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State of Minnesota

Printed Page No. 342

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 3872

- 02/28/2022 Authored by Bernardy, Lillie, Her and Hornstein
- The bill was read for the first time and referred to the Committee on Higher Education Finance and Policy
- 04/08/2022 Adoption of Report: Amended and re-referred to the Committee on Ways and Means
- 04/27/2022 Adoption of Report: Placed on the General Register as Amended
- Read for the Second Time
- 04/29/2022 Calendar for the Day, Amended
- Read Third Time as Amended
- Passed by the House as Amended and transmitted to the Senate to include Floor Amendments

1.1 A bill for an act

1.2 relating to higher education; providing for funding and policy changes for the

1.3 Office of Higher Education, the University of Minnesota, and the Minnesota State

1.4 Colleges and Universities system; creating and modifying certain student aid

1.5 programs; creating and modifying certain grants to institutions; modifying certain

1.6 institutional licensure provisions; creating the Inclusive Higher Education Technical

1.7 Assistance Center; modifying Board of Regents provisions; requiring reports;

1.8 appropriating money; amending Minnesota Statutes 2020, sections 135A.15,

1.9 subdivision 8, by adding a subdivision; 136A.121, subdivisions 5, 18; 136A.1701,

1.10 subdivision 11; 136A.833; 137.023; 137.024; 137.0245, subdivisions 2, 3;

1.11 137.0246; Minnesota Statutes 2021 Supplement, sections 135A.137, subdivision

1.12 3; 136A.126, subdivisions 1, 4; 136A.1791, subdivision 5; 136A.91, subdivisions

1.13 1, 2; 136F.20, subdivision 4; 136F.202, subdivision 1; Laws 2021, First Special

1.14 Session chapter 2, article 1, section 2, subdivisions 35, 36; article 2, section 45,

1.15 by adding a subdivision; proposing coding for new law in Minnesota Statutes,

1.16 chapters 135A; 136A; 137; repealing Minnesota Rules, part 4880.2500.

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

1.18 **ARTICLE 1**

1.19 **APPROPRIATIONS**

1.20 Section 1. **HIGHER EDUCATION APPROPRIATIONS.**

1.21 The sums shown in the columns marked "Appropriations" are added to the appropriations

1.22 in Laws 2021, First Special Session chapter 2, article 1, unless otherwise specified, to the

1.23 agencies and for the purposes specified in this article. The appropriations are from the

1.24 general fund, or another named fund, and are available for the fiscal years indicated for

1.25 each purpose. The figures "2022" and "2023" used in this article mean that the appropriations

1.26 listed under them are available for the fiscal year ending June 30, 2022, or June 30, 2023,

1.27 respectively. "The first year" is fiscal year 2022. "The second year" is fiscal year 2023. "The

1.28 biennium" is fiscal years 2022 and 2023.

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APPROPRIATIONS
Available for the Year
Ending June 30
2022 **2023**

Sec. 2. MINNESOTA OFFICE OF HIGHER EDUCATION

Subdivision 1. Total Appropriation **\$** **-0-** **\$** **28,714,000**

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

Subd. 2. Student Parent Support Initiative **-0-** **6,925,000**

(a) For the student-parent support initiative under Minnesota Statutes, section 136A.1251. The commissioner may use no more than five percent of the appropriation to administer the program.

(b) The base for this appropriation is \$6,440,000 in fiscal year 2024 and \$5,940,000 in fiscal year 2025 and later.

Subd. 3. Operating Expenses of Tribal Colleges **-0-** **3,000,000**

(a) For transfer to Leech Lake Tribal College, White Earth Tribal College, and Red Lake Nation Tribal College, to be used for the Tribal colleges' general operations and maintenance expenses. The commissioner shall apportion the funds equally among the Tribal colleges.

(b) The base for this appropriation is \$3,000,000 in fiscal year 2024 and later.

(c) By September 30, 2023, each Tribal college receiving a transfer under this subdivision must submit a report to the commissioner of the Office of Higher Education and to the chairs and ranking minority members of the legislative committees with jurisdiction over higher

3.1 education finance and policy. The report must
 3.2 include an accurate and detailed account of
 3.3 how the transferred funds were spent, and a
 3.4 copy of the college's most recent audit report.

3.5 **Subd. 4. State Grants** -0- 493,000

3.6 \$9,295,000 is added to this program's base
 3.7 appropriation in fiscal years 2024 and later.
 3.8 The base for this appropriation is therefore
 3.9 \$219,332,000 in fiscal year 2024 and later.

3.10 **Subd. 5. Grants to Underrepresented Student**
 3.11 **Teachers** -0- 1,500,000

3.12 (a) The commissioner may use no more than
 3.13 three percent of this appropriation to
 3.14 administer the program.

3.15 (b) \$1,500,000 is added to this program's base
 3.16 appropriation in fiscal year 2024 and later
 3.17 specified in Laws 2021, First Special Session
 3.18 chapter 2, article 1, section 2, subdivision 26.

3.19 **Subd. 6. Teacher Shortage Loan Repayment** -0- 700,000

3.20 (a) The commissioner may use no more than
 3.21 three percent of the amount transferred under
 3.22 this subdivision to administer the program.

3.23 (b) The base for this appropriation is \$900,000
 3.24 in fiscal year 2024 and later.

3.25 **Subd. 7. Emergency Assistance for**
 3.26 **Postsecondary Students** -0- 731,000

3.27 \$731,000 is added to this program's base
 3.28 appropriation in fiscal year 2024 and later
 3.29 specified in Laws 2021, First Special Session
 3.30 chapter 2, article 1, section 2, subdivision 24,
 3.31 paragraph (d).

3.32 **Subd. 8. Hunger-Free Campus Grants** -0- 200,000

4.1 (a) This appropriation is in addition to the
 4.2 amount appropriated in Laws 2021, First
 4.3 Special Session chapter 2, article 1, section 2,
 4.4 subdivision 35, as amended by this act.

4.5 (b) The base for this appropriation is \$302,000
 4.6 in fiscal year 2024 and later.

4.7 **Subd. 9. American Indian Scholarships** -0- 3,240,000

4.8 (a) The base for this appropriation is
 4.9 \$6,740,000 in fiscal year 2024 and later.

4.10 (b) This appropriation includes funding to
 4.11 administer the American Indian scholarship
 4.12 program.

4.13 **Subd. 10. Inclusive Higher Education** -0- 750,000

4.14 (a) Of this amount, \$500,000 is for transfer to
 4.15 the inclusive higher education grant account
 4.16 under Minnesota Statutes, section 135A.162,
 4.17 subdivision 4, and \$250,000 is to enter into a
 4.18 contract establishing the Inclusive Higher
 4.19 Education Technical Assistance Center under
 4.20 Minnesota Statutes, section 135A.161.

4.21 (b) The base for this appropriation is \$750,000
 4.22 in fiscal year 2024 and later.

4.23 **Subd. 11. Free College Grants** -0- 975,000

4.24 (a) For the free college grant program under
 4.25 Minnesota Statutes, section 136A.0205.

4.26 (b) This appropriation is for administrative
 4.27 costs related to establishing the program.

4.28 (c) The base for this appropriation is
 4.29 \$32,000,000 in fiscal year 2024 and later.

4.30 (d) The commissioner may transfer
 4.31 unencumbered balances from other
 4.32 appropriations to the office to the free college

5.1 grant program. Transfers from the free college
 5.2 grant program may only be made to the extent
 5.3 there is a projected surplus in the appropriation
 5.4 and only with prior written notice to the chairs
 5.5 and ranking minority members of the senate
 5.6 and house of representatives committees with
 5.7 jurisdiction over higher education finance.

5.8 **Subd. 12. MN Reconnect Program** -0- 1,000,000

5.9 (a) For the MN Reconnect program under
 5.10 Minnesota Statutes, section 136A.123. The
 5.11 commissioner may use no more than three
 5.12 percent of this appropriation to administer the
 5.13 program.

5.14 (b) The base for this appropriation is
 5.15 \$1,000,000 in fiscal year 2024 and later.

5.16 **Subd. 13. Addiction Medicine Graduate Medical**
 5.17 **Education Fellowship** -0- 1,200,000

5.18 (a) \$1,200,000 in fiscal year 2023 is
 5.19 appropriated from the general fund to the
 5.20 commissioner of the Office of Higher
 5.21 Education for transfer to Hennepin County
 5.22 Medical Center to support three physicians
 5.23 per year enrolled in an addiction medicine
 5.24 fellowship program for five years, training a
 5.25 total of 15 physicians. This is a onetime
 5.26 appropriation.

5.27 (b) The appropriation under this section shall
 5.28 be used to:

5.29 (1) train fellows in:

5.30 (i) diagnostic interviewing;

5.31 (ii) motivational interviewing;

5.32 (iii) addiction counseling;

- 6.1 (iv) recognition and care of common acute
- 6.2 withdrawal syndromes and complications;
- 6.3 (v) pharmacotherapies of addictive disorders;
- 6.4 (vi) epidemiology and pathophysiology of
- 6.5 addiction;
- 6.6 (vii) identification and treatment of addictive
- 6.7 disorders in special populations;
- 6.8 (viii) secondary interventions;
- 6.9 (ix) the use of screening and diagnostic
- 6.10 instruments;
- 6.11 (x) inpatient care; and
- 6.12 (xi) working within a multidisciplinary team;
- 6.13 and
- 6.14 (2) prepare fellows to practice addiction
- 6.15 medicine in rural and underserved areas of the
- 6.16 state.

6.17 **Subd. 14. Aspiring Teachers of Color**
 6.18 **Scholarship Pilot Program**

-0-

3,000,000

- 6.19 (a) For the aspiring teachers of color
- 6.20 scholarship pilot program under Laws 2021,
- 6.21 First Special Session chapter 2, article 2,
- 6.22 section 45.
- 6.23 (b) The commissioner may use no more than
- 6.24 three percent of this appropriation to
- 6.25 administer the program.
- 6.26 (c) This is a onetime appropriation.
- 6.27 Notwithstanding Minnesota Statutes, section
- 6.28 16A.28, unencumbered balances under this
- 6.29 subdivision do not cancel until June 30, 2027.

6.30 **Subd. 15. Social Work Scholarships**

-0-

5,000,000

- 6.31 (a) For the social work scholarship program
- 6.32 under article 2, section 23.

