u>

2.19 **Sec. 2. HIGHER EDUCATION APPROPRIATIONS.**

2.20 The sums shown in the columns marked "Appropriations" are appropriated to the
 2.21 agencies and for the purposes specified in this article. The appropriations are from the
 2.22 general fund, or another named fund, and are available for the fiscal years indicated
 2.23 for each purpose. The figures "2016" and "2017" used in this article mean that the
 2.24 appropriations listed under them are available for the fiscal year ending June 30, 2016, or
 2.25 June 30, 2017, respectively. "The first year" is fiscal year 2016. "The second year" is fiscal
 2.26 year 2017. "The biennium" is fiscal years 2016 and 2017.

2.27	<u>APPROPRIATIONS</u>	
2.28	<u>Available for the Year</u>	
2.29	<u>Ending June 30</u>	
2.30	<u>2016</u>	<u>2017</u>

2.31 **Sec. 3. MINNESOTA OFFICE OF HIGHER**
 2.32 **EDUCATION**

2.33	<u>Subdivision 1. Total Appropriation</u>	\$ <u>230,843,000</u>	\$ <u>236,630,000</u>
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2.34 The amounts that may be spent for each
 2.35 purpose are specified in the following
 2.36 subdivisions.

2.37	<u>Subd. 2. State Grants</u>	<u>180,281,000</u>	<u>180,281,000</u>
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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. 3. **Child Care Grants** 6,684,000 6,684,000

3.5 Subd. 4. **State Work-Study** 14,502,000 14,502,000

3.6 Subd. 5. **Interstate Tuition Reciprocity** 11,018,000 11,018,000

3.7 If the appropriation in this subdivision for
 3.8 either year is insufficient, the appropriation
 3.9 for the other year is available to meet
 3.10 reciprocity contract obligations.

3.11 Subd. 6. **Safety Officer's Survivors** 100,000 100,000

3.12 This appropriation is to provide educational
 3.13 benefits under Minnesota Statutes, section
 3.14 299A.45, to eligible dependent children and
 3.15 to the spouses of public safety officers killed
 3.16 in the line of duty.

3.17 If the appropriation in this subdivision for
 3.18 either year is insufficient, the appropriation
 3.19 for the other year is available for it.

3.20 Subd. 7. **Indian Scholarships** 3,500,000 3,500,000

3.21 The commissioner must contract with or
 3.22 employ at least one person with demonstrated
 3.23 competence in American Indian culture and
 3.24 residing in or near the city of Bemidji to
 3.25 assist students with the scholarships under
 3.26 Minnesota Statutes, section 136A.126, and
 3.27 with other information about financial aid for
 3.28 which the students may be eligible. Bemidji
 3.29 State University must provide office space
 3.30 at no cost to the Minnesota Office of Higher
 3.31 Education for purposes of administering the
 3.32 American Indian scholarship program under
 3.33 Minnesota Statutes, section 136A.126. This

4.1	<u>appropriation includes funding to administer</u>		
4.2	<u>the American Indian scholarship program.</u>		
4.3	<u>Subd. 8. Tribal College Grants</u>	<u>150,000</u>	<u>150,000</u>
4.4	<u>For tribal college assistance grants under</u>		
4.5	<u>Minnesota Statutes, section 136A.1796.</u>		
4.6	<u>Subd. 9. Intervention for College Attendance</u>		
4.7	<u>Program Grants</u>	<u>671,000</u>	<u>671,000</u>
4.8	<u>For the intervention for college attendance</u>		
4.9	<u>program under Minnesota Statutes, section</u>		
4.10	<u>136A.861.</u>		
4.11	<u>This appropriation includes funding to</u>		
4.12	<u>administer the intervention for college</u>		
4.13	<u>attendance program grants.</u>		
4.14	<u>Subd. 10. Student-Parent Information</u>	<u>122,000</u>	<u>122,000</u>
4.15	<u>Subd. 11. Get Ready!</u>	<u>180,000</u>	<u>180,000</u>
4.16	<u>Subd. 12. Minnesota Education Equity</u>		
4.17	<u>Partnership</u>	<u>45,000</u>	<u>45,000</u>
4.18	<u>Subd. 13. Midwest Higher Education Compact</u>	<u>115,000</u>	<u>115,000</u>
4.19	<u>Subd. 14. United Family Medicine Residency</u>		
4.20	<u>Program</u>	<u>501,000</u>	<u>501,000</u>
4.21	<u>For a grant to United Family Medicine</u>		
4.22	<u>residency program. This appropriation</u>		
4.23	<u>shall be used to support up to 21 resident</u>		
4.24	<u>physicians each year in family practice at</u>		
4.25	<u>United Family Medicine residency programs</u>		
4.26	<u>and shall prepare doctors to practice family</u>		
4.27	<u>care medicine in underserved rural and</u>		
4.28	<u>urban areas of the state. It is intended</u>		
4.29	<u>that this program will improve health</u>		
4.30	<u>care in underserved communities, provide</u>		
4.31	<u>affordable access to appropriate medical</u>		
4.32	<u>care, and manage the treatment of patients in</u>		
4.33	<u>a cost-effective manner.</u>		

5.1	<u>Subd. 15. MnLINK Gateway and Minitex</u>	<u>5,905,000</u>	<u>5,905,000</u>
5.2	<u>Subd. 16. Statewide Longitudinal Education</u>		
5.3	<u>Data System</u>	<u>882,000</u>	<u>882,000</u>
5.4	<u>Subd. 17. Hennepin County Medical Center</u>	<u>645,000</u>	<u>645,000</u>
5.5	<u>For transfer to Hennepin County Medical</u>		
5.6	<u>Center for graduate family medical education</u>		
5.7	<u>programs at Hennepin County Medical</u>		
5.8	<u>Center.</u>		
5.9	<u>Subd. 18. MNSCU Two-Year Public College</u>		
5.10	<u>Program</u>	<u>-0-</u>	<u>5,000,000</u>
5.11	<u>(a) \$3,993,000 in fiscal year 2017 is for</u>		
5.12	<u>two-year public college program grants</u>		
5.13	<u>under article 3, section 20.</u>		
5.14	<u>(b) \$782,000 in fiscal year 2017 is to provide</u>		
5.15	<u>mentoring and outreach as specified under</u>		
5.16	<u>article 3, section 20.</u>		
5.17	<u>(c) \$225,000 in fiscal year 2017 is for</u>		
5.18	<u>information technology and administrative</u>		
5.19	<u>costs associated with implementation of the</u>		
5.20	<u>grant program.</u>		
5.21	<u>(d) The base for fiscal year 2018 is \$3,481,000</u>		
5.22	<u>and the base for fiscal year 2019 is \$0.</u>		
5.23	<u>Subd. 19. College Possible</u>	<u>250,000</u>	<u>250,000</u>
5.24	<u>(a) This appropriation is for immediate</u>		
5.25	<u>transfer to College Possible to support</u>		
5.26	<u>programs of college admission and college</u>		
5.27	<u>graduation for low-income students through</u>		
5.28	<u>an intensive curriculum of coaching</u>		
5.29	<u>and support at both the high school and</u>		
5.30	<u>postsecondary level.</u>		
5.31	<u>(b) This appropriation must, to the extent</u>		
5.32	<u>possible, be proportionately allocated</u>		
5.33	<u>between students from greater Minnesota and</u>		

6.1 students in the seven-county metropolitan
 6.2 area.

6.3 (c) This appropriation must be used
 6.4 by College Possible only for programs
 6.5 supporting students who are residents
 6.6 of Minnesota and attending colleges or
 6.7 universities within Minnesota.

6.8 (d) By February 1 of each year, College
 6.9 Possible must report to the chairs and
 6.10 ranking minority members of the legislative
 6.11 committees and divisions with jurisdiction
 6.12 over higher education and E-12 education on
 6.13 activities funded by this appropriation. The
 6.14 report must include, but is not limited to,
 6.15 information about the expansion of College
 6.16 Possible in Minnesota, the number of College
 6.17 Possible coaches hired, the expansion within
 6.18 existing partner high schools, the expansion
 6.19 of high school partnerships, the number of
 6.20 high school and college students served, the
 6.21 total hours of community service by high
 6.22 school and college students, and a list of
 6.23 communities and organizations benefitting
 6.24 from student service hours.

6.25 **Subd. 20. Large Animal Veterinarian Loan**
 6.26 **Forgiveness Program** 250,000

6.27 For the large animal veterinarian loan
 6.28 forgiveness program under Minnesota
 6.29 Statutes, section 136A.1795. This is a
 6.30 onetime appropriation and is available until
 6.31 June 30, 2022.

6.32 **Subd. 21. Spinal Cord Injury and Traumatic**
 6.33 **Brain Injury Research Grant Program** 500,000 500,000

7.1	<u>For spinal cord injury and traumatic brain</u>		
7.2	<u>injury research grants authorized under</u>		
7.3	<u>Minnesota Statutes, section 136A.901.</u>		
7.4	<u>The commissioner may use no more than</u>		
7.5	<u>three percent of this appropriation to</u>		
7.6	<u>administer the grant program under this</u>		
7.7	<u>subdivision.</u>		
7.8	<u>Subd. 22. Summer Academic Enrichment</u>		
7.9	<u>Program</u>	<u>100,000</u>	<u>100,000</u>
7.10	<u>For summer academic enrichment grants</u>		
7.11	<u>under Minnesota Statutes, section 136A.091.</u>		
7.12	<u>The commissioner may use no more than</u>		
7.13	<u>three percent of this appropriation to</u>		
7.14	<u>administer the grant program under this</u>		
7.15	<u>subdivision.</u>		
7.16	<u>Subd. 23. Dual Training Competency Grants;</u>		
7.17	<u>OHE</u>	<u>1,000,000</u>	<u>2,000,000</u>
7.18	<u>For training grants under Minnesota Statutes,</u>		
7.19	<u>section 136A.246.</u>		
7.20	<u>The commissioner may use no more than</u>		
7.21	<u>three percent of this appropriation to</u>		
7.22	<u>administer the grant program under this</u>		
7.23	<u>subdivision.</u>		
7.24	<u>Subd. 24. Dual Training Competency Grants;</u>		
7.25	<u>DOLI</u>	<u>200,000</u>	<u>200,000</u>
7.26	<u>For transfer to the commissioner of labor</u>		
7.27	<u>and industry for identification of competency</u>		
7.28	<u>standards for dual training under Minnesota</u>		
7.29	<u>Statutes, section 175.45.</u>		
7.30	<u>Subd. 25. Concurrent Enrollment Courses</u>	<u>340,000</u>	<u>340,000</u>
7.31	<u>(a) \$225,000 in fiscal year 2016 and</u>		
7.32	<u>\$225,000 in fiscal year 2017 are for grants to</u>		
7.33	<u>develop new concurrent enrollment courses</u>		
7.34	<u>under Minnesota Statutes, section 124D.09,</u>		

8.1 subdivision 10, that satisfy the elective
 8.2 standard for career and technical education.
 8.3 Any balance in the first year does not cancel
 8.4 but is available in the second year.

8.5 (b) \$115,000 in fiscal year 2016 and
 8.6 \$115,000 in fiscal year 2017 are for grants
 8.7 to postsecondary institutions currently
 8.8 sponsoring a concurrent enrollment course to
 8.9 expand existing programs. The commissioner
 8.10 shall determine the application process and
 8.11 the grant amounts. The commissioner must
 8.12 give preference to expanding programs that
 8.13 are at capacity. Any balance in the first year
 8.14 does not cancel but is available in the second
 8.15 year.

8.16 (c) By December 1 of each year, the office
 8.17 shall submit a brief report to the chairs and
 8.18 ranking minority members of the legislative
 8.19 committees with jurisdiction over higher
 8.20 education regarding:

8.21 (1) the courses developed by grant recipients
 8.22 and the number of students who enrolled in
 8.23 the courses under paragraph (a); and

8.24 (2) the programs expanded and the number
 8.25 of students who enrolled in programs under
 8.26 paragraph (b).

8.27 <u>Subd. 26. Student Loan Debt Counseling</u>	<u>150,000</u>	<u>150,000</u>
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8.28 For student loan debt counseling under article
 8.29 3, section 24. This is a onetime appropriation.

8.30 <u>Subd. 27. Campus Sexual Assault Reporting</u>	<u>25,000</u>	<u>25,000</u>
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8.31 For the sexual assault reporting required
 8.32 under Minnesota Statutes, section 135A.15.

8.33 <u>Subd. 28. Teacher Shortage Loan Forgiveness</u>	<u>200,000</u>	<u>200,000</u>
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9.1 For the loan forgiveness program under
 9.2 Minnesota Statutes, section 136A.1791.

9.3 The commissioner may use no more
 9.4 than three percent of this appropriation
 9.5 to administer the program under this
 9.6 subdivision.

9.7 Subd. 29. **Agency Administration** 2,527,000 2,564,000

9.8 Subd. 30. **Balances Forward**

9.9 A balance in the first year under this section
 9.10 does not cancel, but is available for the
 9.11 second year.

9.12 Subd. 31. **Transfers**

9.13 The Minnesota Office of Higher Education
 9.14 may transfer unencumbered balances from
 9.15 the appropriations in this section to the state
 9.16 grant appropriation, the interstate tuition
 9.17 reciprocity appropriation, the child care
 9.18 grant appropriation, the Indian scholarship
 9.19 appropriation, the state work-study
 9.20 appropriation, the get ready appropriation,
 9.21 and the public safety officers' survivors
 9.22 appropriation. Transfers from the child care
 9.23 or state work-study appropriations may only
 9.24 be made to the extent there is a projected
 9.25 surplus in the appropriation. A transfer may
 9.26 be made only with prior written notice to
 9.27 the chairs and ranking minority members
 9.28 of the senate and house of representatives
 9.29 committees and divisions with jurisdiction
 9.30 over higher education finance.

9.31 Sec. 4. **BOARD OF TRUSTEES OF THE**
 9.32 **MINNESOTA STATE COLLEGES AND**
 9.33 **UNIVERSITIES**

9.34 Subdivision 1. **Total Appropriation** \$ 672,925,000 \$ 672,726,000

10.1 The amounts that may be spent for each
 10.2 purpose are specified in the following
 10.3 subdivisions.

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

10.6 For the Office of the Chancellor and the
 10.7 Shared Services Division.

10.8	<u>Subd. 3. Operations and Maintenance</u>	<u>635,736,000</u>	<u>635,537,000</u>
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10.9 This appropriation includes \$50,000,000 in
 10.10 fiscal year 2016 and \$50,000,000 in fiscal
 10.11 year 2017 for student tuition relief. The
 10.12 Board of Trustees must establish tuition rates
 10.13 as follows:

10.14 (1) for the 2015-2016 academic year, the
 10.15 tuition rate at colleges must not exceed the
 10.16 2014-2015 academic year rate; and

10.17 (2) for the 2016-2017 academic year, the
 10.18 tuition rate at universities must not exceed
 10.19 the 2015-2016 academic year rate, and the
 10.20 tuition rate at colleges must be reduced by at
 10.21 least one percent compared to the 2015-2016
 10.22 academic year rate.

10.23 The student tuition relief may not be offset
 10.24 by increases in mandatory fees, charges, or
 10.25 other assessments to the student.

10.26 \$57,000 in fiscal year 2016 and \$58,000 in
 10.27 fiscal year 2017 are for activities related to
 10.28 the implementation of new transfer pathways
 10.29 required by article 3, section 21.

10.30 This appropriation includes \$200,000 in
 10.31 fiscal year 2016 to award up to two grants to
 10.32 system institutions with a teacher preparation
 10.33 program approved by the Board of Teaching

11.1 to provide a school year-long student
11.2 teaching pilot program, consistent with
11.3 the student teaching program requirements
11.4 under Minnesota Statutes, section 122A.09,
11.5 subdivision 4, paragraph (d). This is a
11.6 onetime appropriation. The Board of
11.7 Trustees must report to the K-12 and higher
11.8 education committees of the legislature by
11.9 March 1, 2017, on the experiences of the
11.10 grant recipients and the student teachers
11.11 with the school year-long student teaching
11.12 program, and include any recommendations
11.13 for amending Minnesota Statutes, section
11.14 122A.09, subdivision 4, paragraph (d), based
11.15 on the experiences of the grant recipients.

11.16 \$18,000 each year is for transfer to the Cook
11.17 County Higher Education Board to provide
11.18 educational programming and academic
11.19 support services to remote regions in
11.20 northeastern Minnesota. This appropriation
11.21 is in addition to the \$102,000 per fiscal year
11.22 this project currently receives. The project
11.23 shall continue to provide information to the
11.24 Board of Trustees on the number of students
11.25 served, credit hours delivered, and services
11.26 provided to students. The base appropriation
11.27 under this paragraph is \$120,000 each year.

11.28 \$50,000 in fiscal year 2016 and \$50,000
11.29 in fiscal year 2017 are for developing and
11.30 teaching online agriculture courses by farm
11.31 business management faculty at colleges that
11.32 offer farm business management.

11.33 Institutions developing courses under this
11.34 appropriation shall focus on introductory
11.35 coursework, and must coordinate with one

12.1 another to offer complimentary courses
12.2 and avoid duplication. The appropriation
12.3 may not be used to develop courses already
12.4 available through another state college or
12.5 university. Institutions receiving funds from
12.6 this appropriation must have one course
12.7 developed and ready for student enrollment
12.8 within one year of receiving funds.

12.9 \$225,000 in fiscal year 2016 and \$225,000
12.10 in fiscal year 2017 are to create and develop
12.11 a teacher preparation program leading
12.12 to licensure in agricultural education at
12.13 Southwest Minnesota State University. This
12.14 is a onetime appropriation.

12.15 Southwest Minnesota State University shall
12.16 provide the committees of the legislature
12.17 with primary jurisdiction over agriculture
12.18 policy, K-12 education policy, and higher
12.19 education policy and finance with a report
12.20 on the institution's progress in creating an
12.21 agricultural education licensure program and
12.22 increasing the number of students receiving
12.23 a teaching license in agricultural education.
12.24 The report must be submitted by February
12.25 15, 2016, and by February 15, 2017.

12.26 \$35,000 in fiscal year 2016 and \$35,000 in
12.27 fiscal year 2017 are to implement a program
12.28 to assist foreign-born students and groups
12.29 underrepresented in nursing to succeed
12.30 in postsecondary nursing programs. This
12.31 program shall include but not be limited to
12.32 mentoring programs and seminars.

12.33 One-quarter of this appropriation must be
12.34 distributed to Minneapolis Community and
12.35 Technical College. One-quarter of this

- 13.1 appropriation must be distributed to Century
13.2 College. One-half of this appropriation
13.3 must be distributed in equal amounts to
13.4 two state colleges or universities that
13.5 are located outside of the seven-county
13.6 metropolitan area. The board must select
13.7 the state colleges or universities outside
13.8 of the seven-county metropolitan area
13.9 based on the proportion of enrolled nursing
13.10 students that are foreign-born or from groups
13.11 underrepresented in nursing.
- 13.12 The program established under this
13.13 appropriation shall be called the "Kathleen
13.14 McCullough-Zander Success in Nursing
13.15 Program."
- 13.16 \$175,000 in fiscal year 2016 and \$175,000
13.17 in fiscal year 2017 are to establish a
13.18 veterans-to-agriculture pilot program. The
13.19 appropriation for fiscal year 2016 shall be
13.20 used to establish the pilot program at South
13.21 Central College, North Mankato campus, and
13.22 the appropriation for fiscal year 2017 shall be
13.23 used to support, in equal amounts, up to six
13.24 program sites statewide. No more than two
13.25 percent of the total appropriation provided by
13.26 this section may be used for administrative
13.27 purposes at the system level.
- 13.28 The veterans-to-agriculture pilot program
13.29 shall be designed to facilitate the entrance
13.30 of military veterans into careers related to
13.31 agriculture and food production, processing,
13.32 and distribution through intensive, four- to
13.33 eight-week academic training in relevant
13.34 fields of study, job development programs
13.35 and outreach to potential employers, and

14.1 appropriate career-building skills designed
14.2 to assist returning veterans in entering
14.3 the civilian workforce. Upon successful
14.4 completion, a student shall be awarded
14.5 a certificate of completion or another
14.6 appropriate academic credit.

14.7 The pilot program shall be coordinated
14.8 by South Central College, North Mankato
14.9 campus' farm business management program
14.10 and developed in collaboration with the
14.11 University of Minnesota Extension, the
14.12 Department of Agriculture, the Department
14.13 of Veterans Affairs, and the Department of
14.14 Employment and Economic Development.

14.15 The program coordinators are encouraged to
14.16 involve other interested stakeholders in the
14.17 development and operation of the program,
14.18 and may request assistance with applications
14.19 for grants or other funding from available
14.20 federal, state, local, and private sources. As
14.21 necessary, they may also work with other
14.22 public or private entities to secure temporary
14.23 housing for enrolled students.

14.24 In addition to South Central College, North
14.25 Mankato campus, the pilot program shall
14.26 be delivered by up to five additional state
14.27 colleges. One of the additional colleges must
14.28 be located in the seven-county metropolitan
14.29 area, at a campus that has agreed to
14.30 incorporate the pilot program as part of an
14.31 urban agriculture program, and the remaining
14.32 additional colleges must be located outside
14.33 of the seven-county metropolitan area,
14.34 at campuses with existing farm business
14.35 management programs.

15.1 No later than December 15, 2016, the
15.2 program shall report to the committees of the
15.3 house of representatives and the senate with
15.4 jurisdiction over issues related to agriculture,
15.5 veterans affairs, and higher education on
15.6 program operations, including information
15.7 on participation rates, new job placements,
15.8 and any unmet needs.

15.9 This appropriation includes \$40,000 in fiscal
15.10 year 2016 and \$40,000 in fiscal year 2017
15.11 to implement the sexual assault policies
15.12 required under Minnesota Statutes, section
15.13 135A.15.

15.14 Five percent of the fiscal year 2017
15.15 appropriation specified in this subdivision
15.16 is available according to the schedule in
15.17 clauses (1) to (5) in fiscal year 2017 when
15.18 the Board of Trustees of the Minnesota State
15.19 Colleges and Universities demonstrates to
15.20 the commissioner of management and budget
15.21 that the board has met the following specified
15.22 number of performance goals:

15.23 (1) 100 percent if the board meets three, four,
15.24 or five goals;

15.25 (2) 67 percent if two of the goals are met;

15.26 (3) 33 percent if one of the goals are met; and

15.27 (4) zero percent if none of the goals are met.

