

1.1 ..... moves to amend H.F. No. 1101 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "ARTICLE 1

1.4 HIGHER EDUCATION APPROPRIATIONS

1.5 Section 1. SUMMARY OF APPROPRIATIONS.

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

1.8 SUMMARY BY FUND

	<u>2012</u>	<u>2013</u>	<u>Total</u>
1.9 <u>General</u>	\$ 1,252,884,000	\$ 1,252,633,000	\$ 2,505,517,000
1.10 <u>Health Care Access</u>	2,157,000	2,157,000	4,314,000
1.11 <u>Total</u>	\$ 1,255,041,000	\$ 1,254,790,000	\$ 2,509,831,000

1.12  
1.13 Subd. 2. Summary By Agency - All Funds. The amounts shown in this subdivision  
1.14 summarize direct appropriations, by agency, made in this article.

1.15 SUMMARY BY AGENCY - ALL FUNDS

	<u>2012</u>	<u>2013</u>	<u>Total</u>
1.16 <u>Minnesota Office of Higher</u>			
1.17 <u>Education</u>	\$ 195,297,000	\$ 195,046,000	\$ 390,343,000
1.18 <u>Mayo Medical Foundation</u>	1,351,000	1,351,000	2,702,000
1.19 <u>Board of Trustees of the</u>			
1.20 <u>Minnesota State Colleges and</u>			
1.21 <u>Universities</u>	528,693,000	528,693,000	1,057,386,000
1.22 <u>Board of Regents of the</u>			
1.23 <u>University of Minnesota</u>	529,700,000	529,700,000	1,059,400,000
1.24 <u>Total</u>	\$ 1,255,041,000	\$ 1,254,790,000	\$ 2,509,881,000

1.25  
1.26 Sec. 2. HIGHER EDUCATION APPROPRIATIONS.

2.1 The sums shown in the columns marked "Appropriations" are appropriated to the  
 2.2 agencies and for the purposes specified in this article. The appropriations are from the  
 2.3 general fund, or another named fund, and are available for the fiscal years indicated  
 2.4 for each purpose. The figures "2012" and "2013" used in this article mean that the  
 2.5 appropriations listed under them are available for the fiscal year ending June 30, 2012, or  
 2.6 June 30, 2013, respectively. "The first year" is fiscal year 2012. "The second year" is fiscal  
 2.7 year 2013. "The biennium" is fiscal years 2012 and 2013.

2.8		<b><u>APPROPRIATIONS</u></b>	
2.9		<b><u>Available for the Year</u></b>	
2.10		<b><u>Ending June 30</u></b>	
2.11		<b><u>2012</u></b>	<b><u>2013</u></b>

2.12 **Sec. 3. MINNESOTA OFFICE OF HIGHER**  
 2.13 **EDUCATION**

2.14	<b><u>Subdivision 1. Total Appropriation</u></b>	<b><u>\$ 195,297,000</u></b>	<b><u>\$ 195,046,000</u></b>
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2.15 The amounts that may be spent for each  
 2.16 purpose are specified in the following  
 2.17 subdivisions.

2.18	<b><u>Subd. 2. State Grants</u></b>	<b><u>161,310,000</u></b>	<b><u>161,310,000</u></b>
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2.19 If the appropriation in this subdivision for  
 2.20 either year is insufficient, the appropriation  
 2.21 for the other year is available for it.

2.22 For the biennium, the tuition maximum  
 2.23 is \$10,488 in each year for students in  
 2.24 four-year programs, and \$5,808 for students  
 2.25 in two-year programs.

2.26 This appropriation sets the living and  
 2.27 miscellaneous expense allowance at \$7,000  
 2.28 each year.

2.29	<b><u>Subd. 3. Safety Officers' Survivors</u></b>	<b><u>100,000</u></b>	<b><u>100,000</u></b>
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2.30 This appropriation is to provide educational  
 2.31 benefits under Minnesota Statutes, section  
 2.32 299A.45, to eligible dependent children and  
 2.33 to the spouses of public safety officers killed  
 2.34 in the line of duty.