7.1 (b) The commissioner may use no more than
 7.2 three percent of this appropriation to
 7.3 administer the program.

7.4 (c) This is a onetime appropriation.
 7.5 Notwithstanding Minnesota Statutes, section
 7.6 16A.28, this appropriation is available until
 7.7 expended or until June 30, 2027, whichever
 7.8 occurs first.

7.9 **Sec. 3. BOARD OF TRUSTEES OF THE**
 7.10 **MINNESOTA STATE COLLEGES AND**
 7.11 **UNIVERSITIES**

7.12	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>-0-</u>	<u>\$</u>	<u>24,375,000</u>
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7.13 The amounts that may be spent for each
 7.14 purpose are specified in the following
 7.15 subdivisions.

7.16	<u>Subd. 2. Operations and Maintenance</u>		<u>-0-</u>		<u>23,375,000</u>
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7.17 (a) \$20,375,000 in fiscal year 2023 is to
 7.18 maintain campus operations that deliver
 7.19 excellent, affordable, accessible education that
 7.20 is responsive to changes in the state's
 7.21 educational needs.

7.22 (b) \$2,000,000 in fiscal year 2023 is for the
 7.23 mental health awareness program for students
 7.24 required under Minnesota Statutes, section
 7.25 136F.20, subdivision 4. The base for this
 7.26 appropriation is \$2,000,000 in fiscal year 2024
 7.27 and later. Notwithstanding Laws 2021, First
 7.28 Special Session chapter 2, article 1, section 3,
 7.29 subdivision 3, paragraph (j), all unencumbered
 7.30 balances for this program cancel at the close
 7.31 of the biennium.

7.32 (c) \$1,000,000 in fiscal year 2023 is for
 7.33 colleges and universities to comply with the
 7.34 student basic needs requirements under

8.1 Minnesota Statutes, section 136F.202. The
 8.2 base for this appropriation is \$1,000,000 in
 8.3 fiscal year 2024 and later. Notwithstanding
 8.4 Laws 2021, First Special Session chapter 2,
 8.5 article 1, section 3, subdivision 3, paragraph
 8.6 (k), all unencumbered balances for this
 8.7 program cancel at the close of the biennium.

8.8 (d) \$9,000,000 is added to the base
 8.9 appropriation for operations and maintenance
 8.10 in fiscal year 2024 and later established in
 8.11 Laws 2021, First Special Session chapter 2,
 8.12 article 1, section 3, subdivision 3, paragraph
 8.13 (l).

8.14 **Subd. 3. Career and Technical Educator Pilot**
 8.15 **Project**

-0-

1,000,000

8.16 (a) To expand the career and technical
 8.17 educator pilot project under Laws 2021, First
 8.18 Special Session chapter 10, article 2, section
 8.19 23, to three or more state universities in
 8.20 partnership with state colleges. If practical,
 8.21 the partnerships must result in a candidate
 8.22 earning an associate's degree from a state
 8.23 college and a bachelor's degree from a state
 8.24 university.

8.25 (b) This is a onetime appropriation.
 8.26 Notwithstanding Minnesota Statutes, section
 8.27 16A.28, unencumbered balances under this
 8.28 section do not cancel until June 30, 2025.

8.29 (c) By January 1, 2025, the board must submit
 8.30 a report on the career and technical educator
 8.31 pilot project to the chairs and ranking minority
 8.32 members of the legislative committees with
 8.33 jurisdiction over higher education finance and
 8.34 to the Legislative Reference Library as
 8.35 provided by Minnesota Statutes, section 3.195.

9.1 The report must describe the implementation
 9.2 of the pilot program, its outcomes, and
 9.3 possibilities for expansion to additional
 9.4 campuses.

9.5 **Sec. 4. BOARD OF REGENTS OF THE**
 9.6 **UNIVERSITY OF MINNESOTA**

9.7 **Subdivision 1. Total Appropriation** **\$ -0- \$ 46,911,000**

9.8 The amounts that may be spent for each
 9.9 purpose are specified in the following
 9.10 subdivision.

9.11 **Subd. 2. Operations and Maintenance** **-0- 44,761,000**

9.12 (a) \$13,880,000 in fiscal year 2023 is for:

9.13 (1) targeted aid to those students who most
 9.14 need support to offset tuition, fees, and other
 9.15 costs of attendance items; and

9.16 (2) enhancing services that are specifically
 9.17 focused on ensuring students flourish and
 9.18 graduate in four years.

9.19 The base for this appropriation is \$6,000,000
 9.20 in fiscal year 2024 and later.

9.21 (b) \$14,000,000 in fiscal year 2023 is for
 9.22 improving campus safety protocols and
 9.23 organizations and providing a safe campus
 9.24 environment by:

9.25 (1) ensuring building access control and
 9.26 camera coverage for all university buildings
 9.27 across the system;

9.28 (2) achieving recognized standards for
 9.29 building access control, video surveillance
 9.30 coverage, and lighting for all system
 9.31 campuses;

9.32 (3) supporting an advanced campus
 9.33 monitoring center that monitors 24/7 campus

- 10.1 activities and provides an early warning
10.2 system for safety events; and
- 10.3 (4) securing access to the university's most
10.4 sensitive information systems and protecting
10.5 the data contained in them by mitigating
10.6 current vulnerabilities and building
10.7 foundational technical infrastructure and
10.8 processes that enable the institution to avoid
10.9 cybersecurity threats.
- 10.10 This is a onetime appropriation.
- 10.11 (c) \$6,881,000 in fiscal year 2023 is for the
10.12 Natural Resources Research Institute (NRRI)
10.13 for a water and mineland remediation lab
10.14 expansion in Duluth and a new mineral
10.15 processing and metallurgy lab in Coleraine.
- 10.16 This is a onetime appropriation.
- 10.17 (d) \$10,000,000 in fiscal year 2023 is for
10.18 advancing campus sustainability. Of this
10.19 amount:
- 10.20 (1) \$5,000,000 is for the development of
10.21 campus sustainability and utility master plans
10.22 systemwide;
- 10.23 (2) \$2,500,000 is for implementation of
10.24 on-campus solar electricity generation; and
- 10.25 (3) \$2,500,000 is for accelerated conversion
10.26 of the university's fleet vehicles to electric
10.27 vehicles.
- 10.28 This is a onetime appropriation.
- 10.29 (e) \$6,000,000 is added to the operations and
10.30 maintenance base for fiscal year 2024 and later
10.31 established in Laws 2021, First Special
10.32 Session chapter 2, article 1, section 4,
10.33 subdivision 2, paragraph (f).

11.1	<u>Subd. 3. 50-Year Clean Water Supply Plan</u>	-0-	<u>650,000</u>
11.2	<u>(a) For the Water Council to develop a plan</u>		
11.3	<u>to ensure that Minnesota has an abundant</u>		
11.4	<u>supply of clean water for the next 50 years.</u>		
11.5	<u>By December 1, 2023, the Water Council must</u>		
11.6	<u>submit the plan to the chairs and ranking</u>		
11.7	<u>minority members of the house of</u>		
11.8	<u>representatives and senate committees and</u>		
11.9	<u>divisions with jurisdiction over environment</u>		
11.10	<u>and natural resources. The plan must:</u>		
11.11	<u>(1) assess the current state of Minnesota's</u>		
11.12	<u>waters, both surface water and groundwater,</u>		
11.13	<u>throughout all geographic regions;</u>		
11.14	<u>(2) identify any gaps in data or information</u>		
11.15	<u>with respect to the quality and quantity of</u>		
11.16	<u>Minnesota's waters and provide</u>		
11.17	<u>recommendations to obtain any necessary data</u>		
11.18	<u>and information; and</u>		
11.19	<u>(3) identify opportunities for Minnesota to act</u>		
11.20	<u>proactively to ensure that Minnesota has an</u>		
11.21	<u>adequate supply of clean water for the next 50</u>		
11.22	<u>years.</u>		
11.23	<u>(b) This is a onetime appropriation.</u>		
11.24	<u>Subd. 4. Green Training Program Account</u>	-0-	<u>1,500,000</u>
11.25	<u>(a) For transfer to the green training program</u>		
11.26	<u>account in the special revenue fund under</u>		
11.27	<u>Minnesota Statutes, section 137.035,</u>		
11.28	<u>subdivision 1.</u>		
11.29	<u>(b) The base for this appropriation is</u>		
11.30	<u>\$1,394,000 in fiscal year 2024 and later.</u>		

12.1 Sec. 5. Laws 2021, First Special Session chapter 2, article 1, section 2, subdivision 36, is
 12.2 amended to read:

12.3 **Subd. 36. Fostering Independence Higher**
 12.4 **Education Grants** 238,000 3,759,000

12.5 (a) For grants to eligible students under
 12.6 Minnesota Statutes, section 136A.1241. Of
 12.7 this amount, \$238,000 in the first year is for
 12.8 administration costs. The base for fiscal year
 12.9 2024 and later is \$3,761,000.

12.10 (b) Beginning in fiscal year 2023, the
 12.11 commissioner of the Office of Higher
 12.12 Education may use no more than three percent
 12.13 of the appropriation to administer the grants
 12.14 under Minnesota Statutes, section 136A.1241.

12.15 **ARTICLE 2**

12.16 **POLICY**

12.17 Section 1. Minnesota Statutes 2021 Supplement, section 135A.137, subdivision 3, is
 12.18 amended to read:

12.19 **Subd. 3. Competitive grant.** (a) Institutions eligible for a grant under this subdivision
 12.20 include public postsecondary institutions, nonprofit private postsecondary institutions, and
 12.21 Tribal colleges.

12.22 (b) The commissioner shall establish a competitive grant program to distribute grants
 12.23 to eligible institutions to meet and maintain the requirements under subdivision 1, paragraph
 12.24 (a). Initial grants shall be made to institutions that have not earned the designation and
 12.25 demonstrate a need for funding to meet the hunger-free campus designation requirements.
 12.26 Sustaining grants shall be made to institutions that have earned the designation and
 12.27 demonstrate both a partnership with a local food bank or organization that provides regular,
 12.28 on-campus food distributions and a need for funds to maintain the requirements under
 12.29 subdivision 1, paragraph (a).

12.30 (c) The commissioner shall give preference to applications for initial grants and to
 12.31 applications from institutions with the highest number of federal Pell Grant eligible students
 12.32 enrolled. The commissioner shall consider the head count at the institution when awarding

13.1 grants. The maximum grant award for an initial institution designation is \$8,000. The
13.2 maximum grant award for sustaining an institution designation is \$5,000.