15.28 The performance goals are:

15.29 (1) increase by at least four percent in fiscal
15.30 year 2015, compared to fiscal year 2008,
15.31 degrees, diplomas, and certificates conferred
15.32 and provide a report to the chairs and
15.33 ranking minority members of the legislative
15.34 committees with jurisdiction over higher

16.1 education on the separate changes in the
16.2 number of degrees, diplomas, and certificates
16.3 conferred;

16.4 (2) increase by at least five percent the fiscal
16.5 year 2015-related employment rate for 2014
16.6 graduates, compared to the 2011 rate for
16.7 2010 graduates;

16.8 (3) for fiscal year 2016, reallocate
16.9 \$22,000,000 of costs. The Board of Trustees
16.10 is requested to redirect those funds to invest
16.11 in direct mission activities, stem growth in
16.12 tuition and student fees, and to programs that
16.13 benefit students;

16.14 (4) decrease by at least ten percent the fiscal
16.15 year 2015 headcount of students enrolled in
16.16 developmental courses compared to fiscal
16.17 year 2013 headcount of students enrolled in
16.18 developmental courses; and

16.19 (5) increase by at least five percent the
16.20 fiscal year 2015 degrees awarded to students
16.21 who took no more than 128 credits for a
16.22 baccalaureate degree and 68 credits for
16.23 associate in arts, associate of science, or
16.24 associate in fine arts degrees, as compared to
16.25 the rate for 2011 graduates.

16.26 By August 1, 2015, the Board of Trustees
16.27 and the Minnesota Office of Higher
16.28 Education must agree on specific numerical
16.29 indicators and definitions for each of the five
16.30 goals that will be used to demonstrate the
16.31 Minnesota State Colleges and Universities'
16.32 attainment of each goal. On or before April
16.33 1, 2016, the Board of Trustees must report
16.34 to the legislative committees with primary
16.35 jurisdiction over higher education finance

17.1 and policy the progress of the Minnesota
 17.2 State Colleges and Universities toward
 17.3 attaining the goals. The appropriation
 17.4 base for the next biennium shall include
 17.5 appropriations not made available under this
 17.6 subdivision for failure to meet performance
 17.7 goals. All of the appropriation that is not
 17.8 available due to failure to meet performance
 17.9 goals is appropriated to the commissioner
 17.10 of the Office of Higher Education for fiscal
 17.11 year 2017 for the purpose of the state grant
 17.12 program under Minnesota Statutes, section
 17.13 136A.121.

17.14 Performance metrics are intended to facilitate
 17.15 progress towards the attainment goal under
 17.16 Minnesota Statutes, section 135A.012.

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

17.18 Sec. 5. **BOARD OF REGENTS OF THE**
 17.19 **UNIVERSITY OF MINNESOTA**

17.20 Subdivision 1. **Total Appropriation** \$ 627,706,000 \$ 627,706,000

17.21	<u>Appropriations by Fund</u>		
17.22		<u>2016</u>	<u>2017</u>
17.23	<u>General</u>	<u>625,549,000</u>	<u>625,549,000</u>
17.24	<u>Health Care Access</u>	<u>2,157,000</u>	<u>2,157,000</u>

17.25 The amounts that may be spent for each
 17.26 purpose are specified in the following
 17.27 subdivisions.

17.28 Subd. 2. **Operations and Maintenance** 559,111,000 559,111,000

17.29 This appropriation includes funding for
 17.30 operation and maintenance of the system. Of
 17.31 the amount appropriated in this subdivision:

17.32 \$11,100,000 in fiscal year 2016 and
 17.33 \$11,100,000 in fiscal year 2017 are to
 17.34 minimize any increase in a student's cost

18.1 of attendance; for research to solve the
18.2 challenges facing our state, nation, and
18.3 world; to educate a diverse population of
18.4 Minnesotans from every community who
18.5 show the greatest promise; and for public
18.6 service that builds lasting partnerships with
18.7 communities across the state to address our
18.8 most complex and pressing issues. The
18.9 Board of Regents is requested to:

18.10 (1) maintain a low cost of mission and
18.11 advance operational excellence;

18.12 (2) increase the diversity of the university's
18.13 students, faculty, and staff; and

18.14 (3) strengthen the university's relationships
18.15 with the agriculture industry and the
18.16 communities of greater Minnesota.

18.17 \$15,000,000 in fiscal year 2016 and
18.18 \$15,000,000 in fiscal year 2017 are to:

18.19 (1) increase the medical school's research
18.20 capacity;

18.21 (2) improve the medical school's ranking in
18.22 National Institutes of Health funding;

18.23 (3) ensure the medical school's national
18.24 prominence by attracting and retaining
18.25 world-class faculty, staff, and students;

18.26 (4) invest in physician training programs in
18.27 rural and underserved communities; and

18.28 (5) translate the medical school's research
18.29 discoveries into new treatments and cures to
18.30 improve the health of Minnesotans.

18.31 The Board of Regents is requested to
18.32 consider hiring additional faculty to conduct
18.33 research related to regenerative medicine.

19.1 Five percent of the fiscal year 2017
19.2 appropriation specified in this subdivision
19.3 is available according to the schedule in
19.4 clauses (1) to (5) in fiscal year 2017 when
19.5 the Board of Regents of the University of
19.6 Minnesota demonstrates to the commissioner
19.7 of management and budget that the board
19.8 has met the following specified number of
19.9 performance goals:

19.10 (1) 100 percent if the board meets three, four,
19.11 or five goals;

19.12 (2) 67 percent if two of the goals are met;

19.13 (3) 33 percent if one of the goals are met; and

19.14 (4) zero percent if none of the goals are met.

19.15 The performance goals are:

19.16 (1) increase by at least one percent
19.17 the four-year, five-year, or six-year
19.18 undergraduate graduation rates, averaged
19.19 over three years, for students of color
19.20 systemwide at the University of Minnesota
19.21 reported in fall 2016 over fall 2014. The
19.22 average rate for fall 2014 is calculated with
19.23 the graduation rates reported in fall 2012,
19.24 2013, and 2014;

19.25 (2) increase by at least two percent the
19.26 total number of undergraduate STEM
19.27 degrees, averaged over three years, conferred
19.28 systemwide by the University of Minnesota
19.29 reported in fiscal year 2016 over fiscal year
19.30 2014. The averaged number for fiscal year
19.31 2014 is calculated with the fiscal year 2012,
19.32 2013, and 2014 numbers;

19.33 (3) increase by at least one percent the
19.34 four-year undergraduate graduation rate at

20.1 the University of Minnesota reported in fall
20.2 2016 over fall 2014. The average rate for
20.3 fall 2014 is calculated with the graduation
20.4 rates reported in fall 2012, 2013, and 2014.
20.5 The averaged number for fiscal year 2014 is
20.6 calculated with the fiscal year 2012, 2013,
20.7 and 2014 numbers;

20.8 (4) for fiscal year 2016, reallocate
20.9 \$15,000,000 of administrative costs. The
20.10 Board of Regents is requested to redirect
20.11 those funds to invest in direct mission
20.12 activities, stem growth in cost of attendance,
20.13 and to programs that benefit students; and

20.14 (5) increase licensing disclosures by three
20.15 percent for fiscal year 2016 over fiscal year
20.16 2015.

20.17 By August 1, 2015, the Board of Regents and
20.18 the Office of Higher Education must agree on
20.19 specific numerical indicators and definitions
20.20 for each of the five goals that will be used to
20.21 demonstrate the University of Minnesota's
20.22 attainment of each goal. On or before April
20.23 1, 2016, the Board of Regents must report
20.24 to the legislative committees with primary
20.25 jurisdiction over higher education finance
20.26 and policy the progress of the University of
20.27 Minnesota toward attaining the goals. The
20.28 appropriation base for the next biennium shall
20.29 include appropriations not made available
20.30 under this subdivision for failure to meet
20.31 performance goals. All of the appropriation
20.32 that is not available due to failure to meet
20.33 performance goals is appropriated to the
20.34 commissioner of the Office of Higher
20.35 Education for fiscal year 2017 for the purpose

21.1	<u>of the state grant program under Minnesota</u>		
21.2	<u>Statutes, section 136A.121.</u>		
21.3	<u>Performance metrics are intended to facilitate</u>		
21.4	<u>progress towards the attainment goal under</u>		
21.5	<u>Minnesota Statutes, section 135A.012.</u>		
21.6	<u>Subd. 3. Primary Care Education Initiatives</u>	<u>2,157,000</u>	<u>2,157,000</u>
21.7	<u>This appropriation is from the health care</u>		
21.8	<u>access fund.</u>		
21.9	<u>Subd. 4. Special Appropriations</u>		
21.10	<u>(a) Agriculture and Extension Service</u>	<u>42,922,000</u>	<u>42,922,000</u>
21.11	<u>For the Agricultural Experiment Station and</u>		
21.12	<u>the Minnesota Extension Service:</u>		
21.13	<u>(1) the agricultural experiment stations</u>		
21.14	<u>and Minnesota Extension Service must</u>		
21.15	<u>convene agricultural advisory groups to</u>		
21.16	<u>focus research, education, and extension</u>		
21.17	<u>activities on producer needs and implement</u>		
21.18	<u>an outreach strategy that more effectively</u>		
21.19	<u>and rapidly transfers research results and best</u>		
21.20	<u>practices to producers throughout the state;</u>		
21.21	<u>(2) this appropriation includes funding for</u>		
21.22	<u>research and outreach on the production of</u>		
21.23	<u>renewable energy from Minnesota biomass</u>		
21.24	<u>resources, including agronomic crops, plant</u>		
21.25	<u>and animal wastes, and native plants or trees.</u>		
21.26	<u>The following areas should be prioritized and</u>		
21.27	<u>carried out in consultation with Minnesota</u>		
21.28	<u>producers, renewable energy, and bioenergy</u>		
21.29	<u>organizations:</u>		
21.30	<u>(i) biofuel and other energy production from</u>		
21.31	<u>perennial crops, small grains, row crops,</u>		
21.32	<u>and forestry products in conjunction with</u>		

- 22.1 the Natural Resources Research Institute
22.2 (NRRI);
- 22.3 (ii) alternative bioenergy crops and cropping
22.4 systems; and
- 22.5 (iii) biofuel coproducts used for livestock
22.6 feed;
- 22.7 (3) this appropriation includes funding
22.8 for the College of Food, Agricultural, and
22.9 Natural Resources Sciences to establish and
22.10 provide leadership for organic agronomic,
22.11 horticultural, livestock, and food systems
22.12 research, education, and outreach and for
22.13 the purchase of state-of-the-art laboratory,
22.14 planting, tilling, harvesting, and processing
22.15 equipment necessary for this project;
- 22.16 (4) this appropriation includes funding
22.17 for research efforts that demonstrate a
22.18 renewed emphasis on the needs of the state's
22.19 agriculture community. The following
22.20 areas should be prioritized and carried
22.21 out in consultation with Minnesota farm
22.22 organizations:
- 22.23 (i) vegetable crop research with priority for
22.24 extending the Minnesota vegetable growing
22.25 season;
- 22.26 (ii) fertilizer and soil fertility research and
22.27 development;
- 22.28 (iii) soil, groundwater, and surface water
22.29 conservation practices and contaminant
22.30 reduction research;
- 22.31 (iv) discovering and developing plant
22.32 varieties that use nutrients more efficiently;

- 23.1 (v) breeding and development of turf seed
- 23.2 and other biomass resources in all three
- 23.3 Minnesota biomes;
- 23.4 (vi) development of new disease-resistant
- 23.5 and pest-resistant varieties of turf and
- 23.6 agronomic crops;
- 23.7 (vii) utilizing plant and livestock cells to treat
- 23.8 and cure human diseases;
- 23.9 (viii) the development of dairy coproducts;
- 23.10 (ix) a rapid agricultural response fund for
- 23.11 current or emerging animal, plant, and insect
- 23.12 problems affecting production or food safety;
- 23.13 (x) crop pest and animal disease research;
- 23.14 (xi) developing animal agriculture that is
- 23.15 capable of sustainably feeding the world;
- 23.16 (xii) consumer food safety education and
- 23.17 outreach;
- 23.18 (xiii) programs to meet the research and
- 23.19 outreach needs of organic livestock and crop
- 23.20 farmers; and
- 23.21 (xiv) alternative bioenergy crops and
- 23.22 cropping systems; and growing, harvesting,
- 23.23 and transporting biomass plant material; and
- 23.24 (5) by February 1, 2017, the Board of Regents
- 23.25 must submit a report to the legislative
- 23.26 committees and divisions with jurisdiction
- 23.27 over agriculture and higher education finance
- 23.28 on the status and outcomes of research and
- 23.29 initiatives funded in this paragraph.
- 23.30 (b) Health Sciences 9,204,000 9,204,000
- 23.31 \$346,000 each year is to support up to 12
- 23.32 resident physicians in the St. Cloud Hospital

24.1 family practice residency program. The
 24.2 program must prepare doctors to practice
 24.3 primary care medicine in rural areas of the
 24.4 state. The legislature intends this program
 24.5 to improve health care in rural communities,
 24.6 provide affordable access to appropriate
 24.7 medical care, and manage the treatment of
 24.8 patients in a more cost-effective manner.
 24.9 The remainder of this appropriation is for
 24.10 the rural physicians associates program;
 24.11 the Veterinary Diagnostic Laboratory;
 24.12 health sciences research; dental care; the
 24.13 Biomedical Engineering Center; and the
 24.14 collaborative partnership between the
 24.15 University of Minnesota and Mayo Clinic
 24.16 for regenerative medicine, research, clinical
 24.17 translation, and commercialization.

24.18	<u>(c) Institute of Technology</u>	<u>1,140,000</u>	<u>1,140,000</u>
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24.19 For the geological survey and the talented
 24.20 youth mathematics program.

24.21	<u>(d) System Special</u>	<u>5,181,000</u>	<u>5,181,000</u>
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24.22 For general research, the Labor Education
 24.23 Service, Natural Resources Research
 24.24 Institute, Center for Urban and Regional
 24.25 Affairs, Bell Museum of Natural History, and
 24.26 the Humphrey exhibit.

24.27	<u>(e) University of Minnesota and Mayo</u>		
24.28	<u>Foundation Partnership</u>	<u>7,991,000</u>	<u>7,991,000</u>

24.29 This appropriation is for the following
 24.30 activities:

24.31 (1) \$7,491,000 in fiscal year 2016 and
 24.32 \$7,491,000 in fiscal year 2017 are for
 24.33 the direct and indirect expenses of the
 24.34 collaborative research partnership between

26.1 Subd. 3. Family Practice and Graduate
26.2 Residency Program 686,000 686,000

26.3 The state must pay stipend support for up to
26.4 27 residents each year.

26.5 **Sec. 7. MNSCU PRESIDENTIAL SELECTION PROCESS; REPORT.**

26.6 The Board of Trustees of the Minnesota State Colleges and Universities shall report
26.7 in writing to the chairs and ranking minority members of the legislative committees
26.8 with jurisdiction over higher education by October 1, 2015, its schedule for adopting
26.9 a presidential selection process as a comprehensive formal written policy. The board
26.10 is encouraged to engage stakeholders in developing the board policy. The board must
26.11 strongly consider a policy that provides clarity in the selection process, enhances
26.12 communication and the opportunity for local input by colleges and universities and
26.13 community stakeholders they serve, and that reflects the need to consult with and to keep a
26.14 presidential selection advisory committee informed during the entire selection process.

26.15 **Sec. 8. UNIVERSITY OF MINNESOTA BUDGET ALLOCATION REPORT.**

26.16 The Board of Regents of the University of Minnesota shall report by February 1,
26.17 2016, to the chairs and ranking minority members of the legislative committees with
26.18 primary jurisdiction over higher education finance on the factors it considers to allocate
26.19 funds to separate campuses. The report must specifically, without limitation, address the
26.20 issue of whether non-Twin Cities campuses are treated as single units for budget allocation
26.21 purposes or treated as comprised of multiple units. The report must discuss the effect of
26.22 treating a campus as a single unit and the reasons for that treatment.

26.23 **Sec. 9. TUITION RECIPROCITY APPROPRIATION CANCELLATION.**

26.24 All unspent funds, estimated to be \$8,394,000, to provide tuition reciprocity
26.25 payments under Laws 2013, chapter 99, section 3, subdivision 5, are canceled to the
26.26 general fund on June 30, 2015.

26.27 **ARTICLE 2**

26.28 **OFFICE OF HIGHER EDUCATION**

26.29 Section 1. Minnesota Statutes 2014, section 13.32, subdivision 6, is amended to read:

26.30 Subd. 6. **Admissions forms; Remedial instruction.** ~~(a) Minnesota postsecondary~~
26.31 ~~education institutions, for purposes of reporting and research, may collect on the~~
26.32 ~~1986-1987 admissions form, and disseminate to any public educational agency or~~

27.1 ~~institution the following data on individuals: student sex, ethnic background, age, and~~
27.2 ~~disabilities. The data shall not be required of any individual and shall not be used for~~
27.3 ~~purposes of determining the person's admission to an institution.~~

27.4 (b) (a) A school district that receives information under subdivision 3, paragraph
27.5 (h) from a postsecondary institution about an identifiable student shall maintain the
27.6 data as educational data and use that data to conduct studies to improve instruction.
27.7 Public postsecondary systems as part of their participation in the Statewide Longitudinal
27.8 Education Data System shall provide data on the extent and content of the remedial
27.9 instruction received by individual students, and the results of assessment testing and the
27.10 academic performance of, students who graduated from a Minnesota school district within
27.11 two years before receiving the remedial instruction. The Office of Higher Education, in
27.12 collaboration with the Department of Education, shall evaluate the data and annually
27.13 report its findings to the education committees of the legislature.

27.14 (e) (b) This section supersedes any inconsistent provision of law.

27.15 Sec. 2. Minnesota Statutes 2014, section 16C.075, is amended to read:

27.16 **16C.075 E-VERIFY.**

27.17 A contract for services valued in excess of \$50,000 must require certification from
27.18 the vendor and any subcontractors that, as of the date services on behalf of the state of
27.19 Minnesota will be performed, the vendor and all subcontractors have implemented or are
27.20 in the process of implementing the federal E-Verify program for all newly hired employees
27.21 in the United States who will perform work on behalf of the state of Minnesota. This
27.22 section does not apply to contracts entered into by the:

27.23 (1) State Board of Investment; or

27.24 (2) the Office of Higher Education for contracts related to credit reporting services if
27.25 the office certifies that those services cannot be reasonably obtained if this section applies.

27.26 Sec. 3. Minnesota Statutes 2014, section 122A.09, subdivision 4, is amended to read:

27.27 Subd. 4. **License and rules.** (a) The board must adopt rules to license public school
27.28 teachers and interns subject to chapter 14.

27.29 (b) The board must adopt rules requiring a person to pass a skills examination in
27.30 reading, writing, and mathematics or attain either a composite score composed of the
27.31 average of the scores in English and writing, reading, and mathematics on the ACT
27.32 Plus Writing recommended by the board, or an equivalent composite score composed
27.33 of the average of the scores in critical reading, mathematics, and writing on the SAT
27.34 recommended by the board, as a requirement for initial teacher licensure, except that the

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

28.15 (c) The board must adopt rules to approve teacher preparation programs. The board,
28.16 upon the request of a postsecondary student preparing for teacher licensure or a licensed
28.17 graduate of a teacher preparation program, shall assist in resolving a dispute between the
28.18 person and a postsecondary institution providing a teacher preparation program when the
28.19 dispute involves an institution's recommendation for licensure affecting the person or the
28.20 person's credentials. At the board's discretion, assistance may include the application
28.21 of chapter 14.

28.22 (d) The board must provide the leadership and adopt rules for the redesign of teacher
28.23 education programs to implement a research based, results-oriented curriculum that
28.24 focuses on the skills teachers need in order to be effective. Among other components,
28.25 teacher preparation programs may use the Minnesota State Colleges and Universities
28.26 program model to provide a school year-long student teaching program that combines
28.27 clinical opportunities with academic coursework and in-depth student teaching
28.28 experiences to offer students ongoing mentorship, coaching and assessment, help to
28.29 prepare a professional development plan, and structured learning experiences. The board
28.30 shall implement new systems of teacher preparation program evaluation to assure program
28.31 effectiveness based on proficiency of graduates in demonstrating attainment of program
28.32 outcomes. Teacher preparation programs including alternative teacher preparation
28.33 programs under section 122A.245, among other programs, must include a content-specific,
28.34 board-approved, performance-based assessment that measures teacher candidates in three
28.35 areas: planning for instruction and assessment; engaging students and supporting learning;
28.36 and assessing student learning. The board's redesign rules must include creating flexible,

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

29.6 (e) The board must adopt rules requiring candidates for initial licenses to pass an
29.7 examination of general pedagogical knowledge and examinations of licensure-specific
29.8 teaching skills. The rules shall be effective by September 1, 2001. The rules under this
29.9 paragraph also must require candidates for initial licenses to teach prekindergarten or
29.10 elementary students to pass, as part of the examination of licensure-specific teaching
29.11 skills, test items assessing the candidates' knowledge, skill, and ability in comprehensive,
29.12 scientifically based reading instruction under section 122A.06, subdivision 4, and their
29.13 knowledge and understanding of the foundations of reading development, the development
29.14 of reading comprehension, and reading assessment and instruction, and their ability to
29.15 integrate that knowledge and understanding.

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

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

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

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

30.1 preparation in English language development and specially designed content instruction
30.2 in English for English learners.

30.3 (j) The board must grant life licenses to those who qualify according to requirements
30.4 established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and
30.5 214.10. The board must not establish any expiration date for application for life licenses.

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

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

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

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

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

30.31 Sec. 4. Minnesota Statutes 2014, section 136A.01, is amended by adding a subdivision
30.32 to read:

30.33 **Subd. 3. Incentive programs.** The commissioner is authorized to utilize incentive
30.34 gifts including, but not limited to, gift cards in order to promote to the public the various

31.1 programs administered by the office. The annual total expenditures for such incentive
31.2 programs shall not exceed \$10,000.

31.3 Sec. 5. Minnesota Statutes 2014, section 136A.031, subdivision 4, is amended to read:

31.4 Subd. 4. **Student representation.** The commissioner ~~must place at least one~~
31.5 ~~student from an affected educational system on any task force created by the office. The~~
31.6 ~~commissioner must submit to the SAC the name of any student appointed to an advisory~~
31.7 ~~group or task force. The student appointment is not approved if four SAC members vote~~
31.8 ~~to disapprove of the appointment. If an appointment is disapproved, the commissioner~~
31.9 ~~must submit another student appointment to the SAC in a timely manner~~ shall invite the
31.10 council to nominate a student or students to serve on task forces created by the office,
31.11 when appropriate.

31.12 Sec. 6. Minnesota Statutes 2014, section 136A.0411, is amended to read:

31.13 **136A.0411 COLLECTING FEES.**

31.14 The office may charge fees for seminars, conferences, workshops, services, and
31.15 materials. The office may collect fees for registration and licensure of private institutions
31.16 under sections 136A.61 to 136A.71 and chapter 141. The money is ~~annually~~ appropriated
31.17 to the office.

