



**Minnesota**  
STATE COLLEGES  
& UNIVERSITIES

# 2013 Legislative Session Outcomes

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Minnesota State Colleges and Universities

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This publication is designed to highlight and explain legislation that affects the Minnesota State Colleges and Universities system. All summaries include a link to the relevant bill. Readers are cautioned against relying on summaries alone. When a detailed understanding of a new law is required, refer directly to the actual law.

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**STATE EMPLOYEE LABOR AGREEMENT RATIFICATION BILL #1**  
**S.F. 58 (Chapter 2)**

*SUMMARY:* This bill provides legislative ratification of state employee labor agreements and compensation plans for AFSCME, MAPE, MMA, commissioner's plan and managerial plan.

When the Legislature is not in session, the Legislative Coordinating Commission Subcommittee on Employee Relations is empowered to review and accept contract settlements conditionally pending formal legislative approval by the full Legislature.

**Section**                      *State Employee Labor Agreement Ratification Bill #1*

**1 Labor agreements and compensation plans.**

**Subd. 1. AFSCME.** American Federation of State, County, and Municipal Employees, Council 5 as approved by the Legislative Coordinating Commission Subcommittee on Employee Relations on January 28, 2013.

**Subd. 2. MAPE.** Minnesota Association of Professional Employees as approved by the Legislative Coordinating Commission Subcommittee on Employee Relations on January 28, 2013.

**Subd. 3. MMA.** Middle Management Association as approved by the Legislative Coordinating Commission Subcommittee on Employee Relations on January 28, 2013.

**Subd. 4. SRSEA.** State Residential Schools Education Association as approved by the Legislative Coordinating Commission Subcommittee on Employee Relations on January 28, 2013.

**Subd. 6. Commissioner's Plan.** Commissioner of Minnesota Management and Budget's plan for unrepresented employees as approved by the Legislative Coordinating Commission Subcommittee on Employee Relations on January 28, 2013.

**Subd. 7. Managerial Plan.** As approved by the Legislative Coordinating Commission Subcommittee on Employee Relations on January 13, 2013.

**Effective date.** This section is effective the day following final enactment.



**COMMUNITY PARAMEDIC CONTINUING EDUCATION BILL**  
**H.F. 75 (Chapter 18)**

*SUMMARY:* This bill amends statute for community paramedics, requiring continuing education hours for certification. Minnesota State Colleges and Universities educate paramedics in programs offered throughout the State of Minnesota.

**Section**                      *Community Paramedic Continuing Education Bill*

- 1**      **Community paramedics.** This section provides for additional renewal requirements for a community paramedic. They must complete an additional 12 hours of continuing education in clinical topics approved by the ambulance service medical director.

**PAYMENT OF WAGES MODIFICATIONS BILL**

**H.F. 748 (Chapter 27)**

*SUMMARY:* This bill amends the employment payment of wages statute regarding failure to pay wages promptly and payment to employees to quit or resign.

**Section**

***Payment of Wages Modifications Bill***

- 1 Penalty for failure to pay wages promptly.** This section provides that wages are earned and unpaid if the employee was not paid for time worked at the employee's regular rate of pay or the rate required under law, regulation, rule, ordinance, resolution, policy, contract, or other legal authority, whichever rate of pay is greater. Language provides for a penalty equal to the regular rate of pay or the rate required by law, whichever is greater.

The demand for payment must be in writing but does not need to state the precise amount due. An employee may directly seek and recover payment from an employer, even if the employee is not party to a contract that requires a specific rate of pay as long as the contract or law, regulation, rule, ordinance, resolution, policy or other legal authority requires payment at a particular rate of pay.

**Effective date.** This section is effective the day following final enactment.

- 2 Payment to employees who quit or resign; settlement of disputes.** This section provides that wages are earned and unpaid if the employee was not paid for all time worked at the regular rate of pay or the rate required by law, regulation, rule, ordinance, resolution, policy, contract, or other legal authority.

The demand for payment must be in writing but does not need to state the precise amount due. An employee may directly seek and recover payment from an employer, even if the employee is not party to a contract that requires a specific rate of pay as long as the contract or law, regulation, rule, ordinance, resolution, policy or other legal authority requires payment at a particular rate of pay.

This section also removes language eliminating coverage of the law to any employee after a quit or discharge, who upon audit is found to have not properly accounted for or paid to the employer funds or property for which they were responsible. Language prohibits any deductions from wages due or earned unless specifically authorized.

**Effective date.** This section is effective the day following final enactment.

**MINNESOTA NURSE PRACTICING ACT MODIFICATIONS BILL**  
**S.F. 1016 (Chapter 31)**

*SUMMARY:* This bill redefines terms in the Nurse Practicing Act. Many colleges and universities in the Minnesota State Colleges and Universities system offer nursing, or nursing type programs.

**Section**                      *Minnesota Nurse Practicing Act Modifications Bill*

- 1**     **Assignment.** This section defines “assignment” as designation of nursing tasks to be performed by another nurse or unlicensed assistive person.
- 2**     **Delegation.** This section defines “delegation” as a transfer of authority to another nurse or a competent, unlicensed assistive person to perform a specific nursing task or activity in a specific situation.
- 3**     **Intervention.** This section defines “intervention” as any act or action, based upon clinical judgment and knowledge that a nurse performs to enhance a patient’s health outcome.
- 4**     **Monitoring.** This section defines “monitoring” as periodic inspection by a registered nurse or licensed practical nurse of a delegated or assigned nursing task or activity and includes: watching during the performance of the task or activity; periodic checking and tracking of the progress of the task or activity being performed; updating a supervisor on the progress or completion of the task or activity performed; and contacting a supervisor as needed for direction and consultation.
- 5**     **Patient.** This section defines “patient” as a recipient of nursing care, including an individual, family, group or community.
- 6**     **Practice of practical nursing.** This section defines the “practice of practical nursing” as services that incorporate caring for patients in all settings at the direction of a registered nurse, advanced practice registered nurse, or other licensed health care provider. The section lists the types of services included in the practice of practical nursing.
- 7**     **Practice of professional nursing.** This section defines the “practice of professional nursing” as services that incorporate caring for patients in all settings through nursing standards recognized by the Board of Nursing, and lists the types of services included in the practice of professional nursing.
- 8**     **Supervision.** This section defines “supervision” as guidance by a registered nurse in order to accomplish a nursing task or activity. It

consists of monitoring, as well as establishing, the initial direction, delegating, setting expectations, directing activities and course of action, evaluation, and changing a course of action.

- 9 Unlicensed assistive personnel.** This section defines “unlicensed assistive personnel” as any unlicensed person to whom nursing tasks or activities may be delegated or assigned, as approved by the Board of Nursing.
- 10 Exemptions.** This section strikes the term “nursing assistant” and inserts “unlicensed assistive person.”
- 11 Repealer.** This section repeals the definition of nursing assistant (M.S.148.171, Subd. 12), and the definition of “monitoring” and “supervision” (Minnesota Rules, part 6321.0100).

**WORKFORCE DEVELOPMENT COUNCIL MODIFICATION BILL**

**S.F. 380 (Chapter 48)**

*SUMMARY:* This bill amends the membership of the Workforce Development Council by adding a representative of adult basic education programs to serve as a non-voting advisor to the Council.

**Section**                      *Workforce Development Council Modification Bill*

- 1**      **Membership.** This section adds a representative of adult basic education programs to serve as a non-voting advisor to the Workforce Development Council.



**OMNIBUS LANDS BILL**  
**H.F. 740 (Chapter 73)**

*SUMMARY:* This bill includes provisions related to the sale, exchange, and conveyance of land and other provisions related to the administration of state land. Of interest to Minnesota State Colleges and Universities is the establishment and maintenance of school forests.

**Section** *Omnibus Lands Bill*

- 2 School forests.** This section allows for the conveyance of tax-forfeited land without monetary compensation or consideration to school districts and other public educational institutions, including state colleges and universities for purposes of school forests. The Commissioner of Natural Resources is required to annually monitor the lands conveyed to determine whether they are being used as school forests and submit an annual report to the Commissioner of Revenue that identifies any land no longer being used for that purpose.
- 4 Conveyance to public entities.** This section allows the Commissioner of Revenue to convey tax-forfeit land for no monetary compensation or consideration for purposes of school forests. Language requires a statement regarding the use of the land and the favorable recommendation of the county board and the Commissioner of Natural Resources to be submitted to the Commissioner of Revenue. Language subjects the lands conveyed to conditional use and reversion provisions including the new reversion provisions established in the next section.
- 5 Reverter for failure to use; conveyance to state.** This section subjects lands conveyed for purposes of school forests to a perpetual conditional use deed and reversion to the state if the land is not used for school forest purposes for three consecutive years. Language requires the Commissioner of Revenue to record a declaration of reversion for land that is reverted.

**STATE EMPLOYEE LABOR AGREEMENT RATIFICATION BILL #2**  
**H.F. 1069 (Chapter 77)**

*SUMMARY:* This bill provides legislative ratification of state employee labor agreements and compensation plans for AFSCME, Council 5, Unit 225; IFO; MNA, Office of Higher Education; MGEC; MSUAASF; MSCF; MnSCU Administrator’s plan and the Minnesota Insurance Marketplace.