13.3 (d) The commissioner, in collaboration with student associations representing eligible
13.4 institutions, shall create an application process and establish selection criteria for awarding
13.5 the grants.

13.6 Sec. 2. Minnesota Statutes 2020, section 135A.15, is amended by adding a subdivision to
13.7 read:

13.8 Subd. 3a. **Affirmative consent.** (a) The policy required under subdivision 1 shall include
13.9 a provision that establishes an affirmative consent standard. An institution's affirmative
13.10 consent standard, at a minimum, must incorporate the following elements:

13.11 (1) all parties to sexual activity must affirmatively express their consent to the activity;

13.12 (2) affirmative consent is freely and affirmatively communicated words or actions given
13.13 by an individual that a reasonable person under the circumstances would believe communicate
13.14 a willingness to participate in the sexual activity;

13.15 (3) affirmative consent must be knowing and voluntary and not the result of force,
13.16 coercion, or intimidation;

13.17 (4) silence, lack of protest, or failure to resist, without active indications of consent, is
13.18 not consent;

13.19 (5) consent to any one form of sexual activity does not by itself imply consent to any
13.20 other forms of sexual activity;

13.21 (6) consent may be withdrawn at any time;

13.22 (7) a previous relationship or prior consent does not by itself imply consent to future
13.23 sexual acts; and

13.24 (8) a person is deemed incapable of consenting when that person is:

13.25 (i) unable to communicate or understand the nature or extent of a sexual situation due
13.26 to mental or physical incapacitation or impairment; or

13.27 (ii) physically helpless, either due to the effects of drugs or alcohol, or because the person
13.28 is asleep.

13.29 (b) The affirmative consent standard must at least incorporate all elements of consent
13.30 as defined in section 609.341, but is not limited to the standard of consent as defined in that
13.31 section.

14.1 Sec. 3. Minnesota Statutes 2020, section 135A.15, subdivision 8, is amended to read:

14.2 Subd. 8. **Comprehensive training.** (a) A postsecondary institution must provide campus
14.3 security officers and campus administrators responsible for investigating or adjudicating
14.4 complaints of sexual assault with comprehensive training on preventing and responding to
14.5 sexual assault in collaboration with the Bureau of Criminal Apprehension or another law
14.6 enforcement agency with expertise in criminal sexual conduct. The training for campus
14.7 security officers shall include a presentation on the dynamics of sexual assault,
14.8 neurobiological responses to trauma, and best practices for preventing, responding to, and
14.9 investigating sexual assault. The training for campus administrators responsible for
14.10 investigating or adjudicating complaints on sexual assault shall include presentations on
14.11 preventing sexual assault, responding to incidents of sexual assault, the dynamics of sexual
14.12 assault, neurobiological responses to trauma, and compliance with state and federal laws
14.13 on sexual assault.

14.14 (b) The following categories of students who attend, or will attend, one or more courses
14.15 on campus or will participate in on-campus activities must be provided sexual assault
14.16 training:

14.17 (1) students pursuing a degree or certificate;

14.18 (2) students who are taking courses through the Postsecondary Enrollment Options Act;
14.19 and

14.20 (3) any other categories of students determined by the institution.

14.21 Students must complete such training no later than ten business days after the start of a
14.22 student's first semester of classes. Once a student completes the training, institutions must
14.23 document the student's completion of the training and provide proof of training completion
14.24 to a student at the student's request. Students enrolled at more than one institution within
14.25 the same system at the same time are only required to complete the training once.

14.26 The training shall include information about topics including but not limited to sexual
14.27 assault as defined in subdivision 1a; consent as defined in section 609.341, subdivision 4;
14.28 the affirmative consent standard defined in subdivision 3a; preventing and reducing the
14.29 prevalence of sexual assault; procedures for reporting campus sexual assault; and campus
14.30 resources on sexual assault, including organizations that support victims of sexual assault.

14.31 (c) A postsecondary institution shall annually train individuals responsible for responding
14.32 to reports of sexual assault. This training shall include information about best practices for

15.1 interacting with victims of sexual assault, including how to reduce the emotional distress
15.2 resulting from the reporting, investigatory, and disciplinary process.

15.3 **Sec. 4. [135A.161] INCLUSIVE HIGHER EDUCATION TECHNICAL ASSISTANCE**
15.4 **CENTER.**

15.5 **Subdivision 1. Definitions.** (a) For purposes of this section and section 135A.162, the
15.6 following terms have the meanings given.

15.7 (b) "Center" means the Inclusive Higher Education Technical Assistance Center.

15.8 (c) "Commissioner" means the commissioner of the Office of Higher Education.

15.9 (d) "Comprehensive transition and postsecondary program for students with intellectual
15.10 disabilities" means a degree, certificate, or nondegree program that is offered by an institute
15.11 of higher education for students with intellectual disabilities and approved by the United
15.12 States Department of Education.

15.13 (e) "Director" means the director of the Inclusive Higher Education Technical Assistance
15.14 Center.

15.15 (f) "Inclusive higher education" means institution-approved access to higher education
15.16 for students with an intellectual disability that allows for the same rights, privileges,
15.17 experiences, benefits, and outcomes that result from a college experience the same as a
15.18 matriculating student, resulting in a meaningful credential conferred by the institution of
15.19 higher education. Inclusive higher education includes:

15.20 (1) academic access and inclusive instruction;

15.21 (2) person-centered planning;

15.22 (3) career development;

15.23 (4) campus engagement;

15.24 (5) self-determination;

15.25 (6) paid internships and employment;

15.26 (7) on- or off-campus living, when available to other students;

15.27 (8) campus community clubs, events, and activity participation;

15.28 (9) peer mentors and support; and

15.29 (10) a degree, certificate, or nondegree credential.

16.1 (g) "National Coordinating Center" means the federally funded National Coordinating
16.2 Center providing support, coordination, training, and evaluation services for Transition and
16.3 Postsecondary Education Programs for Students with Intellectual Disabilities and other
16.4 inclusive higher education initiatives for students with intellectual disability nationwide.

16.5 (h) "Office" means the Office of Higher Education.

16.6 (i) "Student with an intellectual disability" means a student with an intellectual disability
16.7 as defined in Code of Federal Regulations, title 34, section 668.231.

16.8 Subd. 2. **Establishment.** The commissioner must contract with the Institute on
16.9 Community Integration at the University of Minnesota to establish the Inclusive Higher
16.10 Education Technical Assistance Center. The purpose of the center is to increase access to
16.11 self-sustaining postsecondary education options across Minnesota for students with an
16.12 intellectual disability to earn meaningful credentials through degree, certificate, and
16.13 nondegree initiatives leading to competitive integrated employment, genuine community
16.14 membership, and more independent living. The center must:

16.15 (1) coordinate and facilitate the statewide initiative to expand and enhance inclusive
16.16 higher education opportunities;

16.17 (2) provide expertise in inclusive higher education for students with an intellectual
16.18 disability;

16.19 (3) provide technical assistance:

16.20 (i) to Minnesota institutions of higher education;

16.21 (ii) to local education agencies; and

16.22 (iii) as requested by the commissioner; and

16.23 (4) provide information to students with intellectual disabilities and their families.

16.24 Subd. 3. **Director; advisory committee.** (a) The center must name a director.

16.25 (b) The director must appoint an advisory committee and seek the committee's review
16.26 and recommendations on broad programmatic direction. The advisory committee must be
16.27 composed of 50 percent students with an intellectual disability. The remaining positions
16.28 must be filled by family members, key stakeholders, and allies. The director must convene
16.29 the advisory committee at least quarterly. The advisory committee shall:

16.30 (1) review and recommend inclusive higher education offerings;

16.31 (2) review and recommend updates to state policy and practice;

17.1 (3) document existing and potential funding sources; and

17.2 (4) identify obstacles and barriers to students with an intellectual disability to access
17.3 inclusive higher education opportunities.

17.4 Subd. 4. **Responsibilities.** (a) The center must advise all Minnesota institutions of higher
17.5 education planning or that have an inclusive higher education initiative to follow and maintain
17.6 the accreditation standards and guiding principles for inclusive higher education as
17.7 established by the National Coordinating Center, as identified in the United States Code,
17.8 title 20, section 1140q. The center must offer technical assistance to Minnesota inclusive
17.9 higher education initiatives to remain in or achieve alignment with federal requirements
17.10 and with the standards, quality indicators, and benchmarks identified by the National
17.11 Coordinating Center.

17.12 (b) The center must monitor federal and state law related to inclusive higher education
17.13 and notify the governor, the legislature, and the Office of Higher Education of any change
17.14 in law which may impact inclusive higher education.

17.15 (c) The center must provide technical assistance to institutions of higher education,
17.16 administrators, faculty, and staff by:

17.17 (1) offering institution faculty and staff training and professional development to start,
17.18 operate, or enhance their inclusive higher education initiative;

17.19 (2) providing faculty and staff with information, training, and consultation on the
17.20 comprehensive transition and postsecondary program requirements, accreditation standards,
17.21 and guiding principles;

17.22 (3) organizing and offering learning community events, an annual inclusive higher
17.23 education conference and community of practice events to share best practices, provide
17.24 access to national experts, and address challenges and concerns;

17.25 (4) assisting institutions of higher education with identifying existing or potential funding
17.26 sources for the institution of higher education, student financial aid, and funding for students
17.27 with an intellectual disability; and

17.28 (5) advising faculty and staff with an inclusive higher education option of specific grant
17.29 applications and funding opportunities.

17.30 (d) The center must disseminate information to students with an intellectual disability,
17.31 their parents, and local education agencies, including but not limited to information about:

18.1 (1) postsecondary education options, services, and resources that are available at inclusive
18.2 institutions of higher education;

18.3 (2) technical assistance and training provided by the center, the National Coordinating
18.4 Center, and key stakeholder organizations and agencies; and

18.5 (3) mentoring, networking, and employment opportunities.