31.18 Sec. 7. Minnesota Statutes 2014, section 136A.125, subdivision 2, is amended to read:

31.19 Subd. 2. **Eligible students.** (a) An applicant is eligible for a child care grant if
31.20 the applicant:

31.21 (1) is a resident of the state of Minnesota or the applicant's spouse is a resident
31.22 of the state of Minnesota;

31.23 (2) has a child 12 years of age or younger, or 14 years of age or younger who is
31.24 disabled as defined in section 125A.02, and who is receiving or will receive care on a
31.25 regular basis from a licensed or legal, nonlicensed caregiver;

31.26 (3) is income eligible as determined by the office's policies and rules, but is not a
31.27 recipient of assistance from the Minnesota family investment program;

31.28 (4) has not earned a baccalaureate degree and has been enrolled full time less than
31.29 eight semesters or the equivalent;

31.30 (5) is pursuing a nonsectarian program or course of study that applies to an
31.31 undergraduate degree, diploma, or certificate;

31.32 (6) is enrolled at least half time in an eligible institution; and

31.33 (7) is in good academic standing and making satisfactory academic progress.

32.1 (b) A student who withdraws from enrollment for active military service after
32.2 December 31, 2002, because the student was ordered to active military service as defined
32.3 in section 190.05, subdivision 5b or 5c, or for a major illness, while under the care of a
32.4 medical professional, that substantially limits the student's ability to complete the term
32.5 is entitled to an additional semester or the equivalent of grant eligibility and will be
32.6 considered to be in continuing enrollment status upon return.

32.7 EFFECTIVE DATE. This section is effective August 1, 2015, and applies to
32.8 academic terms commencing on or after that date.

32.9 Sec. 8. Minnesota Statutes 2014, section 136A.125, subdivision 4, is amended to read:

32.10 Subd. 4. **Amount and length of grants.** (a) The amount of a child care grant
32.11 must be based on:

32.12 (1) the income of the applicant and the applicant's spouse;

32.13 (2) the number in the applicant's family, as defined by the office; and

32.14 (3) the number of eligible children in the applicant's family.

32.15 (b) The maximum award to the applicant shall be \$2,800 for each eligible child per
32.16 academic year, except that the campus financial aid officer may apply to the office for
32.17 approval to increase grants by up to ten percent to compensate for higher market charges
32.18 for infant care in a community. The office shall develop policies to determine community
32.19 market costs and review institutional requests for compensatory grant increases to ensure
32.20 need and equal treatment. The office shall prepare a chart to show the amount of a grant
32.21 that will be awarded per child based on the factors in this subdivision. The chart shall
32.22 include a range of income and family size.

32.23 (c) Applicants with family incomes at or below a percentage of the federal poverty
32.24 level, as determined by the commissioner, will qualify for the maximum award. The
32.25 commissioner shall attempt to set the percentage at a level estimated to fully expend the
32.26 available appropriation for child care grants. Applicants with family incomes exceeding
32.27 that threshold will receive the maximum award minus ten percent of their income
32.28 exceeding that threshold. If the result is less than zero, the grant is zero.

32.29 (d) The academic year award amount must be disbursed by academic term using the
32.30 following formula:

32.31 (1) the academic year amount described in paragraph (b);

32.32 (2) divided by the number of terms in the academic year;

32.33 (3) divided by 15; and

32.34 (4) multiplied by the number of credits for which the student is enrolled that
32.35 academic term, up to 15 credits.

33.1 (e) Payments shall be made each academic term to the student or to the child care
33.2 provider, as determined by the institution. Institutions may make payments more than
33.3 once within the academic term.

33.4 Sec. 9. Minnesota Statutes 2014, section 136A.125, subdivision 4b, is amended to read:

33.5 Subd. 4b. **Additional grants.** An additional term of child care grant may be
33.6 awarded to an applicant attending classes outside of the regular academic year who meets
33.7 the requirements in subdivisions 2 and 4. The annual maximum grant per eligible child
33.8 must not exceed the calculated annual amount in subdivision 4, plus the additional amount
33.9 in this subdivision, or the student's estimated annual child care cost for not more than 40
33.10 hours per week per eligible child, whichever is less.

33.11 Sec. 10. Minnesota Statutes 2014, section 136A.1701, subdivision 4, is amended to
33.12 read:

33.13 Subd. 4. **Terms and conditions of loans.** (a) The office may loan money upon
33.14 such terms and conditions as the office may prescribe. ~~Under the SELF IV program, the~~
33.15 ~~principal amount of a loan to an undergraduate student for a single academic year shall not~~
33.16 ~~exceed \$7,500 per grade level. The aggregate principal amount of all loans made subject~~
33.17 ~~to this paragraph to an undergraduate student shall not exceed \$37,500. The principal~~
33.18 ~~amount of a loan to a graduate student for a single academic year shall not exceed \$9,000.~~
33.19 ~~The aggregate principal amount of all loans made subject to this paragraph to a student as~~
33.20 ~~an undergraduate and graduate student shall not exceed \$55,500. The amount of the loan~~
33.21 ~~may not exceed the cost of attendance less all other financial aid, including PLUS loans or~~
33.22 ~~other similar parent loans borrowed on the student's behalf. The cumulative SELF loan~~
33.23 ~~debt must not exceed the borrowing maximums in paragraph (b).~~

33.24 (b) ~~The cumulative undergraduate borrowing maximums for SELF IV loans are:~~

33.25 (1) ~~grade level 1, \$7,500;~~

33.26 (2) ~~grade level 2, \$15,000;~~

33.27 (3) ~~grade level 3, \$22,500;~~

33.28 (4) ~~grade level 4, \$30,000; and~~

33.29 (5) ~~grade level 5, \$37,500.~~

33.30 (e) (b) The principal maximum loan amount of a SELF V or subsequent phase
33.31 loan to students enrolled in a bachelor's degree program, postbaccalaureate, or graduate
33.32 program must not exceed \$10,000 per grade level be determined annually by the office.

33.33 For all other eligible students, the principal amount of the loan must not exceed \$7,500 per
33.34 grade level. The aggregate principal amount of all loans made subject to this paragraph to

34.1 a student as an undergraduate and graduate student must not exceed ~~\$70,000~~ \$140,000.
34.2 The amount of the loan must not exceed the cost of attendance as determined by the
34.3 eligible institution less all other financial aid, including PLUS loans or other similar parent
34.4 loans borrowed on the student's behalf. The cumulative SELF loan debt must not exceed
34.5 the borrowing maximums in paragraph ~~(d)~~ (c).

34.6 ~~(d)~~ (c)(1) The cumulative borrowing maximums must be determined annually by the
34.7 office for SELF V loans and subsequent phases for students enrolled in a bachelor's degree
34.8 program or postbaccalaureate program are: In determining the cumulative borrowing
34.9 maximums, the office shall, among other considerations, take into consideration the
34.10 maximum SELF loan amount, student financing needs, funding capacity for the SELF
34.11 program, delinquency and default loss management, and current financial market
34.12 conditions.

- 34.13 ~~(i) grade level 1, \$10,000;~~
- 34.14 ~~(ii) grade level 2, \$20,000;~~
- 34.15 ~~(iii) grade level 3, \$30,000;~~
- 34.16 ~~(iv) grade level 4, \$40,000; and~~
- 34.17 ~~(v) grade level 5, \$50,000.~~

34.18 ~~(2) For graduate level students, the borrowing limit is \$10,000 per nine-month~~
34.19 ~~academic year, with a cumulative maximum for all SELF debt of \$70,000.~~

34.20 ~~(3)~~ (2) For all other eligible students, the cumulative borrowing maximums ~~for~~
34.21 ~~SELF V loans and subsequent phases are:~~

- 34.22 (i) grade level 1, \$7,500;
- 34.23 (ii) grade level 2, \$15,000;
- 34.24 (iii) grade level 3, \$22,500;
- 34.25 (iv) grade level 4, \$30,000; and
- 34.26 (v) grade level 5, \$37,500.

34.27 Sec. 11. Minnesota Statutes 2014, section 136A.61, is amended to read:

34.28 **136A.61 POLICY.**

34.29 The legislature has found and hereby declares that the availability of legitimate
34.30 courses and programs leading to academic degrees offered by responsible private
34.31 ~~not-for-profit~~ nonprofit and for-profit institutions of postsecondary education and the
34.32 existence of legitimate private colleges and universities are in the best interests of the
34.33 people of this state. The legislature has found and declares that the state can provide
34.34 assistance and protection for persons choosing private institutions and programs, by
34.35 establishing policies and procedures to assure the authenticity and legitimacy of private

35.1 postsecondary education institutions and programs. The legislature has also found and
35.2 declares that this same policy applies to any private and public postsecondary educational
35.3 institution located in another state or country which offers or makes available to a
35.4 Minnesota resident any course, program or educational activity which does not require
35.5 the leaving of the state for its completion.

35.6 Sec. 12. Minnesota Statutes 2014, section 136A.63, subdivision 2, is amended to read:

35.7 Subd. 2. **Sale of an institution.** Within 30 days of a change of its ownership a school
35.8 must submit a registration renewal application, all usual and ordinary information and
35.9 materials for an initial registration, and applicable registration fees for a new institution.
35.10 For purposes of this subdivision, "change of ownership" means a merger or consolidation
35.11 with a corporation; a sale, lease, exchange, or other disposition of all or substantially all of
35.12 the assets of a school; the transfer of a controlling interest of at least 51 percent of the
35.13 school's stock; or a change in the ~~not-for-profit~~ nonprofit or for-profit status of a school.

35.14 Sec. 13. Minnesota Statutes 2014, section 136A.65, subdivision 4, is amended to read:

35.15 Subd. 4. **Criteria for approval.** (a) A school applying to be registered and to have
35.16 its degree or degrees and name approved must substantially meet the following criteria:

35.17 (1) the school has an organizational framework with administrative and teaching
35.18 personnel to provide the educational programs offered;

35.19 (2) the school has financial resources sufficient to meet the school's financial
35.20 obligations, including refunding tuition and other charges consistent with its stated policy
35.21 if the institution is dissolved, or if claims for refunds are made, to provide service to the
35.22 students as promised, and to provide educational programs leading to degrees as offered;

35.23 (3) the school operates in conformity with generally accepted budgeting and
35.24 accounting principles;

35.25 (4) the school provides an educational program leading to the degree it offers;

35.26 (5) the school provides appropriate and accessible library, laboratory, and other
35.27 physical facilities to support the educational program offered;

35.28 (6) the school has a policy on freedom or limitation of expression and inquiry for
35.29 faculty and students which is published or available on request;

35.30 (7) the school uses only publications and advertisements which are truthful and do
35.31 not give any false, fraudulent, deceptive, inaccurate, or misleading impressions about the
35.32 school, its personnel, programs, services, or occupational opportunities for its graduates
35.33 for promotion and student recruitment;

36.1 (8) the school's compensated recruiting agents who are operating in Minnesota
36.2 identify themselves as agents of the school when talking to or corresponding with students
36.3 and prospective students; ~~and~~

36.4 (9) the school provides information to students and prospective students concerning:

36.5 (i) comprehensive and accurate policies relating to student admission, evaluation,
36.6 suspension, and dismissal;

36.7 (ii) clear and accurate policies relating to granting credit for prior education, training,
36.8 and experience and for courses offered by the school;

36.9 (iii) current schedules of fees, charges for tuition, required supplies, student
36.10 activities, housing, and all other standard charges;

36.11 (iv) policies regarding refunds and adjustments for withdrawal or modification
36.12 of enrollment status; and

36.13 (v) procedures and standards used for selection of recipients and the terms of
36.14 payment and repayment for any financial aid program; and

36.15 (10) the school must not withhold a student's official transcript because the student is
36.16 in arrears or in default on any loan issued by the school to the student if the loan qualifies
36.17 as an institutional loan under United States Code, title 11, section 523(a)(8)(b).

36.18 (b) An application for degree approval must also include:

36.19 (i) title of degree and formal recognition awarded;

36.20 (ii) location where such degree will be offered;

36.21 (iii) proposed implementation date of the degree;

36.22 (iv) admissions requirements for the degree;

36.23 (v) length of the degree;

36.24 (vi) projected enrollment for a period of five years;

36.25 (vii) the curriculum required for the degree, including course syllabi or outlines;

36.26 (viii) statement of academic and administrative mechanisms planned for monitoring
36.27 the quality of the proposed degree;

36.28 (ix) statement of satisfaction of professional licensure criteria, if applicable;

36.29 (x) documentation of the availability of clinical, internship, externship, or practicum
36.30 sites, if applicable; and

36.31 (xi) statement of how the degree fulfills the institution's mission and goals,
36.32 complements existing degrees, and contributes to the school's viability.

36.33 Sec. 14. Minnesota Statutes 2014, section 136A.65, subdivision 7, is amended to read:

36.34 Subd. 7. **Conditional approval.** The office may grant conditional approval for a
36.35 degree or use of a term in its name for a period of less than one year if doing so would be

37.1 in the best interests of currently enrolled students or prospective students. New schools
37.2 may be granted conditional approval for degrees or names annually for a period not to
37.3 exceed five years to allow them the opportunity to apply for and receive accreditation as
37.4 required in subdivision 1a. A new school granted conditional approval may be allowed
37.5 to continue as a registered institution in order to complete an accreditation process upon
37.6 terms and conditions the office determines.

37.7 Sec. 15. Minnesota Statutes 2014, section 136A.657, subdivision 1, is amended to read:

37.8 Subdivision 1. **Exemption.** Any school or any department or branch of a school (a)
37.9 which is substantially owned, operated or supported by a bona fide church or religious
37.10 organization; (b) whose programs are primarily designed for, aimed at and attended by
37.11 persons who sincerely hold or seek to learn the particular religious faith or beliefs of that
37.12 church or religious organization; and (c) whose programs are primarily intended to prepare
37.13 its students to become ministers of, to enter into some other vocation closely related to, or
37.14 to conduct their lives in consonance with, the particular faith of that church or religious
37.15 organization, is exempt from the provisions of sections 136A.61 to ~~136A.71~~ 136A.834.

37.16 Sec. 16. Minnesota Statutes 2014, section 136A.657, subdivision 3, is amended to read:

37.17 Subd. 3. **Scope.** Nothing in sections 136A.61 to ~~136A.71~~ 136A.834, or the rules
37.18 adopted pursuant thereto, shall be interpreted as permitting the office to determine the
37.19 truth or falsity of any particular set of religious beliefs.

37.20 Sec. 17. Minnesota Statutes 2014, section 136A.67, is amended to read:

37.21 **136A.67 REGISTRATION REPRESENTATIONS.**

37.22 No school and none of its officials or employees shall advertise or represent in any
37.23 manner that such school is approved or accredited by the office or the state of Minnesota,
37.24 except a school which is duly registered with the office, or any of its officials or
37.25 employees, may represent in advertising and shall disclose in catalogues, applications, and
37.26 enrollment materials that the school is registered with the office by prominently displaying
37.27 the following statement: "(Name of school) is registered as a private institution with the
37.28 office pursuant to sections 136A.61 to 136A.71. Registration is not an endorsement of the
37.29 institution. Credits earned at the institution may not transfer to all other institutions." In
37.30 addition, all registered schools shall publish in the school catalog or student handbook the
37.31 name, street address, telephone number, and Web site address of the office.

37.32 Sec. 18. Minnesota Statutes 2014, section 136A.87, is amended to read:

38.1 **136A.87 PLANNING INFORMATION FOR POSTSECONDARY**
38.2 **EDUCATION.**

38.3 The office shall make available to all residents beginning in 7th grade through
38.4 adulthood information about planning and preparing for postsecondary opportunities.
38.5 Information must be provided to all 7th grade students and their parents annually
38.6 by September 30 about planning for their postsecondary education. The office may
38.7 also provide information to high school students and their parents, to adults, and to
38.8 out-of-school youth. The information provided may include the following:

38.9 (1) the need to start planning early;

38.10 (2) the availability of assistance in educational planning from educational institutions
38.11 and other organizations;

38.12 (3) suggestions for studying effectively during high school;

38.13 (4) high school courses necessary to be adequately prepared for postsecondary
38.14 education;

38.15 (5) encouragement to involve parents actively in planning for all phases of education;

38.16 (6) information about postsecondary education and training opportunities existing
38.17 in the state, their respective missions and expectations for students, their preparation
38.18 requirements, admission requirements, and student placement;

38.19 (7) ways to evaluate and select postsecondary institutions;

38.20 (8) the process of transferring credits among Minnesota postsecondary institutions
38.21 and systems;

38.22 (9) the costs of postsecondary education and the availability of financial assistance
38.23 in meeting these costs, including specific information about the Minnesota Promise ~~and~~
38.24 ~~achieve scholarship program;~~

38.25 (10) the interrelationship of assistance from student financial aid, public assistance,
38.26 and job training programs; and

38.27 (11) financial planning for postsecondary education.

38.28 Sec. 19. Minnesota Statutes 2014, section 136G.05, subdivision 7, is amended to read:

38.29 Subd. 7. **Marketing.** The commissioner shall make parents and other interested
38.30 individuals aware of the availability and advantages of the program as a way to save for
38.31 higher education costs. ~~The cost of these promotional efforts may not be funded with fees~~
38.32 ~~imposed on participants.~~

38.33 Sec. 20. Minnesota Statutes 2014, section 141.21, subdivision 5, is amended to read:

39.1 Subd. 5. **Private career school.** "Private career school" means ~~any a person, within~~
39.2 ~~or outside the state,~~ who maintains, advertises, administers, solicits for, or conducts any
39.3 program at less than an associate degree level ~~and~~; is not registered as a private institution
39.4 under sections 136A.61 to 136A.71; and is not specifically exempted by section 141.35
39.5 ~~or 141.37. School also means any person, within or outside the state, who maintains,~~
39.6 ~~advertises, administers, solicits for, or conducts any program at less than an associate~~
39.7 ~~degree level, is not registered as a private institution pursuant to sections 136A.61 to~~
39.8 ~~136A.71, and uses the term, "college," "institute," "academy," or "university" in its name.~~

39.9 Sec. 21. Minnesota Statutes 2014, section 141.21, subdivision 6a, is amended to read:

39.10 Subd. 6a. **Multiple location.** "Multiple location" means any site where classes or
39.11 administrative services are provided to students and ~~which~~ that has a street address that is
39.12 different than the street address found on the ~~school's~~ private career ~~school~~ school's license.

39.13 Sec. 22. Minnesota Statutes 2014, section 141.21, subdivision 9, is amended to read:

39.14 Subd. 9. **Distance education private career school.** "Distance education private
39.15 career school" means a school that establishes, keeps, or maintains a facility or location
39.16 where a program is offered through distance instruction.

39.17 Sec. 23. Minnesota Statutes 2014, section 141.25, is amended to read:

39.18 **141.25 LICENSURE.**

39.19 Subdivision 1. **Required.** A private career school must not maintain, advertise,
39.20 solicit for, administer, or conduct any program in Minnesota without first obtaining a
39.21 license from the office.

39.22 Subd. 2. **Contract unenforceable.** A contract entered into with a person for a
39.23 program by or on behalf of a person operating a private career school to which a license
39.24 has not been issued under sections 141.21 to 141.35, is unenforceable in any action.

39.25 Subd. 2a. **Refunds.** If a contract is deemed unenforceable under subdivision 2, a
39.26 private career school must refund tuition, fees, and other charges received from a student
39.27 or on behalf of a student within 30 days of receiving written notification and demand for
39.28 refund from the ~~Minnesota~~ office of ~~Higher Education~~.

39.29 Subd. 3. **Application.** Application for a license shall be on forms prepared and
39.30 furnished by the office, and shall include the following and other information as the
39.31 office may require:

39.32 (1) the title or name of the private career school, ownership and controlling officers,
39.33 members, managing employees, and director;

40.1 (2) the specific programs which will be offered and the specific purposes of the
40.2 instruction;

40.3 (3) the place or places where the instruction will be given;

40.4 (4) a listing of the equipment available for instruction in each program;

40.5 (5) the maximum enrollment to be accommodated with equipment available in
40.6 each specified program;

40.7 (6) the qualifications of instructors and supervisors in each specified program;

40.8 (7) a current balance sheet, income statement, and adequate supporting
40.9 documentation, prepared and certified by an independent public accountant or CPA;

40.10 (8) copies of all media advertising and promotional literature and brochures or
40.11 electronic display currently used or reasonably expected to be used by the private career
40.12 school;

40.13 (9) copies of all Minnesota enrollment agreement forms and contract forms and all
40.14 enrollment agreement forms and contract forms used in Minnesota; and

40.15 (10) gross income earned in the preceding year from student tuition, fees, and other
40.16 required institutional charges, unless the private career school files with the office a surety
40.17 bond equal to at least \$250,000 as described in subdivision 5.

40.18 Subd. 4. **Certification.** Each application shall be signed and certified to under
40.19 oath by the proprietor if the applicant is a proprietorship, by the managing partner if the
40.20 applicant is a partnership, or by the authorized officers of the applicant if the applicant is a
40.21 corporation, association, company, firm, society or trust.

40.22 Subd. 5. **Bond.** (a) No license shall be issued to any private career school which
40.23 maintains, conducts, solicits for, or advertises within the state of Minnesota any program,
40.24 unless the applicant files with the office a continuous corporate surety bond written
40.25 by a company authorized to do business in Minnesota conditioned upon the faithful
40.26 performance of all contracts and agreements with students made by the applicant.

40.27 (b)(1) The amount of the surety bond shall be ten percent of the preceding year's
40.28 gross income from student tuition, fees, and other required institutional charges, but in
40.29 no event less than \$10,000 nor greater than \$250,000, except that a private career school
40.30 may deposit a greater amount at its own discretion. A private career school in each annual
40.31 application for licensure must compute the amount of the surety bond and verify that the
40.32 amount of the surety bond complies with this subdivision, unless the private career school
40.33 maintains a surety bond equal to at least \$250,000. A private career school that operates at
40.34 two or more locations may combine gross income from student tuition, fees, and other
40.35 required institutional charges for all locations for the purpose of determining the annual
40.36 surety bond requirement. The gross tuition and fees used to determine the amount of the

41.1 surety bond required for a private career school having a license for the sole purpose of
41.2 recruiting students in Minnesota shall be only that paid to the private career school by the
41.3 students recruited from Minnesota.

41.4 (2) A ~~school~~ person required to obtain a private career school license due to the use
41.5 of "academy," "institute," "college," or "university" in its name and which is also licensed
41.6 by another state agency or board shall be required to provide a school bond of \$10,000.

41.7 (c) The bond shall run to the state of Minnesota and to any person who may have a
41.8 cause of action against the applicant arising at any time after the bond is filed and before
41.9 it is canceled for breach of any contract or agreement made by the applicant with any
41.10 student. The aggregate liability of the surety for all breaches of the conditions of the
41.11 bond shall not exceed the principal sum deposited by the private career school under
41.12 paragraph (b). The surety of any bond may cancel it upon giving 60 days' notice in writing
41.13 to the office and shall be relieved of liability for any breach of condition occurring after
41.14 the effective date of cancellation.

41.15 (d) In lieu of bond, the applicant may deposit with the commissioner of management
41.16 and budget a sum equal to the amount of the required surety bond in cash, an irrevocable
41.17 letter of credit issued by a financial institution equal to the amount of the required surety
41.18 bond, or securities as may be legally purchased by savings banks or for trust funds in an
41.19 aggregate market value equal to the amount of the required surety bond.