**Section**                      *State Employee Labor Agreement Ratification Bill #2*

- 1 Labor agreements and compensation plans.**
  - Subd. 1. AFSCME.** American Federation of State, County, and Municipal Employees, Council 5, Unit 225 as approved by the Legislative Coordinating Commission Subcommittee on Employee Relations on March 11, 2013.
  - Subd. 2. IFO.** Inter Faculty Organization as approved by the Legislative Coordinating Commission Subcommittee on Employee Relations on March 11, 2013.
  - Subd. 3. MNA.** Minnesota Nurses Association as approved by the Legislative Coordinating Commission Subcommittee on Employee Relations on March 11, 2013.
  - Subd. 4. Office of Higher Education.** Compensation plan for unrepresented employees of the Office of Higher Education as approved by the Legislative Coordinating Commission Subcommittee on Employee Relations on March 11, 2013.
  - Subd. 5. MGEC.** Minnesota Government Engineering Council as approved by the Legislative Coordinating Commission Subcommittee on Employee Relations on March 21, 2013.
  - Subd. 6. MSUAASF.** Minnesota State University Association of Administrative and Service Faculty as approved by the Legislative Coordinating Commission Subcommittee on Employee Relations on March 21, 2013.
  - Subd. 7. MSCF.** Minnesota State College Faculty as approved by the Legislative Coordinating Commission Subcommittee on Employee Relations on May 1, 2013.
  - Subd. 8. MnSCU Administrators.** Personnel plan for Minnesota State Colleges and Universities administrators as approved by the Legislative Coordinating Commission Subcommittee on Employee Relations on May 1, 2013.
  - Subd. 9. MNsure.** Minnesota Insurance Marketplace as approved by the Legislative Coordinating Commission Subcommittee on Employee Relations on May 1, 2013.
  
- 3 Effective date.** Section 1 is effective the day following final enactment.

**OMNIBUS DATA PRACTICES BILL**  
**S.F. 745 (Chapter 82)**

*SUMMARY:* The omnibus data practices bill regulates public data. The changes made to the government data practice laws in the 2013 legislative session that impact higher education are summarized below, including personal contact and online account information protections.

**Section**

*Omnibus Data Practices Bill*

- 1** **Personal contact and online account information.** This section adds new section M.S. 13.356 on personal contact information. Data, including telephone number; e-mail address; and internet user name, password, or any other similar data related to the individual's online account or access procedures collected on an individual by a government entity for notification purposes or as part of a subscription list for an entity's periodic publications as requested by the individual are considered private data.
  
- 4** **Public data.** This section amends the list of "public officials" to include managers; chiefs; heads or directors of departments, divisions, bureaus, or boards; and any equivalent position in a city with a population of more than 7,500 or a county with a population of more than 5,000. Athletic directors whose duties include at least 50 percent of their time spent in administration, personnel, supervision and evaluation; chief financial officers and directors are added to the list of public officials in a school district.
  
- 7** **Department of Administration.** This section amends the Department of Administration data statute to provide that data that identify an individual with a disability or a family member of an individual related to services funded by the federal Assistive Technology for Individuals with Disabilities Act for assistive technology device demonstrations, transition training, loans, reuse, or alternative financing are considered private data.



**JOBS AND ECONOMIC DEVELOPMENT OMNIBUS BILL**  
**H.F. 729 (Chapter 85)**

*SUMMARY:* The jobs and economic development bill includes funding and policy changes related to business and community development and workforce development that may affect the Minnesota State Colleges and Universities system (MnSCU). All related legislation that has an impact on the system is summarized below, including funding to develop a customized training program for skilled manufacturing industries that integrates academic instruction and job-related learning in the workplace and MnSCU institutions. This bill also includes changes to barbering and cosmetology, programs offered at MnSCU institutions.

***ARTICLE 1***  
***Appropriations***

**Section**

**3 Department of Employment and Economic Development.**  
**Subdivision 2. Business and Community Development.**

(f) \$4.195 million is appropriated each year for the Minnesota Job Skills Partnership program.

(n) \$100,000 is appropriated each year for the Center for Rural Policy and Development.

**Subd. 3. Workforce Development.**

(f) \$1.5 million is appropriated each year of the biennium from the workforce development fund for a grant to FastTRAC – a Minnesota Adult Careers Pathways Program. Up to 10 percent of the appropriation may be used to provide leadership, oversight, and technical assistance services for low-skilled, low-income adults.

(g) \$987,000 one-time funds are appropriated in fiscal year 2014 for the pilot customized training program for manufacturing industries. Of this amount:

- (1) \$240,000 is for the Commissioner of the Department of Employment and Economic Development for coordination, oversight, and reporting responsibilities related to the customized training program;
- (2) \$187,000 is for a grant to Alexandria Technical and Community College for the customized training center;
- (3) \$380,000 is for a grant to Century College;
- (4) \$90,000 is for Hennepin Technical College; and
- (5) \$90,000 is for Central Lakes College.

(h) \$425,000 one-time funds are appropriated each year of the biennium for a grant to the Minnesota High Tech Association to support SciTechsperience, a program that supports STEM internship opportunities for two- and four-year college and university students in their field of

study. The internship opportunities must match students with paid internships within STEM disciplines at small, for-profit companies located in the seven-county metropolitan area, with fewer than 150 total employees, or at small or medium, for-profit companies located outside of the seven-county metropolitan area, with fewer than 250 total employees. At least 100 students must be matched in the first year and at least 125 students must be matched in the second year. Selected hiring companies shall receive from the grant 50 percent of the wages paid to the intern, capped at \$2,500 per intern. The program must work toward increasing the participation among women or other underserved populations.

(m) 500,000 is appropriated each year of the biennium for the publication, dissemination, and use of labor market information, and for the pilot programs in the workforce service areas to combine career and higher education advising.

### *ARTICLE 3*

#### *Employment, Economic Development and Workforce Development*

#### **Section**

- 2 Labor market information data production requirement.** This section requires the Department of Employment and Economic Development (DEED) Commissioner, in collaboration with the Office of Higher Education and local workforce councils, to produce and publish labor market analysis describing the alignment between employer requirements and workforce qualifications. The analysis is to include the number and distribution of recent postsecondary graduates and students by academic concentration or major and by credential type. It is to also include completion rate, employment outcome, institution type and credential. The business and postsecondary sectors are to review the analysis and provide feedback on a regular basis. The analysis and data is to be accessible on DEED's Web site.
- 15 Workforce center; credential assistance.** This section requires DEED to provide assistance for individuals at local workforce centers in identifying and obtaining industry-recognized credentials for jobs, particularly high-demand jobs. The workforce centers are to consult with postsecondary institutions to identify credential programs for individuals.
- 17 Job placement impact on program review; information to students.** This section requires Minnesota State Colleges and Universities to use market data compiled by DEED when deciding upon course and program offerings. MnSCU must provide a link to the labor market data on its Web site.

- 24 Customized Training Pilot Program for skilled manufacturing industries.** This section requires DEED and the Department of Labor and Industry to collaborate with Minnesota State Colleges and Universities and employers to develop a customized training program for skilled manufacturing industries that integrates academic instruction and job-related learning in the workplace and MnSCU institutions. Participants are to be actively recruited from secondary and postsecondary school systems; individuals with disabilities; dislocated workers; retired and disabled veterans; individuals enrolled in MFIP; minorities; previously incarcerated individuals; individuals residing in labor surplus areas as defined by the U.S. Department of Labor; and any other disadvantaged group.

The MnSCU institutions included in this pilot program are Alexandria Technical and Community College, Century College, Hennepin Technical College, and Central Lakes College. The schools are to collaborate with an employer to provide related instruction which the employer deems necessary to instruct participants of a skilled manufacturing customized training program. The instruction may be for credit or noncredit and credit earned may be transferable to a degree program, as determined by the MnSCU institution.

- 25 Skilled manufacturing reports.** This section requires DEED and the four MnSCU institutions taking part in the customized training pilot program for skilled manufacturing industries to report to the Legislature on the progress and success of the implementation of a customized training program for skilled manufacturing industries at each institution. The report is to provide recommendations on where a similar program should be implemented next.
- 27 Pilot programs; combining career and higher education advising.** This section creates four pilot programs to assist high school students in selecting careers of interest to a student and a postsecondary path to prepare for that career. The pilots include the workforce council in each of the workforce service areas of Hennepin/Carver, Northeast Minnesota, Stearns/Benton and rural Minnesota CEP partnering with at least one public school district in its service area. The local workforce council shall individually advise a student on jobs in high-demand areas of interest to the student.

*ARTICLE 5*  
*Miscellaneous*

**Section :**

- 3 Fees.** This section adds new barber fees; retake of written examinations: \$10; renewal of student permits: \$25; letter of license verification: \$25; and reinspection: \$100.
- 4 What constitutes barbering.** This section specifies that shaving the face or neck and applying lotion to hair is barbering.
- 5 Who may receive certificates of registration as a registered barber.** This section specifies that an apprentice who does not pass a comprehensive exam and who fails to pass a onetime retake of the written exam may continue to practice as an apprentice for an additional 300 hours before eligible to retake the comprehensive exam until passed.
- 6 Who may receive certificates of registration as a registered apprentice.** This section specifies requirements including recent graduation from barber school, further study requirements for those who graduated more than four years prior to application, testing requirements and registration for incarcerated individuals.
- 7 Qualifications.** This section provides requirements for instructors including successful completion of vocational instructor training, high school graduation, and status as a currently registered barber.
- 8 Admission requirements; course of instruction.** This section adds chemical waving to required subjects.
- 9 Application; fee.** This section adds the requirement that an applicant for an examination must present a government-issued photo identification as proof of identity when appearing for the exam.
- 10 Examinations, conduct and scope.** This section authorizes the Board of Barber Examiners to schedule additional written examinations and requires the barber school to post the hours completed by students applying to take the apprentice exam.
- 11 Application.** This section requires proof of identity for each applicant.
- 20 Cosmetology.** This section adds services performed on the trunk of the body to the list of cosmetology services.