18.6 **Sec. 5. [135A.162] INCLUSIVE HIGHER EDUCATION GRANTS.**

18.7 Subdivision 1. **Establishment.** (a) The commissioner of the Office of Higher Education
18.8 in collaboration with the director of the Inclusive Higher Education Technical Assistance
18.9 Center must establish a competitive grant program for Minnesota institutions of higher
18.10 education to develop new or enhance existing inclusive higher education initiatives to enroll
18.11 or increase enrollment of students with an intellectual disability. The commissioner and
18.12 director must collaborate to establish the grant program framework, including:

18.13 (1) minimum grant requirements;

18.14 (2) application format;

18.15 (3) criteria for evaluating applications;

18.16 (4) grant selection process;

18.17 (5) milestones and accountability; and

18.18 (6) reporting.

18.19 (b) The commissioner must send a description of the competitive grants, including
18.20 materials describing the grant purpose and goals, an application, compliance requirements,
18.21 and available funding to each institution of higher education that meets the requirements
18.22 of subdivision 2, clauses (1) and (2).

18.23 Subd. 2. **Eligible grantees.** A public postsecondary two-year or four-year institution is
18.24 eligible to apply for a grant under this section if the institution:

18.25 (1) is accredited by the Higher Learning Commission; and

18.26 (2) meets the eligibility requirements under section 136A.103.

18.27 Subd. 3. **Application.** (a) Applications must be made to the commissioner on a form
18.28 developed and provided by the commissioner. The commissioner must, to the greatest extent
18.29 possible, make the application form as short and simple to complete as is reasonably possible.
18.30 The commissioner must establish a schedule for applications and grants. The application

19.1 must include without limitation a written plan to develop or enhance a sustainable inclusive
19.2 higher education initiative that:

19.3 (1) offers the necessary supports to students with an intellectual disability to access the
19.4 same rights, privileges, experiences, benefits, and outcomes of a typically matriculating
19.5 student;

19.6 (2) includes the development of a meaningful credential for students with an intellectual
19.7 disability to attain upon successful completion of the student's postsecondary education;

19.8 (3) adopts admission standards that do not require a student with an intellectual disability
19.9 to complete a curriculum-based, achievement college entrance exam that is administered
19.10 nationwide;

19.11 (4) ensures that students with an intellectual disability:

19.12 (i) have access and choice in a wide array of academic courses to enroll in for credit or
19.13 audit that align with the student's interest areas and are attended by students without
19.14 disabilities;

19.15 (ii) have the option to live on or off campus in housing that is available to typically
19.16 matriculating students;

19.17 (iii) have access and support for genuine membership in campus life, including events,
19.18 social activities and organizations, institution facilities, and technology; and

19.19 (iv) are able to access and utilize campus resources available to typical matriculating
19.20 students;

19.21 (5) provides students with an intellectual disability with the supports and experiences
19.22 necessary to seek and sustain competitive integrated employment;

19.23 (6) develops and promotes the self-determination skills of students with an intellectual
19.24 disability;

19.25 (7) utilizes peer mentors who support enrolled students with an intellectual disability in
19.26 academic, campus engagement, residence life, employment, and campus clubs and
19.27 organizations;

19.28 (8) provides professional development and resources for university professors and
19.29 instructors to utilize universal design for learning and differentiated instruction that supports
19.30 and benefits all students; and

20.1 (9) presents a ten-year plan including student enrollment projections for sustainability
20.2 of an initiative that is financially accessible and equitable for all interested students with an
20.3 intellectual disability.

20.4 (b) Eligible institutions of higher education may apply for funding in subsequent years
20.5 for up to a total of ten years of funding.

20.6 Subd. 4. **Grant account.** An inclusive higher education grant account is created in the
20.7 special revenue fund for depositing money appropriated to or received by the commissioner
20.8 for the program. Money deposited in the account is appropriated to the commissioner, does
20.9 not cancel, and is continuously available for grants under this section. The commissioner
20.10 may use up to five percent of the amount deposited into the account for the administration
20.11 of this section.

20.12 Subd. 5. **Grant awards.** (a) The commissioner must award grants to eligible institutions
20.13 of higher education on a competitive basis using criteria established in collaboration with
20.14 the center. The commissioner must consider and prioritize applicants that have submitted
20.15 for or received a comprehensive transition and postsecondary program designation, or
20.16 applicants with documented progress or intent toward submitting for federal approval. An
20.17 eligible institution of higher education may apply annually for and receive up to \$200,000
20.18 per year for four years and \$100,000 in subsequent years pending performance and the
20.19 funding limitation in subdivision 3, paragraph (b).

20.20 (b) A grant recipient must:

20.21 (1) adopt the inclusive higher education national accreditation standards and guiding
20.22 principles as established by the National Coordinating Center;

20.23 (2) provide a 25 percent match for the grant funds, either monetary or in-kind; and

20.24 (3) collaborate with the Office of Higher Education, the center, and key stakeholders in
20.25 the development of the inclusive higher education initiative.

20.26 Subd. 6. **Grantee reporting.** By August 1 and January 1 following a fiscal year in which
20.27 a grant was received and for five years thereafter, the grantee must submit a report to the
20.28 director that includes the status and outcomes of the initiative funded. The report must
20.29 include performance indicators and information deemed relevant by the director and
20.30 commissioner. The report must include the following performance indicators:

20.31 (1) student recruitment and number of students enrolled;

20.32 (2) student retainment effort and retention rate;

21.1 (3) initiative goals and outcomes;

21.2 (4) student attainment rate;

21.3 (5) graduated student employment rates and salary levels at year one and year five after
21.4 completion; and

21.5 (6) additional performance indicators or information established under subdivision 1,
21.6 paragraph (a), clauses (5) and (6).

21.7 Subd. 7. **Reporting.** The director must evaluate the development and implementation
21.8 of the Minnesota inclusive higher education initiatives receiving a grant under this section.
21.9 The director must submit an annual report by October 1 on the progress to expand Minnesota
21.10 inclusive higher education options for students with intellectual disabilities to the
21.11 commissioner and chairs and ranking minority members of the legislative committees with
21.12 jurisdiction over higher education policy and finance. The report must include statutory and
21.13 budget recommendations.

21.14 **EFFECTIVE DATE.** This section is effective June 30, 2022, except that the reporting
21.15 requirements under subdivision 7 are effective June 30, 2023.

21.16 **Sec. 6. [136A.0205] FREE COLLEGE GRANTS.**

21.17 Subdivision 1. **Program established.** The commissioner shall establish a free college
21.18 grant program to pay for the remaining financial needs of students attending state colleges.

21.19 Subd. 2. **Eligibility.** A student is eligible for a free college grant if the student:

21.20 (1) is eligible to receive a state grant award under section 136A.121; and

21.21 (2) is enrolled at a two-year institution within the Minnesota State Colleges and
21.22 Universities system.

21.23 Subd. 3. **Award amounts.** (a) The amount of the free college grant is equal to:

21.24 (1) the eligible student's allowance for tuition and fees under section 136A.121,
21.25 subdivision 6, after deducting:

21.26 (i) the amount of a federal Pell Grant award for which the student is eligible;

21.27 (ii) the amount of the state grant;

21.28 (iii) the amount of any other state or federal gift aid received;

21.29 (iv) the sum of all institutional grants, scholarships, tuition waivers, and tuition remission
21.30 amounts; and

- 22.1 (v) the sum of all Tribal or private grants or scholarships;
- 22.2 (2) multiplied by:
- 22.3 (i) 100 percent if the student reports a family adjusted gross income less than \$75,000;
- 22.4 (ii) 95 percent if the student reports a family adjusted gross income greater than or equal
- 22.5 to \$75,000 and less than \$80,000;
- 22.6 (iii) 90 percent if the student reports a family adjusted gross income greater than or equal
- 22.7 to \$80,000 and less than \$85,000;
- 22.8 (iv) 85 percent if the student reports a family adjusted gross income greater than or equal
- 22.9 to \$85,000 and less than \$90,000;
- 22.10 (v) 80 percent if the student reports a family adjusted gross income greater than or equal
- 22.11 to \$90,000 and less than \$95,000;
- 22.12 (vi) 75 percent if the student reports a family adjusted gross income greater than or equal
- 22.13 to \$95,000 and less than \$100,000;
- 22.14 (vii) 70 percent if the student reports a family adjusted gross income greater than or
- 22.15 equal to \$100,000 and less than \$105,000;
- 22.16 (viii) 65 percent if the student reports a family adjusted gross income greater than or
- 22.17 equal to \$105,000 and less than \$110,000;
- 22.18 (ix) 60 percent if the student reports a family adjusted gross income greater than or equal
- 22.19 to \$110,000 and less than \$115,000;
- 22.20 (x) 55 percent if the student reports a family adjusted gross income greater than or equal
- 22.21 to \$115,000 and less than \$120,000;
- 22.22 (xi) 50 percent if the student reports a family adjusted gross income greater than or equal
- 22.23 to \$120,000 and less than \$125,000; and
- 22.24 (xii) 0 percent if the student reports a family adjusted gross income greater than or equal
- 22.25 to \$125,000.
- 22.26 (b) Eligible students are encouraged to apply for all other sources of financial aid.
- 22.27 Subd. 4. **Administration.** The commissioner shall administer the free college grant
- 22.28 program consistent with the state grant program under section 136A.121. Any provisions
- 22.29 of section 136A.121 that do not conflict with this section apply to the free college grant
- 22.30 program.

23.1 Subd. 5. Report. The commissioner shall include spending projections for the free
 23.2 college grant program in the report required under section 136A.121, subdivision 19.

23.3 EFFECTIVE DATE. This section is effective the day following final enactment. The
 23.4 commissioner shall begin offering grants under this section in the 2023-2024 academic
 23.5 year.

23.6 Sec. 7. Minnesota Statutes 2020, section 136A.121, subdivision 5, is amended to read:

23.7 Subd. 5. **Grant stipends.** The grant stipend shall be based on a sharing of responsibility
 23.8 for covering the recognized cost of attendance by the applicant, the applicant's family, and
 23.9 the government. The amount of a financial stipend must not exceed a grant applicant's
 23.10 recognized cost of attendance, as defined in subdivision 6, after deducting the following:

23.11 (1) the assigned student responsibility of at least ~~50~~48 percent of the cost of attending
 23.12 the institution of the applicant's choosing;

23.13 (2) the assigned family responsibility as defined in section 136A.101; and

23.14 (3) the amount of a federal Pell grant award for which the grant applicant is eligible.