41.20 (e) Failure of a private career school to post and maintain the required surety bond
41.21 or deposit under paragraph (d) shall result in denial, suspension, or revocation of the
41.22 school's license.

41.23 Subd. 6. **Resident agent.** Private career schools located outside the state of
41.24 Minnesota that offer, advertise, solicit for, or conduct any program within the state of
41.25 Minnesota shall first file with the secretary of state a sworn statement designating a resident
41.26 agent authorized to receive service of process. The statement shall designate the secretary
41.27 of state as resident agent for service of process in the absence of a designated agent. If
41.28 a private career school fails to file the statement, the secretary of state is designated as
41.29 the resident agent authorized to receive service of process. The authorization shall be
41.30 irrevocable as to causes of action arising out of transactions occurring prior to the filing of
41.31 written notice of withdrawal from the state of Minnesota filed with the secretary of state.

41.32 Subd. 7. **Minimum standards.** A license shall be issued if the office first determines:

41.33 (1) that the applicant has a sound financial condition with sufficient resources
41.34 available to:

41.35 (i) meet the private career school's financial obligations;

42.1 (ii) refund all tuition and other charges, within a reasonable period of time, in the
42.2 event of dissolution of the private career school or in the event of any justifiable claims for
42.3 refund against the private career school by the student body;

42.4 (iii) provide adequate service to its students and prospective students; and

42.5 (iv) maintain and support the private career school;

42.6 (2) that the applicant has satisfactory facilities with sufficient tools and equipment
42.7 and the necessary number of work stations to prepare adequately the students currently
42.8 enrolled, and those proposed to be enrolled;

42.9 (3) that the applicant employs a sufficient number of qualified teaching personnel to
42.10 provide the educational programs contemplated;

42.11 (4) that the private career school has an organizational framework with administrative
42.12 and instructional personnel to provide the programs and services it intends to offer;

42.13 ~~(5) that the premises and conditions under which the students work and study are~~
42.14 ~~sanitary, healthful, and safe;~~

42.15 ~~(6)~~ (5) that the quality and content of each occupational course or program of study
42.16 provides education and adequate preparation to enrolled students for entry level positions
42.17 in the occupation for which prepared;

42.18 ~~(7)~~ (6) that the premises and conditions where the students work and study and the
42.19 student living quarters which are owned, maintained, recommended, or approved by
42.20 the applicant for students are sanitary, healthful, and safe, as evidenced by certificate
42.21 of occupancy issued by the municipality or county where the private career school
42.22 is physically situated, a fire inspection by the local or state fire marshal, or another
42.23 verification deemed acceptable by the office;

42.24 ~~(8)~~ (7) that the contract or enrollment agreement used by the private career school
42.25 complies with the provisions in section 141.265;

42.26 ~~(9)~~ (8) that contracts and agreements do not contain a wage assignment provision
42.27 or a confession of judgment clause; and

42.28 ~~(10)~~ (9) that there has been no adjudication of fraud or misrepresentation in any
42.29 criminal, civil, or administrative proceeding in any jurisdiction against the private career
42.30 school or its owner, officers, agents, or sponsoring organization.

42.31 Subd. 8. **Fees and terms of license.** An application for an initial license under
42.32 sections 141.21 to 141.35 shall be accompanied by a nonrefundable application fee as
42.33 provided in section 141.255 that is sufficient to recover, but not exceed, the administrative
42.34 costs of the office.

42.35 All licenses shall expire one year from the date issued by the office, except as
42.36 provided in section 141.251.

- 43.1 Subd. 9. **Catalog, brochure, or electronic display.** Before a license is issued to
43.2 a private career school, the private career school shall furnish to the office a catalog,
43.3 brochure, or electronic display including:
- 43.4 (1) identifying data, such as volume number and date of publication;
 - 43.5 (2) name and address of the private career school and its governing body and officials;
 - 43.6 (3) a calendar of the private career school showing legal holidays, beginning and
43.7 ending dates of each course quarter, term, or semester, and other important dates;
 - 43.8 (4) the private career school policy and regulations on enrollment including dates
43.9 and specific entrance requirements for each program;
 - 43.10 (5) the private career school policy and regulations about leave, absences, class cuts,
43.11 make-up work, tardiness, and interruptions for unsatisfactory attendance;
 - 43.12 (6) the private career school policy and regulations about standards of progress
43.13 for the student including the grading system of the private career school, the minimum
43.14 grades considered satisfactory, conditions for interruption for unsatisfactory grades or
43.15 progress, a description of any probationary period allowed by the private career school,
43.16 and conditions of reentrance for those dismissed for unsatisfactory progress;
 - 43.17 (7) the private career school policy and regulations about student conduct and
43.18 conditions for dismissal for unsatisfactory conduct;
 - 43.19 (8) a detailed schedule of fees, charges for tuition, books, supplies, tools, student
43.20 activities, laboratory fees, service charges, rentals, deposits, and all other charges;
 - 43.21 (9) the private career school policy and regulations, including an explanation of
43.22 section 141.271, about refunding tuition, fees, and other charges if the student does not
43.23 enter the program, withdraws from the program, or the program is discontinued;
 - 43.24 (10) a description of the available facilities and equipment;
 - 43.25 (11) a course outline syllabus for each course offered showing course objectives,
43.26 subjects or units in the course, type of work or skill to be learned, and approximate time,
43.27 hours, or credits to be spent on each subject or unit;
 - 43.28 (12) the private career school policy and regulations about granting credit for
43.29 previous education and preparation;
 - 43.30 (13) a notice to students relating to the transferability of any credits earned at the
43.31 private career school to other institutions;
 - 43.32 (14) a procedure for investigating and resolving student complaints; and
 - 43.33 (15) the name and address of the ~~Minnesota office of Higher Education~~.
- 43.34 A private career school that is exclusively a distance education school is exempt
43.35 from clauses (3) and (5).

44.1 Subd. 10. **Placement records.** (a) Before a license is reissued to a private career
44.2 school that offers, advertises or implies a placement service, the private career school shall
44.3 file with the office for the past year and thereafter at reasonable intervals determined by
44.4 the office, a certified copy of the private career school's placement record, containing a list
44.5 of graduates, a description of their jobs, names of their employers, and other information
44.6 as the office may prescribe.

44.7 (b) Each private career school that offers a placement service shall furnish to each
44.8 prospective student, upon request, prior to enrollment, written information concerning
44.9 the percentage of the previous year's graduates who were placed in the occupation for
44.10 which prepared or in related employment.

44.11 Subd. 12. **Permanent records.** A private career school licensed under this chapter
44.12 and located in Minnesota shall maintain a permanent record for each student for 50 years
44.13 from the last date of the student's attendance. A private career school licensed under this
44.14 chapter and offering distance instruction to a student located in Minnesota shall maintain
44.15 a permanent record for each Minnesota student for 50 years from the last date of the
44.16 student's attendance. Records include school transcripts, documents, and files containing
44.17 student data about academic credits earned, courses completed, grades awarded, degrees
44.18 awarded, and periods of attendance. To preserve permanent records, a private career
44.19 school shall submit a plan that meets the following requirements:

44.20 (1) at least one copy of the records must be held in a secure, fireproof depository;

44.21 (2) an appropriate official must be designated to provide a student with copies of
44.22 records or a transcript upon request;

44.23 (3) an alternative method, approved by the office, of complying with clauses (1) and
44.24 (2) must be established if the private career school ceases to exist; and

44.25 (4) a continuous surety bond must be filed with the office in an amount not to exceed
44.26 \$20,000 if the private career school has no binding agreement approved by the office, for
44.27 preserving student records. The bond shall run to the state of Minnesota.

44.28 Subd. 13. **Private career schools licensed by another state agency or board.** A
44.29 private career school required to obtain a private career school license due to the use of
44.30 "academy," "institute," "college," or "university" in its name or licensed for the purpose of
44.31 participating in state financial aid under chapter 136A, and which is also licensed by another
44.32 state agency or board shall be required to satisfy only the requirements of subdivisions 3,
44.33 clauses (1), (2), (3), (5), (7), and (10); 4; 5, paragraph (b), clause (2); 7, clauses (1) and (10);
44.34 8; 9, clause (13); and 12. A distance education school located in another state, or a school
44.35 licensed to recruit Minnesota residents for attendance at a school outside of this state, or a

45.1 school licensed by another state agency as its primary licensing body, may continue to use
45.2 the school's name as permitted by its home state or its primary licensing body.

45.3 Sec. 24. Minnesota Statutes 2014, section 141.251, subdivision 2, is amended to read:

45.4 Subd. 2. **Conditions.** The office shall adopt rules establishing the conditions for
45.5 renewal of a license. The conditions shall permit two levels of renewal based on the record
45.6 of the private career school. A private career school that has demonstrated the quality of
45.7 its program and operation through longevity and performance in the state may renew its
45.8 license based on a relaxed standard of scrutiny. A private career school that has been in
45.9 operation in Minnesota for a limited period of time or that has not performed adequately
45.10 on performance indicators shall renew its license based on a strict standard of scrutiny.
45.11 The office shall specify minimum longevity standards and performance indicators that
45.12 must be met before a private career school may be permitted to operate under the relaxed
45.13 standard of scrutiny. The performance indicators used in this determination shall include,
45.14 but not be limited to: regional or national accreditation, loan default rates, placement rate
45.15 of graduates, student withdrawal rates, audit results, student complaints, and school status
45.16 with the United States Department of Education. Private career schools that meet the
45.17 requirements established in rule shall be required to submit a full relicensure report once
45.18 every four years, and in the interim years will be exempt from the requirements of section
45.19 141.25, subdivision 3, clauses (4), (5), and (8), and Minnesota Rules, parts 4880.1700,
45.20 subpart 6; and 4880.2100, subpart 4.

45.21 Sec. 25. Minnesota Statutes 2014, section 141.255, is amended to read:

45.22 **141.255 FEES.**

45.23 Subdivision 1. **Initial licensure fee.** The office processing fee for an initial licensure
45.24 application is:

45.25 (1) \$2,500 for a private career school that will offer no more than one program
45.26 during its first year of operation;

45.27 (2) \$750 for a private career school licensed exclusively due to the use of the term
45.28 "college," "university," "academy," or "institute" in its name, or licensed exclusively in
45.29 order to participate in state grant or SELF loan financial aid programs; and

45.30 (3) \$2,500, plus \$500 for each additional program offered by the private career
45.31 school, for a private career school during its first year of operation.

45.32 Subd. 2. **Renewal licensure fee; late fee.** (a) The office processing fee for a
45.33 renewal licensure application is:

46.1 (1) for a private career school that offers one program, the license renewal fee is
46.2 \$1,150;

46.3 (2) for a private career school that offers more than one program, the license renewal
46.4 fee is \$1,150, plus \$200 for each additional program with a maximum renewal licensing
46.5 fee of \$2,000;

46.6 (3) for a private career school licensed exclusively due to the use of the term "college,"
46.7 "university," "academy," or "institute" in its name, the license renewal fee is \$750; and

46.8 (4) for a private career school licensed by another state agency and also licensed
46.9 with the office exclusively in order to participate in state student aid programs, the license
46.10 renewal fee is \$750.

46.11 (b) If a license renewal application is not received by the office by the close of
46.12 business at least 60 days before the expiration of the current license, a late fee of \$100
46.13 per business day, not to exceed \$3,000, shall be assessed.

46.14 Subd. 4. **Program addition fee.** The office processing fee for adding a program to
46.15 those that are currently offered by the private career school is \$500 per program.

46.16 Subd. 5. **Visit or consulting fee.** If the office determines that a fact-finding visit
46.17 or outside consultant is necessary to review or evaluate any new or revised program, the
46.18 office shall be reimbursed for the expenses incurred related to the review as follows:

46.19 (1) \$400 for the team base fee or for a paper review conducted by a consultant if the
46.20 office determines that a fact-finding visit is not required;

46.21 (2) \$300 for each day or part thereof on site per team member; and

46.22 (3) the actual cost of customary meals, lodging, and related travel expenses incurred
46.23 by team members.

46.24 Subd. 6. **Modification fee.** The fee for modification of any existing program is
46.25 \$100 and is due if there is:

46.26 (1) an increase or decrease of 25 percent or more, from the original date of program
46.27 approval, in clock hours, credit hours, or calendar length of an existing program;

46.28 (2) a change in academic measurement from clock hours to credit hours or vice
46.29 versa; or

46.30 (3) an addition or alteration of courses that represent a 25 percent change or more in
46.31 the objectives, content, or methods of delivery.

46.32 Subd. 7. **Solicitor permit fee.** The solicitor permit fee is \$350 and must be paid
46.33 annually.

46.34 Subd. 8. **Multiple location fee.** Private career schools wishing to operate at
46.35 multiple locations must pay:

46.36 (1) \$250 per location, for locations two to five; and

47.1 (2) an additional \$100 for each location over five.

47.2 Subd. 9. **Student transcript fee.** The fee for a student transcript requested from a
47.3 closed private career school whose records are held by the office is \$15, with a maximum
47.4 of five transcripts per request.

47.5 Subd. 10. **Public office documents; copies.** The rate for copies of any public
47.6 office document shall be 50 cents per page.

47.7 Sec. 26. Minnesota Statutes 2014, section 141.26, is amended to read:

47.8 **141.26 PERMITS FOR SOLICITORS.**

47.9 Subdivision 1. **Required.** A solicitor representing a private career school must
47.10 obtain a solicitor's permit from the office before soliciting students to enroll in ~~such~~ the
47.11 private career school. Such permit shall expire one year following the date of issuance.
47.12 Application for renewal of permit shall be made annually.

47.13 Subd. 2. **Application for permit.** (a) The application for the permit shall state the
47.14 full name, address, previous employment, and such other information concerning the
47.15 solicitor applicant as the office may require.

47.16 (b) The application shall have attached to it a certified affidavit signed by a private
47.17 career school official and the solicitor attesting to the fact that the applicant has been
47.18 furnished a copy, has read and has knowledge of the provisions of this chapter and
47.19 Minnesota Rules.

47.20 Subd. 3. **Refusal of permit.** No permit shall be issued to any solicitor unless such
47.21 solicitor files with the office a continuous corporate surety bond in the sum of \$2,000
47.22 conditioned upon the faithful performance of all contracts and agreements with the students
47.23 made by the solicitor. Such bonds shall run to the state of Minnesota and to any person who
47.24 may have cause of action against the applicant arising at any time after the bond is filed and
47.25 before it is canceled for breach of any contract or agreement made by the solicitor with any
47.26 student. The aggregate liability of the surety for all breaches of the conditions of the bond
47.27 shall not exceed the principal sum of \$2,000. The surety of any such bond may cancel it
47.28 upon giving 60 days' notice in writing to the office and shall be relieved of liability for any
47.29 breach of condition occurring after the effective date of cancellation. In lieu of bond, the
47.30 solicitor may deposit with the commissioner of management and budget the sum of \$2,000.

47.31 Subd. 4. **Additional permits.** A solicitor representing more than one private career
47.32 school must obtain a separate permit for each private career school represented; however
47.33 when a solicitor represents private career schools having a common ownership, only one
47.34 permit shall be required.

48.1 Subd. 5. **Fee.** The initial and renewal application for each permit shall be
48.2 accompanied by a nonrefundable fee under section 141.255.

48.3 Subd. 6. **Contract; validity.** Any contract entered into by a solicitor for a licensed
48.4 private career school shall be unenforceable in any action brought thereon if the solicitor
48.5 does not hold a valid permit as required by this section.

48.6 Sec. 27. Minnesota Statutes 2014, section 141.265, is amended to read:

48.7 **141.265 INFORMATION TO STUDENTS.**

48.8 Subdivision 1. **Catalog, brochure, or electronic display.** A private career school
48.9 or its agent must provide the catalog, brochure, or electronic display required in section
48.10 141.25, subdivision 9, to a prospective student in a time or manner that gives the
48.11 prospective student at least five days to read the catalog, brochure, or electronic display
48.12 before signing a contract or enrollment agreement or before being accepted by a private
48.13 career school that does not use a written contract or enrollment agreement.

48.14 Subd. 2. **Contract information.** A contract or enrollment agreement used by a
48.15 private career school must include at least the following:

48.16 (1) the name and address of the private career school, clearly stated;

48.17 (2) a clear and conspicuous disclosure that the agreement is a legally binding
48.18 instrument upon written acceptance of the student by the private career school unless
48.19 canceled under section 141.271;

48.20 (3) the private career school's cancellation and refund policy that shall be clearly and
48.21 conspicuously entitled "Buyer's Right to Cancel";

48.22 (4) a clear statement of total cost of the program including tuition and all other
48.23 charges;

48.24 (5) the name and description of the program, including the number of hours or
48.25 credits of classroom instruction, or distance instruction, that shall be included; and

48.26 (6) a clear and conspicuous explanation of the form and means of notice the student
48.27 should use in the event the student elects to cancel the contract or sale, the effective
48.28 date of cancellation, and the name and address of the seller to which the notice should
48.29 be sent or delivered.

48.30 The contract or enrollment agreement must not include a wage assignment provision or a
48.31 confession of judgment clause.

48.32 Subd. 3. **Contract copies.** Immediately upon signing of the enrollment agreement
48.33 or the contract by a prospective student, the private career school or agent shall furnish to
48.34 the prospective student an exact duplicate copy of the enrollment agreement or contract.

49.1 Sec. 28. Minnesota Statutes 2014, section 141.271, subdivision 1a, is amended to read:

49.2 Subd. 1a. **Notice; right to refund.** Every private career school shall notify each
49.3 student, in writing, of acceptance or rejection. In the event that the student is rejected by
49.4 the private career school, all tuition, fees and other charges shall be refunded.

49.5 Sec. 29. Minnesota Statutes 2014, section 141.271, subdivision 1b, is amended to read:

49.6 Subd. 1b. **Short-term programs.** Licensed private career schools conducting
49.7 programs not exceeding 40 hours in length shall not be required to make a full refund once
49.8 a program has commenced and shall be allowed to prorate any refund based on the actual
49.9 length of the program as stated in the private career school catalog or advertisements and
49.10 the number of hours attended by the student.

49.11 Sec. 30. Minnesota Statutes 2014, section 141.271, subdivision 3, is amended to read:

49.12 Subd. 3. ~~Schools not using written contracts~~ **Notice; amount.** (a) ~~Notwithstanding~~
49.13 ~~anything to the contrary,~~ A private career school ~~that does not use a written contract or~~
49.14 ~~enrollment agreement~~ shall refund all tuition, fees and other charges paid by a student
49.15 if the student gives written notice of cancellation within five business days after the day
49.16 on which the student is accepted by the private career school regardless of whether the
49.17 program has started.

49.18 (b) When a student has been accepted by the private career school and gives written
49.19 notice of cancellation following the fifth business day after the day of acceptance by the
49.20 private career school, but before the start of the program, in the case of resident private
49.21 career schools, or before the first lesson has been serviced by the private career school, in
49.22 the case of distance education schools, all tuition, fees and other charges, except 15 percent
49.23 of the total cost of the program but not to exceed \$50, shall be refunded to the student.

49.24 Sec. 31. Minnesota Statutes 2014, section 141.271, subdivision 5, is amended to read:

49.25 Subd. 5. ~~Distance education schools~~ **Proration.** When a student has been accepted
49.26 by a ~~distance education~~ private career school and gives written notice of cancellation after
49.27 ~~the first lesson has been completed by the student and serviced by the school~~ program of
49.28 instruction has begun, but before completion of 75 percent of the program, the amount
49.29 charged for tuition, fees and all other charges ~~for the completed lessons~~ shall be prorated
49.30 based on the number of days in the term as a portion of the total charges for tuition, fees
49.31 and all other charges. An additional 25 percent of the total cost of the program may be
49.32 added but shall not exceed ~~\$75~~ \$100. After completion of 75 percent of the program,
49.33 no refunds are required.

50.1 Sec. 32. Minnesota Statutes 2014, section 141.271, subdivision 7, is amended to read:

50.2 Subd. 7. **Equipment and supplies.** The fair market retail price, if separately stated
50.3 in the catalog and contract or enrollment agreement, of equipment or supplies furnished to
50.4 the student, which the student fails to return in condition suitable for resale, and which
50.5 may reasonably be resold, within ten business days following cancellation may be retained
50.6 by the private career school and may be deducted from the total cost for tuition, fees and
50.7 all other charges when computing refunds.

50.8 An overstatement of the fair market retail price of any equipment or supplies
50.9 furnished the student shall be considered inconsistent with this provision.

50.10 Sec. 33. Minnesota Statutes 2014, section 141.271, subdivision 8, is amended to read:

50.11 Subd. 8. **Time of refund.** Each private career school shall acknowledge in writing
50.12 any valid notice of cancellation within ten business days after the receipt of such notice
50.13 and within 30 business days shall refund to the student any amounts due and arrange for
50.14 termination of the student's obligation to pay any sum in excess of that due under the
50.15 cancellation and refund policy.

50.16 Sec. 34. Minnesota Statutes 2014, section 141.271, subdivision 9, is amended to read:

50.17 Subd. 9. **Limitation.** A private career school cannot make its refund policy
50.18 conditional upon compliance with the school's regulations or rules of conduct.

50.19 Sec. 35. Minnesota Statutes 2014, section 141.271, subdivision 10, is amended to read:

50.20 Subd. 10. **Cancellation occurrence.** Written notice of cancellation shall take place
50.21 on the date the letter of cancellation is postmarked or, in the cases where the notice is hand
50.22 carried, it shall occur on the date the notice is delivered to the private career school. If
50.23 a student has not attended class for a period of 21 consecutive days without contacting
50.24 the private career school to indicate an intent to continue in school or otherwise making
50.25 arrangements concerning the absence, the student is considered to have withdrawn from
50.26 school for all purposes as of the student's last documented date of attendance.

50.27 Sec. 36. Minnesota Statutes 2014, section 141.271, subdivision 12, is amended to read:

50.28 Subd. 12. **Instrument not to be negotiated.** A private career school shall not
50.29 negotiate any promissory instrument received as payment of tuition or other charge prior
50.30 to completion of 50 percent of the program, except that prior to that time, instruments may
50.31 be transferred by assignment to purchasers who shall be subject to all defenses available
50.32 against the private career school named as payee.

51.1 Sec. 37. Minnesota Statutes 2014, section 141.271, subdivision 13, is amended to read:

51.2 Subd. 13. **Cancellation of enrollment.** If a student's enrollment in a private career
51.3 school is canceled for any reason, the private career school shall notify any agency known
51.4 to the private career school to be providing financial aid to the student of the cancellation
51.5 within 30 days.

51.6 Sec. 38. Minnesota Statutes 2014, section 141.271, subdivision 14, is amended to read:

51.7 Subd. 14. **Closed private career school.** In the event a private career school closes
51.8 for any reason during a term and interrupts and terminates classes during that term, all
51.9 tuition for the term shall be refunded to the students or the appropriate state or federal
51.10 agency or private lender that provided any funding for the term and any outstanding
51.11 obligation of the student for the term is canceled.