- 21 Manager.** This section provides that a cosmetology school manager must maintain an active salon license.
- 22 Instructor.** This section provides that a cosmetology instructor must maintain an active operator or manager’s license in the area in which the instructor’s license is held.
- 23 Schedule.** This section includes nail technician in the three-year license fee schedule, and provides penalties for lapsed licenses discovered upon inspection, failure to dispose of onetime use equipment, implements or materials, use of prohibited items, performing manicure or cosmetology services in salons where those services are not authorized, operators working as independent contractors, and refusal to cooperate with inspections.
- 24 License expiration date.** This section clarifies license expiration dates for salons and schools.
- 25 Testing.** This section requires cosmetology testing to be done by a board-approved provider.
- 26 Renewals.** This section subjects cosmetology license renewals to continuing education requirements.
- 28 Continuing education requirements.** This section defines the continuing education requirements for cosmetologists, including only a board-licensed school of cosmetology, a postsecondary institution, or a board-recognized professional association may offer continuing education curriculum for credit.
- 30 Instruction requirements.** This section specifies that cosmetology instruction may not be for more than ten hours per day per student and that instruction must be given in a licensed school building. Online instruction is allowed for board-approved theory-based classes; practice-based classes may not be given online.
- 38 Fee.** This section establishes a fee structure for initial and renewal certificates charged by the State Board of Accountancy.

**STATE EMPLOYEE PERSONAL SICK LEAVE BENEFITS BILL**  
**S.F. 840 (Chapter 87)**

*SUMMARY:* This bill allows an employee to use accrued sick leave for the illness of or injury to an expanded list of relatives, in addition to the employee's child.

**Section**                      *State Employee Personal Sick Leave Benefits Bill*

- 1 Sick leave benefits; care of relatives.** This section allows an employee to use accrued sick leave for absences due to the illness of or injury to the employee's child and the following new list of relatives: adult child, spouse, sibling, parent, grandparent or stepparent. Sick leave use is for reasonable periods of time on the same terms upon which the employee is able to use sick leave benefits for the employee's own illness or injury. "Child" includes a stepchild and a biological, adopted and foster child.

An employer may limit use of accrued sick leave for absences due to the illness or injury to the employee's adult child, spouse, sibling, parent, grandparent or stepparent to 160 hours in any 12 month period. This limit does not apply to absences due to the illness or injury of a child as defined in M.S. 181.940, Subd. 4.

**Effective date.** This section is effective August 1, 2013 and applies to sick leave used on or after that date.

- 2 Report.** This section requires the Commissioner of Minnesota Management and Budget to analyze and report to the Legislature by August 1, 2014, the impact on the usage of sick leave by employees.

**HIGHER EDUCATION OMNIBUS BILL**  
**S.F. 1236 (Chapter 99)**

*SUMMARY:* The higher education omnibus bill provides funding for the Minnesota State Colleges and Universities, the University of Minnesota and the Minnesota Office of Higher Education for the 2014-2015 biennium. The bill also includes other statutory and language changes that affect higher education as summarized below.

**ARTICLE 1**

***Higher Education Appropriations***

**Section**

- 1 Summary of appropriations.** This section summarizes higher education appropriations by fund and agency.
- 2 Higher education appropriations.** This section provides that appropriations are for fiscal years 2014 and 2015 from the general fund or another specified fund.
- 3 Minnesota Office of Higher Education.**
  - Subdivision 1. Total appropriation.** Appropriates \$227.031 million for fiscal year 2014 and \$224.572 million for fiscal year 2015.
  - Subd. 2. State grants.** Appropriates \$179.141 million in fiscal year 2014 and \$176.781 million in fiscal year 2015 with authority to carry forward or back either year's appropriation.
  - Subd. 3. Child care grants.** Appropriates \$6.684 million each year for child care grants.
  - Subd. 4. State work study.** Appropriates \$14.502 million each year for state work study.
  - Subd. 7. Indian scholarships.** Appropriates \$3.1 million each year for the Indian Scholarship program. The Office of Higher Education must employ or contract with at least one person with demonstrated competence in American Indian culture and residing in or near the city of Bemidji to assist students with scholarships and financial aid. Bemidji State University must provide office space at no cost to the Office of Higher Education to administer the program.
  - Subd. 9. High School-to-College Developmental Transition Grants.** Appropriates \$100,000 each year of the biennium for this program.
  - Subd. 10. Intervention for College Attendance Program Grants.**

Appropriates \$671,000 each year, for the intervention for college attendance program. Funding is included to administer the program.

**Subd. 11. Student-Parent information.** Appropriates \$122,000 each year for this program.

**Subd. 12. Get Ready.** Appropriates \$180,000 each year for this program

**Subd. 13. Midwest Higher Education Compact.** Appropriates \$95,000 each year for dues to MHEC.

**Subd. 16. MnLINK Gateway and Minitex.** Appropriates \$5.905 million each year for MnLINK, the Minnesota Library Information Network and Minitex, a publicly supported network of academic, public, state government, and special libraries working to improve library service.

**Subd. 17. Statewide Longitudinal Education Data System.** Appropriates \$582,000 in each year of the biennium to the Office of Higher Education for transfer to the Office of Enterprise Technology to maintain infrastructure of the Statewide Longitudinal Education Data System and acquire additional data through purchase and development.

**Subd. 19. Teach for America.** Appropriates \$750,000 each year to support Teach for America activities in Minnesota including expenses related to the recruitment, selection and training of Teach for America corps members, ongoing professional development, alumni support and management and operational support. **VETOED by the governor.**

**Subd. 20. Prosperity Act.** Appropriates \$100,000 onetime funds in fiscal year 2014 to the Office of Higher Education for the information technology costs associated with the implementation of the Prosperity Act.

**Subd. 21. Agency administration.** Appropriates \$2.491 million each year for the Office of Higher Education.

**Subd. 22. Balances forward.** This subdivision provides that balances in the first year under this section do not cancel, but are available in the second year.

**Subd. 23. Transfers.** This subdivision authorizes the transfer of unencumbered funds from other programs to financial aid programs and the reciprocity program. A transfer requires prior written notice to the higher education legislative chairs.

**4 Board of Trustees of the Minnesota State Colleges and Universities. Subdivision 1. Total appropriation.** Appropriates \$587.915 million in fiscal year 2014 and \$605.143 million in fiscal year 2015.

**Subd. 2. Central Office and Shared Services Unit.** Of the above appropriation, this subdivision appropriates \$33,074,000 each year for the System Office and the Shared Services Division.

**Subd. 3. Operations and maintenance.** Of the appropriation in subdivision 1, this subdivision appropriates \$550.726 million in fiscal year 2014 and \$567.954 million in fiscal year 2015 for operations and maintenance at the colleges and universities.

- This appropriation includes \$25.5 million in fiscal year 2014 and \$52.5 million in fiscal year 2015 for student tuition relief. MnSCU may not increase tuition in any undergraduate degree-granting program in fiscal years 2014 and 2015. Language specifies that student tuition relief may not be offset by increases in mandatory fees, charges, or other assessments to the student. To the extent that appropriations in this subdivision are insufficient to meet obligations contained in a labor or program contract, MnSCU shall fund those obligations with central administration of the system and executive administration of individual campuses, or through reallocation of non-state funds received by the system. Any outstanding obligations may not be funded through reduction in any program or service that directly impacts students or that is newly-authorized by the Legislature for the 2014-2015 biennium, or through increased fees or costs directly assessed to students.
- Of this appropriation, \$17 million in one-time funds are included in fiscal year 2014 for retention of talented faculty and staff. MnSCU is to report to the Legislature by April 1, 2014 on the expenditure of the \$17 million. The report is to include: aggregate number of positions retained systemwide and by campus; criteria used to determine whether a position qualified for retention funds; the allocation of the \$17 million by employment specified, along with the average compensation increase for positions within each category; and number of talented faculty and staff targeted for retention that were not able to be retained and the reason.
- Of this appropriation, an additional \$18,000 each year is for the Cook County Higher Education Board to provide educational programs and academic support services. This is in addition to the \$102,000 this project currently receives.
- Of this appropriation, \$7.278 million in fiscal year 2015 is for a leveraged equipment program. Equipment is defined as used for

instructional purposes for programs that the Board of Trustees determines would produce graduates with skills for which there is a high employer need within the state. The appropriation is to be matched by cash or in-kind contributions from non-state sources. MnSCU is to submit a report to the Legislature by January 15, 2015 on the expenditure of the \$7 million to date. The report is to also include each donor, amount contributed by each donor, or in the case of an in-kind contribution, the nature and value of the contribution.

- Of this appropriation, \$50,000 one-time funds are allocated in fiscal year 2014 to convene a mental health issues summit.
- Five percent of the fiscal year 2015 appropriation is contingent on the system achieving three of five specified performance goals: 1) increase by at least four percent in fiscal year 2013, compared to fiscal year 2010, graduates or degrees, diplomas, and certificates conferred; 2) increase by at least one percent the fall 2013 persistence and completion rate for fall 2012 entering students compared to the fall 2010 rate for fall 2009 entering students; 3) increase by at least four percent the fiscal year 2013 related employment rate for 2012 graduates compared to the 2011 rate for 2010 graduates; 4) by 2014, MnSCU must collect data on the number of Open Educational Resources (OER) tools and services offered and formulate a plan to actualize a one percent reduction in expenses directly related to the cost of instruction incurred by students; and 5) reallocate \$22 million that became available through expense realignment in fiscal year 2014.