23.15 The minimum financial stipend is \$100 per academic year.

23.16 Sec. 8. [136A.1251] STUDENT-PARENT SUPPORT INITIATIVE.

23.17 Subdivision 1. Grants. (a) To address the needs and support the educational goals of
 23.18 expectant and parenting college students across Minnesota, the commissioner shall award
 23.19 grants and provide support services to institutions and partnering entities that assist parents
 23.20 of young children and expectant parents. Grants shall be awarded to postsecondary
 23.21 institutions, professional organizations, community-based organizations, or other applicants
 23.22 deemed appropriate by the commissioner. Grants must be used to offer services to support
 23.23 the academic goals, health, and well-being of student parents. Services and costs eligible
 23.24 for grant funding include but are not limited to:

23.25 (1) program development costs;

23.26 (2) costs related to the start-up of on-campus child care;

23.27 (3) evaluation and data collection; and

23.28 (4) direct assistance to student parents including:

23.29 (i) scholarships;

23.30 (ii) basic needs support; and

24.1 (iii) expenses related to child care.

24.2 (b) Postsecondary institutions may act as the fiscal agents in partnership with a local
24.3 nongovernmental agency, child care center, or other organization that serves student parents.

24.4 Subd. 2. **Application process.** The commissioner shall develop a grant application
24.5 process. The commissioner shall support projects in a manner that attempts to ensure eligible
24.6 students throughout the state have access to program services.

24.7 Subd. 3. **Health-related supports.** The commissioner, in partnership with the Department
24.8 of Health, shall provide health-related supports. Activities for health-related supports include:

24.9 (1) ensuring programs, services, and materials are medically accurate, age appropriate,
24.10 culturally and linguistically appropriate, and inclusive of all populations;

24.11 (2) working with community health care providers and other service support organizations
24.12 that serve the target population for this program; and

24.13 (3) providing technical assistance and training for institutional parent support center
24.14 staff on how to conduct screenings and referrals for the health concerns of student parents,
24.15 including alcohol misuse, substance use disorders, depression, anxiety, intimate partner
24.16 violence, tobacco and nicotine, and other health concerns.

24.17 Subd. 4. **Report and evaluation.** By August 1 of each odd-numbered year, the
24.18 commissioner shall submit a report to the chairs and ranking minority members of the
24.19 legislative committees with jurisdiction over higher education finance regarding the grant
24.20 recipients and their activities. The report shall include information about the students served,
24.21 the organizations providing services, program activities, program goals, and outcomes.

24.22 Sec. 9. Minnesota Statutes 2021 Supplement, section 136A.126, subdivision 1, is amended
24.23 to read:

24.24 Subdivision 1. **Student eligibility.** The commissioner shall establish procedures for the
24.25 distribution of scholarships to a Minnesota resident student as defined under section
24.26 136A.101, subdivision 8, who:

24.27 (1) is of one-fourth or more Indian ancestry or is an enrolled member or citizen of a
24.28 federally recognized American Indian or Canadian First Nations tribe;

24.29 (2) has applied for other existing state and federal scholarship and grant programs;

24.30 (3) is meeting satisfactory academic progress as defined under section 136A.101,
24.31 subdivision 10;

25.1 (4) is not in default, as defined by the office, of a federal or state student educational
25.2 loan;

25.3 (5) if enrolled in an undergraduate program, ~~is eligible or would be eligible to receive~~
25.4 ~~a federal Pell Grant or a state grant based on the federal needs analysis~~ and is enrolled for
25.5 nine semester credits per term or more, or the equivalent; and

25.6 (6) if enrolled in a graduate program, demonstrates a remaining financial need in the
25.7 award amount calculation and is enrolled, per term, on a half-time basis or more as defined
25.8 by the postsecondary institution.

25.9 Sec. 10. Minnesota Statutes 2021 Supplement, section 136A.126, subdivision 4, is amended
25.10 to read:

25.11 Subd. 4. **Award amount.** (a) Each student shall be awarded a scholarship based on the
25.12 federal need analysis. Applicants are encouraged to apply for all other sources of financial
25.13 aid. The amount of the award must not exceed the applicant's cost of attendance, as defined
25.14 in subdivision 3, after deducting:

25.15 (1) the expected family contribution as calculated by the federal need analysis;

25.16 (2) the amount of a federal Pell Grant award for which the applicant is eligible;

25.17 (3) the amount of the state grant;

25.18 (4) the federal Supplemental Educational Opportunity Grant;

25.19 (5) the sum of all institutional grants, scholarships, tuition waivers, and tuition remission
25.20 amounts;

25.21 (6) the sum of all Tribal scholarships;

25.22 (7) the amount of any other state and federal gift aid; and

25.23 (8) the amount of any private grants or scholarships.

25.24 (b) The award shall be paid directly to the postsecondary institution where the student
25.25 receives federal financial aid.

25.26 (c) Awards are limited as follows:

25.27 (1) the maximum award for an undergraduate is ~~\$4,000~~ \$8,000 per academic year;

25.28 (2) the maximum award for a graduate student is ~~\$6,000~~ \$8,000 per academic year; and

25.29 (3) the minimum award for all students is \$100 per academic year.

26.1 (d) Scholarships may not be given to any Indian student for more than three years of
26.2 study for a two-year degree, certificate, or diploma program or five years of study for a
26.3 four-year degree program at the undergraduate level and for more than five years at the
26.4 graduate level. Students may acquire only one degree per level and one terminal graduate
26.5 degree. Scholarships may not be given to any student for more than ten years including five
26.6 years of undergraduate study and five years of graduate study.

26.7 (e) Scholarships may be given to an eligible student for four quarters, three semesters,
26.8 or the equivalent during the course of a single fiscal year. In calculating the award amount,
26.9 the office must use the same calculation it would for any other term.

26.10 Sec. 11. Minnesota Statutes 2021 Supplement, section 136A.1791, subdivision 5, is
26.11 amended to read:

26.12 Subd. 5. **Amount of loan repayment.** (a) To the extent funding is available, the annual
26.13 amount of teacher shortage loan repayment for an approved applicant shall not exceed
26.14 ~~\$1,000~~ \$2,000 or the cumulative balance of the applicant's qualified educational loans,
26.15 including principal and interest, whichever amount is less.

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

26.20 (c) No teacher shall receive more than five annual awards.

26.21 Sec. 12. Minnesota Statutes 2021 Supplement, section 136F.20, subdivision 4, is amended
26.22 to read:

26.23 Subd. 4. **Mental health awareness program.** (a) The board shall implement a mental
26.24 health awareness program at each Minnesota state college and university by the start of the
26.25 2022-2023 academic year. A mental health awareness program shall include:

26.26 (1) a web page at each institution that includes links to existing self-assessment resources,
26.27 resources connecting students to campus and community-based resources, and emergency
26.28 contact information and resources;

26.29 (2) mandatory mental health first aid training, evidence-based suicide prevention training,
26.30 or other similar mental health training for faculty, staff, and students, giving priority to those
26.31 who serve in roles that include increased direct contact with students who are experiencing
26.32 mental health concerns, such as student housing and campus safety employees. Each college

27.1 and university shall identify the appropriate faculty, staff, and students to receive training
27.2 based on college or university structure and available funding;

27.3 (3) a session at each student orientation program that includes information about
27.4 maintaining good mental health, the symptoms of mental health conditions common among
27.5 college students, and mental health resources and services available to students;

27.6 (4) a messaging strategy to send students information on available mental health resources
27.7 and services at least once per term, and during periods of high academic stress; and

27.8 (5) distributing the suicide prevention helpline and text line contact information in a
27.9 way that increases accessibility and awareness of that information to students.

27.10 (b) The board shall create and maintain a mental health community of practice including
27.11 faculty and staff with subject matter expertise in mental health to identify resources and
27.12 best practices to inform campus-based strategies to raise awareness of local and state
27.13 resources and implement appropriate training experiences.

27.14 (c) The board shall make grants to Minnesota State Colleges and Universities to establish
27.15 a peer support pilot program designed to assist students with a mental health condition. The
27.16 program shall utilize student peers to support students living with mental health conditions
27.17 on campus. The peer support program may be housed within the counseling center, wellness
27.18 center, or resident assistance programs on campus. The peer support program leaders must
27.19 be trained to facilitate discussions on mental health, identify students who may be in crisis,
27.20 and refer students to programs for mental health support.

27.21 (d) The board shall pursue additional centralized mental health resources, training
27.22 opportunities, and support that will enhance student mental health capacity on college and
27.23 university campuses and in local communities.

27.24 Sec. 13. Minnesota Statutes 2021 Supplement, section 136F.202, subdivision 1, is amended
27.25 to read:

27.26 Subdivision 1. **Basic needs resources.** (a) Each college and university shall create and
27.27 maintain a web page that clearly identifies basic needs resources available at the college or
27.28 university. This web page shall clearly identify at least one staff member, faculty member,
27.29 or department as a point of contact to whom students may direct questions. Each college
27.30 and university shall also make the information under this paragraph available on the college
27.31 or university mobile application, if possible.

27.32 (b) The board shall pursue the creation of a centralized basic needs online resource web
27.33 page that will raise awareness of campus-based resources available at colleges and

28.1 universities and local, state, and national resources that can assist in addressing basic needs
28.2 insecurity.

28.3 (c) The board shall pursue additional centralized basic needs resources, training
28.4 opportunities, and support that will enhance student basic needs capacity on college and
28.5 university campuses and in local communities.

28.6 Sec. 14. Minnesota Statutes 2020, section 137.023, is amended to read:

28.7 **137.023 UNIVERSITY STUDENT ON BOARD OF REGENTS SEATS ASSIGNED.**

28.8 Subdivision 1. Seats assigned. (a) In electing members of the Board of Regents pursuant
28.9 to article 13, section 3, of the Constitution of the state of Minnesota, and Territorial Laws
28.10 1851, chapter 3, section 5⁵:

28.11 (1) one member of the ~~Board of Regents of the university~~ board shall be a person who
28.12 at the time of election to the board is a student who is enrolled in a degree program at the
28.13 university;

28.14 (2) one member of the board must be a person who at the time of election to the board
28.15 is a tenured faculty member of the university; and

28.16 (3) one member of the board must represent a university employee organization, as
28.17 defined by section 179A.03, subdivision 6.

28.18 (b) ~~This person~~ Persons elected under paragraph (a) shall represent the state at large.
28.19 Upon expiration of the term or in the event of a vacancy in the office, ~~one position~~ the seats
28.20 assigned in paragraph (a) shall be filled by a person having the same qualifications.