51.12 Sec. 39. Minnesota Statutes 2014, section 141.28, is amended to read:

51.13 **141.28 PROHIBITIONS.**

51.14 Subdivision 1. **Disclosure required; advertisement restricted.** Private career
51.15 schools, agents of private career schools, and solicitors may not advertise or represent
51.16 in writing or orally that the private career school is approved or accredited by the state
51.17 of Minnesota, except that any private career school, agent, or solicitor may represent in
51.18 advertisements and shall disclose in catalogues, applications, and enrollment materials
51.19 that the private career school is duly licensed by the state by prominently displaying
51.20 the following statement:

51.21 "(Name of private career school) is licensed as a private career school with the Minnesota
51.22 Office of Higher Education pursuant to Minnesota Statutes, sections 141.21 to 141.32.
51.23 Licensure is not an endorsement of the institution. Credits earned at the institution may
51.24 not transfer to all other institutions."

51.25 Subd. 2. **Unlawful designation.** No private career school organized after November
51.26 15, 1969, shall apply to itself either as a part of its name or in any other manner the
51.27 designation of "college" or "university." Operating private career schools now using
51.28 such designation may continue use thereof.

51.29 Subd. 3. **False statements.** A private career school, agent, or solicitor shall not
51.30 make, or cause to be made, any statement or representation, oral, written or visual, in
51.31 connection with the offering or publicizing of a program, if the private career school,
51.32 agent, or solicitor knows or reasonably should have known the statement or representation
51.33 to be false, fraudulent, deceptive, substantially inaccurate, or misleading.

52.1 Subd. 4. **Acceptance of contracts.** No private career school shall accept contracts,
52.2 enrollment agreements or enrollment applications from an agent or solicitor who does
52.3 not have a current permit.

52.4 Subd. 5. **Improbable program completion or employment.** A private career
52.5 school, agent, or solicitor shall not enroll a prospective student when it is obvious that the
52.6 prospective student is unlikely to successfully complete a program or is unlikely to qualify
52.7 for employment in the vocation or field for which the preparation is designed unless this
52.8 fact is affirmatively disclosed to the prospective student. If a prospective student expresses
52.9 a desire to enroll after such disclosure, a disclaimer may be obtained by the private career
52.10 school. The disclaimer shall be signed by the student and shall state substantially one or
52.11 both of the following: "I am fully aware that it is unlikely I will be able to successfully
52.12 complete the program" and "I am fully aware of the improbability or impossibility that I
52.13 will qualify for employment in the vocation or field for which the program was designed."

52.14 Subd. 6. **Financial aid payments.** (a) All private career schools must collect,
52.15 assess, and distribute funds received from loans or other financial aid as provided in
52.16 this subdivision.

52.17 (b) Student loans or other financial aid funds received from federal, state, or local
52.18 governments or administered in accordance with federal student financial assistance
52.19 programs under title IV of the Higher Education Act of 1965, as amended, United States
52.20 Code, title 20, chapter 28, must be collected and applied as provided by applicable federal,
52.21 state, or local law or regulation.

52.22 (c) Student loans or other financial aid assistance received from a bank, finance or
52.23 credit card company, or other private lender must be collected or disbursed as provided
52.24 in paragraphs (d) and (e).

52.25 (d) Loans or other financial aid payments for amounts greater than \$3,000 must
52.26 be disbursed:

52.27 (1) in two equal disbursements, if the term length is more than four months. The
52.28 loan or payment amounts may be disbursed no earlier than the first day the student attends
52.29 class with the remainder to be disbursed halfway through the term; or

52.30 (2) in three equal disbursements, if the term length is more than six months. The
52.31 loan or payment amounts may be disbursed no earlier than the first day the student attends
52.32 class, one-third of the way through the term, and two-thirds of the way through the term.

52.33 (e) Loans or other financial aid payments for amounts less than \$3,000 may be
52.34 disbursed as a single disbursement on the first day a student attends class, regardless
52.35 of term length.

53.1 (f) No private career school may enter into a contract or agreement with, or receive
53.2 any money from, a bank, finance or credit card company, or other private lender, unless
53.3 the private lender follows the requirements for disbursements provided in paragraphs
53.4 (d) and (e).

53.5 (g) No school may withhold an official transcript for arrears or default on any loan
53.6 made by the school to a student if the loan qualifies as an institutional loan under United
53.7 States Code, title 11, section 523(a)(8)(b).

53.8 Sec. 40. Minnesota Statutes 2014, section 141.29, is amended to read:

53.9 **141.29 REVOCATION OF LICENSE OR PERMIT.**

53.10 Subdivision 1. **Grounds.** The office may, after notice and upon providing an
53.11 opportunity for a hearing, under chapter 14 if requested by the parties adversely affected,
53.12 refuse to issue, refuse to renew, revoke, or suspend a license or solicitor's permit for any
53.13 of the following grounds:

53.14 (1) violation of any provisions of sections 141.21 to 141.35 or any rule adopted
53.15 by the office;

53.16 (2) furnishing to the office false, misleading, or incomplete information;

53.17 (3) presenting to prospective students information relating to the private career
53.18 school that is false, fraudulent, deceptive, substantially inaccurate, or misleading;

53.19 (4) refusal to allow reasonable inspection or supply reasonable information after
53.20 written request by the office;

53.21 (5) the existence of any circumstance that would be grounds for the refusal of an
53.22 initial or renewal license under section 141.25.

53.23 Subd. 2. **Appeal.** Any order refusing, revoking, or suspending a private career
53.24 school's license or a solicitor's permit is appealable in accordance with chapter 14. Where
53.25 a private career school has been operating and its license has been revoked, suspended, or
53.26 refused by the office, the order is not effective until the final determination of the appeal
53.27 unless immediate effect is ordered by the court.

53.28 Subd. 3. **Powers and duties.** The office shall have (in addition to the powers and
53.29 duties now vested therein by law) the following powers and duties:

53.30 (a) To negotiate and enter into interstate reciprocity agreements with similar agencies
53.31 in other states, if in the judgment of the office such agreements are or will be helpful in
53.32 effectuating the purposes of Laws 1973, chapter 714;

53.33 (b) To grant conditional private career school license for periods of less than one
53.34 year if in the judgment of the office correctable deficiencies exist at the time of application

54.1 and when refusal to issue private career school license would adversely affect currently
54.2 enrolled students;

54.3 (c) The office may upon its own motion, and shall upon the verified complaint
54.4 in writing of any person setting forth fact which, if proved, would constitute grounds
54.5 for refusal or revocation under Laws 1973, chapter 714, investigate the actions of any
54.6 applicant or any person or persons holding or claiming to hold a license or permit.
54.7 However, before proceeding to a hearing on the question of whether a license or permit
54.8 shall be refused, revoked or suspended for any cause enumerated in subdivision 1, the
54.9 office shall grant a reasonable time to the holder of or applicant for a license or permit to
54.10 correct the situation. If within such time the situation is corrected and the private career
54.11 school is in compliance with the provisions of this chapter, no further action leading to
54.12 refusal, revocation, or suspension shall be taken.

54.13 Sec. 41. Minnesota Statutes 2014, section 141.30, is amended to read:

54.14 **141.30 INSPECTION.**

54.15 (a) The office or a delegate may inspect the instructional books and records,
54.16 classrooms, dormitories, tools, equipment and classes of any private career school or
54.17 applicant for license at any reasonable time. The office may require the submission of a
54.18 certified public audit, or if there is no such audit available the office or a delegate may
54.19 inspect the financial books and records of the private career school. In no event shall such
54.20 financial information be used by the office to regulate or set the tuition or fees charged by
54.21 the private career school.

54.22 (b) Data obtained from an inspection of the financial records of a private career
54.23 school or submitted to the office as part of a license application or renewal are nonpublic
54.24 data as defined in section 13.02, subdivision 9. Data obtained from inspections may be
54.25 disclosed to other members of the office, to law enforcement officials, or in connection
54.26 with a legal or administrative proceeding commenced to enforce a requirement of law.

54.27 Sec. 42. Minnesota Statutes 2014, section 141.32, is amended to read:

54.28 **141.32 PENALTY.**

54.29 The commissioner may assess fines for violations of ~~a provision of this chapter~~
54.30 sections 141.21 to 141.37. Each day's failure to comply with ~~this chapter~~ sections 141.21
54.31 to 141.37 shall be a separate violation and fines shall not exceed \$500 per day per
54.32 violation. Amounts received under this section must be deposited in the special revenue
54.33 fund and are appropriated to the office of ~~Higher Education~~ for the purposes of ~~this~~
54.34 chapter sections 141.21 to 141.37.

55.1 Sec. 43. Minnesota Statutes 2014, section 141.35, is amended to read:

55.2 **141.35 EXEMPTIONS.**

55.3 Sections 141.21 to 141.32 shall not apply to the following:

55.4 (1) public postsecondary institutions;

55.5 (2) postsecondary institutions registered under sections 136A.61 to 136A.71;

55.6 (3) private career schools of nursing accredited by the state Board of Nursing or an
55.7 equivalent public board of another state or foreign country;

55.8 (4) private schools complying with the requirements of section 120A.22, subdivision
55.9 4;

55.10 (5) courses taught to students in a valid apprenticeship program taught by or
55.11 required by a trade union;

55.12 (6) private career schools exclusively engaged in training physically or mentally
55.13 disabled persons for the state of Minnesota;

55.14 (7) private career schools licensed by boards authorized under Minnesota law to
55.15 issue licenses except private career schools required to obtain a private career school
55.16 license due to the use of "academy," "institute," "college," or "university" in their names;

55.17 (8) private career schools and educational programs, or training programs, contracted
55.18 for by persons, firms, corporations, government agencies, or associations, for the training
55.19 of their own employees, for which no fee is charged the employee;

55.20 (9) private career schools engaged exclusively in the teaching of purely avocational,
55.21 recreational, or remedial subjects as determined by the office except private career schools
55.22 required to obtain a private career school license due to the use of "academy," "institute,"
55.23 "college," or "university" in their names unless the school used "academy" or "institute" in
55.24 its name prior to August 1, 2008;

55.25 (10) classes, courses, or programs conducted by a bona fide trade, professional, or
55.26 fraternal organization, solely for that organization's membership;

55.27 (11) programs in the fine arts provided by organizations exempt from taxation
55.28 under section 290.05 and registered with the attorney general under chapter 309. For
55.29 the purposes of this clause, "fine arts" means activities resulting in artistic creation or
55.30 artistic performance of works of the imagination which are engaged in for the primary
55.31 purpose of creative expression rather than commercial sale or employment. In making
55.32 this determination the office may seek the advice and recommendation of the Minnesota
55.33 Board of the Arts;

55.34 (12) classes, courses, or programs intended to fulfill the continuing education
55.35 requirements for licensure or certification in a profession, that have been approved by a

56.1 legislatively or judicially established board or agency responsible for regulating the practice
56.2 of the profession, and that are offered exclusively to an individual practicing the profession;

56.3 (13) classes, courses, or programs intended to prepare students to sit for
56.4 undergraduate, graduate, postgraduate, or occupational licensing and occupational
56.5 entrance examinations;

56.6 (14) classes, courses, or programs providing 16 or fewer clock hours of instruction
56.7 that are not part of the curriculum for an occupation or entry level employment except
56.8 private career schools required to obtain a private career school license due to the use of
56.9 "academy," "institute," "college," or "university" in their names;

56.10 (15) classes, courses, or programs providing instruction in personal development,
56.11 modeling, or acting;

56.12 (16) training or instructional programs, in which one instructor teaches an individual
56.13 student, that are not part of the curriculum for an occupation or are not intended to prepare
56.14 a person for entry level employment;

56.15 (17) private career schools with no physical presence in Minnesota, as determined
56.16 by the office, engaged exclusively in offering distance instruction that are located in and
56.17 regulated by other states or jurisdictions; and

56.18 (18) private career schools providing exclusively training, instructional programs,
56.19 or courses where tuition, fees, and any other charges for a student to participate do not
56.20 exceed \$100.

56.21 Sec. 44. Minnesota Statutes 2014, section 197.75, subdivision 1, is amended to read:

56.22 Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this
56.23 section.

56.24 (b) "Commissioner" means the commissioner of veterans affairs.

56.25 (c) "Deceased veteran" means a veteran who has died as a result of the person's
56.26 military service, as determined by the United States Veterans Administration, and who
56.27 was a resident of this state: (1) within six months of entering the United States armed
56.28 forces, or (2) for the six months preceding the veteran's date of death.

56.29 (d) "Eligible child" means a person who:

56.30 (1) is the natural or adopted child or stepchild of a deceased veteran; and

56.31 (2) is a student making satisfactory academic progress at an eligible institution
56.32 of higher education.

56.33 (e) "Eligible institution" means a postsecondary educational institution located in
56.34 this state that either (1) is operated by this state or the Board of Regents of the University
56.35 of Minnesota, or (2) ~~is operated publicly or privately and, as determined by the office,~~

57.1 ~~maintains academic standards substantially equivalent to those of comparable institutions~~
57.2 ~~operated in this state~~ is licensed or registered with the Office of Higher Education.

57.3 (f) "Eligible spouse" means the surviving spouse of a deceased veteran.

57.4 (g) "Eligible veteran" means a veteran who:

57.5 (1) is a student making satisfactory academic progress at an eligible institution
57.6 of higher education;

57.7 (2) had Minnesota as the person's state of residence at the time of the person's
57.8 enlistment or any reenlistment into the United States armed forces, as shown by the
57.9 person's federal form DD-214 or other official documentation to the satisfaction of the
57.10 commissioner;

57.11 (3) except for benefits under this section, has no remaining military or veteran-related
57.12 educational assistance benefits for which the person may have been entitled; and

57.13 (4) while using the educational assistance authorized in this section, remains a
57.14 resident student as defined in section 136A.101, subdivision 8.

57.15 (h) "Satisfactory academic progress" has the meaning given in section 136A.101,
57.16 subdivision 10.

57.17 (i) "Student" has the meaning given in section 136A.101, subdivision 7.

57.18 (j) "Veteran" has the meaning given in section 197.447.

57.19 Sec. 45. Minnesota Statutes 2014, section 261.23, is amended to read:

57.20 **261.23 COSTS OF HOSPITALIZATION.**

57.21 The costs of hospitalization of such indigent persons exclusive of medical and
57.22 surgical care and treatment shall not exceed in amount the full rates fixed and charged
57.23 by the Minnesota general hospital ~~under the provisions of sections 158.01 to 158.11~~ for
57.24 the hospitalization of such indigent patients. For indigent persons hospitalized pursuant
57.25 to sections 261.21 to 261.232, the state shall pay 90 percent of the cost allowable under
57.26 the general assistance medical care program and ten percent of the allowable cost of
57.27 hospitalization shall be paid by the county of the residence of the indigent persons at
57.28 the times provided for in the contract; and in case of an injury or emergency requiring
57.29 immediate surgical or medical treatment, for a period not to exceed 72 hours, 90 percent
57.30 of the cost allowable under the general assistance medical care program shall be paid by
57.31 the state and ten percent of the cost shall be paid by the county from which the patient, if
57.32 indigent, is certified. State payments for services rendered pursuant to this section shall
57.33 be ratably reduced to the same extent and during the same time period as payments are
57.34 reduced under section 256D.03, subdivision 4, paragraph (c). If the county of residence
57.35 of the patient is not the county in which the patient has legal settlement for the purposes

58.1 of poor relief, then the county of residence may seek reimbursement from the county
58.2 in which the patient has settlement for the purposes of poor relief for all costs it has
58.3 necessarily incurred and paid in connection with the hospitalization of said patient.

58.4 Sec. 46. **REVISOR'S INSTRUCTION.**

58.5 (a) The revisor of statutes shall renumber the provisions of Minnesota Statutes
58.6 listed in Column A to the references listed in Column B. The revisor shall also make
58.7 necessary cross-reference, grammatical, or terminology changes in Minnesota Statutes and
58.8 Minnesota Rules consistent with the renumbering, including changing the word "school"
58.9 to "private career school" wherever the word appears in sections 141.20 to 141.37.

58.10	<u>Column A</u>	<u>Column B</u>
58.11	<u>141.20</u>	<u>136A.82</u>
58.12	<u>141.21</u>	<u>136A.821</u>
58.13	<u>141.25</u>	<u>136A.822</u>
58.14	<u>141.251</u>	<u>136A.823</u>
58.15	<u>141.255</u>	<u>136A.824</u>
58.16	<u>141.26</u>	<u>136A.825</u>
58.17	<u>141.265</u>	<u>136A.826</u>
58.18	<u>141.271</u>	<u>136A.827</u>
58.19	<u>141.28</u>	<u>136A.828</u>
58.20	<u>141.29</u>	<u>136A.829</u>
58.21	<u>141.30</u>	<u>136A.83</u>
58.22	<u>141.31</u>	<u>136A.831</u>
58.23	<u>141.32</u>	<u>136A.832</u>
58.24	<u>141.35</u>	<u>136A.833</u>
58.25	<u>141.37</u>	<u>136A.834</u>

58.26 (b) The revisor of statutes shall make any necessary cross-reference change in
58.27 Minnesota Statutes or Minnesota Rules resulting from repealers in this act.

58.28 Sec. 47. **REPEALER.**

58.29 Minnesota Statutes 2014, sections 136A.127, subdivisions 1, 2, 3, 4, 5, 6, 7, 9, 9b,
58.30 10, 10a, 11, and 14; 136A.862; 141.271, subdivisions 4 and 6; 158.01; 158.02; 158.03;
58.31 158.04; 158.05; 158.06; 158.07; 158.08; 158.09; 158.091; 158.10; 158.11; and 158.12, are
58.32 repealed.

58.33 **ARTICLE 3**

58.34 **HIGHER EDUCATION POLICY**

58.35 Section 1. Minnesota Statutes 2014, section 5.41, subdivision 2, is amended to read:

59.1 Subd. 2. **Report.** (a) A postsecondary institution must file by November 1 of each
59.2 year a report on its programs with the secretary of state. The report must contain the
59.3 following information from the previous academic year, including summer terms:

59.4 (1) deaths of program participants that occurred during program participation as a
59.5 result of program participation; ~~and~~

59.6 (2) accidents and illnesses that occurred during program participation as a result of
59.7 program participation and that required hospitalization; and

59.8 (3) country, primary program host, and program type for all incidents reported in
59.9 clauses (1) and (2).

59.10 For purposes of this paragraph, "primary program host" is the institution or
59.11 organization responsible for or in control of the majority of decisions being made on
59.12 the program including, but not limited to, student housing, local transportation, and
59.13 emergency response and support.

59.14 Information reported under clause (1) may be supplemented by a brief explanatory
59.15 statement.

59.16 (b) A postsecondary institution must request, but not mandate, hospitalization and
59.17 incident disclosure from students upon completion of the program.

59.18 (c) A postsecondary institution must report to the secretary of state annually by
59.19 November 1 whether its program complies with health and safety standards set by the
59.20 Forum on Education Abroad or a similar study abroad program standard setting agency.

59.21 Sec. 2. Minnesota Statutes 2014, section 5.41, subdivision 3, is amended to read:

59.22 Subd. 3. **Secretary of state; publication of program information.** (a) The secretary
59.23 of state must publish the reports required by subdivision 2 on its Web site in a format that
59.24 facilitates identifying information related to a particular postsecondary institution.

59.25 (b) The secretary of state shall publish on its Web site ~~the best available information~~
59.26 by country links to the United States Department of State's Consular Information Program
59.27 which informs the public of conditions abroad that may affect their safety and security. The
59.28 secretary of state shall also publish links to the publicly available reports on sexual assaults
59.29 and other criminal acts affecting study abroad program participants during program
59.30 participation. This information shall not be limited to programs subject to this section.

59.31 Sec. 3. Minnesota Statutes 2014, section 124D.09, is amended by adding a subdivision
59.32 to read:

59.33 Subd. 10a. **Concurrent enrollment participant survey.** (a) Postsecondary
59.34 institutions offering courses taught by the secondary teacher according to subdivision

60.1 10, and are members in the National Alliance of Concurrent Enrollment Partnerships
60.2 (NACEP), must report all required NACEP evaluative survey results by September 1 of
60.3 each year to the commissioners of the Office of Higher Education and the Department of
60.4 Education. The commissioners must report by December 1 of each year to the committees
60.5 of the legislature having jurisdiction over early education through grade 12 education.

60.6 (b) Postsecondary institutions that have not adopted and implemented the NACEP
60.7 program standards and required evidence for accreditation, are required to conduct an
60.8 annual survey of concurrent enrolled students who successfully completed the course
60.9 who are one year out of high school, beginning with the high school graduating class
60.10 of 2016. By September 1 of each year, the postsecondary institutions must report the
60.11 evaluative survey results to the commissioners of the Office of Higher Education and the
60.12 Department of Education. The commissioner must report by December 1 of each year to
60.13 the committees of the legislature having jurisdiction over early education through grade
60.14 12 education. The survey must include, at a minimum, the following student information:

60.15 (1) the participant's future education plans, including the highest degree or
60.16 certification planned;

60.17 (2) whether the participant is enrolled or plans to enroll in a Minnesota postsecondary
60.18 institution, either public or private;

60.19 (3) the number of credits accepted or denied by postsecondary institutions;

60.20 (4) the college or university attended;

60.21 (5) the participant's satisfaction level with the concurrent enrollment program;

60.22 (6) the participant's demographics, such as gender, parent education level,
60.23 qualification for free or reduced-price lunch in high school, Pell grant qualification and
60.24 ethnicity; and

60.25 (7) a place for participants to provide comments.

60.26 Sec. 4. Minnesota Statutes 2014, section 124D.09, is amended by adding a subdivision
60.27 to read:

60.28 Subd. 10b. **Concurrent Enrollment Advisory Board; membership; duties.** (a)
60.29 A postsecondary institution offering courses taught by the secondary teacher according
60.30 to subdivision 10, must establish an advisory board. The purpose of the advisory board
60.31 is to engage stakeholders in concurrent enrollment decisions. The duties of the board
60.32 must include the following:

60.33 (1) providing strategic advice and input relating to concurrent enrollment issues;

60.34 (2) recommend and review proposals for concurrent enrollment course offerings;

61.1 (3) serve as a coordinating entity between secondary education and postsecondary
61.2 institutions; and

61.3 (4) increase the understanding and collaboration among concurrent enrollment
61.4 partners, stakeholders, the legislature, and the public.

61.5 (b) The advisory board at each institution must consist of 16 members in addition to
61.6 a concurrent enrollment faculty coordinator who shall serve as the chair and convene the
61.7 meetings. A postsecondary institution may elect to have an advisory board of less than 16
61.8 members if the institution determines that the extent of its concurrent program warrants
61.9 a smaller board. Except for the original members, advisory board members must serve
61.10 three-year staggered terms. Advisory board members, appointed by the postsecondary
61.11 institution, must be balanced based on geography, school size, and include, if practical,
61.12 representatives from the following:

61.13 (1) postsecondary faculty members;

61.14 (2) school superintendents;

61.15 (3) high school principals;

61.16 (4) concurrent enrollment teachers;

61.17 (5) high school counselors;

61.18 (6) charter school administrators;

61.19 (7) school board members;

61.20 (8) secondary academic administrators;

61.21 (9) parents; and

61.22 (10) other local organizations.