By August 1, 2013, the Board of Trustees and the Minnesota Office of Higher Education must agree on specific numerical indicators and definitions for each of the five goals that will be used to demonstrate Minnesota State Colleges and Universities' attainment of each goal.

On or before April 1, 2014, the Board of Trustees must report to the Legislature on the progress of attaining the above goals.

**Subd. 4. Learning Network of Minnesota.** Appropriates \$4.115 million each year for the Learning Network of Minnesota program to be administered by the Minnesota State Colleges and Universities.

## **ARTICLE 2** ***Higher Education Policy***

- 1 Dissemination.** This section authorizes the commissioner of the Department of Employment and Economic Development (DEED) to release employment and training data to the Office of Higher Education for purposes of supporting

research initiatives including the Statewide Longitudinal Education Data System (SLEDS).

**2 Powers and duties; report.** This section directs the Office of Higher Education and DEED, under the direction of the P-20 Education Partnership SLEDS governance committee, to improve and expand the SLEDS to provide data and information to policymakers, education and workforce leaders, researchers, and members of the public.

**3 Reports.** This section expands reporting requirements for Minnesota State Colleges and Universities and the University of Minnesota. As part of the systems' biennial budget request, each system would be required to submit a five-year history of systemwide expenditures reported by functional area and objects of expenditure, a five-year history of the system's total instructional expenditures per full-year equivalent student; and a five-year history of the systems' total revenues by source.

Both systems are required to work with the commissioner of Minnesota Management and Budget and the Office of Higher Education to develop consistent reporting practices. The systems are also required to develop the ability to respond to legislative requests for financial analyses more detailed than that required by this section.

**4 High School-to-College Developmental Transition Program grants.** This section restructures the current program to consist of grants made available to Minnesota public and private postsecondary institutions. The institutional grant is required to be matched dollar-for-dollar either in cash or an in-kind contribution. Language in this section includes changes regarding eligible students, the application process and a review committee.

**5 Commissioner.** This section changes the "Director" of the Office of Higher Education to "Commissioner".

**6 Independent student.** This section makes a technical change and clarifies an existing citation to federal law in the definition of "independent student" for purposes of state grant and scholarship programs.

**7 Institution reporting.** This section requires the reporting of enrollment, persistence, graduation, job placement, salary, and debt data information to the Office of Higher Education by institutions participating in state grant programs.

**8 Eligible students.** This section provides that a student who withdraws from enrollment due to a major illness is entitled to an additional semester of eligibility for a child care grant.

- 9 **Amount and length of grants.** This section increases the maximum child care grant award from \$2,600 to \$2,800 per academic year.
- 10 **Definitions.** This section clarifies an existing citation to federal law in the definition of “independent student” for purposes of state work-study programs.
- 11 **Tribal college supplemental grant assistance.** This section establishes a program to provide grants to tribally controlled colleges. The colleges must use the grant money to support the education of students enrolled at the college who are a resident of Minnesota, but are not an enrolled member of a federally recognized Indian tribe.
- 12 **Online platform service.** This section defines an online platform service as a non-degree granting entity that provides online access to schools to enable the schools to offer online training, courses or programs.
- 13 **Additional security.** This section makes a technical change pertaining to the surety bond a private college must hold; lets surety companies know how the bond can be canceled.
- 14 **Disapproval of registration appeal.** This section requires the Office of Higher Education to notify any school against which the office may take action that the school has the right to an administrative hearing.
- 15 **Tuition-free educational courses.** This section exempts schools, including a school using an online platform service, offering training, courses, or programs that offer tuition-free courses to students in Minnesota, from regulation by the Office of Higher Education. To qualify for an exemption, a school or online platform service must prominently display a notice comparable to the following: “IMPORTANT: Each educational institution makes its own decision regarding whether to accept completed coursework for credit. Check with your university of college.”
- 16 **Contracts.** This section prohibits a MnSCU contract with an employee from including a provision that authorizes or provides for a discretionary or mandatory bonus or other performance-based incentive payment.
- 17 **Statewide electronic infrastructure; portfolio solutions.** This section requires the Department of Employment and Economic Development, the Department of Education, the Office of Higher Education, the University of Minnesota and Minnesota State Colleges and Universities to collaborate to implement an electronic infrastructure to support academic and workforce success statewide. The infrastructure is to utilize existing tools and services such as efolioMinnesota and GPS LifePlan. MnSCU is required to support efolioMinnesota and GPS LifePlan until at least June 30, 2015. MnSCU is

- required to submit a report to the Legislature by January 15 each year regarding the system's activities related to implementation of this section.
- 20 Exemptions.** This section exempts from state regulation postsecondary education providers (licensed by the state) whose courses are offered for less than \$100.
- 21 Definitions.** This section adds a definition of “veteran” related to certain education benefits.
- 22 Recognition of courses.** This section specifies that in recognizing courses and awarding educational credits for veteran students, consideration must be given to academic skills developed in all aspects of the training or service course curriculum, and may not be limited solely to the physical fitness or activity components of the course.
- 23 Recognition of veteran status.** This section directs Minnesota State Colleges and Universities to adopt a policy recognizing an applicant's veteran's status as a positive factor in determining whether to grant admission to a graduate or professional degree program.
- 24 Use of data.** This section authorizes the release of unemployment data to the Office of Higher Education.
- 25 Renewal.** This section provides that a student who withdraws from enrollment due to a major illness is entitled to an additional semester of eligibility for a public safety officer survivor benefit. Language applies to withdrawals where the student is under the care of a medical professional and the illness substantially limits the student's ability to complete the academic term.
- 26 Higher education institutional participation in state student aid programs; report.** This section directs the Office of Higher Education to report to the Legislature on the available and appropriate data that should be used as statutory criteria to determine whether a higher education institution should be allowed to participate in state financial aid programs.
- 28 Mental health issues summit.** This section directs MnSCU, in cooperation with the Department of Human Services to convene a summit to develop a comprehensive workforce plan to increase the number of mental health professionals and practitioners; ensure appropriate course work and training experience; and increase the number of culturally diverse mental health professionals and practitioners. The plan is to be submitted to the Legislature by January 15, 2015.
- 29 Revisor's instruction.** This section requires the term “director” as it relates to the director of the Minnesota Office of Higher Education, to be changed to

“commissioner” wherever it appears in Minnesota Statutes or Rules.

- 30 Repealer.** This section repeals the Higher Education Advisory Council, and the onetime grant for high school-to-college developmental transition program.

***ARTICLE 3***  
***State Grant***

- 1 Assigned family responsibility.** This section changes the state grant program assigned family responsibility for independent students without dependents other than a spouse, from 68 percent to 50 percent of the student contribution.
- 2 Grant stipends.** This section changes the state grant program assigned student responsibility from 46 percent to 50 percent.
- 3 State grant tuition caps; living and miscellaneous expense allowance.** This section states that for the purposes of the state grant program, for the 2014-2015 biennium, the tuition and fee maximum for students in four-year programs is \$13,000 each year, and for students in two-year programs, the maximum is \$5,808 each year. This section also sets the living and miscellaneous expense (LME) allowance at \$7,900 each year of the biennium.
- 4 State grant award calculation; MnSCU part-time students.** This section specifies the methodology to be used in calculating the state grant award for part-time students at MnSCU institutions. For a student registering for less than full-time, the assigned family responsibility is to be prorated by the percent of full-time for which a student is enrolled.

***ARTICLE 4***  
***Prosperity Act***

- 1 Resident tuition.** This section amends current law to make undocumented students eligible for the resident tuition rate at state colleges and universities if the student attended high school in Minnesota for at least three years; graduated from a Minnesota high school; and has complied with selective service registration requirements. If a federal process exists for the student to obtain lawful immigration status, the student must present the higher education institution with the documentation.
- 2 Private scholarship aid.** This section allows a public postsecondary institution to use private sources of funding to provide aid to students now eligible for resident tuition.
- 3 Resident student.** This section adds the students now eligible for resident tuition to the definition of “resident student.”

**HEALTH AND HUMAN SERVICES OMNIBUS BILL**  
**H.F. 1233 (Chapter 108)**

*SUMMARY:* The health and human services bill includes provisions that impact the Minnesota State Colleges and Universities (MnSCU) system, including the requirement for MnSCU to develop a certificate program for level II mental health behavioral aides.

***ARTICLE 4***  
***Strengthening Chemical and Mental Health Services***

**Section**

- 24**    **Qualifications of individual and team providers.** This section adds the completion of a certificate program to the qualifications of a level II mental health behavioral aide.
- 25**    **Level II mental health behavioral aide.** This section requires the Board of Trustees of the Minnesota State Colleges and Universities to develop a certificate program for level II mental health behavioral aides in collaboration with the Department of Human Services and children’s mental health providers.

***ARTICLE 12***  
***Health Department***

- 4**    **Definitions.** This section adds dental therapists and advanced dental therapists, psychologists, clinical social workers, community paramedics, and community health workers to the list of clinical medical education programs.
- 5**    **Application process.** This section adds dental therapists and advanced dental therapists, psychologists, clinical social workers, community paramedics, and community health workers to the list of professions trained by clinical medical education programs conducted in Minnesota to be eligible for medical education funds.

