

**FILE NUMBER:** H.F. 3237  
**Version:** The first engrossment

**DATE:** April 15 , 2016

**Authors:** Nornes

**Subject:** Omnibus higher education policy bill

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### Article 1: Office of Higher Education

#### Overview

Article 1 contains policy changes related to programs administered by the Office of Higher Education (OHE), including the State Grant Program, Teacher Shortage Loan Forgiveness Program, and the MnSCU Occupational Scholarship Pilot Program. The article contains language that is based on House Files 3237 (Nornes), 3275 (Nornes), 2576 (E. Murphy), 2815 (Nornes), and 3789 (Nornes).

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**1 Management of programs.** Permits the OHE to retain up to 5 percent of an appropriation to a program or pass-through grant if the appropriation does not specify an amount for administrative costs. This permission would only apply to programs or grants established on or after January 1, 2016.

Appropriates funds retained under this section to the OHE for administering and monitoring programs.

This language is based on H.F. 3237 (Nornes).

**2 Receipt of donations; money; grants.** Permits the commissioner of higher education to accept donations, grants, bequests, and other funds. Funds received under this provision must be used to carry out the office's responsibilities, as specified in section 136A.01. Funds received under the provision are deposited in a special revenue account, appropriated to the commissioner for the purposes for which they were granted, and are available until expended.

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This language is based on H.F. 3237 (Nornes).

- 3 Surplus Appropriation.** Repeals OHE’s authority to increase the tuition and fee maximums for the state grant program if the program has surplus appropriations in the second year of the biennium. This authority was granted as part of the 2015 higher education omnibus bill. OHE would retain the authority to increase the living and miscellaneous expense allowance if the grant program has surplus appropriations.

- 4 Eligible Students.** The Child Care Grant Program provides financial assistance to resident postsecondary students to reduce the costs of child care. Under current law, the program is only open to undergraduate students without a baccalaureate degree who have not completed eight full-time semesters. Section 4 would permit graduate students to participate in the child care grant program, provided that they have been enrolled for fewer than eight semesters in a graduate or professional degree program.

This language is based on H.F. 3275 (Nornes).

- 5 Application for loan forgiveness.** Removes language requiring an individual to reapply for the Teacher Shortage Loan Forgiveness for five consecutive school years—this language has been clarified and moved in section 6 of the bill. Clarifies that an applicant may receive a loan forgiveness award if the applicant works in a licensure field or economic development region experiencing a teacher shortage.

This language is based on H.F. 3237 (Nornes).

- 6 Amount and length of grants.** Adjusts the child care grant program formula to account for the fact that full-time enrollment for graduate students is six credits.

- 7 Amount of loan forgiveness.** Stipulates that an applicant may not receive more than five teacher shortage loan forgiveness awards.

This language is based on H.F. 3237 (Nornes).

- 8 Disbursement.** Under the teacher shortage loan forgiveness program, an award recipient must provide proof to the commissioner that he or she applied the award to his or her student loan balance. Current law requires the recipient to provide proof within 60 days of *receiving* an award; the bill would change this to within 60 days of the *disbursement* of the award.

This language is based on H.F. 3237 (Nornes).

- 9 Promotion of federal loan forgiveness programs.** Requires OHE to develop informational materials to promote public awareness of existing loan forgiveness programs, and publish the materials on its website.

**Subd. 1. Definitions.** Defines “federal loan forgiveness program,” “public service loan forgiveness program,” and “public service organization.”

**Subd. 2. Promotion of loan forgiveness programs.** Requires OHE to develop and distribute informational materials to increase public awareness of federal loan forgiveness programs.

At a minimum, the commissioner must develop:

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- (1) a one-page letter to individuals who may be eligible for the public service loan forgiveness program, and briefly describes how to participate;
- (2) a detailed fact sheet about the program; and
- (3) answers to frequently asked questions about the program.

Permits OHE to distribute a document published by a federal agency in place of publishing its own document.

**Subd. 3. Publication of informational materials.** Requires the OHE to publish the informational materials developed under subdivision 2 on its website.

This language is based on H.F. 2576 (E. Murphy), with technical changes.

