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**S.F. No. 1045 - as amended by the delete-all amendment – A-4**  
**Postsecondary institution's mandated sexual harassment and sexual assault policy amendment.**

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**Section 1 (135A.15)** modifies the section of law related to Campus Sexual Misconduct Policy. The subdivisions that contain substantive modifications are summarized below. The entire section of law is contained in the amendment, which is necessary to change the headnote of the law from “Sexual Harassment and Violence” to “Campus Sexual Misconduct.” Some subdivisions only contain technical changes to update terminology, generally, “sexual assault” is changed to “sexual misconduct” and “victim” is changed to “victim-survivor.”

**Subd 1a** modifies several definitions and adds new definitions. The new term “sexual misconduct” is defined and includes a more expansive list of crimes and conduct that fall under this policy. Also, the term “advisor” is defined, which is a person who is selected by the parties for support during the investigation and disciplinary process.

**Subd 2** provides that the victim-survivor rights under this section are not contingent on entering into a nondisclosure agreement. Further, a nondisclosure agreement or other contract restricting the ability to disclose information in connection with a sexual misconduct complaint may not be used as a condition of financial aid or remedial action.

**Subd 2a** is a new subdivision related to campus investigation and disciplinary hearing procedures. An institution must provide a reporting party with an opportunity for an impartial, timely, and thorough investigation of a report of sexual misconduct. If an investigation reveals that sexual misconduct occurred, the institution must take steps to end the misconduct, prevent its recurrence, and, as appropriate, remedy its effects. The institution must treat all parties with dignity, respect, and fairness. If an institution conducts a hearing, an advisor may provide opening and closing remarks on behalf of the party. The disciplinary proceedings must apply a preponderance of the evidence standard of proof.

**Subd 8** requires training to be culturally responsive and address the unique experiences and challenges of students.