28.21 Subd. 2. American Indian regent. At least one member of the Board of Regents shall
28.22 be an enrolled member of a federally recognized Indian Tribe within the state of Minnesota.

28.23 EFFECTIVE DATE. This section is effective the day following final enactment. The
28.24 first at-large position to be elected following enactment of this section shall be assigned to
28.25 a tenured faculty member, and the next at-large position to be elected shall be assigned to
28.26 a representative of a university employee organization.

28.27 Sec. 15. Minnesota Statutes 2020, section 137.024, is amended to read:

28.28 **137.024 CONGRESSIONAL DISTRICTS REPRESENTED ON BOARD OF**
28.29 **REGENTS.**

28.30 (a) At least one member of the Board of Regents of the university shall be a resident of
28.31 each congressional district.

29.1 (b) If legislative redistricting changes the boundaries of the state's congressional districts,
 29.2 sitting regents representing specific congressional districts may fulfill their elected terms
 29.3 on the Board of Regents. When a seat designated for a congressional district first becomes
 29.4 vacant after redistricting, the legislature shall apply current district boundaries in order to
 29.5 comply with paragraph (a).

29.6 (c) If, due to congressional apportionment, the state loses a congressional district, the
 29.7 regent seat designated for that district shall represent the state at large. If the state gains a
 29.8 congressional district, the next vacant at-large seat that is not reserved pursuant to section
 29.9 137.023 must be assigned to the new district.

29.10 **Sec. 16. [137.0242] TERM LIMITS FOR UNIVERSITY REGENTS.**

29.11 The legislature shall not elect a person to the Board of Regents of the university more
 29.12 than twice.

29.13 Sec. 17. Minnesota Statutes 2020, section 137.0245, subdivision 2, is amended to read:

29.14 Subd. 2. **Membership.** (a) The Regent Candidate Advisory Council shall consist of 24
 29.15 25 members.

29.16 ~~Twelve~~ (b) Five members shall be appointed by the Subcommittee on Committees of
 29.17 the Committee on Rules and Administration of the senate. ~~Twelve~~ Five members shall be
 29.18 appointed by the speaker of the house. ~~Each appointing authority must appoint one member~~
 29.19 ~~who is a student enrolled in a degree program at the University of Minnesota at the time of~~
 29.20 ~~appointment.~~ No more than one-third of the members appointed by each appointing authority
 29.21 may be current or former legislators. No more than two-thirds of the members appointed
 29.22 by each appointing authority may belong to the same political party; however, political
 29.23 activity or affiliation is not required for the appointment of any member. Geographical
 29.24 representation must be taken into consideration when making appointments.

29.25 (c) Additional members of the council shall include:

29.26 (1) one current faculty member from each of the five University of Minnesota system
 29.27 campuses, each of whom shall be appointed by the faculty senate of that faculty member's
 29.28 campus, or, if no campus-specific faculty senate exists, by the university system's faculty
 29.29 senate;

29.30 (2) the student body president of each of the five University of Minnesota system
 29.31 campuses, or designees thereof; and

29.32 (3) one designee from each of the following entities:

30.1 (i) the Indian Affairs Council;

30.2 (ii) the Minnesota Council on Latino Affairs;

30.3 (iii) the Council for Minnesotans of African Heritage;

30.4 (iv) the Council on Asian-Pacific Minnesotans; and

30.5 (v) the Council on Disability.

30.6 (d) Section 15.0575 shall govern the advisory council, except that:

30.7 ~~(1) the members shall be appointed to six-year terms with one-third appointed each~~

30.8 ~~even-numbered year; and~~

30.9 ~~(2) student members are appointed to two-year terms with two students appointed each~~

30.10 ~~even-numbered year.~~

30.11 (e) A member may not serve more than two full terms.

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

30.13 September 1, 2022, the house and senate shall appoint one member to a term that expires

30.14 January 2024, two members to terms that expire January 2026, and two members to full

30.15 terms that expire January 2028. Members of the Regent Candidate Advisory Council at the

30.16 time of enactment may be reappointed, but remain subject to the two-term limit imposed

30.17 by this section.

30.18 Sec. 18. Minnesota Statutes 2020, section 137.0245, subdivision 3, is amended to read:

30.19 Subd. 3. **Duties.** (a) The advisory council shall:

30.20 (1) develop, in consultation with current and former regents and the administration of

30.21 the University of Minnesota, a statement of the selection criteria to be applied and a

30.22 description of the responsibilities and duties of a regent, and shall distribute this to potential

30.23 candidates; and

30.24 (2) for each position on the board, identify and recruit qualified candidates for the Board

30.25 of Regents, based on the background and experience of the candidates, their potential for

30.26 discharging the responsibilities of a member of the Board of Regents, and the needs of the

30.27 board. ~~The selection criteria must not include a limitation on the number of terms an~~

30.28 ~~individual may serve on the Board of Regents.~~

30.29 (b) The selection criteria developed under paragraph (a), clause (1), must include a

30.30 criterion that regents represent diversity in geography; gender; race; occupation, including

30.31 business and labor; and experience.

31.1 (c) The selection criterion must include an identification of the membership needs of
31.2 the board for individual skills relevant to the governance of the University of Minnesota
31.3 and the needs for certain individual characteristics. Individual characteristics relate to
31.4 qualities such as gender, race, and geographic location of residence.

31.5 Sec. 19. Minnesota Statutes 2020, section 137.0246, is amended to read:

31.6 **137.0246 REGENT NOMINATION AND ELECTION.**

31.7 Subd. 2. **Regent nomination joint committee.** (a) The joint legislative committee
31.8 consists of the members of the higher education budget and policy divisions in each house
31.9 of the legislature. The chairs of the divisions from each body shall be cochairs of the joint
31.10 legislative committee. A majority of the members from each house is a quorum of the joint
31.11 committee.

31.12 (b) By February 28 of each odd-numbered year, or at a date agreed to by concurrent
31.13 resolution, the joint legislative committee shall meet to consider the advisory council's
31.14 recommendations for regent of the University of Minnesota for possible presentation to a
31.15 joint convention of the legislature.

31.16 (c) The joint committee may recommend to the joint convention candidates recommended
31.17 by the advisory council and the other candidates nominated by the joint committee. A
31.18 candidate other than those recommended by the advisory council may be nominated for
31.19 consideration by the joint committee only if the nomination receives the support of at least
31.20 three house of representatives members of the committee and two senate members of the
31.21 committee. A candidate must receive a majority vote of members from the house of
31.22 representatives and from the senate on the joint committee to be recommended to the joint
31.23 convention. The joint committee ~~may~~ must recommend ~~no more than one candidate~~ two
31.24 candidates for each vacancy. In recommending nominees, the joint committee must consider
31.25 the needs of the board of regents and the balance of the board membership with respect to
31.26 gender, racial, and ethnic composition.

31.27 Subd. 3. **Joint convention to elect regents.** At the joint convention of the senate and
31.28 house of representatives called to elect regents, the joint committee shall report the names
31.29 of the persons recommended for each vacancy. These persons are considered to be nominated.
31.30 No additional nominations may be submitted.

31.31 Subd. 4. **Joint rules must conform to this section.** The joint rules of the senate and
31.32 house of representatives must be amended to conform to the requirements of this section.

32.1 Sec. 20. [137.035] GREEN TRAINING PROGRAM.

32.2 Subdivision 1. Account established. (a) A green training program account is established
32.3 in the special revenue fund. Money in the account is appropriated to the Board of Regents
32.4 to administer the green training program in accordance with this section. Appropriations to
32.5 the board for the program are for transfer to the account. Appropriations from the account
32.6 do not cancel and are available until expended.

32.7 (b) If the Board of Regents does not establish the committee as requested in subdivision
32.8 2, all unencumbered balances in the account shall cancel back to the general fund at the end
32.9 of the fiscal year.

32.10 Subd. 2. Committee established. (a) The Board of Regents is requested to establish a
32.11 green training program committee to administer funds in the program account and to appoint
32.12 members to the committee. At least 50 percent of the committee's members must represent
32.13 and be appointed by labor organizations for frontline service workers at the university.
32.14 Frontline service workers include those in the following job categories:

32.15 (1) food service worker and senior food service worker;

32.16 (2) cashier/food aide, junior cashier/food aide, and senior cashier/food aide;

32.17 (3) cook;

32.18 (4) baker;

32.19 (5) attendant and senior attendant;

32.20 (6) stores specialist;

32.21 (7) delivery service driver;

32.22 (8) laborer and senior laborer;

32.23 (9) waste treatment attendant;

32.24 (10) building and grounds worker and senior building and grounds worker;

32.25 (11) athletic grounds worker;

32.26 (12) packer helper;

32.27 (13) maintenance equipment operator and senior maintenance equipment operator;

32.28 (14) heavy equipment operator;

32.29 (15) farm equipment operator;

32.30 (16) mechanic 1, 2, and 3;

- 33.1 (17) copy center equipment operator and lead copy center operator;
- 33.2 (18) intercollegiate athletic equipment worker;
- 33.3 (19) farm animal attendant;
- 33.4 (20) gardener and senior gardener;
- 33.5 (21) assistant gardener;
- 33.6 (22) laboratory attendant and senior laboratory attendant;
- 33.7 (23) laboratory animal attendant;
- 33.8 (24) utility worker and senior utility worker; and
- 33.9 (25) hazardous material disposal specialist.
- 33.10 (b) Initial appointments to the committee shall be made no later than September 1, 2022.
- 33.11 Committee members shall serve for a term of three years and may be reappointed.
- 33.12 (c) The committee shall annually elect a chair and vice-chair from among its members,
- 33.13 and may elect other officers as necessary.
- 33.14 (d) The Board of Regents is requested to convene the first meeting of the committee no
- 33.15 later than October 1, 2022. Thereafter, the committee shall meet upon the call of the chair
- 33.16 or at the request of a majority of committee members.
- 33.17 Subd. 3. **Committee duties.** (a) The green training program committee shall oversee
- 33.18 and administer funds appropriated for the green training program. Program funds may be
- 33.19 used for the following purposes:
- 33.20 (1) education and training of university employees in fields determined by the committee,
- 33.21 including but not limited to:
- 33.22 (i) reduction in solid waste;
- 33.23 (ii) proper sorting of solid waste; and
- 33.24 (iii) reduction in energy usage; and
- 33.25 (2) training incentives for university employees in the form of a per-hour increase in
- 33.26 pay upon employee completion of training.
- 33.27 (b) The committee shall monitor industry issues and trends affecting solid waste
- 33.28 management, energy consumption, and other sustainability measures and make
- 33.29 recommendations to the Board of Regents regarding university practices in these areas.