**OMNIBUS PENSION BILL**  
**S.F. 489 (Chapter 111)**

*SUMMARY:* The omnibus pension bill contains various provisions related to pension of an administrative nature, as well as provisions with some policy substance. Minnesota State Colleges and Universities administer all or part of several pension programs, and employees participate in numerous plans, including deferred compensation and tax sheltered annuity programs. Those provisions that affect the Minnesota State Colleges and Universities system and its employees are summarized below.

**ARTICLE 2**  
***MSRS Administrative Provisions***

**Section**

- 11 Contribution rate revisions; general state employees retirement plan.** This section applies to MSRS and replaces the existing contribution rate revision procedure with a new subdivision requiring a recommendation of any reduction of rates to eliminate contribution sufficiencies until no more than a one percent sufficiency remains; requiring a recommendation of equal contribution rate increases to eliminate deficiencies, with increases escalating in size depending upon the size of the deficiency; and requiring increases or decreases to become effective unless the Commission recommends a different course of action. In proposing any increase or decrease, MSRS must take into account any need for revised actuarial assumptions and the likely impact on contribution requirements due to acceptance of revised assumptions.
- 13 Medical or psychological examinations; authorization for payment of benefit.** This section applies to MSRS plans and revises the disability medical or psychological examination provision to permit use of physician assistants; to require any medical professional providing disability determination or review services to be licensed; to require medical reports to include a determination of whether the disability arose prior to the employee being placed on leave or prior to termination; to permit disability approvals to include a date by which it is expected that the person will have sufficiently recovered to no longer qualify for disability; and to require any claim for disability to include an employer report indicating that no work can be found to accommodate the person.
- 14 Independent medical examination or vocational rehabilitation counseling.** This section applies to MSRS plans and creates a new subdivision requiring individuals applying for or receiving disability benefits to submit to a medical examination or rehabilitation assessment if requested by the executive director.

- 15 Regular medical or psychological examinations.** This section applies to MSRS plans and revises the disability benefit continuation provision by generalizing the provision to permit the executive director to require submission of medical or psychological evidence in support of disability benefit continuation.
- 24 Contents of financial report.** This section applies to retirement generally, and revises the pension fund financial report requirements provision applicable to nearly all Minnesota public plans by requiring a statement rather than an exhibit or footnote disclosure, specifying that the actuarial valuation calculations prepared by the actuary are consistent with requirements of law; and that the report will include a certification, rather than a disclosure item, stating that normal costs and accrued liabilities, rather than the required reserves for plan benefits, are computed in accordance with the entry age cost method.

**ARTICLE 3**

***PERA Administrative Provisions***

- 1 Excluded employees.** This section applies to student employees in a work-study program and states that they will be excluded from PERA coverage if the position is for five years or less, rather than three years or less; and a five-year limit is placed on exclusion from coverage for students in intern or residency programs.
- 7 Refund with interest.** This section applies to PERA and specifies that a four percent interest rate will be used to refund erroneous employee deductions.

**ARTICLE 7**

***One Person and Small Group Retirement Changes***

- 1 Included employees.** This section adds Minnesota Association of Professional Employees (MAPE) to the definition of state employee.
- 3 Limitations on salary for benefits and contributions.** This section states that MAPE employees and all employees of unions who are covered by MSRS are made subject to the salary limitation-for-pension-purposes of the general labor organization MSRS-General coverage provision.
- 4 Earning restrictions apply.** This section states that MAPE employees and all employees of unions who are covered by MSRS are made subject to the MSRS post-retirement earnings restrictions provision.
- 5 Contributions.** This section states that MAPE employees and all employees of unions who are covered by MSRS are made subject to the

contributions requirement of the general labor organization MSRS-General coverage provision.

- 6 **Board membership excluded.** This section states that MAPE employees and all employees of unions who are covered by MSRS are subject to the board membership exclusion of the general labor organization MSRS-General coverage provision.
- 7 **Termination of survivor designation.** This section permits any retiree or disabilitant from a Combined Service Annuity plan to terminate the non-spousal optional annuity survivor designation if the designated survivor agrees; upon filing of valid termination statements with the executive director of the applicable plan, the retiree or disability must receive benefits based on a single life annuity.

#### *ARTICLE 8*

##### *Miscellaneous Provisions*

- 2 **Duties and powers of board of directors.** This section applies to MSRS and requires the board to approve early retirement and optional annuity factors, to establish an implementation schedule, and to notify the Legislative Commission on Pensions and Retirement of the schedule.
- 3 **Duties and powers.** This section applies to PERA and requires the board to approve early retirement and optional annuity factors, to establish an implementation schedule, and to notify the Legislative Commission on Pensions and Retirement of the schedule.
- 4 **General powers of board.** This section applies to TRA and requires the board to approve early retirement and optional annuity factors, to establish an implementation schedule, and to notify the Legislative Commission on Pensions and Retirement of the schedule.

#### *ARTICLE 10*

##### *PERA Plans Salary Definition*

- 1 **Salary.** This section applies to PERA and revises the definition of salary by expanding the inclusion of periodic compensation, modifies the inclusion of certain supplemental retirement plan contributions, adds the inclusion of non-wrongful-discharge salary reductions remedied through a grievance, adds the inclusion of paid leave of absence amounts, adds performance/merit pay amounts, extends the exclusion to lump sum personal/benevolent leave donation payments, expands the exclusion of retirement incentive payments, expands the exclusion to expense allowance/per diem payments, expands the exclusion to disability insurance payments, specifies the exclusions of particular forms or types

of employer-aid fringe benefits, adds an exclusion of non-performance or non-merit bonus payments, and expands the conditional inclusion to certain court-ordered employer payments to an employee.

**ARTICLE 12**

***Teacher Retirement Association Early Retirement Reduction Factors***

- 1 Computation of formula program retirement annuity.** This section applies to TRA and modifies the requirement that the early retirement reduction factors for this tier be the actuarial equivalent of a normal retirement annuity by delaying any modification in the early retirement reduction factor until 7/1/2015, by substituting set amount early retirement reduction factors for the actuarial equivalent early retirement reduction factors, and by phasing in the imposition of the new early retirement reduction factors over a four-year period, with the full implementation of an actuarial equivalent early normal retirement reduction factor until 7/1/2020.

**ARTICLE 15**

***Miscellaneous Provisions***

- 1 Voluntary membership dues deduction.** This section applies to PERA and MSRS and states that upon the request of an annuitant, MSRS or PERA must (rather than may) deduct union dues from pension benefit payments; the frequency of deductions will be monthly rather than no more than semi-annually; newly authorizes twice annual blind mailings to retirees, paid for by the labor organization, for non-political purposes.

**IMMUNITY FOR UNDERAGE POSSESSION OF ALCOHOL BILL**  
**H.F. 946 (Chapter 112)**

*SUMMARY:* This bill provides immunity for underage possession or consumption of alcohol for a person contacting 911 to seek assistance for another.

**Section**                      *Immunity for Underage Possession of Alcohol Bill*

- 1**     **Prosecution; immunity.** This section provides immunity for underage possession or consumption of alcohol for a person who contacts 911 to seek assistance for another person and reports that the person is in need of medical assistance for an immediate health or safety concern; and the person who initiates contact is the first person to make such a report. The person is to provide a name and contact information, and remain on the scene until assistance arrives and then cooperate with authorities at the scene.

**ENVIRONMENT, NATURAL RESOURCES AND AGRICULTURE OMNIBUS BILL  
H.F. 976 (Chapter 114)**

*SUMMARY:* The environment, natural resources and agriculture bill includes funding for mental health counseling support to farm families and business operators through farm business management programs at Central Lakes College and Ridgewater College. The bill also names a representative of Minnesota State Colleges and Universities (MnSCU) to the silica sand technical assistance team. Other provisions that impact MnSCU are summarized below.

**ARTICLE 1**  
***Agriculture Appropriations***

**Section**

**3 Department of Agriculture.**

**Subdivision 5. Administration and Financial Assistance.**

This section appropriates \$235,000 each year of the 2014-2015 biennium for grants to the Minnesota Agricultural Education and Leadership Council for council programs.

This section appropriates \$94,000 each year of the 2014-2015 biennium to Minnesota State Colleges and Universities for statewide mental health counseling support to farm families and business operators through farm business management programs at Central Lakes College and Ridgewater College.

**ARTICLE 2**  
***Agriculture Policy***

- 33 Pesticide education and training.** This section adds the Minnesota State Colleges and Universities system, and other educational institutions to those required to develop innovative educational and training programs that address pesticide concerns.

**ARTICLE 4**  
***Environment and Natural Resources Statutory Changes***

- 78 Architectural paint; product stewardship program; stewardship plan.** This section provides for a product stewardship program for architectural paint sold in Minnesota.
- 91 Silica sand mining model standards and criteria.** This section assembles a silica sand technical assistance team to provide local units of government, at their request, with assistance with ordinance development, zoning, environmental review and

permitting, monitoring, or other issues arising from silica sand mining and processing operations. A representative from Minnesota State Colleges and Universities with expertise in silica sand mining, hydrology, air quality, water quality, land use, etc., may be chosen for the team.