3.1 If the appropriation in this subdivision for  
 3.2 either year is insufficient, the appropriation  
 3.3 for the other year is available for it.

3.4 Subd. 4. **Child Care Grants** 6,561,000 6,561,000

3.5 Subd. 5. **State Work-Study** 12,862,000 12,862,000

3.6 Subd. 6. **Indian Scholarships** 1,900,000 1,900,000

3.7 This appropriation includes funding each  
 3.8 year to administer the Indian Scholarship  
 3.9 program.

3.10 Subd. 7. **Intervention for College Attendance**  
 3.11 Program Grants 671,000 671,000

3.12 For grants under Minnesota Statutes,  
 3.13 section 136A.861. Up to \$50,000 of this  
 3.14 appropriation each year may be used for  
 3.15 administrative expenses.

3.16 Subd. 8. **Midwest Higher Education Compact** 95,000 95,000

3.17 Subd. 9. **Interstate Tuition Reciprocity** 3,150,000 3,250,000

3.18 If the appropriation in this subdivision for  
 3.19 either year is insufficient, the appropriation  
 3.20 for the other year is available to meet  
 3.21 reciprocity contract obligations.

3.22 Subd. 10. **Minnesota College Savings Plan** 350,000

3.23 Subd. 11. **MnLINK Gateway and Minitex** 5,730,000 5,730,000

3.24 Subd. 12. **Student and Parent Information** 119,000 118,000

3.25 Subd. 13. **Get Ready** 175,000 175,000

3.26 Subd. 14. **Minnesota Minority Partnership** 43,000 43,000

3.27 Subd. 15. **Agency Administration** 2,231,000 2,231,000

3.28 Subd. 16. **Balances Forward**

3.29 A balance in the first year under this section  
 3.30 does not cancel, but is available for the  
 3.31 second year.



5.1 Chancellor and the Shared Services Division  
 5.2 in the biennium ending June 30, 2011,  
 5.3 must not be allocated to any institution and  
 5.4 must not be charged back to any campus or  
 5.5 institution.

5.6 **Subd. 3. Operations and Maintenance** 484,619,000 484,619,000

5.7 \$102,000 each year is for the Cook  
 5.8 County Higher Education Board to provide  
 5.9 educational programs and academic support  
 5.10 services. The base appropriation under this  
 5.11 paragraph is \$102,000.

5.12 One percent of the fiscal year 2013  
 5.13 appropriation in this subdivision is available  
 5.14 in fiscal year 2013 after the board of  
 5.15 trustees of the Minnesota State Colleges  
 5.16 and Universities demonstrates to the  
 5.17 commissioner of management and budget  
 5.18 that the Board has achieved at least three of  
 5.19 the following five performance goals:

5.20 (1) increase by at least seven percent,  
 5.21 compared to fiscal year 2009, graduates or  
 5.22 degrees, diplomas and certificates conferred;

5.23 (2) increase by at least ten percent, compared  
 5.24 to fiscal year 2010, the number of students  
 5.25 of color;

5.26 (3) increase by at least fifteen percent,  
 5.27 compared to fiscal year 2010, the full year  
 5.28 equivalent enrollment of students taking  
 5.29 online or blended courses or the number of  
 5.30 online and blended sections;

5.31 (4) increase by at least one percent, the fall  
 5.32 2011 persistence and completion rate for fall  
 5.33 2010 entering students compared to the fall  
 5.34 2010 rate for fall 2009 entering students; and

6.1 (5) decrease by at least three percent,  
 6.2 compared to calendar year 2009, total energy  
 6.3 consumption.

6.4 By October 1, 2011, the Board of Trustees  
 6.5 and the Office of Higher Education must  
 6.6 agree on specific numerical indicators and  
 6.7 definitions for each of the five goals that will  
 6.8 be used to demonstrate the Minnesota State  
 6.9 Colleges and Universities' attainment of each  
 6.10 goal.

6.11 On or before April 1, 2012, the Board  
 6.12 of Trustees must report to the legislative  
 6.13 committees with primary jurisdiction over  
 6.14 higher education finance and policy the  
 6.15 progress of the Minnesota State Colleges and  
 6.16 Universities toward attaining the goals.