61.23 (c) Members of the board serve without compensation.

61.24 (d) The board shall report to the postsecondary institution periodically as requested
61.25 by the postsecondary institution to provide advice and proposals described in paragraph (a).

61.26 (e) The postsecondary institution shall provide administrative services and meeting
61.27 space for the board to do its work.

61.28 (f) A board established under this section expires when the postsecondary institution
61.29 no longer offers concurrent enrollment course offerings.

61.30 (g) The postsecondary institution shall appoint the first members to the advisory
61.31 board by October 31, 2015, or by October 15 following the year it establishes a concurrent
61.32 enrollment program. The postsecondary institution shall designate the terms of the first
61.33 members so that an approximately equal number serve terms of two, three, and four years.

61.34 Sec. 5. Minnesota Statutes 2014, section 124D.091, subdivision 1, is amended to read:

62.1 Subdivision 1. **Accreditation.** To establish a uniform standard by which
62.2 concurrent enrollment courses and professional development activities may be measured,
62.3 postsecondary institutions ~~are encouraged to apply for accreditation by~~ must adopt and
62.4 implement the National Alliance of Concurrent Enrollment Partnership Partnership's
62.5 program standards and required evidence for accreditation by the 2020-2021 school year
62.6 and later.

62.7 Sec. 6. **[135A.012] HIGHER EDUCATION ATTAINMENT GOAL.**

62.8 Subdivision 1. **Purpose.** This section sets a goal for postsecondary education
62.9 attainment for Minnesota residents.

62.10 Subd. 2. **Postsecondary credentials.** The number of Minnesota residents ages 25
62.11 to 44 years, who hold postsecondary degrees or certificates, should be increased to at
62.12 least 70 percent by 2025.

62.13 Subd. 3. **Rights not created.** The attainment goal in this section is not to the
62.14 exclusion of any other goals and does not confer a right or create a claim for any person.

62.15 Subd. 4. **Data development and analyses.** The Office of Higher Education shall
62.16 work with the state demographer's office to measure progress towards the attainment of
62.17 the goal specified in subdivision 2. The United States Census Bureau data shall be used to
62.18 calculate the number of individuals in the state who hold a postsecondary degree. The
62.19 Office of Higher Education, demographer's office, and the Department of Employment
62.20 and Economic Development shall develop a methodology to estimate the number of
62.21 individuals that hold a certificate awarded by a postsecondary institution as their highest
62.22 educational credential using data available at the time that the analysis is completed.

62.23 Subd. 5. **Reporting.** (a) Beginning in 2016 and every year thereafter, the Office of
62.24 Higher Education, in collaboration with the state demographer's office, shall, by October
62.25 15, report to the chairs and ranking minority members of the legislative committees with
62.26 primary jurisdiction over higher education policy and finance on the progress towards
62.27 meeting or exceeding the goal of this section.

62.28 (b) Meeting and maintaining the goal of 70 percent of Minnesota residents ages 25
62.29 to 44 years, holding a postsecondary degree or certificate will likely be difficult without
62.30 achieving attainment rates that are comparable across all race and ethnicity groups. The
62.31 Office of Higher Education shall utilize benchmarks of 30 percent or higher and 50 percent
62.32 or higher to report progress by race and ethnicity groups toward meeting the educational
62.33 attainment rate goal of 70 percent.

62.34 Sec. 7. **[136A.091] SUMMER ACADEMIC ENRICHMENT PROGRAM.**

63.1 Subdivision 1. **Establishment.** The summer academic enrichment program is
63.2 established to enable elementary and secondary students to attend academic summer
63.3 programs sponsored by postsecondary institutions and nonprofit organizations.

63.4 Subd. 2. **Eligibility.** To be eligible for a program stipend, a student shall:

63.5 (1) be a resident of Minnesota;

63.6 (2) attend an eligible office-approved program;

63.7 (3) be in grades 3 through 12, but not have completed high school;

63.8 (4) meet income requirements for free or reduced-price school meals; and

63.9 (5) be 19 years of age or younger.

63.10 Subd. 3. **Financial need.** Need for financial assistance is based on student
63.11 eligibility for free or reduced-price school meals. Student eligibility shall be verified by
63.12 sponsors of approved academic programs. The office shall award stipends for students
63.13 within the limits of available appropriations for this section. If the amount appropriated
63.14 is insufficient, the office shall allocate the available appropriation in the manner it
63.15 determines. A stipend must not exceed \$1,000 per student.

63.16 Subd. 4. **Eligible program sponsors.** (a) A program stipend may be used only at an
63.17 eligible sponsor that is a postsecondary institution or nonprofit educational organization.
63.18 A Minnesota public postsecondary institution is an eligible program sponsor. A private
63.19 postsecondary institution is an eligible program sponsor if it:

63.20 (1) is accredited by an agency recognized by the United States Department of
63.21 Education for purposes of eligibility to participate in title IV federal financial aid programs;

63.22 (2) offers an associate or baccalaureate degree program approved under sections
63.23 136A.61 to 136A.71; and

63.24 (3) is located in Minnesota.

63.25 (b) A nonprofit educational organization is an eligible program sponsor if it:

63.26 (1) is incorporated;

63.27 (2) has had favorable financial performance with federal or state funds; and

63.28 (3) has not had significant audit findings.

63.29 Subd. 5. **Eligible programs.** A program stipend may be used only for an eligible
63.30 program. To be eligible, a program must:

63.31 (1) provide, as its primary purpose, academic instruction for student enrichment in
63.32 core curricular areas of English and language arts, humanities, social studies, science,
63.33 mathematics, fine arts, performing arts, and world languages and culture;

63.34 (2) not be offered for credit to postsecondary students;

63.35 (3) not provide remedial instruction;

63.36 (4) meet any other program requirements established by the office; and

64.1 (5) be approved by the commissioner.

64.2 Subd. 6. **Information.** The office shall assemble and distribute information about
64.3 eligible student participants, program stipends, and eligible programs.

64.4 Subd. 7. **Administration.** The office shall determine the time and manner of
64.5 program applications, program approval, stipend applications, and final awards.

64.6 Subd. 8. **Program evaluation.** Each program sponsor must annually submit a
64.7 report to the office stating its program goals, activities, and stipend recipient eligibility and
64.8 demographic information.

64.9 Subd. 9. **Report.** Annually, the office shall submit a report to the legislative
64.10 committees with jurisdiction over higher education finance regarding the program
64.11 providers, stipend recipients, and program activities. The report shall include information
64.12 about the students served, the organizations providing services, program goals and
64.13 outcomes, and student outcomes.

64.14 **EFFECTIVE DATE.** Subdivision 9 is effective January 1, 2016.

64.15 Sec. 8. Minnesota Statutes 2014, section 136A.101, subdivision 8, is amended to read:

64.16 Subd. 8. **Resident student.** "Resident student" means a student who meets one of
64.17 the following conditions:

64.18 (1) a student who has resided in Minnesota for purposes other than postsecondary
64.19 education for at least 12 months without being enrolled at a postsecondary educational
64.20 institution for more than five credits in any term;

64.21 (2) a dependent student whose parent or legal guardian resides in Minnesota at the
64.22 time the student applies;

64.23 (3) a student who graduated from a Minnesota high school, if the student was a
64.24 resident of Minnesota during the student's period of attendance at the Minnesota high school
64.25 and the student is physically attending a Minnesota postsecondary educational institution;

64.26 (4) a student who, after residing in the state for a minimum of one year, earned a
64.27 high school equivalency certificate in Minnesota;

64.28 (5) a member, spouse, or dependent of a member of the armed forces of the United
64.29 States stationed in Minnesota on active federal military service as defined in section
64.30 190.05, subdivision 5c;

64.31 (6) a spouse or dependent of a veteran, as defined in section 197.447, if the veteran
64.32 is a Minnesota resident;

64.33 (7) a person or spouse of a person who relocated to Minnesota from an area that
64.34 is declared a presidential disaster area within the preceding 12 months if the disaster
64.35 interrupted the person's postsecondary education;

65.1 (8) a person defined as a refugee under United States Code, title 8, section
65.2 1101(a)(42), who, upon arrival in the United States, moved to Minnesota and has
65.3 continued to reside in Minnesota; or

65.4 (9) a student eligible for resident tuition under section 135A.043; or

65.5 (10) an active member, or a spouse or dependent of that member, of the state's
65.6 National Guard who resides in Minnesota or an active member, or a spouse or dependent
65.7 of that member, of the reserve component of the United States armed forces whose duty
65.8 station is located in Minnesota and who resides in Minnesota.

65.9 Sec. 9. Minnesota Statutes 2014, section 136A.121, subdivision 20, is amended to read:

65.10 Subd. 20. **Institution reporting.** (a) Each institution receiving financial aid under
65.11 this section must annually report ~~by December 31~~ to the office the following for its
65.12 undergraduate programs each award level:

65.13 (1) ~~enrollment, persistence, and graduation data for all students, including aggregate~~
65.14 subgroup information on state and federal Pell grant recipients; and

65.15 (2) ~~the job placement rate and salary and wage information for graduates of each~~
65.16 ~~program that is either designed or advertised to lead to a particular type of job or advertised~~
65.17 ~~or promoted with a claim regarding job placement, as is practicable; and~~

65.18 (3) ~~the student debt-to-earnings ratio~~ aggregate awarded financial aid information for
65.19 all students, and cumulative debt of all graduates by race and ethnicity, gender, and income.

65.20 (b) Using the data submitted to the office by institutions pursuant to paragraph (a),
65.21 as well as other data available to the office, the office shall provide the following on its
65.22 Internet Web site by placing a prominent link on its Web site home page:

65.23 (1) ~~the information submitted by an institution pursuant~~ including, but not limited to,
65.24 persistence and completion, debt of graduates, employment and wage information, and
65.25 other relevant data for each institution subject to paragraph (a), which shall be made
65.26 available in a searchable database; and

65.27 (2) other information and links that are useful to students and parents who are in
65.28 the process of selecting a college or university. This information may include, but is
65.29 not limited to, local occupational profiles.

65.30 (c) The office shall provide a standard format and instructions for institutions
65.31 supplying the information required under paragraph (a).

65.32 (d) The office shall provide an electronic copy of the information provided on its
65.33 Internet Web site under paragraph (b) to each public and private high school in the state
65.34 and each workforce center operated by the Department of Employment and Economic
65.35 Development. The copy must contain information formatted by institution so that

66.1 comparison can be easily made between institutions. High schools are encouraged to make
66.2 the information available to students, including through individual counseling sessions
66.3 with students. Workforce centers shall make the information available to job seekers,
66.4 those seeking career counseling, and others as determined by the centers.

66.5 Sec. 10. **[136A.1791] TEACHER SHORTAGE LOAN FORGIVENESS**
66.6 **PROGRAM.**

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

66.9 (b) "Qualified educational loan" means a government, commercial, or foundation
66.10 loan for actual costs paid for tuition and reasonable educational and living expenses
66.11 related to a teacher's preparation or further education.

66.12 (c) "School district" means an independent school district, special school district,
66.13 intermediate district, education district, special education cooperative, service cooperative,
66.14 a cooperative center for vocational education, or a charter school located in Minnesota.

66.15 (d) "Teacher" means an individual holding a teaching license issued by the licensing
66.16 division in the Department of Education on behalf of the Board of Teaching who is
66.17 employed by a school district to provide classroom instruction in a teacher shortage area.

66.18 (e) "Teacher shortage area" means the licensure fields and economic development
66.19 regions reported by the commissioner of education as experiencing a teacher shortage.

66.20 (f) "Commissioner" means the commissioner of the Office of Higher Education
66.21 unless indicated otherwise.

66.22 Subd. 2. **Program established; administration.** The commissioner shall establish
66.23 and administer a teacher shortage loan forgiveness program. A teacher is eligible for the
66.24 program if the teacher is teaching in a licensure field and in an economic development
66.25 region with an identified teacher shortage under subdivision 3 and complies with the
66.26 requirements of this section.

66.27 Subd. 3. **Use of report on teacher shortage areas.** The commissioner of education
66.28 shall use the teacher supply and demand report to the legislature to identify the licensure
66.29 fields and economic development regions in Minnesota experiencing a teacher shortage.

66.30 Subd. 4. **Application for loan forgiveness.** Each applicant for loan forgiveness,
66.31 according to rules adopted by the commissioner, shall:

66.32 (1) apply for teacher shortage loan forgiveness and promptly submit any additional
66.33 information required by the commissioner;

67.1 (2) annually reapply for up to five consecutive school years and submit information
67.2 the commissioner requires to determine the applicant's continued eligibility for loan
67.3 forgiveness; and

67.4 (3) submit to the commissioner a completed affidavit, prescribed by the
67.5 commissioner, affirming the teacher is teaching in a licensure field and in an economic
67.6 development region identified by the commissioner as experiencing a teacher shortage.

67.7 Subd. 5. **Amount of loan forgiveness.** (a) To the extent funding is available, the
67.8 annual amount of teacher shortage loan forgiveness for an approved applicant shall not
67.9 exceed \$1,000 or the cumulative balance of the applicant's qualified educational loans,
67.10 including principal and interest, whichever amount is less.

67.11 (b) Recipients must secure their own qualified educational loans. Teachers who
67.12 graduate from an approved teacher preparation program or teachers who add a licensure
67.13 field, consistent with the teacher shortage requirements of this section, are eligible to
67.14 apply for the loan forgiveness program.

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

67.18 (b) Within 60 days of receipt of a disbursement, the participant must provide the
67.19 commissioner with verification that the full amount of loan repayment disbursement has
67.20 been applied toward the designated loans. A participant that previously received funds
67.21 under this section but has not provided the commissioner with such verification is not
67.22 eligible to receive additional funds.

67.23 Subd. 7. **Penalties.** (a) A teacher who submits a false or misleading application or
67.24 other false or misleading information to the commissioner may:

67.25 (1) have his or her teaching license suspended or revoked under section 122A.20;

67.26 (2) be disciplined by the teacher's employing school district; or

67.27 (3) be required by the commissioner to repay the total amount of the loan forgiveness
67.28 he or she received under this program, plus interest at a rate established under section
67.29 270C.40.

67.30 (b) The commissioner must deposit any repayments received under paragraph (a)
67.31 in the fund established in subdivision 8.

67.32 Subd. 8. **Fund established.** A teacher shortage loan forgiveness repayment fund
67.33 is created for depositing money appropriated to or received by the commissioner for the
67.34 program. Money deposited in the fund shall not revert to any state fund at the end of
67.35 any fiscal year but remains in the loan forgiveness repayment fund and is continuously
67.36 available for loan forgiveness under this section.

68.1 Subd. 9. **Annual reporting.** By February 1 of each year, the commissioner must
68.2 report to the chairs of the K-12 and higher education committees of the legislature on the
68.3 number of individuals who received loan forgiveness under this section, the licensure
68.4 areas and economic development regions in which the teachers taught, the average amount
68.5 paid to a teacher participating in the program, and other summary data identified by the
68.6 commissioner as outcome indicators.

68.7 Subd. 10. **Rulemaking.** The commissioner shall adopt rules under chapter 14 to
68.8 administer this section.

68.9 Sec. 11. **[136A.246] DUAL TRAINING COMPETENCY GRANTS.**

68.10 Subdivision 1. **Program created.** The commissioner shall make grants for the
68.11 training of employees to achieve the competency standard for an occupation identified by
68.12 the commissioner of labor and industry under section 175.45 and Laws 2014, chapter 312,
68.13 article 3, section 21. "Competency standard" has the meaning given in section 175.45,
68.14 subdivision 2.

68.15 Subd. 2. **Eligible grantees.** An employer or an organization representing the
68.16 employer is eligible to apply for a grant to train employees if the employer has an
68.17 employee who is in or is to be trained to be in an occupation for which a competency
68.18 standard has been identified and the employee has not attained the competency standard
68.19 prior to the commencement of the planned training. Training need not address all aspects
68.20 of a competency standard but may address only the competencies of a standard that an
68.21 employee is lacking. Employees who have previously received a grant under this program
68.22 are not eligible to receive another grant.

68.23 Subd. 3. **Training institution or program.** Prior to applying for a grant, the
68.24 employer must have an agreement with a training institution or program to provide the
68.25 employee competency standard training. The training may be provided by any institution
68.26 or program having trainers qualified to instruct on the competency standard.

68.27 Subd. 4. **Application.** Applications must be made to the commissioner on a form
68.28 provided by the commissioner. The commissioner must, to the extent possible, make
68.29 the application form as short and simple to complete as is reasonably possible. The
68.30 commissioner shall establish a schedule for applications and grants. The application
68.31 must include, without limitation:

- 68.32 (1) the projected number of employee trainees;
68.33 (2) the competency standard for which training will be provided;
68.34 (3) any credential the employee will receive upon completion of training;

69.1 (4) the name and address of the training institution or program and a signed
69.2 statement by the institution or program that it is able and agrees to provide the training;

69.3 (5) the period of the training; and

69.4 (6) the cost of the training charged by the training institution or program and certified
69.5 by the institution or program.

69.6 An application may be made for training of employees of multiple employers either
69.7 by the employers or by an organization on their behalf.

69.8 Subd. 5. **Grant criteria.** The commissioner shall, to the extent there are sufficient
69.9 applications, make at least an equal dollar amount of grants for training for employees
69.10 whose work site is projected to be outside the metropolitan area as defined in section
69.11 473.121, subdivision 2, as for employees whose work site is projected to be within the
69.12 metropolitan area. In determining the award of grants, the commissioner must consider,
69.13 among other factors:

69.14 (1) the aggregate state and regional need for employees with the competency to
69.15 be trained;

69.16 (2) the competency standards developed by the commissioner of labor and industry
69.17 as part of the Minnesota PIPELINE Project;

69.18 (3) the per employee cost of training;

69.19 (4) the additional employment opportunities for employees because of the training;

69.20 (5) projected increases in compensation for employees receiving the training; and

69.21 (6) the amount of employer training cost match, if required, on both a per employee
69.22 and aggregate basis.

69.23 Subd. 6. **Employer match.** A large employer must pay for at least 25 percent of
69.24 the training institution's or program's charge for the training to the training institution or
69.25 program. For the purpose of this subdivision, a "large employer" means a business with
69.26 more than \$25,000,000 in annual revenue in the previous calendar year.

69.27 Subd. 7. **Payment of grant.** The commissioner shall make grant payments to the
69.28 training institution or program in a manner determined by the commissioner after receiving
69.29 notice from the institution or program that the employer has paid the employer match.

69.30 Subd. 8. **Grant amounts.** The maximum grant for an application is \$150,000. The
69.31 maximum cost of training payable by the grant may not exceed \$6,000 per employee.

69.32 A grant for a particular employee must be reduced by the amounts of any federal
69.33 Pell grant received, or state grant the employee is eligible to receive for the training and an
69.34 employee must apply for those grants as a condition of payment for training that employee
69.35 under this section.

70.1 Subd. 9. **Reporting.** Commencing in 2017, the commissioner shall annually by
70.2 February 1 report on the activity of the grant program for the preceding fiscal year to the
70.3 chairs of the legislative committees with jurisdiction over workforce policy and finance.

70.4 At a minimum, the report must include:

70.5 (1) research and analysis on the costs and benefits of the grants for employees and
70.6 employers;

70.7 (2) the number of employees who commenced training and the number who
70.8 completed training; and

70.9 (3) recommendations, if any, for changes to the program.

70.10 Sec. 12. Minnesota Statutes 2014, section 136A.861, subdivision 1, is amended to read:

70.11 Subdivision 1. **Grants.** (a) The commissioner shall award grants to foster
70.12 postsecondary attendance and retention by providing outreach services to historically
70.13 underserved students in grades six through 12 and historically underrepresented college
70.14 students. Grants must be awarded to programs that provide precollege services, including,
70.15 but not limited to:

70.16 (1) academic counseling;

70.17 (2) mentoring;

70.18 (3) fostering and improving parental involvement in planning for and facilitating a
70.19 college education;

70.20 (4) services for students with English as a second language;

70.21 (5) academic enrichment activities;

70.22 (6) tutoring;

70.23 (7) career awareness and exploration;

70.24 (8) orientation to college life;

70.25 (9) assistance with high school course selection and information about college
70.26 admission requirements; and

70.27 (10) financial aid counseling.

70.28 (b) To the extent there are sufficient applications, the commissioner shall award
70.29 an approximate equal amount of grants for program-eligible students who are from
70.30 communities located outside the metropolitan area, as defined in section 473.121,
70.31 subdivision 2, as for students from communities within the metropolitan area. If necessary
70.32 to achieve the approximately equal metropolitan area and nonmetropolitan area allocation,
70.33 the commissioner may award a preference to a nonmetropolitan area application in the
70.34 form of five points on a one hundred point application review scale.

71.1 ~~(b)~~ (c) Grants shall be awarded to postsecondary institutions, professional
71.2 organizations, community-based organizations, or others deemed appropriate by the
71.3 commissioner.

71.4 ~~(e)~~ (d) Grants shall be awarded for one year and may be renewed for a second year
71.5 with documentation to the office of successful program outcomes.

71.6 Sec. 13. [136A.901] SPINAL CORD INJURY AND TRAUMATIC BRAIN
71.7 INJURY RESEARCH GRANT PROGRAM.

71.8 Subdivision 1. Grant program. The commissioner shall establish a grant program
71.9 to award grants to institutions in Minnesota for research into spinal cord injuries and
71.10 traumatic brain injuries. Grants shall be awarded to conduct research into new and
71.11 innovative treatments and rehabilitative efforts for the functional improvement of people
71.12 with spinal cord and traumatic brain injuries. Research topics may include, but are not
71.13 limited to, pharmaceutical, medical device, brain stimulus, and rehabilitative approaches
71.14 and techniques. The commissioner, in consultation with the advisory council established
71.15 under section 136A.902, shall award 50 percent of the grant funds for research involving
71.16 spinal cord injuries and 50 percent to research involving traumatic brain injuries. In
71.17 addition to the amounts appropriated by law, the commissioner may accept additional
71.18 funds from private and public sources. Amounts received from these sources are
71.19 appropriated to the commissioner for the purposes of issuing grants under this section.

71.20 Subd. 2. Report. By January 15, 2016, and each January 15 thereafter, the
71.21 commissioner shall submit a report to the chairs and ranking minority members of the
71.22 senate and house of representatives committees having jurisdiction over the Office of
71.23 Higher Education, specifying the institutions receiving grants under this section and the
71.24 purposes for which the grant funds were used.