**E-12 EDUCATION OMNIBUS BILL**  
**H.F. 630 (Chapter 116)**

*SUMMARY:* The education bill increases the basic per pupil funding formula for K-12 schools by three percent over the biennium. Due to this increase, the reimbursement rate to the colleges and universities for postsecondary enrollment options (PSEO) will increase by \$3 per credit each year of the biennium.

The bill also addresses the transition from secondary to postsecondary education, and includes an alignment of assessments, addressing the need to assess students earlier to help students, parents and teachers know if they are meeting the benchmarks for college and career readiness standards. There is also an articulated and aligned series of targeted interventions for those identified to need support while still in high school.

Also included in the bill is language that calls for student planning for postsecondary education and employment beginning in high school. The language puts in place a requirement to help students and families begin to explore life after high school. The benefits of this include clear and transparent information intended to guide students' career and educational aspirations aligned with labor market information.

There is specific language in the bill that directs the education commissioner, after consulting with the Minnesota State Colleges and Universities chancellor, to contract for a series of assessments that are aligned with state academic standards, and include career and college benchmarks. The commissioner and chancellor are also directed to collaborate in aligning instruction and assessments for adult basic education students to provide the students with diagnostic information about the targeted interventions the students need so they may seek postsecondary education or employment without need for postsecondary remediation.

The bill establishes an advisory task force to recommend to the Legislature how to structurally redesign secondary and postsecondary education to improve the secondary and postsecondary outcomes for students and adult learners, align secondary and postsecondary programs and Minnesota's workforce needs, and measure and evaluate the combined efficacy of public K-12 and postsecondary education programs.

Other taskforces created in the bill include the standard adult high school diploma advisory task force, which directs the education commissioner to appoint a nine-member advisory task force to recommend programmatic requirements for adult basic education programs leading to a standard adult high school diploma.

A teacher licensure advisory task force is also established in the bill, charged with making recommendations to the Board of Teaching, the education commissioner, and the Legislature on requirements for teacher applicants to demonstrate mastery of reading, writing, and math skills through nationally normed assessments, a professional skills portfolio, or accredited college coursework, among other methods of demonstrating skills mastery. A teacher preparation faculty member from Minnesota State Colleges and Universities is to be appointed to the council by the chancellor.

The bill also addresses the basic skills exam required for teacher candidates to pass prior to becoming licensed. The Board of Teaching is allowed to issue up to two additional temporary one-year teaching licenses to an otherwise qualified candidate who has not passed the college-level basic skills exam at the time they successfully complete a teacher preparation program. School districts may make available upon request remedial assistance to those persons employed by the district and have completed their teacher education program, but have not achieved a qualifying score on the basic skills exam.

*ARTICLE 1*  
*General Education*

**Section**

- 8**     **Postsecondary enrollment options pupils.** This section allows a school district to provide transportation for a pupil participating in an articulated program operated under an agreement between a school district and a postsecondary institution.
- 20**    **Basic revenue.** This section increases the basic per pupil funding formula to \$5,302 in fiscal year 2014 and \$5,806 in fiscal year 2015 and later.

*ARTICLE 2*  
*Student Accountability*

- 2**     **Educational expectations and graduation requirements for Minnesota's students.** This section defines graduation requirements from high school. Language requires students to demonstrate satisfactory completion of the credit requirements set in statute and their understanding of academic standards on a nationally normed college entrance exam. A school district must adopt graduation requirements that meet or exceed state graduation requirements set in law.
- Effective date.** This section is effective August 1, 2013 and applies to students entering grade 9 in the 2013-2014 school year and later.
- 4**     **Benchmarks.** This section makes technical and conforming changes on career and college readiness assessments and benchmarks. Language requires the education commissioner to review and revise state academic standards and related benchmarks on a ten-year cycle.
- 5**     **Credits.** This section allows a one-half credit of economics taught in an agriculture education or business department to fulfill a one-half credit in social studies. An agriculture science or career and technical education credit may fulfill the elective science requirement if the course meets

academic standards in science as approved by the district.

**6 School district process for reviewing curriculum, instruction, and student achievement; striving for the world’s best workforce.**

**Subd. 1. Definitions.** This section defines the “world’s best workforce” as striving to meet school readiness goals, achieve third grade literacy for all students, close the academic achievement gap among racial, ethnic and economic categories of students, attain career and college readiness, and have all students graduate from high school.

**Subd. 1a. Performance measures.** This section lists measures used to determine district and school progress in striving to create the world’s best workforce, including the NAEP, students’ academic achievement gap, the MCA’s, high school graduate rates, and career and college readiness.

**Subd. 2. Adopting plans and budgets.** This section directs a school board to publicly adopt a comprehensive long-term plan to support teaching and learning that is aligned with the world’s best workforce and includes: clearly defined goals and benchmarks for instruction and student achievement; a process for assessing and evaluation students’ progress toward meeting academic standards and identifying the strengths and weaknesses of instruction in pursuit of student and school success and student progress and growth toward college and career readiness; a system to periodically review and evaluate the effectiveness of instruction and curriculum; taking into account principal and teacher evaluations, among other measures; strategies for improving curriculum, instruction, and student achievement; education effectiveness practices that integrate instruction, curriculum, technology, and a collaborative professional culture that develops and supports teacher quality, performance and effectiveness; and an annual budget for continuing to implement the district plan.

**Subd. 3. District advisory committee.** This section directs the district advisory committee to recommend state student performance measures. Language allows school sites to expand upon district evaluations.

**Subd. 4 Site team.** This section allows a school to establish a site team to improve instruction, curriculum, and student achievement at the site. Language directs the school board to publish a school performance report and hold an annual public meeting to review and revise student achievement goals, local assessment outcomes, plans, strategies, and practices for improving curriculum and instruction, and review district success in realizing student achievement goals and benchmarks and the improvement plans leading to the world’s best workforce. Directs the board to transmit a summary of its report to the commissioner.

**Subd. 5 Report.** This section directs the school board to publish a school performance report. Language requires the board to hold an annual public meeting to review and revise goals, assessment outcomes, strategies, and practices for improving curriculum and instruction and to review district success in realizing goals, benchmarks, and improvement plans leading to the world's best workforce.

**Subd. 7 Periodic report.** This section directs school districts to periodically survey affected constituencies about their connection to and satisfaction with school. The district is required to publish a summary of the report.

**Subd. 9. Annual evaluation.** This section directs the commissioner of education to identify effective strategies, practices, and use of resources by districts and school sites striving for the world's best workforce. Language directs the commissioner to assist districts and sites throughout Minnesota in implementing these effective strategies, practices, and use of resources. The commissioner is to identify those districts in any consecutive three-year period not making sufficient progress toward improving teaching and learning and striving for the world's best workforce. Language allows the commissioner, in consultation with the affected district, to require the district to use up to two percent of its basic general education revenue per fiscal year during the proximate three school years to implement commissioner-specified strategies and practices to improve and accelerate its progress in realizing its education goals.

- 7 **Regional Centers of Excellence.** This section establishes regional centers of excellence, which are directed to develop partnerships with service cooperatives, postsecondary institutions, integrated school districts, the department, children's mental health providers, or other local or regional entities interested in providing a cohesive regional delivery system that serves all schools equitably. Centers are required to assist school districts, school sites, and charter schools in developing similar partnerships throughout the region. Language allows centers to assist with common principles of effective practice, including measureable education goals, evidence-based practices, data-driven decision making, multi-layered levels of support, culturally responsive teaching and learning, state and local academic standards and career and college ready benchmarks, and engagement of families and communities.

Language requires the centers to work with school site leadership teams to implement programs that close the academic achievement gap, increase students' progress and growth toward career and college readiness, and increase student graduation rates. The Department of Education is directed to assist the centers with staff, facilities, technical needs, and programmatic support and to work with the centers to provide a statewide

system of regional support to help school boards, school districts, and schools effectively and efficiently implement state and federal initiatives.

- 8 Planning for students' successful transition to postsecondary education and employment; involuntary career tracing prohibited.** This section requires school districts, beginning in the 2013-2014 school year, to assist all students by no later than ninth grade to explore college and career interest and aspirations and develop a transition plan to postsecondary education or employment.
- 9 Educational planning and assessment system (EPAS) program.** This section allows students enrolled in grade 8 through the 2011-2012 school year who have not demonstrated proficiency on the MCA's, the GRAD tests, or the basic skills tests before high school graduation to satisfy state high school graduation requirements in reading, math, and writing by taking the reading, math, or writing GRAD test, the WorkKeys job skills assessment, the Compass computer-adaptive college placement test, a nationally recognized armed services vocational aptitude test, or the ACT assessment for college admission. The state is directed to pay the test costs for public school students to participate in these assessments.
- 12 Statewide testing.** This section directs the education commissioner to make computer-adaptive reading and math assessments for students in grades 3 through 7 part of Minnesota's comprehensive assessment system. Language requires eighth grade reading and math assessments to be aligned with state standards, administered annually, and include multiple choice questions. For students in grade 8 through the 2009-2010 school year, their state graduation requirements include the requirements under section 9 of this article, paragraph (c); paragraph (c) of this section; or current law governing the GRAD tests. Language allows a district to substitute a score from an alternative, equivalent assessment to satisfy state graduation requirements. Students in grade 8 in the 2012-2013 school year and later are subject to state graduation requirements based on a longitudinal, systematic approach to student education and career planning, assessment, instructional support, and evaluation.