6.17 **Subd. 4. Learning Network of Minnesota** 4,161,000 4,161,000

6.18 **Subd. 5. Education Priorities**

6.19 The Board of Trustees, in fulfilling the  
 6.20 requirements of Minnesota Statutes, section  
 6.21 136F.06, by making reductions, approving  
 6.22 programs of study, establishing requirements  
 6.23 for completion of programs, and approving  
 6.24 course offerings and requirements for  
 6.25 credentials, must place the highest priority on  
 6.26 meeting the needs of Minnesota employers  
 6.27 for a skilled workforce. The board must  
 6.28 focus on the efficient delivery of higher  
 6.29 education, eliminate duplication throughout  
 6.30 the system, and streamline the operation  
 6.31 of the system to provide an education that  
 6.32 prepares students for the workforce needs of  
 6.33 Minnesota.

6.34 **Subd. 6. Minnesota State Colleges and**  
 6.35 **Universities Tuition Maximums**



8.1 University of Minnesota Foundation and the  
8.2 Minnesota Medical Foundation;

8.3 (2) produce at least 13,500 total degrees on  
8.4 all campuses in fiscal year 2012;

8.5 (3) increase the undergraduate four- and  
8.6 six-year graduation rates on the Twin Cities  
8.7 campus for 2011-2012, as reported in the  
8.8 federal completions survey, over the numbers  
8.9 for 2009-10, as reported in the federal  
8.10 completion survey;

8.11 (4) produce total research and development  
8.12 expenditures, as reported to the National  
8.13 Science Foundation for the University of  
8.14 Minnesota system so that the amount in the  
8.15 2012 NSF report is not less than the amount  
8.16 in the 2010 NSF report; and

8.17 (5) produce sponsored funding from business  
8.18 and industry so that funding in fiscal year  
8.19 2012, as reported to the Board of Regents  
8.20 in December of that year, is not less than  
8.21 funding in fiscal year 2010.

8.22 By October 1, 2011, the Board of Regents  
8.23 and the Office of Higher Education must  
8.24 agree on specific numerical indicators and  
8.25 definitions for each of the five goals that will  
8.26 be used to demonstrate the University of  
8.27 Minnesota's attainment of each goal.

8.28 On or before April 1, 2012, the Board  
8.29 of Regents must report to the legislative  
8.30 committees with primary jurisdiction over  
8.31 higher education finance and policy the  
8.32 progress of the University of Minnesota  
8.33 toward attaining the goals.

8.34 **Subd. 3. Education Priorities**



9.1 The Board of Regents, in fulfilling  
 9.2 their governance responsibilities for  
 9.3 the University of Minnesota by making  
 9.4 reductions, approving programs of study,  
 9.5 establishing requirements for completion of  
 9.6 programs, approving course offerings and  
 9.7 requirements for credentials, and authorizing  
 9.8 and funding research are encouraged to place  
 9.9 the highest priority on meeting the needs of  
 9.10 Minnesota employers for a skilled workforce.  
 9.11 The board must focus on the efficient delivery  
 9.12 of higher education, eliminate duplication  
 9.13 and redundancy, streamline administration,  
 9.14 and focus on providing an education that  
 9.15 prepares students for the workforce needs of  
 9.16 Minnesota.

9.17 **Subd. 4. University of Minnesota Tuition**  
 9.18 **Maximums**

9.19 The legislature expects that in the biennium  
 9.20 ending June 30, 2013, increases in tuition  
 9.21 revenue attributable to students enrolled  
 9.22 in the University of Minnesota must not  
 9.23 increase by more than \$76,290,000.

9.24 **Subd. 5. Primary Care Education Initiatives**                      2,157,000                      2,157,000

9.25 This appropriation is from the health care  
 9.26 access fund.

9.27 **Subd. 6. Special Appropriations**

9.28 **(a) Agriculture and Extension Service**                      42,422,000                      42,422,000

9.29 For the Agricultural Experiment Station and  
 9.30 the Minnesota Extension Service.

9.31 **(b) Health Sciences**    5,323,000                      5,323,000

9.32 \$346,000 each year is to support up to 12  
 9.33 resident physicians in the St. Cloud Hospital  
 9.34 family practice residency program. The

10.1 program must prepare doctors to practice  
 10.2 primary care medicine in the rural areas of  
 10.3 the state. The legislature intends this program  
 10.4 to improve health care in rural communities,  
 10.5 provide affordable access to appropriate  
 10.6 medical care, and manage the treatment of  
 10.7 patients in a more cost-effective manner.