71.25 Sec. 14. [136A.902] SPINAL CORD AND TRAUMATIC BRAIN INJURY
71.26 ADVISORY COUNCIL.

71.27 Subdivision 1. Membership. The commissioner shall appoint a 12-member
71.28 advisory council consisting of:

- 71.29 (1) one member representing the University of Minnesota Medical School;
71.30 (2) one member representing the Mayo Medical School;
71.31 (3) one member representing the Courage Kenny Rehabilitation Center;
71.32 (4) one member representing Hennepin County Medical Center;
71.33 (5) one member who is a neurosurgeon;
71.34 (6) one member who has a spinal cord injury;

72.1 (7) one member who is a family member of a person with a spinal cord injury;

72.2 (8) one member who has a traumatic brain injury;

72.3 (9) one member who is a veteran who has a spinal cord injury or a traumatic brain
72.4 injury;

72.5 (10) one member who is a family member of a person with a traumatic brain injury;

72.6 (11) one member who is a physician specializing in the treatment of spinal cord
72.7 injury representing Gillette Children's Specialty Healthcare; and

72.8 (12) one member who is a physician specializing in the treatment of traumatic
72.9 brain injury.

72.10 Subd. 2. **Organization.** The advisory council shall be organized and administered
72.11 under section 15.059, except that subdivision 2 shall not apply. Except as provided in
72.12 subdivision 4, the commissioner shall appoint council members to two-year terms and
72.13 appoint one member as chair. The advisory council does not expire.

72.14 Subd. 3. **First appointments and first meeting.** The commissioner shall appoint
72.15 the first members of the council by September 1, 2015. The chair shall convene the first
72.16 meeting by November 1, 2015.

72.17 Subd. 4. **Terms of initial council members.** The commissioner shall designate six
72.18 of the initial council members to serve one-year terms and six to serve two-year terms.

72.19 Subd. 5. **Conflict of interest.** Council members must disclose in a written statement
72.20 any financial interest in any organization that the council recommends to receive a grant.
72.21 The written statement must accompany the grant recommendations and must explain the
72.22 nature of the conflict. The council is not subject to policies developed by the commissioner
72.23 of administration under section 16B.98.

72.24 Subd. 6. **Duties.** The advisory council shall:

72.25 (1) develop criteria for evaluating and awarding the research grants under section
72.26 136A.901;

72.27 (2) review research proposals and make recommendations by January 15 of each
72.28 year to the commissioner for purposes of awarding grants under section 136A.901; and

72.29 (3) perform other duties as authorized by the commissioner.

72.30 Sec. 15. **[136F.302] REGULATING THE ASSIGNMENT OF STUDENTS TO**
72.31 **REMEDIAL COURSES.**

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

73.1 Subd. 2. Testing process for determining if remediating is necessary. A college
73.2 or university testing process used to determine whether an individual is placed in a
73.3 remedial, noncredit course must comply with this subdivision. Prior to taking a test, an
73.4 individual must be given reasonable time and opportunity to review materials provided by
73.5 the college or university covering the material to be tested which must include a sample
73.6 test. An individual who is required to take a remedial, noncredit course as a result of a
73.7 test given by a college or university must be given an opportunity to retake the test at the
73.8 earliest time determined by the individual when testing is otherwise offered. The college
73.9 or university must provide an individual with study materials for the purpose of retaking
73.10 and passing the test.

73.11 Sec. 16. [136F.303] DEGREE AND CERTIFICATE COMPLETION; REPORT.

73.12 Beginning in 2018, the board shall annually by January 15, report to the chairs
73.13 and ranking minority members of the legislature with primary jurisdiction over higher
73.14 education finance on its activities and achievements related to the goal of improving
73.15 timely completion of degrees and certificates. The report must, at a minimum, include
73.16 for the previous academic year:

- 73.17 (1) the percent of students placed in remedial education;
73.18 (2) the percent of students who complete remediation within one academic year;
73.19 (3) the percent of students that complete college-level gateway courses in one
73.20 academic year;
73.21 (4) the percent of students who complete 30 semester credits per academic year;
73.22 (5) the student retention rate;
73.23 (6) time to complete a degree or certificate; and
73.24 (7) credits earned by those completing a degree or certificate or other program.

73.25 The report must disaggregate data for each college and university by race, ethnicity, Pell
73.26 Grant eligibility, and age and provide aggregate data.

73.27 Sec. 17. Minnesota Statutes 2014, section 137.54, is amended to read:

73.28 **137.54 CONDITIONS FOR PAYMENT TO UNIVERSITY.**

73.29 (a) Before the commissioner may make the first payment to the board authorized in
73.30 this section, the commissioner must certify that the board has received at least \$110,750,000
73.31 in pledges, gifts, sponsorships, and other nonstate general fund revenue support for the
73.32 construction of the stadium. On July 1 of each year after certification by the commissioner,
73.33 but no earlier than July 1, 2007, and for so long thereafter as any bonds issued by the board
73.34 for the construction of the stadium are outstanding, the state must transfer to the board up

74.1 to \$10,250,000 to reimburse the board for its stadium costs, provided that bonds issued
74.2 to pay the state's share of such costs shall not exceed \$137,250,000. Up to \$10,250,000
74.3 is appropriated annually from the general fund for the purpose of this section. The
74.4 appropriation of up to \$10,250,000 per year may be made for no more than 25 years. The
74.5 board must certify to the commissioner the amount of the annual payments of principal and
74.6 interest required to service each series of bonds issued by the university for the construction
74.7 of the stadium, and the actual amount of the state's annual payment to the university shall
74.8 equal the amount required to service the bonds representing the state's share of such costs.
74.9 Except to the extent of the annual appropriation described in this section, the state is not
74.10 required to pay any part of the cost of designing or constructing the stadium.

74.11 (b) The board may refund the bonds issued pursuant to paragraph (a) if refunding
74.12 is determined by the board to be in the best interest of the university. Notwithstanding
74.13 paragraph (a), the principal amount of bonds issued in a refunding shall not exceed
74.14 the lesser of \$104,385,000 or the amount necessary to defease the bonds outstanding
74.15 immediately prior to refunding. The amount of the state's annual payment to the
74.16 university for the refunded bonds shall be equal to the maximum annual appropriation of
74.17 \$10,250,000, notwithstanding the amount certified under paragraph (a).

74.18 (c) The board shall allocate sufficient funds, including any interest expense, from
74.19 the savings realized through refunding of the bonds pursuant to paragraph (b), to provide
74.20 \$10,000,000 for predesign and design of improved health education and clinical research
74.21 facilities to meet the needs of the Medical School and Academic Health Center on the
74.22 Twin Cities campus. The facilities shall be designed to support education and research
74.23 that promote new innovative models of care which are patient-centered, team-based, and
74.24 facilitate collaboration across the health professions. The education and research facilities
74.25 will be collocated and designed to maximize collaboration and high-quality delivery of
74.26 health care. The board may in its discretion, after the \$10,000,000 allocation required by
74.27 this paragraph, allocate to other university purposes payments from the state that exceed
74.28 the amount necessary to service the refunded bonds, except for savings in 2029, 2030, and
74.29 2031, which shall cancel to the general fund.

74.30 (d) The board must certify to the commissioner that the per-semester student fee
74.31 contribution to the stadium will be at a fixed level coterminous with bonds issued by the
74.32 board to meet the student share of the design construction of the stadium and that the
74.33 student fee will not be increased to meet construction cost overruns.

74.34 (e) (e) Before the first payment is made under paragraph (a), the board must certify
74.35 to the commissioner that a provision for affordable access for university students to the
74.36 university sporting events held at the football stadium has been made.

75.1 Sec. 18. **[175.45] COMPETENCY STANDARDS FOR DUAL TRAINING.**

75.2 Subdivision 1. **Duties; goal.** The commissioner of labor and industry shall identify
75.3 competency standards for dual training. The goal of dual training is to provide current
75.4 employees of an employer with training to acquire competencies that the employer
75.5 requires. The standards shall be identified for employment in occupations in advanced
75.6 manufacturing, health care services, information technology, and agriculture. Competency
75.7 standards are not rules and are exempt from the rulemaking provisions of chapter 14, and
75.8 the provisions in section 14.386 concerning exempt rules do not apply.

75.9 Subd. 2. **Definition; competency standards.** For purposes of this section,
75.10 "competency standards" means the specific knowledge and skills necessary for a particular
75.11 occupation.

75.12 Subd. 3. **Competency standards identification process.** In identifying competency
75.13 standards, the commissioner shall consult with the commissioner of the Office of Higher
75.14 Education and the commissioner of employment and economic development and convene
75.15 recognized industry experts, representative employers, higher education institutions,
75.16 representatives of the disabled community, and representatives of labor to assist in
75.17 identifying credible competency standards. Competency standards must be consistent
75.18 with, to the extent available and practical, recognized international and national standards.

75.19 Subd. 4. **Duties.** The commissioner shall:

75.20 (1) identify competency standards for entry level and higher skill levels;

75.21 (2) verify the competency standards and skill levels and their transferability by
75.22 subject matter expert representatives of each respective industry;

75.23 (3) develop models for Minnesota educational institutions to engage in providing
75.24 education and training to meet the competency standards established;

75.25 (4) encourage participation by employers and labor in the standard identification
75.26 process for occupations in their industry; and

75.27 (5) align dual training competency standards with other workforce initiatives.

75.28 Subd. 5. **Notification.** The commissioner must communicate identified competency
75.29 standards to the commissioner of the Office of Higher Education for the purpose of the
75.30 dual training competency grant program under section 136A.246. The commissioner of
75.31 labor and industry shall maintain the competency standards on the department's Web site.

75.32 Sec. 19. Laws 2014, chapter 312, article 13, section 47, is amended to read:

75.33 Sec. 47. **RESEARCH DOGS AND CATS.**

75.34 (a) A higher education research facility that receives public money or a facility that
75.35 provides research in collaboration with a higher education facility that confines dogs or

76.1 cats for science, education, or research purposes and plans on euthanizing a dog or cat
76.2 for other than science, education, or research purposes must first offer the dog or cat
76.3 to an animal rescue organization. A facility that is required to offer dogs or cats to an
76.4 animal rescue organization under this section may enter into an agreement with the animal
76.5 rescue organization to protect the facility. A facility that provides a dog or cat to a rescue
76.6 organization under this section is immune from any civil liability that otherwise might
76.7 result from its actions, provided that the facility is acting in good faith.

76.8 (b) For the purposes of this section, "animal rescue organization" means any
76.9 nonprofit organization incorporated for the purpose of rescuing animals in need and
76.10 finding permanent, adoptive homes for the animals.

76.11 (e) ~~This section expires July 1, 2015.~~

76.12 Sec. 20. **MNSCU COLLEGE OCCUPATIONAL SCHOLARSHIP PILOT**
76.13 **PROGRAM.**

76.14 Subdivision 1. **Pilot program administration.** The commissioner of the Office
76.15 of Higher Education shall administer a pilot program pursuant to this section for the
76.16 2016-2017 and 2017-2018 academic years including summer session.

76.17 Subd. 2. **Definitions.** (a) For the purpose of this section the terms defined in this
76.18 subdivision have the meanings given them.

76.19 (b) "College" means a two-year college in the Minnesota State Colleges and
76.20 Universities system.

76.21 (c) "Eligible individual" means an individual who:

76.22 (1) is a resident;

76.23 (2) has graduated from a Minnesota secondary school, has as a Minnesota resident
76.24 completed an adult basic education (ABE) program, or as a Minnesota resident, has passed
76.25 general education development (GED) testing;

76.26 (3) first applies for a grant for the fall term immediately following secondary school
76.27 graduation, passing GED tests, or completing an ABE program; and

76.28 (4) has completed a Free Application for Federal Student Aid (FAFSA).

76.29 (d) "Grant" means a scholarship granted under this section.

76.30 (e) "Program" means a certificate, diploma, or associate of science or associate of
76.31 applied science in a program area covered by the federal Carl D. Perkins Career and
76.32 Technical Education Act and in an occupational field designated as high demand by the
76.33 Department of Employment and Economic Development. "Program area" includes only
76.34 the areas of:

76.35 (1) agriculture, food, and natural resources;

- 77.1 (2) business management and administration;
77.2 (3) human services;
77.3 (4) engineering, manufacturing and technology;
77.4 (5) arts, communications, and information systems; and
77.5 (6) health science technology.
77.6 (f) To the extent not inconsistent with this section, the definitions in section
77.7 136A.101 apply to this section.

77.8 Subd. 3. **AmeriCorps worker; exceptions.** (a) Notwithstanding any contrary
77.9 provision of this section, an eligible individual who completes a 12-month or 24-month
77.10 approved AmeriCorps program commencing immediately after secondary school
77.11 graduation, may apply for a grant for the fall term immediately following completion of
77.12 the AmeriCorps program. These individuals have a two consecutive academic year grant
77.13 eligibility period commencing the start of that fall term.

77.14 (b) For the purpose of this subdivision, an "approved AmeriCorps program" means a
77.15 program overseen by the Corporation for National and Community Service (CNCS)
77.16 including:

- 77.17 (1) AmeriCorps Volunteer in Service to America (VISTA);
77.18 (2) AmeriCorps National Civilian Community Corps (NCCC); or
77.19 (3) AmeriCorps State and National.

77.20 Subd. 4. **Grants.** The commissioner shall, to the extent of available funds and
77.21 subject to this section, make grants to eligible individuals to attend a program at a college.

77.22 Subd. 5. **Application.** Application for a grant shall be made by a FAFSA and on any
77.23 additional form required by the commissioner and on a schedule set by the commissioner.

77.24 Subd. 6. **Income limits for grant recipients.** Dependent students reporting a
77.25 parental federal adjusted gross income on a FAFSA of \$90,000 or less are eligible for
77.26 a grant. Independent students reporting a family adjusted gross income on a FAFSA
77.27 of \$90,000 or less are eligible for a grant.

77.28 Subd. 7. **Grant amount.** The amount of a grant is equal to program tuition and fees
77.29 minus any federal Pell grant received or state grant for which the individual is eligible.
77.30 For the purpose of this subdivision, "fees" has the meaning given it in Minnesota Statutes,
77.31 section 136A.121, subdivision 6.

77.32 Subd. 8. **Eligibility period.** A grant may be made only for academic terms that are
77.33 during the two academic years commencing the fall term immediately after secondary
77.34 school graduation, completing an adult basic education program, or passing all GED tests.
77.35 A grant is available for up to 72 semester credits.

78.1 Subd. 9. **Satisfactory academic progress.** An individual is eligible for a grant
78.2 if the individual is making satisfactory academic progress as defined under Minnesota
78.3 Statutes, section 136A.101, subdivision 10, and has a cumulative grade point average of
78.4 at least 2.5 on a 4.0 scale at the end of the first academic year and at the end of each
78.5 academic term after the first academic year.

78.6 Subd. 10. **Credit load.** A grantee must have accumulated at least 30 program
78.7 credits by the end of the first academic year including summer term. A college must
78.8 certify that a grantee is carrying sufficient credits in the second grant year to complete
78.9 the program at the end of the second year, including summer school. The commissioner
78.10 shall set the terms and provide the form for certification.

78.11 Subd. 11. **Grant renewal.** A grant may be renewed for a second academic year.
78.12 Application for renewal must be on a form provided by the commissioner and on a
78.13 schedule set by the commissioner.

78.14 Subd. 12. **Mentoring.** A grantee must be provided mentoring. Mentoring must
78.15 include, but is not limited to:

78.16 (1) communicating frequently and consistently throughout program participation;

78.17 (2) developing a personalized student success plan. The plan must include concrete
78.18 steps towards program completion and job placement and identify and make contingency
78.19 plans for potential obstacles to program completion;

78.20 (3) connect grantees to on-campus resources and personal development
78.21 opportunities; and

78.22 (4) financial planning.

78.23 The commissioner shall issue request for proposals to provide mentoring activities.
78.24 The commissioner shall select the proposal that in the commissioner's judgment
78.25 demonstrates the best potential within available funding for achieving success in assisting
78.26 students to complete programs. The commissioner may accept and select proposals
78.27 made by colleges.

78.28 Subd. 13. **Outreach.** The commissioner may through the office and by contract
78.29 engage in recruitment for and promotion of the grants.

78.30 Subd. 14. **Insufficient appropriation.** Grant awards shall be made based on the
78.31 date of receipt of application from the earliest to the latest date. If there are not sufficient
78.32 funds, grants shall not be prorated and eligible individuals shall be placed on a waiting
78.33 list. Preference shall be given to timely received renewal grant applications prior to the
78.34 award of new grants.

78.35 Subd. 15. **Reporting.** (a) A college must report to the commissioner the following
78.36 information:

- 79.1 (1) the number of grantees and their race, gender, and ethnicity;
79.2 (2) grantee persistence and completion;
79.3 (3) employment outcomes; and
79.4 (4) other information requested by the commissioner.

79.5 (b) The commissioner shall report annually by January 15, to the chairs and ranking
79.6 minority members of the legislative committees with jurisdiction over higher education
79.7 finance by college and in aggregate on the information submitted to the commissioner
79.8 under paragraph (a). The commissioner may include in the report recommendations
79.9 for changes in the grant program.

79.10 **EFFECTIVE DATE.** This section is effective July 1, 2016.

79.11 Sec. 21. **BACCALAUREATE DEGREE PATHWAYS.**

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

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

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

79.27 Sec. 22. **COLLEGE COMPLETION; MNSCU.**

79.28 (a) The Board of Trustees of the Minnesota State Colleges and Universities shall
79.29 develop a comprehensive plan to encourage students to complete degrees, diplomas, or
79.30 certificates in their fields of study. The board must consult with students, faculty, and
79.31 administrators of the state colleges and universities and the Office of Higher Education to

80.1 create a plan that would increase program completion at each state college or university.

80.2 Components of this plan may include, but are not limited to:

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

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

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

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

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

80.16 (6) facilitating the transfer of credits between state colleges and universities; and

80.17 (7) strategies to encourage students to enroll full time, including the use of financial
80.18 assistance to reduce a student's need to work.

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

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

80.28 **Sec. 23. COLLEGE COMPLETION; UNIVERSITY OF MINNESOTA.**

80.29 (a) The Board of Regents of the University of Minnesota is requested to develop a
80.30 comprehensive plan to encourage students to complete degrees, diplomas, or certificates
80.31 in their fields of study. The board is requested to consult with students, faculty, and
80.32 administrators of the University of Minnesota and the Office of Higher Education to create
80.33 a plan that would increase program completion among University of Minnesota students.

80.34 Components of this plan may include, but are not limited to:

- 81.1 (1) offering interdisciplinary courses that encourage students to think across
81.2 disciplinary boundaries and take advantage of the universitywide intellectual expertise;
81.3 (2) expanding undergraduate academic advising, including intrusive advising, and
81.4 the use of online advising tools;
81.5 (3) assisting undecided students with personalized services to help them develop a
81.6 plan for major and career selection;
81.7 (4) requiring all students to fill out, and regularly update, their four-year degree plans;
81.8 (5) facilitating student transfers to the University of Minnesota through support of
81.9 the Minnesota Transfer Curriculum and other transfer tools;
81.10 (6) developing strategies to encourage students to enroll full time and graduate
81.11 in four years; and
81.12 (7) enhancing financial literacy programs that focus on low-income students.
81.13 (b) The development of the plan required under this section shall not discourage the
81.14 development or delay the implementation or expansion of existing programs to encourage
81.15 college completion.
81.16 (c) The Board of Regents of the University of Minnesota shall submit a report
81.17 describing the plan developed under this section and an implementation schedule to the
81.18 legislative committees with jurisdiction over higher education policy no later than January
81.19 15, 2016. This report must include identification of the financial and other resources
81.20 needed to implement the plan developed under this section.

81.21 Sec. 24. **COUNSELING FOR COLLEGE STUDENT LOAN DEBTORS.**

- 81.22 Subdivision 1. **Pilot program created.** The commissioner of the Office of Higher
81.23 Education shall make a grant to a nonprofit qualified debt counseling organization to
81.24 provide individual student loan debt repayment counseling to borrowers who are Minnesota
81.25 residents concerning loans obtained to attend a Minnesota postsecondary institution. The
81.26 counseling shall be provided to borrowers who are 30 to 60 days delinquent when they
81.27 are referred to or otherwise identified by the organization as candidates for counseling.
81.28 The number of individuals receiving counseling may be limited to those capable of being
81.29 served with available appropriations for that purpose. A goal of the counseling program is
81.30 to provide two counseling sessions to at least 75 percent of borrowers receiving counseling.
81.31 The purpose of the counseling is to assist borrowers to:
81.32 (1) understand their loan and repayment options;
81.33 (2) manage loan repayment; and
81.34 (3) develop a workable budget based on the borrower's full financial situation
81.35 regarding income, expenses, and other debt.

82.1 Subd. 2. **Qualified debt counseling organization.** A qualified debt counseling
82.2 organization is an organization that:

82.3 (1) has experience in providing individualized student loan counseling;

82.4 (2) employs certified financial loan counselors; and

82.5 (3) has offices at multiple rural and metropolitan area locations in the state to
82.6 provide in-person counseling.

82.7 Subd. 3. **Grant application.** Applications for a grant shall be on a form created by
82.8 the commissioner and on a schedule set by the commissioner. Among other provisions,
82.9 the application must include a description of:

82.10 (1) the characteristics of borrowers to be served;

82.11 (2) the services to be provided and a timeline for implementation of the services;

82.12 (3) how the services provided will help borrowers manage loan repayment;

82.13 (4) specific program outcome goals and performance measures for each goal; and

82.14 (5) how the services will be evaluated to determine whether the program goals
82.15 were met.

82.16 Subd. 4. **Grant.** The commissioner shall select one grant recipient.

82.17 Subd. 5. **Program evaluation.** (a) The grant recipient must submit a report to the
82.18 Office of Higher Education by January 15, 2017. The report must evaluate and measure
82.19 the extent to which program outcome goals have been met.

82.20 (b) The grant recipient must collect, analyze, and report on participation and
82.21 outcome data that enable the office to verify the outcomes.

82.22 (c) The evaluation must include information on the number of borrowers served with
82.23 on-time student loan payments, the number who brought their loans into good standing,
82.24 the number of student loan defaults, the number who developed a monthly budget plan,
82.25 and other information required by the commissioner. Recipients of the counseling must be
82.26 surveyed on their opinions about the usefulness of the counseling and the survey results
82.27 must be included in the report.

82.28 Subd. 6. **Report to legislature.** By February 1, 2017, the commissioner must
82.29 submit a report to the committees in the legislature with jurisdiction over higher education
82.30 finance regarding grant program outcomes.

82.31 Sec. 25. **HIGHER EDUCATION ATTAINMENT GOAL; INITIAL REPORT.**

82.32 By October 15, 2015, the Office of Higher Education, after collaborating with the
82.33 state demographer's office, shall report to the chairs and ranking minority members of the

83.1 legislative committees with primary jurisdiction over higher education policy and finance,
83.2 on the baseline data and methodology that will be used to measure progress towards
83.3 the attainment goal specified in Minnesota Statutes, section 135A.012. The report shall
83.4 include information about the specific data and data sources that will be used to complete
83.5 the analyses, and make recommendations regarding the appropriate comparison groups
83.6 for conducting the analyses, and the manner in which data can be disaggregated by
83.7 distinct racial and ethnic group categories, and timeline benchmarks for meeting the goal
83.8 in Minnesota Statutes, section 135A.012, subdivision 2.