- 10 Planning information for postsecondary education.** Requires OHE to gather information about the dual credit acceptance policies of colleges and universities in Minnesota, and include this information in the informational materials packet that it annually distributes to middle and high school students. Specifies that OHE must gather information about concurrent enrollment, postsecondary enrollment, advanced placement, and international baccalaureate courses. Requires OHE to post the information gathered on its website.

This language is based on H.F. 2815 (Nornes), with modifications.

- 11 Disclosure of eligibility for student loan forgiveness.** Requires nonprofit and public employers to disclose to their employees that they may be eligible for the public service loan forgiveness program.

**Subd. 1. Definitions.** Defines “employer” as a public service organization as defined in the public service loan forgiveness program, but excluding federal and tribal organizations.

Defines “employment certification form” as a form used by the U.S. Department of Education to certify an individual’s employment at a public service organization.

Defines “federal public service loan forgiveness program” as public service loan forgiveness program administered by the U.S. Department of Education.

**Subd. 2. Disclosure of eligibility for student loan forgiveness.** (a) Requires employers to provide their employees with information about their potential eligibility for the federal public service loan forgiveness program. On January 1, 2017, and annually thereafter, employers must provide their employees with the informational materials developed by OHE under section 1 of the bill.

(b) Requires employers to provide the informational materials developed by OHE to their employees within two weeks of a new employee’s first day of employment.

(c) Requires an employer whose employee requests the employer certification form to provide the form to the employee.

This language is based on H.F. 2576 (E. Murphy), with technical changes.

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- 12 Reporting.** Removes language requiring OHE to annually report data about the MnSCU Occupational Scholarship Pilot to the legislature. Requires the commissioner to instead report the data to the legislature in January 2017 and January 2018. The program is a pilot program for which the appropriation in fiscal year 2019 is \$0. Under current law, OHE would be required to report about the program even if it no longer exists.
- This language is based on H.F. 3237 (Nornes).
- 13 MnSCU two-year college program; administrative costs.** Permits MnSCU to immediately access administrative funds related to the occupational scholarship pilot program.

In 2015, the legislature enacted a pilot program to provide scholarships for enrollment in eligible technical education programs that lead to employment in high demand occupational fields. In general, the scholarships are available to Minnesota students who completed an AmeriCorps program immediately after graduating high school, earning a GED, or completing an adult basic education program.

As part of this pilot program, the legislature appropriated \$225,000 to MnSCU for information technology and administrative costs associated with implementing the program. This appropriation was made available for fiscal year 2017. Fiscal year 2017 begins July 1, 2016.

This bill would allow MnSCU to access the IT and administrative cost appropriation sooner—rather than waiting until the new fiscal year begins in July, the funds would be available upon enactment of the bill.

This language is based on H.F. 3789 (Nornes).

## **Article 2: High School Testing; College Readiness and Remediation**

### Overview

This article requires the commissioner of education to identify the appropriate minimum benchmarks on the Minnesota Comprehensive Assessments for high school math, reading, and writing that indicate a student is prepared for postsecondary coursework. The chancellor of the Minnesota State Colleges and Universities (MnSCU) must review and confirm the benchmarks established by the commissioner.

State colleges and universities would be required to consider—alongside other factors—whether a student earned a college-ready benchmark when determining if a student is required to complete remedial coursework. In 2015, a similar law was enacted related to college-ready ACT scores.

The language in the article is based on H.F. 2586 (Bennett), with modifications.

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- 1 **Statewide testing.** Requires the commissioner of education to identify appropriate college-ready benchmarks on the Minnesota Comprehensive Assessments for high school math, reading, and writing. Requires the MnSCU chancellor to review and confirm the benchmarks.
- 2 **MCA college-ready score.** Requires MnSCU to consider—alongside other factors—whether a student has achieved an identified college-ready benchmark on the Minnesota Comprehensive Assessment in that subject area when determining if the student must take a remedial, non-credit course.