34.1 (c) For the purposes of university employee training, the committee may procure direct
 34.2 technical and educational assistance by using existing institutions and resources, including
 34.3 but not limited to:

34.4 (1) local workforce investment boards;

34.5 (2) state colleges;

34.6 (3) labor organizations;

34.7 (4) administrative entities for service delivery areas under the federal Workforce
 34.8 Investment Act or its successor statute; and

34.9 (5) nonprofit organizations and other entities that have expertise in providing technical
 34.10 assistance regarding employee training in the fields determined by the committee under
 34.11 paragraph (a).

34.12 Subd. 4. **Collective bargaining.** By mutual agreement through collective bargaining
 34.13 with frontline service worker unions, the Board of Regents may adopt additional rules and
 34.14 procedures for the green training program, the program committee, and the use of green
 34.15 training program account funds. These rules and procedures must not conflict with this
 34.16 section.

34.17 Subd. 5. **Report required.** Not later than February 28 of each year, beginning in 2023,
 34.18 the green training program committee shall report to the chairs and ranking minority members
 34.19 of the legislative committees with jurisdiction over higher education policy and finance
 34.20 concerning the state of the program account and account funds disbursed, together with any
 34.21 recommendations and additional information the committee considers appropriate.

34.22 Sec. 21. Laws 2021, First Special Session chapter 2, article 1, section 2, subdivision 35,
 34.23 is amended to read:

34.24 Subd. 35. **Hunger-Free Campus Grants** 205,000 102,000

34.25 For the Office of Higher Education to provide
 34.26 initial and sustaining grants to Minnesota
 34.27 public postsecondary institutions, nonprofit
 34.28 private postsecondary institutions, and Tribal
 34.29 colleges under Minnesota Statutes, section
 34.30 ~~136F.245~~ 135A.137, subdivision 4 3, to meet
 34.31 and maintain the criteria in that same section
 34.32 to address food insecurity on campus.

35.1 Sec. 22. Laws 2021, First Special Session chapter 2, article 2, section 45, is amended by
35.2 adding a subdivision to read:

35.3 Subd. 7. **Expiration.** This section expires June 30, 2027.

35.4 Sec. 23. **SOCIAL WORK SCHOLARSHIP PROGRAM.**

35.5 Subdivision 1. **Program established.** The commissioner of the Office of Higher
35.6 Education shall establish a scholarship program for eligible students preparing to become
35.7 licensed social workers in Minnesota.

35.8 Subd. 2. **Eligible students.** (a) A student is eligible for a scholarship under this section
35.9 if the student is:

35.10 (1) a resident student as defined in Minnesota Statutes, section 136A.101;

35.11 (2) enrolled in a baccalaureate degree-granting social work program at an eligible
35.12 institution as defined in Minnesota Statutes, section 136A.101; and

35.13 (3) in good academic standing and making satisfactory academic progress as defined in
35.14 Minnesota Statutes, section 136A.101.

35.15 (b) To receive a scholarship under this section, a student must:

35.16 (1) apply in the form and manner specified by the commissioner; and

35.17 (2) sign a contract agreeing to fulfill the employment obligation under subdivision 4.

35.18 (c) A student may receive a scholarship under this section for no more than eight
35.19 semesters or the equivalent.

35.20 Subd. 3. **Scholarship amounts.** (a) The amount of a scholarship awarded under this
35.21 section shall be equal to the recipient's recognized cost of attendance after deducting:

35.22 (1) the amount of the federal Pell grant award for which the recipient is eligible;

35.23 (2) the amount of the state grant award for which the recipient is eligible;

35.24 (3) the amount of any other state or federal gift aid received; and

35.25 (4) the sum of all institutional scholarships, grants, tuition waivers, and tuition remission
35.26 amounts.

35.27 (b) For purposes of this section, the recognized cost of attendance for a public institution
35.28 has the meaning given in Code of Federal Regulations, title 20, chapter 28, subchapter IV,
35.29 part F, section 1087ll. The recognized cost of attendance for a private institution equals the
35.30 lesser of:

36.1 (1) the cost of attendance for the institution as calculated under Code of Federal
36.2 Regulations, title 20, chapter 28, subchapter IV, part F, section 10871l; or

36.3 (2) an amount equal to the highest recognized cost of attendance at a public university.

36.4 (c) The scholarship shall be paid directly to the institution where the recipient is enrolled.

36.5 Subd. 4. **Employment obligation.** (a) Beginning within six months of the completion
36.6 of the academic program for which the scholarship was awarded, a scholarship recipient
36.7 must:

36.8 (1) be licensed with the Minnesota Board of Social Work; and

36.9 (2) be employed full time as a social worker in Minnesota for at least four years.

36.10 (b) A recipient who has completed the program for which the scholarship was awarded,
36.11 but who has not fulfilled the total employment obligation, must annually verify, in a form
36.12 and manner specified by the commissioner, that the recipient is employed in a position that
36.13 fulfills the employment obligation.

36.14 (c) If a recipient fails to meet the employment requirement, the commissioner shall
36.15 convert the recipient's total scholarship award to a student loan and collect from the
36.16 participant the total amount paid plus interest at a rate established according to Minnesota
36.17 Statutes, section 270C.40.

36.18 (d) The commissioner may waive or defer the employment obligation for a scholarship
36.19 recipient for continued graduate studies in social work or for circumstances involving
36.20 extreme hardship.

36.21 (e) Any obligation to fulfill the employment obligation cancels upon the death or
36.22 permanent and total disability of the scholarship recipient.

36.23 (f) The commissioner shall develop a contract to be signed by all scholarship applicants.
36.24 The contract shall bind the applicant to the employment obligation under this subdivision.

36.25 Subd. 5. **Insufficient appropriation.** If the amount appropriated for this program is
36.26 determined by the office to be insufficient to make full awards to all eligible applicants, the
36.27 commissioner shall prioritize awards to eligible applicants based on the applicants' individual
36.28 financial needs as determined by the federal needs analysis.

36.29 Subd. 6. **Report required.** By February 15 of each year, the commissioner of the Office
36.30 of Higher Education shall submit a report on the details of the program under this section
36.31 to the legislative committees with jurisdiction over higher education finance and policy and

37.1 to the Legislative Reference Library as provided by Minnesota Statutes, section 3.195. The
 37.2 report shall include the following information:

37.3 (1) the number of students receiving an award in the previous year and the institutions
 37.4 they attended;

37.5 (2) the average and total award amounts in the previous year, disaggregate by institution
 37.6 attended;

37.7 (3) summary demographic data on award recipients in the previous year;

37.8 (4) data on recipients currently subject to the employment obligation under subdivision
 37.9 4, including the number of recipients subject to the obligation, the number who are
 37.10 successfully completing the obligation, the number who have had their scholarships converted
 37.11 to loans; and the number who have had their obligation waived or deferred; and

37.12 (5) if the appropriation for the program was determined to be insufficient, an explanation
 37.13 of measures taken under subdivision 5.

37.14 Subd. 7. **Expiration.** This section expires June 30, 2027.

37.15 **EFFECTIVE DATE.** This section is effective the day following final enactment. The
 37.16 commissioner shall begin offering scholarships under this section in the 2023-2024 academic
 37.17 year.

37.18 **Sec. 24. REQUEST TO THE BOARD OF REGENTS.**

37.19 The Board of Regents of the University of Minnesota is requested to amend its policies
 37.20 to permit a regent elected under Minnesota Statutes, section 137.023, subdivision 1, to serve
 37.21 as a compensated university employee.

37.22 **ARTICLE 3**

37.23 **OFFICE OF HIGHER EDUCATION**

37.24 **Section 1.** Minnesota Statutes 2020, section 136A.121, subdivision 18, is amended to
 37.25 read:

37.26 **Subd. 18. **Data.**** (a) An eligible institution whose students are eligible to receive funding
 37.27 under sections 136A.095 to 136A.246 must provide to the office data on student enrollment
 37.28 and federal and state financial aid.

37.29 (b) An institution or its agent must provide to the office aggregate and distributional
 37.30 financial or other data as determined by the commissioner that is directly related to the
 37.31 responsibilities of the office under this chapter. The commissioner may only request aggregate

38.1 and distributional data after establishing and consulting with a data advisory task force to
38.2 determine the need, content, and detail of the information. Data provided by nonpublic
38.3 institutions under this paragraph is considered nonpublic data under chapter 13.

38.4 Sec. 2. Minnesota Statutes 2020, section 136A.1701, subdivision 11, is amended to read:

38.5 Subd. 11. **Data.** (a) An eligible institution whose students are eligible to receive funding
38.6 under sections 136A.15 to 136A.1795 and licensed or registered under sections 136A.61
38.7 to 136A.834 must provide to the office data on student enrollment and federal and state
38.8 financial aid.

38.9 (b) An institution or its agent must provide to the office aggregate and distributional
38.10 financial or other data as determined by the commissioner that is directly related to the
38.11 responsibilities of the office under this chapter. The commissioner may only request aggregate
38.12 and distributional data after establishing and consulting with a data advisory task force to
38.13 determine the need, content, and detail of the information. Data provided by nonpublic
38.14 institutions under this paragraph is considered nonpublic data under chapter 13.

38.15 Sec. 3. Minnesota Statutes 2020, section 136A.833, is amended to read:

38.16 **136A.833 EXEMPTIONS.**

38.17 Subdivision 1. **Application for exemptions.** A school that seeks an exemption from the
38.18 provisions of sections 136A.822 to 136A.834 for the school and all of its programs or some
38.19 of its programs must apply to the office to establish that the school or program meets the
38.20 requirements of an exemption. An exemption for the school or program expires two years
38.21 from the date of approval or when a school adds a new program or makes a modification
38.22 equal to or greater than 25 percent to an existing educational program. If a school is
38.23 reapplying for an exemption, the application must be submitted to the office 90 days before
38.24 the current exemption expires. This exemption shall not extend to any school that uses any
38.25 publication or advertisement that is not truthful and gives any false, fraudulent, deceptive,
38.26 inaccurate, or misleading impressions about the school or its personnel, programs, services,
38.27 or occupational opportunities for its graduates for promotion and student recruitment.
38.28 ~~Exemptions denied under this section are subject to appeal under section 136A.65,~~
38.29 ~~subdivision 8, paragraph (e)~~ If an exemption is denied, the office shall provide notice of the
38.30 right to appeal under chapter 14. If an appeal is initiated, the denial of the exemption is not
38.31 effective until the final determination of the appeal, unless immediate effect is ordered by
38.32 the court.