10.8 The remainder of this appropriation is for  
 10.9 the rural physicians associates program, the  
 10.10 Veterinary Diagnostic Laboratory, health  
 10.11 sciences research, dental care, and the  
 10.12 Biomedical Engineering Center.

10.13 **(c) Institute of Technology** 1,126,000 1,126,000

10.14 For the Geological Survey and the talented  
 10.15 youth mathematics program.

10.16 **(d) System Special** 4,997,000 4,997,000

10.17 For general research, industrial relations  
 10.18 education, Natural Resources Research  
 10.19 Institute, Center for Urban and Regional  
 10.20 Affairs, and the Bell Museum of Natural  
 10.21 History.

10.22 **(e) University of Minnesota and Mayo**  
 10.23 **Foundation Partnership** 8,000,000 8,000,000

10.24 For the direct and indirect expenses of the  
 10.25 collaborative research partnership between  
 10.26 the University of Minnesota and the Mayo  
 10.27 Foundation for research in biotechnology  
 10.28 and medical genomics. This appropriation is  
 10.29 available until expended. An annual report  
 10.30 on the expenditure of these funds must be  
 10.31 submitted to the governor and the chairs  
 10.32 of the senate and house of representatives  
 10.33 committees responsible for higher education



12.1 study is pursued, or a person receiving a railroad retirement annuity who has reached 60  
12.2 years of age before the beginning of the term.

12.3 **EFFECTIVE DATE.** This section is effective the day after final enactment for  
12.4 terms beginning after July 1, 2011.

12.5 Sec. 2. **[136A.051] STUDENT RECORDS AND DATA.**

12.6 When any institution of higher education provides the Minnesota Office of Higher  
12.7 Education, Minnesota Department of Education, or any other state agency student  
12.8 data or records, the institution of higher education shall not be liable for any breach of  
12.9 confidentiality, disclosure, use, retention, or destruction of such student data or records, if  
12.10 the breach, disclosure, use, retention, or destruction of the records resulted from actions or  
12.11 omissions of:

12.12 (1) the Minnesota Office of Higher Education, Minnesota Department of Education,  
12.13 or any other state agency; or

12.14 (2) individuals or entities provided access to the education records by the Minnesota  
12.15 Office of Higher Education, the Minnesota Department of Education, or any other state  
12.16 agency.

12.17 Sec. 3. Minnesota Statutes 2010, section 136A.121, subdivision 6, is amended to read:

12.18 Subd. 6. **Cost of attendance.** (a) The recognized cost of attendance consists  
12.19 of (1) allowances specified in law for living and miscellaneous expenses, and (2) an  
12.20 allowance for tuition and fees equal to the lesser of the average tuition and fees charged by  
12.21 the institution that is, (i) for two-year program, the highest tuition and fees charged by  
12.22 a Minnesota public college; (ii) for four-year programs, the highest average tuition and  
12.23 fees charged by a Minnesota public university; or (iii) for any program the tuition and  
12.24 fee maximums established in law.

12.25 (b) For a student registering for less than full time, the office shall prorate the cost of  
12.26 attendance to the actual number of credits for which the student is enrolled.

12.27 (c) The recognized cost of attendance for a student who is confined to a Minnesota  
12.28 correctional institution shall consist of the tuition and fee component in paragraph (a),  
12.29 with no allowance for living and miscellaneous expenses.

12.30 (d) For the purpose of this subdivision, "fees" include only those fees that are  
12.31 mandatory and charged to full-time resident students attending the institution. Fees do  
12.32 not include charges for tools, equipment, computers, or other similar materials where the  
12.33 student retains ownership. Fees include charges for these materials if the institution retains  
12.34 ownership. Fees do not include optional or punitive fees.