### **Article 3: MnSCU Program for Students with Intellectual and Developmental Disabilities**

#### **Overview**

This article require MnSCU to develop a plan for offering a program for students with intellectual and developmental disabilities at up to four campuses. The program would provide an inclusive, two-year full-time residential college experience for participants, and would lead to an appropriate academic credential upon completion.

This article also extends eligibility for state financial aid programs to participants in postsecondary programs for students with intellectual and developmental disabilities.

The language in this article is based on H.F. 2896 (Daniels), with modifications.

- 1 **Satisfactory academic progress.** Provides a modified standard of “satisfactory academic progress” for students with an intellectual disability enrolled in certain postsecondary transition programs.  
  
The effect of this change is to extend eligibility for state financial aid programs—including the state grant—to participants in the MnSCU pilot program established in section 2, and to participants in similar programs at other postsecondary institutions in Minnesota.
- 2 **MnSCU program for students with intellectual and developmental disabilities; plan required.** Requires MnSCU to develop a plan for offering a program for students with intellectual and developmental disabilities. The program developed must provide an inclusive, two-year full-time residential college experience for participants, and must lead to an appropriate academic credential upon completion.
  - Subd. 1.** Requires the plan to be developed.
  - Subd. 2.** Requires an assumption that the program would be offered at up to four college or university campuses, prioritizing a campus’ ability to offer a robust program using existing facilities and resources, and a goal to provide the program in diverse regions of the state.
  - Subd. 3.** Provides standards for enrollment and admission of participants in the program. The enrollment goal for each program must be ten incoming students per year.

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**Subd. 4.** Establishes the required curriculum and activities of the program. The program must include core academic courses, as well as opportunities for participants to engage fully in campus life.

**Subd. 5.** Requires MnSCU to submit a report to the legislature describing plans for the program no later than January 15, 2017. The report must include strategies for recruitment of applicants and strategies to address anticipated needs that cannot be met using existing resources.

### **Article 4: Fetal Tissue Research**

#### **Overview**

This article requests that the legislative auditor conduct a comprehensive review of research practices at the University of Minnesota that involve the use of fetal tissue.

The language in this article is based on H.F. 2865 (Whelan) and H.F. 3130 (Dean, M.), both with modifications.

- 1 Fetal tissue research.** Provides that the appropriations made in 2015 to the University of Minnesota for enhancement of the university's medical school are designated for the purpose of establishing a fetal tissue research center. This is in addition to other purposes for the appropriations that were established in the 2015 law (\$15 million in both FY 2016 and FY 2017 were appropriated to strengthen the medical school).

The fetal tissue research center is required to provide oversight of research activities at the university, and ensure compliance with applicable laws and policies related to research on fetal tissue. The center is prohibited from procuring fetal tissue unless it is available due to the natural death of the fetus.

This section also requires the University of Minnesota to comply with existing laws related to proper disposal of fetal tissue specimens.

This language is based on H.F. 2865 (Whelan), with modifications.

- 2 University of Minnesota fetal tissue research; legislative auditor review.** Outlines the substantive components of the requested review.

The review would determine (1) the amount of research conducted; (2) the total cost (including sources of funding) for the research; and (3) whether the research complies with applicable federal and state laws, as well as Board of Regent policies, related to the acquisition, sale, handling, and disposition of human tissues.

The review would also consider whether the policies adopted by the Board of Regents include provisions to ensure that fetal tissue is used in research only when necessary, and that the research activities are conducted in an ethical manner.

The review is requested to be complete no later than 60 days after final enactment of this bill.

This language is based on H.F. 3130 (Dean, M.), with modifications.

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### Article 5: Monitoring of Psychiatric Drug Trials

#### Overview

The Ombudsman for Mental Health and Developmental Disabilities acts on behalf of persons who receive services and treatment for mental illness, developmental disabilities, chemical dependency, or emotional disturbance. In this role, the ombudsman may, on behalf of a person receiving services, accept complaints, act as an advocate, or investigate the actions of an agency, facility, or program. This article would expand the role of the ombudsman to include oversight of the treatment of individuals who are enrolled in clinical drug trials at the University of Minnesota Department of Psychiatry.