39.1 Subd. 2. **Exemption reasons.** Sections 136A.821 to 136A.832 shall not apply to the
39.2 following:

39.3 (1) public postsecondary institutions;

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

39.5 (3) postsecondary institutions exempt from registration under sections 136A.653,
39.6 subdivisions 2, 3, and 3a; 136A.657; and 136A.658;

39.7 ~~(3)~~ (4) private career schools of nursing accredited by the state Board of Nursing or an
39.8 equivalent public board of another state or foreign country;

39.9 ~~(4)~~ (5) private schools complying with the requirements of section 120A.22, subdivision
39.10 4;

39.11 ~~(5)~~ (6) courses taught to students in a ~~valid~~ an apprenticeship program registered by the
39.12 United States Department of Labor or Minnesota Department of Labor and taught by or
39.13 required by a trade union;

39.14 ~~(6)~~ (7) private career schools exclusively engaged in training physically or mentally
39.15 disabled persons for the state of Minnesota;

39.16 ~~(7)~~ (8) private career schools licensed by boards authorized under Minnesota law to
39.17 issue licenses for training programs except private career schools required to obtain a private
39.18 career school license due to the use of "academy," "institute," "college," or "university" in
39.19 their names;

39.20 ~~(8)~~ (9) private career schools and educational programs, or training programs, contracted
39.21 for by persons, firms, corporations, government agencies, or associations, for the training
39.22 of their own employees, for which no fee is charged the employee;

39.23 ~~(9)~~ (10) private career schools engaged exclusively in the teaching of purely avocational,
39.24 recreational, or remedial subjects, including adult basic education, as determined by the
39.25 office except private career schools required to obtain a private career school license due
39.26 to the use of "academy," "institute," "college," or "university" in their names unless the
39.27 private career school used "academy" or "institute" in its name prior to August 1, 2008;

39.28 ~~(10)~~ (11) classes, courses, or programs conducted by a bona fide trade, professional, or
39.29 fraternal organization, solely for that organization's membership;

39.30 ~~(11)~~ (12) programs in the fine arts provided by organizations exempt from taxation under
39.31 section 290.05 and registered with the attorney general under chapter 309. For the purposes
39.32 of this clause, "fine arts" means activities resulting in artistic creation or artistic performance

40.1 of works of the imagination which are engaged in for the primary purpose of creative
 40.2 expression rather than commercial sale or employment. In making this determination the
 40.3 office may seek the advice and recommendation of the Minnesota Board of the Arts;

40.4 ~~(12)~~ (13) classes, courses, or programs intended to fulfill the continuing education
 40.5 requirements for licensure or certification in a profession, that have been approved by a
 40.6 legislatively or judicially established board or agency responsible for regulating the practice
 40.7 of the profession or by an industry-specific certification entity, and that are offered
 40.8 exclusively to ~~an individual practicing the profession~~ individuals with the professional
 40.9 licensure or certification;

40.10 ~~(13)~~ (14) classes, courses, or programs intended to prepare students to sit for
 40.11 undergraduate, graduate, postgraduate, or occupational licensing ~~and occupational~~,
 40.12 certification, or entrance examinations;

40.13 ~~(14)~~ (15) classes, courses, or programs providing 16 or fewer clock hours of instruction
 40.14 ~~that are not part of the curriculum for an occupation or entry level employment except~~
 40.15 ~~private career schools required to obtain a private career school license due to the use of~~
 40.16 ~~"academy," "institute," "college," or "university" in their names~~;

40.17 ~~(15)~~ (16) classes, courses, or programs providing instruction in personal development,
 40.18 modeling, or acting;

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

40.22 (17) private career schools with no physical presence in Minnesota, as determined by
 40.23 the office, engaged exclusively in offering distance instruction that are located in and
 40.24 regulated by other states or jurisdictions if the distance education instruction does not include
 40.25 internships, externships, field placements, or clinical placements for residents of Minnesota;
 40.26 and

40.27 (18) private career schools providing exclusively training, instructional programs, or
 40.28 courses where tuition, fees, and any other charges for a student to participate do not exceed
 40.29 \$100.

40.30 Sec. 4. Minnesota Statutes 2021 Supplement, section 136A.91, subdivision 1, is amended
 40.31 to read:

40.32 Subdivision 1. **Grants.** (a) The Office of Higher Education must establish a competitive
 40.33 grant program for postsecondary institutions to expand concurrent enrollment opportunities.

41.1 To the extent that there are qualified applicants, the commissioner of the Office of Higher
41.2 Education shall distribute grant funds to ensure:

41.3 (1) eligible students throughout the state have access to concurrent enrollment programs;
41.4 and

41.5 (2) preference for grants that expand programs is given to programs already at capacity.

41.6 (b) The commissioner may award grants under this section to postsecondary institutions
41.7 for any of the following purposes:

41.8 (1) to develop new concurrent enrollment courses under section 124D.09, subdivision
41.9 10, that satisfy the elective standard for career and technical education; or

41.10 (2) to expand the existing concurrent enrollment programs already offered by the
41.11 postsecondary institution by:

41.12 (i) creating new sections within the same high school;

41.13 (ii) offering the existing course in new high schools; ~~or~~ and

41.14 (iii) supporting the preparation, recruitment, and success of students who are
41.15 underrepresented in concurrent enrollment classrooms.

41.16 Sec. 5. Minnesota Statutes 2021 Supplement, section 136A.91, subdivision 2, is amended
41.17 to read:

41.18 Subd. 2. **Application.** ~~(a)~~ The commissioner shall develop a grant application process.

41.19 A grant applicant must:

41.20 (1) specify the purpose under subdivision 1, paragraph (b), for which the institution is
41.21 applying;

41.22 (2) specify both program and student outcome goals;

41.23 (3) include student feedback in the development of new programs or the expansion of
41.24 existing programs; and

41.25 (4) demonstrate a commitment to equitable access to concurrent enrollment coursework
41.26 for all eligible high school students.

41.27 ~~(b) A postsecondary institution applying for a grant under subdivision 1, paragraph (b),~~
41.28 ~~clause (3), must provide a 50 percent match for the grant funds.~~

42.1 Sec. 6. **REPEALER.**

42.2 Minnesota Rules, part 4880.2500, is repealed.

4880.2500 CATEGORIES OF CHAPTER 141 SCHOOLS.

Subpart 1. **Definitions.** For purposes of this part, the following terms have the meanings given.

A. "Examination" means an examination administered by a national or state testing body, the state of Minnesota, or the federal government for licensure or other certification in a profession or occupation.

B. "Graduate" means an individual who has received a degree, diploma, or certificate for completion of a program during the most recent 12-month period that ended June 30 for which data are available.

C. "Passing rate" means the number of the school's graduates who passed the examination, as reported by the testing agency, as a percent of the number of the school's graduates who took the examination during the most recent 12-month period ending June 30 for which data are available.

D. "Placement" means a graduate who, within 12 months after graduation, has obtained a paid position of employment and the position is in an occupation related to the educational program, as reported by the graduate, the graduate's parent or guardian, spouse or domestic partner, adult sibling, employer, or instructional staff at the school.

E. "Placement rate" means the number of graduates in a cohort who obtained employment related to their education program as a percent of the total number of graduates in the cohort. For purposes of this item, a "cohort" is a class or group of students of the school that graduate in the same year.

F. "Program" means a vocational or professional program preparing students for an occupation which requires licensure or other certification by examination for entry into the occupation in Minnesota and completion of the program is required for admission to the examination. This definition applies only to a category C school under subpart 2, item C, subitem (3).

Subp. 2. **Categories of schools.** Schools licensed under Minnesota Statutes, chapter 141, must qualify under one of the two following categories of schools:

A. A category A school must, for reporting purposes, satisfy all of the licensure requirements under parts 4880.1500 to 4880.2800 and Minnesota Statutes, chapter 141.

B. A category B school must, for reporting purposes, satisfy all of the licensure requirements under parts 4880.1500 to 4880.2800, Minnesota Statutes, chapter 141, and meet all of the following applicable performance indicators:

(1) the school must verify that it has achieved full institutional reaccreditation with an accreditation agency recognized by the United States Department of Education;

(2) the school must have a cohort default rate equal to or less than an average of 15 percent for the previous three consecutive years, as calculated by the United States Department of Education;

(3) the passing rate of the school's graduates on licensure or other certification examinations must be equal to or greater than 85 percent of the national or state passing rate, based on a minimum of ten graduates sitting for the examination in any one year;

(4) the school must have a placement rate equal to or greater than 70 percent, based on a minimum of ten graduates from the school in any one year;

(5) the school's withdrawal rate for the three most recent consecutive years, as established by the Code of Federal Regulations, title 34, section 668.16, paragraph (1), must not exceed 33 percent;

(6) the school must receive a satisfactory audit by the office for the three most recent consecutive years. The school must provide evidence that it has adhered to:

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(a) the refund policy as specified in Minnesota Statutes, section 136A.827, or that any discrepancies noted by each audit report have been corrected within 90 days of issuance of the report to the school; and

(b) the requirement for student records pursuant to Minnesota Statutes, chapter 141, including acceptable academic transcripts and student financial account records, or that any discrepancies noted in an audit report have been corrected within 90 days of issuance of the report to the school;

(7) the school must provide evidence that there has been no determination of limitation, suspension, or termination by the United States Department of Education during the past five years; and

(8) the school must verify annually there have been no unresolved student complaints related to Minnesota Statutes, chapter 141, or its attendant rules during the preceding 12 months immediately prior to the relicensure notification from the office. The office will notify a school in writing when the office has determined that a student complaint has been resolved.

Subp. 3. **Relicensure report.** Schools that meet the requirements of subpart 2, item A, are required to submit a full licensure report every year. Schools that meet the requirements of subpart 2, items B and C, are required to submit a full relicensure report once every four years and in the interim years will be exempt from the requirements of parts 4880.1700, subpart 6, and 4880.2100, subpart 4; and Minnesota Statutes, section 136A.822, subdivision 4, clauses (4), (5), and (8).