This section deletes language requiring students to demonstrate proficiency on state reading, math, and writing tests in order to graduate from high school. Instead, in order to graduate from high school, language requires students to: (1) demonstrate an understanding of required academic standards on a nationally normed college entrance exam; (2) take achievement and career and college readiness tests in math, reading, and writing to monitor students' continuous development and growth in required knowledge and skills; to analyze students' progress and performance levels, identifying students' academic strengths and diagnosing areas where students require curriculum or instruction

adjustments, targeted interventions, or remediation; and based on students' progress and performance data, to determine students' learning and instructional needs and the instructional tools and best practices to support academic rigor for the student; and (3) engage in age-appropriate exploration and planning activities and career assessments to identify personally relevant career interests and aptitudes and help students and their families develop a transition plan for postsecondary education or employment without need for postsecondary remediation. Language allows students with an individualized education program to satisfy state graduation requirements by achieving an individual score on the state-identified alternative assessments.

This section also requires the expectations of schools, districts, and the state for career or college readiness to be comparable in rigor, clarity of purpose, and rates of student completion. Language requires a student to receive targeted, relevant, academically rigorous, and resourced instruction, which may include a targeted instruction and intervention plan focused on improving a student's knowledge and skills in core subjects so the student has a reasonable chance to succeed in a career or college without need for postsecondary remediation.

This section also directs schools and school districts to actively encourage a student in grade 11 or 12 who is identified as academically ready for a career or college to participate in courses and programs awarding college credit to high school students.

This section also deletes language allowing students enrolled in grade 8 in any school year from the 2005-2006 to the 2009-2010 school year to receive a high school diploma without passing the math GRAD test if they satisfy certain conditions. Language directs the education commissioner, after consulting with the Minnesota State Colleges and Universities chancellor and using a request for proposal process, to contract for a series of assessments that are consistent with this subdivision, are aligned with state academic standards, and include career and college benchmarks. Language in this section requires math, reading, and writing assessments for students in grades 8 and 10 to be predictive of a nationally normed assessment for career and college readiness. Students in grade 11 are required to be given a nationally recognized college entrance exam. The series of assessments are required to include a nationally normed and a college placement diagnostic exam and contain career exploration elements.

This section also directs the education commissioner and the Minnesota State Colleges and Universities chancellor to collaborate in aligning instruction and assessments for adult basic education students to provide the students with diagnostic information about the targeted interventions

the students need so they may seek postsecondary education or employment without need for postsecondary remediation.

Districts and schools are directed to annually use the career exploration elements in the assessments to help students, beginning no later than grade 9, and their families explore and plan for postsecondary education or careers based on the students' interests, aptitudes, and aspirations. Districts and schools are to use timely regional labor market information and partnerships and other resources to help students and their families develop and pursue an individualized plan for postsecondary education or a career. Language requires this process to help all students pursue their interests and career goals by increasing students' engagement in and connection to school, improving students' knowledge and skills, and deepening students' understanding of career pathways leading to an industry-recognized credential, an associate's degree, or a bachelor's degree.

Language in this section requires students in grades 10 or 11 who are not yet ready for career or college to be given the college placement diagnostic exam before taking the college entrance exam. Students and parents, the school and the district are expected to use the results of the student's college placement diagnostic exam for targeted intervention. Language also requires all students in grade 11, except those eligible for alternative assessments, to be given the college placement diagnostic exam. Students who demonstrate attainment of required academic standards are declared to be academically ready for a career or college. Such students are encouraged to participate in courses awarding college credit.

This section also requires a study to determine the alignment between these assessments and state academic standards. Where alignment exists, the education commissioner is required to seek federal approval to, and immediately upon receiving that approval replace Minnesota's federally required MCAs with the assessments under this paragraph. Schools, districts, and the state are required to have a continuum of empirically derived, clearly defined benchmarks focused on students' attainment of knowledge and skills so students, their parents, and teachers know how well students must perform to have a reasonable chance to succeed in a career or college without need for post-secondary remediation.

The education commissioner is required, in consultation with local school officials and educators, and Minnesota's public postsecondary institutions, to ensure that the foundational knowledge and skills for students' successful performance in postsecondary employment or education and an articulated series of possible targeted interventions are clearly identified and satisfy Minnesota's postsecondary admissions requirements.

For students in grade 8 in the 2012-2013 school year and later, language requires a school, district, or charter school to record a student's progress toward career and college readiness on the student's high school transcript. This section requires third through seventh grade computer-adaptive assessment results and grade 8 and high school test results to be available to districts for diagnostic purposes and to be disseminated to the public. The education commissioner is to establish empirically derived benchmarks on adaptive assessments in grades 3 through 7 that reveal a trajectory toward career and college readiness. Language requires third through seventh grade computer-adaptive assessments and eighth grade and high school tests to be aligned with state academic standards. Language makes computer-adaptive assessment results for students in grades 3 through 7 and testing at the grade 8 and high school levels part of the statewide public reporting system.

**Effective date.** This section is effective immediately and applicable to the 2013-2014 school year and later except that paragraph (a) applies immediately and the requirements for computer -adaptive reading and math assessments in grades 3 through 7 apply in the 2015-2016 school year and later.

- 13 Statewide and local assessments; results.** For purposes of administering computer-adaptive assessments in reading and math to students in grades 3 through 7 beginning in the 2015-2016 school year, this section defines computer-adaptive assessments fully-adaptive assessments, on-grade level, above-grade level, and below-grade level. The education commissioner is directed to use fully adaptive tests math and reading assessments for grades 3-7 beginning in the 2015-2016 school year; and to implement computer-adaptive reading and math assessments for grades 3-7 and grade 8 and high school reading and math tests.

The section also directs the education commissioner to ensure that: (1) individual student performance data and achievement and summary reports are available within three school days; (2) individual student growth data are available from the student's first test to each proximate assessment using a constant measurement scale; (3) parents and educators are able to use elementary and middle school student performance data to project student secondary and postsecondary achievement; and (4) useful diagnostic information about areas of students' academic strengths and weaknesses is available to improve student instruction.

- 15 State growth target; other state measures.** This section requires the education commissioner to identify and report measures that demonstrate the success of learning year providers in improving the graduation outcomes of at-risk and off-track students.

- 16 School performance reports.** This section makes the percentage of students whose progress and performance levels are meeting college and career readiness benchmarks and longitudinal data on district and school progress in reducing disparities in students' academic achievement and realizing racial and economic integration additional components of Minnesota's school performance reports.
- 17 Standard high school diploma for adults.** This section directs the education commissioner to adopt rules for providing a standard adult high school diploma to adults who are not eligible for the K-12 services, do not have a high school diploma, and successfully complete a commissioner-approved adult basic education (ABE) program of instruction needed to earn an adult high school diploma. ABE program participants are required to demonstrate proficiency in a standard set of competencies sufficient to ensure that postsecondary programs and institutions and potential employers regard persons holding a standard high school diploma and persons holding a standard adult high school diploma to be equally well prepared and qualified graduates.
- 18 Career pathways and technical education advisory task force.** This section establishes an advisory task force to recommend to the Legislature how to structurally redesign secondary and postsecondary education to improve the secondary and postsecondary outcomes for students and adult learners, align secondary and postsecondary programs and Minnesota's workforce needs, and measure and evaluate the combined efficacy of public K-12 and postsecondary education programs.

Language directs task force members to seek advice from educators, employers, policy makers, and other stakeholders and consider how to: better inform students about career options and ensure a skilled Minnesota workforce; develop and revise an education and work plan for each student; improve monitoring of students' progress with targeted interventions and support and remove the need for remedial instruction; increase and accelerate high school students' opportunities to earn postsecondary credits leading to a certificate, license, or degree; better align secondary and postsecondary courses and expectations; better align high school standards and assessments, postsecondary readiness measures and entrance requirements, and the expectations of Minnesota employers; increase postsecondary completion rates; and provide postsecondary graduates with the skills needed for civic engagement, ongoing employment, and continuous learning.

The 15 members of the task force are to be appointed by July 15, 2013 and allowed to serve until the task force sunsets. The education commissioner is to convene the first meeting and act as chair until the members elect a chair at the first meeting. The commissioner is also to provide technical

assistance and staffing for the task force. A report is to be submitted to the Legislature with the task force's recommendations by Feb. 15, 2014.

- 19 Standard adult high school diploma advisory task force.** This section directs the education commissioner to appoint a nine-member advisory task force to recommend programmatic requirements for adult basic education programs leading to a standard adult high school diploma. The education commissioner is to appoint representatives from identified organizations with expertise in adult basic education and employment to the task force by July 1, 2013.

The education commissioner is to convene the task force and to provide technical assistance to task force members upon request. By Feb. 1, 2014 the task force is to submit to the commissioner its recommendations on providing a standard adult high school diploma to qualified persons.

- 20 Appropriations.** This section appropriates \$15.955 million in 2014 and \$21.001 million in 2015 for the statewide testing and reporting system.

**ARTICLE 3**  
***Education Excellence***

- 9 School counselors.** This section directs school counselors to assist students with high school graduation, career and college exploration, college planning, and transition into postsecondary education or training.
- 10 License and rules.** This section allows the Board of Teaching to issue up to two additional temporary one-year teaching licenses to an otherwise qualified candidate who has not passed the college-level skills exam.

The Board of Teaching is directed to adopt rules requiring teachers who are renewing their teaching license to acquire a more in-depth understanding of topics related to the warning signs of and accommodations for mental illness in children and adolescents.