13.1        **Sec. 4. [136F.705] UNDERGRADUATE TUITION GUARANTEE PLAN.**

13.2            (a) The board of trustees is encouraged to offer entering students a plan providing  
 13.3 stable tuition for students pursuing two-year or four-year degrees. A guaranteed tuition  
 13.4 plan must meet the requirements of this section.

13.5            (b) A Minnesota resident student who first enrolls in a degree program at a state  
 13.6 college or university beginning in the fall of 2011 or later is guaranteed a stable tuition  
 13.7 for up to four consecutive academic years.

13.8            (c) For an undergraduate student enrolled in a baccalaureate degree program at a  
 13.9 state university, the tuition charged to the student for each semester of enrollment during  
 13.10 a four-year period, beginning with the first semester of enrollment, must not exceed the  
 13.11 amount of tuition that the student was charged for the first semester of enrollment. For a  
 13.12 student who continues to be enrolled after four consecutive academic years, the tuition  
 13.13 rate for each semester in excess of four years is equal to the tuition rate paid by new  
 13.14 enrollees at the state university.

13.15            (d) For an undergraduate student enrolled in an associate degree program at a college,  
 13.16 the tuition charged to the student for each semester of enrollment during a two-year period,  
 13.17 beginning with the first semester of enrollment, must not exceed the amount of tuition that  
 13.18 the student was charged for the first semester of enrollment. For a student who continues  
 13.19 to be enrolled after two consecutive academic years, the tuition rate for each semester in  
 13.20 excess of two years is equal to the tuition rate for new enrollees at the college.

13.21        Sec. 5. Minnesota Statutes 2010, section 136G.01, is amended to read:

13.22            **136G.01 PLAN ESTABLISHED.**

13.23            A college savings plan known as the Minnesota college savings plan is established.  
 13.24 In establishing this plan, the legislature seeks to encourage individuals to save for  
 13.25 postsecondary education by:

13.26            (1) providing a qualified tuition plan under federal tax law; and

13.27            ~~(2) providing matching grants for contributions to the program by low- and~~  
 13.28 ~~middle-income families; and~~

13.29            ~~(3)~~ (2) encouraging individuals, foundations, and businesses to provide additional  
 13.30 grants to participating students.

13.31            **EFFECTIVE DATE.** This section is effective July 1, 2012.

13.32        Sec. 6. Minnesota Statutes 2010, section 136G.03, subdivision 1, is amended to read:

14.1 Subdivision 1. **General.** For purposes of sections 136G.01 to ~~136G.13~~ 136G.14, the  
14.2 following terms have the meanings given.

14.3 **EFFECTIVE DATE.** This section is effective July 1, 2012.

14.4 Sec. 7. Minnesota Statutes 2010, section 136G.03, subdivision 18, is amended to read:

14.5 Subd. 18. **Matching grant.** "Matching grant" means an amount added to a matching  
14.6 grant account under section 136G.11 for eligible account beneficiaries for account  
14.7 contributions in calendar years 2001 to 2010.

14.8 **EFFECTIVE DATE.** This section is effective July 1, 2012.

14.9 Sec. 8. Minnesota Statutes 2010, section 136G.03, subdivision 27, is amended to read:

14.10 Subd. 27. **Plan.** "Plan" refers to the plan established under sections 136G.01 to  
14.11 ~~136G.13~~ 136G.14.

14.12 **EFFECTIVE DATE.** This section is effective July 1, 2012.

14.13 Sec. 9. Minnesota Statutes 2010, section 136G.05, subdivision 1, is amended to read:

14.14 Subdivision 1. **Responsibilities.** (a) The director shall establish the rules, terms,  
14.15 and conditions for the plan, subject to the requirements of sections 136G.01 to ~~136G.13~~  
14.16 136G.14.

14.17 (b) The director shall prescribe the application forms, procedures, and other  
14.18 requirements that apply to the plan.

14.19 **EFFECTIVE DATE.** This section is effective July 1, 2012.