A special review of a clinical drug study at the University of Minnesota Department of Psychiatry was conducted by the Office of the Legislative Auditor. In the March 19, 2015, report, the auditor recommended that the legislature should enact legislation to authorize the Ombudsman for Mental Health and Developmental Disabilities to monitor individuals who are enrolled in Department of Psychiatry clinical drug trials.

The language in this article is based on H.F. 3553 (Pugh).

**1 Office of Ombudsman; creation; qualifications; functions.** Amends § 245.92. Requires the Office of the Ombudsman for Mental Health and Developmental Disabilities to monitor treatment of individuals who are enrolled in clinical drug trials at the University of Minnesota Department of Psychiatry.

**2 Powers of ombudsman; reviews and evaluations; recommendations.** Amends § 245.94.

**Subd. 1. Powers.** Allows the ombudsman to gather records related to clinical drug trials from the University of Minnesota Department of Psychiatry. Requires the ombudsman to ensure that the Department of Psychiatry complies with the protections for human subjects required by federal law and the Institutional Review Board.

**Subd. 2. Matters appropriate for review.** Instructs the ombudsman to give particular attention to the death or unusual injury of any individual who is enrolled in a Department of Psychiatry clinical drug trial.

**Subd. 2a. Mandatory reporting.** Requires the lead investigator of a clinical drug trial at the Department of Psychiatry to notify the ombudsman within 24 hours of a client death or serious injury.

**Subd. 3. Complaints.** Allows the ombudsman to accept a complaint from any source concerning an action or inaction of the University of Minnesota Department of Psychiatry related to an individual who is enrolled in a clinical drug trial. Provides that the university shall not punish or unfavorably alter a participant's treatment as a result of an investigation or complaint. Prohibits the university from taking adverse action against any person who makes a complaint or assists in an investigation. Allows

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the ombudsman, at the request of the complainant, to maintain the complainant's identity as confidential.

**Subd. 4. Recommendations to agency.** No changes.

**Subd. 5. Recommendations to University of Minnesota.** Requires the ombudsman to make recommendations to the Board of Regents for corrective action if, after investigation, the ombudsman determines a complaint has merit or an investigation reveals noncompliance with the protection of human subjects or the Institutional Review Board.

**3 Reimbursement to Ombudsman for Mental Health and Developmental Disabilities.**

Amends § 245.945. Requires the Board of Regents to reimburse the ombudsman for oversight costs incurred by the ombudsman. Instructs the ombudsman to maintain and transmit documentation of costs to the Board of Regents.

**4 Specific reports.** Amends § 245.95, subd. 1. Adds the University of Minnesota Department of Psychiatry and its clinical drug trial employees to the definition of "agency, facility, program, or person" for purposes of this subdivision.

**5 Medical Review Subcommittee.** Amends § 245.97, subd. 5. Allows the subcommittee to review the death of a participant in a clinical drug trial conducted by the Department of Psychiatry and make a preliminary determination whether the death warrants investigation and reporting as required by laws on the protection of human subjects.

## **Article 6: Collegiate Recovery Program**

### **Overview**

This article requests that the Board of Regents of the University of Minnesota establish a collegiate recovery program at the University of Minnesota, Rochester campus.

A college recovery program provides structured academic, career, and personal support for students in recovery from alcohol, chemical, and other addictive behaviors, while also facilitating completion of a postsecondary educational program. In Minnesota, collegiate recovery programs currently exist at St. Cloud State University and Augsburg College.

The language in this article is based on H.F. 2547 (Norton), with modifications.

**1 Rochester campus; collegiate recovery program.** Requests the Board of Regents establish a collegiate recovery program on the Rochester campus. Specifies the purpose of the program and the activities that may be included. Requires a report to the legislature no later than January 1, 2020.

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- 2**      **Operations and Maintenance.** Stipulates that \$257,200 of the University's fiscal year 2017 Operations and Maintenance appropriation is for design and implementation of a collegiate recovery program. Specifies that this is a one-time appropriation. Sets the base for the program in fiscal year 2020 at \$179,000. Stipulates that the operations and maintenance base appropriation for fiscal year 2018 is \$559,111,000—this is the same as the base under current law.