- 11 Teacher and support personnel qualifications.** This section allows the Board of Teaching to issue up to two additional temporary, one-year teaching licenses to a qualified teacher candidate who has not passed the college-level basic skills exam at the time the person successfully completes a teacher preparation program. School districts are allowed to provide remedial assistance to those candidates who do not pass the college-level basic skills exam, including persons for whom English is a second language and persons who completed their teacher preparation program outside Minnesota and are teaching under a temporary license.

- 12 Applicants licensed in other states.** This section allows the Board of Teaching to issue up to two temporary, one-year teaching licenses to an otherwise qualified out-of-state applicant who has not passed the college-level basic skills exam.
- 13 K-12 license to teach deaf and hard-of-hearing students; relicensure.** This section requires K-12 teachers licensed to teach deaf and hard-of-hearing students to complete 30 continuing education clock hours on hearing loss topics as a condition of renewing their teaching license.
- 17 Basic alternative teacher compensation aid.** This section establishes a formula for basic alternative teacher compensation aid, levy and equalization aid as a result of removing alternative teacher compensation from general education.
- 18 Alternative teacher compensation levy.** This section transfers alternative teacher compensation from the general education formula to a categorical program.
- 19 Alternative teacher compensation equalization aid.** This section transfers alternative teacher compensation from the general education formula to a categorical program.
- 22 Online and Digital Learning Advisory Council.** This section increases the number of council members from 12 to 14 and requires one of the members to represent teacher preparation programs. The council is directed to make annual policy recommendations on digital learning matters to the education commissioner and the Legislature.
- 27 Consultation with the tribal nations education committee.** This section directs the education commissioner to consult with the tribal nations education committee on issues relating to American Indian education, including the administration of the commissioner's duties regarding awarding of American Indian postsecondary preparation grants to school districts.
- 28 Indian education director.** This section requires the education commissioner to appoint an Indian education director to serve as a liaison, evaluate American Indian education in Minnesota, engage the American Indian community, advise the education commissioner on American Indian education issues, and keep the American Indian community informed.
- 29 Achievement and integration for Minnesota.** This section establishes a program to promote diversity, pursue racial and economic integration, and increase student academic achievement and equitable educational

opportunities in Minnesota public schools. The program is required to serve students from diverse backgrounds and locations. Language in this section allows eligible school districts to use achievement and integration revenue to pursue academic achievement and racial and economic integration in schools through: (1) integrated learning environments; (2) policies, curricula, and advocates and trained school personnel and other advocates to support these environments, including through magnet schools, research-based and differentiated instruction, and rigorous, career and college readiness programs for underserved students; integrated learning environments; cultural fluency, competency, and interaction; graduation and education which must promote increased student academic achievement, cultural fluency, graduation and educational attainment rates, and parent involvement.

This section also directs the school board of each eligible school district to develop and implement a long-term plan, and requires the plan to be incorporated into the district's comprehensive plan under the section creating the world's best workforce. Plan components may include: innovative and integrated preK-12 learning environments that offer enrollment choices; family engagement initiatives; professional development opportunities; increased programmatic opportunities focused on rigor and college and career readiness for underserved students; and recruitment and retention of teachers and administrators with diverse backgrounds. The plan is required to specify district and school goals for reducing the disparity in academic achievement among racial and ethnic categories of students and increasing racial and economic integration over time.

As a condition of receiving achievement and integration revenue, this section requires the school board of an eligible district to incorporate school and district plan components under the section creating the world's best workforce into the district's comprehensive integration plan.

The school board is required to hold at least one formal hearing to publicly report its progress in realizing the goals identified in the plan. The school board is to provide the public with longitudinal data showing district and school progress in reducing the disparity in academic performance among racial, ethnic, and economic categories of students and in realizing racial and economic integration. Additional data can be based on students' progress toward career and college readiness or rigorous coursework.

- 33** **Teacher Licensure Advisory Task Force.** This section establishes a teacher licensure advisory task force to make recommendations to the Board of Teaching, the education commissioner, and the Legislature on requirements for teacher applicants to demonstrate mastery of reading, writing, and math skills through nationally normed assessments, a

professional skills portfolio, or accredited college coursework, among other methods of demonstrating skills mastery; and an alternative licensure pathway for non-native English speakers seeking licensure to teach in a language immersion program. A teacher preparation faculty member from Minnesota State Colleges and Universities is to be appointed to the council by the Chancellor. A report is to be submitted by February 1, 2014.

37

**Appropriations.**

**Subd. 6. Success for the future.** This section appropriates \$2.137 million each year of the biennium for American Indian success for the future grants.

**Subd. 7. American Indian teacher preparation grants.** This section appropriates \$190,000 each year of the biennium for joint grants to assist American Indian people to become teachers.

**Subd. 10. Examination fees; teacher training and support programs.** This section appropriates \$4.5 million each year of the biennium for students' advanced placement and international baccalaureate exam fees, and training and related costs for teachers and other interested educators.

**Subd. 11. Concurrent enrollment program.** This section appropriates \$2 million each year of the biennium for concurrent enrollment programs.

**Subd. 17. Regional centers of excellence.** This section appropriates \$1 million each year of the biennium for regional centers of excellences.

**STATE GOVERNMENT OMNIBUS BILL**  
**S.F. 1589 (Chapter 142)**

*SUMMARY:* The state government bill, among other things, expands the eligibility for state assistance for postsecondary education to veterans who have served in the United States armed forces at any time, not just since September 11, 2001. Changes in the state government bill that impact Minnesota State Colleges and Universities are summarized below.

***ARTICLE 1***

***State Government Appropriations***

**Section**

**35 Veterans Affairs.**

**Subdivision 2. Veterans Services.**

This section appropriates \$200,000 each year of the 2014-2015 biennium for the costs of administering the Minnesota GI Bill postsecondary educational benefits, on-the-job training, and apprenticeship program. Of this amount, \$100,000 is for transfer to the Office of Higher Education.

***ARTICLE 3***

***State Government Operations***

- 14 Business as vendor.** This section changes when data submitted by a business to a government entity in response to a request for bids and proposals ceases to be private. Under current law, the data is private until the bids or responses are opened; this section makes the data public at the time and date specified in the solicitation that bids or proposals are due.

This section also changes what data remains private when all responses for bids or proposals are rejected prior to completion of the selection process. Under current law, all data except that made public at the bid or response opening remain private; this section makes all data, other than the name of the bidder and the dollar amount specified in the bid or response, private.

***ARTICLE 4***

***Military and Veterans Provisions***

- 1 State and municipal officers and employees not to lose pay while on authorized leave for military duty.** This section permits employees to choose when during a calendar year to take their 15-day military leave and allows employees to take it all at one time or to divide it at their discretion. This section applies to any officer or state employee who is a member of the National Guard, or any other component of the militia of the state, or who is a member of the officers' reserve corps, the enlisted reserve corps, the Naval Reserve, the Marine Corps reserve, or any other reserve component of the military of the United State.

- 7     **Eligibility.** This section expands eligibility for state assistance for postsecondary education to veterans who have served in the United States armed forces at any time, not just since September 11, 2001. This section also makes spouses and children of these veterans who have died or have a service-connected disability eligible for state assistance for postsecondary education if they meet requirements to receive certain federal education benefits.

**OMNIBUS TAX BILL**  
**H.F. 677 (Chapter 143)**

*SUMMARY:* The tax bill creates a Greater Minnesota internship program that provides a tax credit for employers located in Greater Minnesota and provides a paid internship opportunity for eligible students. The bill also adds “digital books” to the list of tax exempt textbooks.

**ARTICLE 6**

***Individual Income and Corporate Franchise Taxes***

**Section**

- 4 Greater Minnesota Internship Program.** This section establishes a Greater Minnesota Internship Program to be administered by the Office of Higher Education through a Minnesota postsecondary institution located outside the 11 metro counties: Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, Sherburne, Washington and Wright. Through the internship program, academic credit would be provided to the student for successful completion of the internship, and tax credits, up to \$2,000 per intern, would be provided for eligible employers who hire interns for employment in Greater Minnesota. Program components are defined in this section.

A report is to be submitted to the Legislature by February 1, 2015 by the Department of Revenue regarding the number and dollar amount of tax credits allowed; the number of interns employed under this program; and the cost of administering the program. By February 1, 2016, the Department of Revenue shall report to the Legislature with an analysis of the effectiveness of the program in stimulating businesses to hire interns and in assisting participating interns in finding permanent career positions.

**ARTICLE 8**

***Sales and Use Taxes; Local Sales Taxes***

- 24 Textbooks.** This section makes “digital books” tax exempt, along with textbooks that are already exempt, to the type of textbook prescribed for use in conjunction with a course of study in a school, college, university and private career school.

**REVISOR'S BILL**

**S.F. 1664 (Chapter 144)**

*SUMMARY:* The Revisor's bill fixes errors enacted in other legislation. The language on FastTRAC was included in 2013 Session Laws, Chapter 85, the jobs and economic development bill; and the membership language for the Career Pathways Advisory Task Force was included in 2013 Session Laws, Chapter 116, the K-12 education bill.

**Section**

***Revisor's Bill***

- 2**     **Subd. 3. Workforce Development.**  
(f) This section moves the words “for low-skilled, low-income adults” in the appropriation of \$1.5 million for the FastTRAC grant. It corrects 2013 Session Laws, Chapter 85 – the jobs and economic development omnibus bill.
- 9**     **Membership.** This section changes the membership of the Career Pathways Advisory Task Force from 15 appointed members to 21 members. Minnesota State Colleges and Universities is to appoint a representative to this task force.