83.9 Sec. 26. **HUMAN SUBJECT RESEARCH STANDARDS; UNIVERSITY OF**
83.10 **MINNESOTA.**

83.11 The Board of Regents of the University of Minnesota shall report monthly,
83.12 commencing July 1, 2015, to the chairs and ranking minority members of the legislative
83.13 committees with jurisdiction over higher education finance. The reports must describe
83.14 progress in developing and implementing a plan to conduct human subject research
83.15 at the university. The monthly reports must continue until the plan has been fully
83.16 implemented. The reports must include how the university will implement the individual
83.17 recommendations contained in the final report, dated February 23, 2015, titled "An
83.18 External Review of the Protection of Human Research Participants at the University of
83.19 Minnesota with Special Attention to Research with Adults who may lack Decision-Making
83.20 Capacity." The report was prepared pursuant to an agreement by the university with the
83.21 Association for the Accreditation of Human Research Protection Program (AAHRPP).

83.22 The reports must, among other details, provide specific details about:

83.23 (1) the changes to Institutional Review Board membership, policies, and practices;

83.24 (2) the procedures required for obtaining and reviewing consents by individuals with
83.25 impaired decision-making abilities; and

83.26 (3) the policy with respect to responding to concerns of family and others for the
83.27 well-being of human research subjects.

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

83.29 Sec. 27. **REPEALER.**

83.30 Minnesota Rules, part 4830.7500, subparts 2a and 2b, are repealed.

84.1 **ARTICLE 4**

84.2 **CAMPUS SEXUAL ASSAULT**

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

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

84.7 **EFFECTIVE DATE.** This section is effective August 1, 2016.

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

84.9 **135A.15 SEXUAL HARASSMENT AND VIOLENCE POLICY.**

84.10 Subdivision 1. **Applicability; policy required.** (a) This section applies to the
84.11 following postsecondary institutions:

84.12 (1) institutions governed by the Board of Trustees of the Minnesota State Colleges
84.13 and Universities; and

84.14 (2) private postsecondary institutions that offer in-person courses on a campus
84.15 located in Minnesota and which are eligible institutions as defined in section 136A.103,
84.16 provided that a private postsecondary institution with a systemwide enrollment of fewer
84.17 than 100 students in the previous academic year is exempt from subdivisions 4 to 10.

84.18 Institutions governed by the Board of Regents of the University of Minnesota are
84.19 requested to comply with this section.

84.20 ~~The Board of Trustees of the Minnesota State Colleges and Universities shall, and~~
84.21 ~~the University of Minnesota is requested to;~~ (b) A postsecondary institution must adopt
84.22 a clear, understandable written policy on sexual harassment and sexual violence that
84.23 informs victims of their rights under the crime victims bill of rights, including the right to
84.24 assistance from the Crime Victims Reparations Board and the commissioner of public
84.25 safety. The policy must apply to students and employees and must provide information
84.26 about their rights and duties. The policy must apply to criminal incidents against a student
84.27 or employee of a postsecondary institution occurring on property owned or leased by the
84.28 postsecondary system or institution ~~in which the victim is a student or employee of that~~
84.29 ~~system or institution~~ or at any activity, program, organization, or event sponsored by
84.30 the system or institution, or by a fraternity and sorority. It must include procedures for
84.31 reporting incidents of sexual harassment or sexual violence and for disciplinary actions
84.32 against violators. During student registration, ~~each technical college, community college,~~
84.33 ~~or state university shall, and the University of Minnesota is requested to;~~ a postsecondary
84.34 institution shall provide each student with information regarding its policy. A copy of the

85.1 policy also shall be posted at appropriate locations on campus at all times. ~~Each private~~
85.2 ~~postsecondary institution that is an eligible institution as defined in section 136A.155,~~
85.3 ~~must adopt a policy that meets the requirements of this section.~~

85.4 Subd. 1a. **Sexual assault definition.** For the purposes of this section, "sexual
85.5 assault" means forcible sex offenses as defined in Code of Federal Regulations, title 34,
85.6 part 668, subpart D, appendix A, as amended.

85.7 Subd. 2. **Victims' rights.** The policy required under subdivision 1 shall, at a
85.8 minimum, require that students and employees be informed of the policy, and shall
85.9 include provisions for:

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

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

85.14 (3) allowing sexual assault victims to decide whether to report a case to law
85.15 enforcement;

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

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

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

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

85.23 (8) subject to subdivision 10, protecting the privacy of sexual assault victims by only
85.24 disclosing data collected under this section to the victim, persons whose work assignments
85.25 reasonably require access, and, at a sexual assault victim's request, police conducting
85.26 a criminal investigation;

85.27 ~~(3)~~ (9) an investigation and resolution of a sexual assault complaint by campus
85.28 disciplinary authorities;

85.29 ~~(4)~~ (10) a sexual assault victim's participation in and the presence of the victim's
85.30 attorney or other support person who is not a fact witness to the sexual assault at any
85.31 meeting with campus officials concerning the victim's sexual assault complaint or campus
85.32 disciplinary proceeding concerning a sexual assault complaint;

85.33 (11) ensuring that a sexual assault victim may decide when to repeat a description
85.34 of the incident of sexual assault;

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

86.1 ~~(5)~~ (13) notice to a sexual assault victim of the outcome of any campus disciplinary
86.2 proceeding concerning a sexual assault complaint, consistent with laws relating to data
86.3 practices;

86.4 ~~(6)~~ (14) the complete and prompt assistance of campus authorities, at the direction
86.5 of law enforcement authorities, in obtaining, securing, and maintaining evidence in
86.6 connection with a sexual assault incident;

86.7 ~~(7)~~ (15) the assistance of campus authorities in preserving for a sexual assault
86.8 complainant or victim materials relevant to a campus disciplinary proceeding; ~~and~~

86.9 ~~(8)~~ (16) during and after the process of investigating a complaint and conducting
86.10 a campus disciplinary procedure, the assistance of campus personnel, in cooperation
86.11 with the appropriate law enforcement authorities, at a sexual assault victim's request, in
86.12 shielding the victim from unwanted contact with the alleged assailant, including transfer
86.13 of the victim to alternative classes or to alternative college-owned housing, if alternative
86.14 classes or housing are available and feasible;

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

86.18 (18) at the request of the victim, providing students who reported sexual assaults to
86.19 the institution and subsequently choose to transfer to another postsecondary institution
86.20 with information about resources for victims of sexual assault at the institution to which
86.21 the victim is transferring; and

86.22 (19) consistent with laws governing access to student records, providing a student
86.23 who reported an incident of sexual assault with access to the student's description of the
86.24 incident as it was reported to the institution, including if that student transfers to another
86.25 postsecondary institution.

86.26 Subd. 3. **Uniform amnesty.** The sexual harassment and violence policy required by
86.27 subdivision 1 must include a provision that a witness or victim of an incident of sexual
86.28 assault who reports the incident in good faith shall not be sanctioned by the institution
86.29 for admitting in the report to a violation of the institution's student conduct policy on the
86.30 personal use of drugs or alcohol.

86.31 Subd. 4. **Coordination with local law enforcement.** (a) A postsecondary
86.32 institution must enter into a memorandum of understanding with the primary local law
86.33 enforcement agencies that serve its campus. The memorandum must be entered into no
86.34 later than January 1, 2017, and updated every two years thereafter. This memorandum
86.35 shall clearly delineate responsibilities and require information sharing, in accordance with

87.1 applicable state and federal privacy laws, about certain crimes including, but not limited
87.2 to, sexual assault. This memorandum of understanding shall provide:

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

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

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

87.9 (b) Prior to the start of each academic year, a postsecondary institution shall
87.10 distribute an electronic copy of the memorandum of understanding to all employees on the
87.11 campus that are subject to the memorandum.

87.12 (c) An institution is exempt from the requirement that it develop a memorandum of
87.13 understanding under this section if the institution and local or county law enforcement
87.14 agencies establish a sexual assault protocol team to facilitate effective cooperation and
87.15 collaboration between the institution and law enforcement.

87.16 Subd. 5. **Online reporting system.** (a) A postsecondary institution must provide an
87.17 online reporting system to receive complaints of sexual harassment and sexual violence
87.18 from students and employees. The system must permit anonymous reports, provided
87.19 that the institution is not obligated to investigate an anonymous report unless a formal
87.20 report is submitted through the process established in the institution's sexual harassment
87.21 and sexual violence policy.

87.22 (b) A postsecondary institution must provide students making reports under this
87.23 subdivision with information about who will receive and have access to the reports filed,
87.24 how the information gathered through the system will be used, and contact information for
87.25 on-campus and off-campus organizations serving victims of sexual violence.

87.26 (c) Data collected under this subdivision is classified as private data on individuals
87.27 as defined by section 13.02, subdivision 12. Postsecondary institutions not otherwise
87.28 subject to chapter 13 must limit access to the data to only the data subject and persons
87.29 whose work assignments reasonably require access.

87.30 Subd. 6. **Data collection and reporting.** (a) Postsecondary institutions must
87.31 annually report statistics on sexual assault. This report must be prepared in addition to
87.32 any federally required reporting on campus security, including reports required by the
87.33 Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act,
87.34 United States Code, title 20, section 1092(f). The report must include, but not be limited
87.35 to, the number of incidents of sexual assault reported to the institution in the previous
87.36 calendar year, as follows:

- 88.1 (1) the number that were investigated by the institution;
88.2 (2) the number that were referred for a disciplinary proceeding at the institution;
88.3 (3) the number the victim chose to report to local or state law enforcement;
88.4 (4) the number for which a campus disciplinary proceeding is pending, but has not
88.5 reached a final resolution;
88.6 (5) the number in which the alleged perpetrator was found responsible by the
88.7 disciplinary proceeding at the institution;
88.8 (6) the number that resulted in any action by the institution greater than a warning
88.9 issued to the accused;
88.10 (7) the number that resulted in a disciplinary proceeding at the institution that closed
88.11 without resolution;
88.12 (8) the number that resulted in a disciplinary proceeding at the institution that closed
88.13 without resolution because the accused withdrew from the institution;
88.14 (9) the number that resulted in a disciplinary proceeding at the institution that closed
88.15 without resolution because the victim chose not to participate in the procedure; and
88.16 (10) the number of reports made through the online reporting system established in
88.17 subdivision 5, excluding reports submitted anonymously.
88.18 (b) If an institution previously submitted a report indicating that one or more
88.19 disciplinary proceedings was pending, but had not reached a final resolution, and one or
88.20 more of those disciplinary proceedings reached a final resolution within the previous
88.21 calendar year, that institution must submit updated totals from the previous year that
88.22 reflect the outcome of the pending case or cases.
88.23 (c) The reports required by this subdivision must be submitted to the Office of
88.24 Higher Education by October 1 of each year. Each report must contain the data required
88.25 under paragraphs (a) and (b) from the previous calendar year.
88.26 (d) The commissioner of the Office of Higher Education shall calculate statewide
88.27 numbers for each data item reported by an institution under this subdivision. The statewide
88.28 numbers must include data from postsecondary institutions that the commissioner could
88.29 not publish due to federal laws governing access to student records.
88.30 (e) The Office of Higher Education shall publish on its Web site:
88.31 (1) the statewide data calculated under paragraph (d); and
88.32 (2) the data items required under paragraphs (a) and (b) for each postsecondary
88.33 institution in the state.
88.34 Each postsecondary institution shall publish on the institution's Web site the data items
88.35 required under paragraphs (a) and (b) for that institution.

89.1 (f) Reports and data required under this subdivision must be prepared and published
89.2 as summary data, as defined in section 13.02, subdivision 19, and must be consistent
89.3 with applicable law governing access to educational data. If an institution or the Office
89.4 of Higher Education does not publish data because of applicable law, the publication
89.5 must explain why data are not included.

89.6 Subd. 7. **Access to data; audit trail.** (a) Data on incidents of sexual assault shared
89.7 with campus security officers or campus administrators responsible for investigating or
89.8 adjudicating complaints of sexual assault are classified as private data on individuals as
89.9 defined by section 13.02, subdivision 12, for the purposes of postsecondary institutions
89.10 subject to the requirements of chapter 13. Postsecondary institutions not otherwise subject
89.11 to chapter 13 must limit access to the data to only the data subject and persons whose
89.12 work assignments reasonably require access.

89.13 (b) Only individuals with explicit authorization from an institution may enter,
89.14 update, or access electronic data related to an incident of sexual assault collected, created,
89.15 or maintained under this section. The ability of authorized individuals to enter, update, or
89.16 access these data must be limited through the use of role-based access that corresponds to
89.17 the official duties or training level of the individual and the institutional authorization that
89.18 grants access for that purpose. All actions in which the data related to an incident of sexual
89.19 assault are entered, updated, accessed, shared, or disseminated outside of the institution
89.20 must be recorded in a data audit trail. An institution shall immediately and permanently
89.21 revoke the authorization of any individual determined to have willfully entered, updated,
89.22 accessed, shared, or disseminated data in violation of this subdivision or any provision of
89.23 chapter 13. If an individual is determined to have willfully gained access to data without
89.24 explicit authorization, the matter shall be forwarded to a county attorney for prosecution.

89.25 Subd. 8. **Comprehensive training.** (a) A postsecondary institution must provide
89.26 campus security officers and campus administrators responsible for investigating or
89.27 adjudicating complaints of sexual assault with comprehensive training on preventing and
89.28 responding to sexual assault in collaboration with the Bureau of Criminal Apprehension
89.29 or another law enforcement agency with expertise in criminal sexual conduct. The
89.30 training for campus security officers shall include a presentation on the dynamics of
89.31 sexual assault, neurobiological responses to trauma, and best practices for preventing,
89.32 responding to, and investigating sexual assault. The training for campus administrators
89.33 responsible for investigating or adjudicating complaints on sexual assault shall include
89.34 presentations on preventing sexual assault, responding to incidents of sexual assault, the
89.35 dynamics of sexual assault, neurobiological responses to trauma, and compliance with
89.36 state and federal laws on sexual assault.

90.1 (b) The following categories of students who attend, or will attend, one or more
90.2 courses on campus or will participate in on-campus activities must be provided sexual
90.3 assault training:

90.4 (1) students pursuing a degree or certificate;

90.5 (2) students who are taking courses through the Postsecondary Enrollment Options
90.6 Act; and

90.7 (3) any other categories of students determined by the institution.

90.8 Students must complete such training no later than ten business days after the start of a
90.9 student's first semester of classes. Once a student completes the training, institutions must
90.10 document the student's completion of the training and provide proof of training completion
90.11 to a student at the student's request. Students enrolled at more than one institution within
90.12 the same system at the same time are only required to complete the training once.

90.13 The training shall include information about topics including but not limited to sexual
90.14 assault as defined in subdivision 1a; consent as defined in section 609.341, subdivision
90.15 4; preventing and reducing the prevalence of sexual assault; procedures for reporting
90.16 campus sexual assault; and campus resources on sexual assault, including organizations
90.17 that support victims of sexual assault.

90.18 (c) A postsecondary institution shall annually train individuals responsible for
90.19 responding to reports of sexual assault. This training shall include information about
90.20 best practices for interacting with victims of sexual assault, including how to reduce the
90.21 emotional distress resulting from the reporting, investigatory, and disciplinary process.

90.22 Subd. 9. **Student health services.** (a) An institution's student health service
90.23 providers must screen students for incidents of sexual violence and sexual harassment.
90.24 Student health service providers shall offer students information on resources available
90.25 to victims and survivors of sexual violence and sexual harassment including counseling,
90.26 mental health services, and procedures for reporting incidents to the institution.

90.27 (b) Each institution offering student health or counseling services must designate an
90.28 existing staff member or existing staff members as confidential resources for victims of
90.29 sexual violence or sexual harassment. The confidential resource must be available to meet
90.30 with victims of sexual violence and sexual harassment. The confidential resource must
90.31 provide victims with information about locally available resources for victims of sexual
90.32 violence and sexual harassment including, but not limited to, mental health services and
90.33 legal assistance. The confidential resource must provide victims with information about
90.34 the process for reporting an incident of sexual violence and sexual harassment to campus
90.35 authorities or local law enforcement. The victim shall decide whether to report an incident
90.36 of sexual violence and sexual harassment to campus authorities or local law enforcement.

91.1 Confidential resources must be trained in all aspects of responding to incidents of sexual
91.2 violence and sexual harassment including, but not limited to, best practices for interacting
91.3 with victims of trauma, preserving evidence, campus disciplinary and local legal processes,
91.4 and locally available resources for victims. Data shared with a confidential resource is
91.5 classified as sexual assault communication data as defined by section 13.822, subdivision 1.

91.6 Subd. 10. **Applicability of other laws.** This section does not exempt mandatory
91.7 reporters from the requirements of section 626.556 or 626.557 governing the reporting of
91.8 maltreatment of minors or vulnerable adults. Nothing in this section limits the authority of
91.9 an institution to comply with other applicable state or federal laws related to investigations
91.10 or reports of sexual harassment, sexual violence, or sexual assault.

91.11 **EFFECTIVE DATE.** This section is effective August 1, 2016, except subdivision
91.12 9, paragraph (a), is effective January 1, 2017.

91.13 Sec. 3. **[626.891] COOPERATION WITH POSTSECONDARY INSTITUTIONS.**

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

91.17 **EFFECTIVE DATE.** This section is effective August 1, 2016.

91.18 **ARTICLE 5**

91.19 **STATE GRANT**

91.20 Section 1. Minnesota Statutes 2014, section 136A.121, subdivision 6, is amended to
91.21 read:

91.22 Subd. 6. **Cost of attendance.** (a) The recognized cost of attendance consists of:
91.23 (1) an allowance specified in law for living and miscellaneous expenses, and (2) an
91.24 allowance for tuition and fees equal to the lesser of the average tuition and fees charged
91.25 by the institution, or a tuition and fee maximum if one is established in law. If no living
91.26 and miscellaneous expense allowance is established in law, the allowance is equal to the
91.27 federal poverty guidelines for a one person household in Minnesota for nine months. If
91.28 no tuition and fee maximum is established in law, the allowance for tuition and fees is
91.29 equal to the lesser of: (1) the average tuition and fees charged by the institution, and (2)
91.30 for two-year programs, an amount equal to the highest tuition and fees charged at a public
91.31 two-year institution, or for four-year programs, an amount equal to the highest tuition and
91.32 fees charged at a public university.

92.1 (b) For a student registering for less than full time, the office shall prorate the cost of
92.2 attendance to the actual number of credits for which the student is enrolled.

92.3 (c) The recognized cost of attendance for a student who is confined to a Minnesota
92.4 correctional institution shall consist of the tuition and fee component in paragraph (a),
92.5 with no allowance for living and miscellaneous expenses.

92.6 (d) For the purpose of this subdivision, "fees" include only those fees that are
92.7 mandatory and charged to full-time resident students attending the institution. Fees do
92.8 not include charges for tools, equipment, computers, or other similar materials where the
92.9 student retains ownership. Fees include charges for these materials if the institution retains
92.10 ownership. Fees do not include optional or punitive fees.

92.11 Sec. 2. Minnesota Statutes 2014, section 136A.121, subdivision 7a, is amended to read:

92.12 Subd. 7a. **Surplus appropriation.** If the amount appropriated is determined by the
92.13 office to be more than sufficient to fund projected grant demand in the second year of the
92.14 biennium, the office may increase the living and miscellaneous expense allowance or the
92.15 tuition and fee maximums in the second year of the biennium by up to an amount that
92.16 retains sufficient appropriations to fund the projected grant demand. The adjustment may
92.17 be made one or more times. In making the determination that there are more than sufficient
92.18 funds, the office shall balance the need for sufficient resources to meet the projected
92.19 demand for grants with the goal of fully allocating the appropriation for state grants. An
92.20 increase in the living and miscellaneous expense allowance under this subdivision does
92.21 not carry forward into a subsequent biennium."

92.22 Delete the title and insert:

92.23 "A bill for an act
92.24 relating to relating to higher education; establishing a budget for higher education;
92.25 appropriating money to the Office of Higher Education, the Board of Trustees
92.26 of the Minnesota State Colleges and Universities, the Board of Regents of the
92.27 University of Minnesota, and the Mayo Clinic; appropriating money for tuition
92.28 relief; making various policy and technical changes to higher-education-related
92.29 provisions; regulating the policies of postsecondary institutions relating to sexual
92.30 harassment and sexual violence; providing goals, standards, programs, and
92.31 grants; requiring reports; authorizing refinancing of certain bonds; amending
92.32 Minnesota Statutes 2014, sections 5.41, subdivisions 2, 3; 13.32, subdivision 6;
92.33 13.322, by adding a subdivision; 16C.075; 122A.09, subdivision 4; 124D.09,
92.34 by adding subdivisions; 124D.091, subdivision 1; 135A.15; 136A.01, by adding
92.35 a subdivision; 136A.031, subdivision 4; 136A.0411; 136A.101, subdivision 8;
92.36 136A.121, subdivisions 6, 7a, 20; 136A.125, subdivisions 2, 4, 4b; 136A.1701,
92.37 subdivision 4; 136A.61; 136A.63, subdivision 2; 136A.65, subdivisions 4,
92.38 7; 136A.657, subdivisions 1, 3; 136A.67; 136A.861, subdivision 1; 136A.87;
92.39 136G.05, subdivision 7; 137.54; 141.21, subdivisions 5, 6a, 9; 141.25; 141.251,
92.40 subdivision 2; 141.255; 141.26; 141.265; 141.271, subdivisions 1a, 1b, 3, 5, 7, 8,
92.41 9, 10, 12, 13, 14; 141.28; 141.29; 141.30; 141.32; 141.35; 197.75, subdivision
92.42 1; 261.23; Laws 2014, chapter 312, article 13, section 47; proposing coding for
92.43 new law in Minnesota Statutes, chapters 135A; 136A; 136F; 175; 626; repealing

93.1 Minnesota Statutes 2014, sections 136A.127, subdivisions 1, 2, 3, 4, 5, 6, 7,
93.2 9, 9b, 10, 10a, 11, 14; 136A.862; 141.271, subdivisions 4, 6; 158.01; 158.02;
93.3 158.03; 158.04; 158.05; 158.06; 158.07; 158.08; 158.09; 158.091; 158.10;
93.4 158.11; 158.12; Minnesota Rules, part 4830.7500, subparts 2a, 2b."

94.1 We request the adoption of this report and repassage of the bill.

94.2 Senate Conferees:

94.3
94.4 Terri E. Bonoff Greg D. Clausen

94.5
94.6 Kent Eken Kari Dziedzic

94.7
94.8 Jeremy R. Miller

94.9 House Conferees:

94.10
94.11 Bud Nornes Marion O'Neill

94.12
94.13 Glenn Gruenhagen Drew Christensen

94.14
94.15 Gene Pelowski Jr.