14.20 Sec. 10. Minnesota Statutes 2010, section 136G.05, subdivision 6, is amended to read:

14.21 Subd. 6. **Three-year period for withdrawal of grants.** A matching grant deposited  
14.22 in ~~the~~ a matching grant account based on account owner contributions during calendar  
14.23 years 2001 to 2010 under section 136G.11 may not be withdrawn within three years of the  
14.24 establishment of the account of the beneficiary. In calculating the three-year period, the  
14.25 period held in another account is included, if the account includes a rollover from another  
14.26 account under section 529(c)(3)(C) of the Internal Revenue Code.

14.27 **EFFECTIVE DATE.** This section is effective July 1, 2012.

14.28 Sec. 11. Minnesota Statutes 2010, section 136G.05, subdivision 8, is amended to read:

15.1 Subd. 8. **Administration.** The director shall administer the program, including  
15.2 accepting and processing applications, maintaining account records, making payments,  
15.3 ~~making matching grants under section 136G.11,~~ and undertaking any other necessary  
15.4 tasks to administer the program. The office may contract with one or more third parties to  
15.5 carry out some or all of these administrative duties, including providing incentives and  
15.6 marketing the program. The office and the board may jointly contract with third-party  
15.7 providers, if the office and board determine that it is desirable to contract with the same  
15.8 entity or entities for administration and investment management.

15.9 **EFFECTIVE DATE.** This section is effective July 1, 2012.

15.10 Sec. 12. **[137.105] UNDERGRADUATE TUITION GUARANTEE PLAN.**

15.11 The Board of Regents is encouraged to offer students a guaranteed tuition plan  
15.12 according to this section. A Minnesota resident student who first enrolls in a degree  
15.13 program at the University of Minnesota beginning in the fall of 2011 or later may be  
15.14 offered guaranteed stable tuition for up to four consecutive academic years. Under the  
15.15 guaranteed plan, for an undergraduate student enrolled in a baccalaureate degree program,  
15.16 the tuition charged to the student for each semester of enrollment during a four-year  
15.17 period, beginning with the first semester of enrollment, must not exceed the amount of  
15.18 tuition that the student was charged for the first semester of enrollment. For a student  
15.19 who continues to be enrolled after four consecutive academic years, the tuition rate for  
15.20 each semester in excess of four years is equal to the tuition rate paid by new enrollees  
15.21 at the University of Minnesota.

15.22 Sec. 13. **STUDY OF GRADUATE EDUCATION IN FOR-PROFIT SECTOR.**

15.23 The Minnesota Office of Higher Education must study graduate education in the  
15.24 for-profit institutions that offer graduate education to Minnesota students. The study  
15.25 must examine the rights and responsibilities of graduate students attending for-profit  
15.26 institutions. At a minimum, the study must include an analysis of contractual arrangements  
15.27 with graduate students, fulfillment of these contracts by all parties, protection of graduate  
15.28 students' intellectual property rights, communication of well-defined expectations  
15.29 for completion of graduation requirements, provision of adequate notice of changing  
15.30 expectations for completion of graduate degrees, and ease of access by the graduate  
15.31 student to information on the policies and procedures of the institution. The study must  
15.32 evaluate the extent to which these institutions provide clear guidelines for graduate studies  
15.33 on due process, academic freedom of inquiry, and recourse for graduate students if a  
15.34 potential conflict of interest situation, including access to alternative dispute resolution

16.1 systems, and provide examples of effective guidelines and policies. The office must report  
16.2 on the findings of this study by January 15, 2013, to the committees of the legislature with  
16.3 responsibility for higher education finance. The report must include recommendations for  
16.4 any changes to improve graduate education in the for-profit sector.

16.5 Sec. 14. **CREDIT TRANSFER WITHIN MINNESOTA STATE COLLEGES**  
16.6 **AND UNIVERSITIES.**

16.7 By February 15, 2012, the Board of Trustees of the Minnesota State Colleges and  
16.8 Universities must adopt a policy requiring every college and university of the Minnesota  
16.9 State Colleges and Universities to grant credit for a course that is taken for credit at any of  
16.10 the colleges or universities in the system. The policy must require the credit to transfer to  
16.11 the receiving institution at the same number of credits granted at the transferring institution.  
16.12 The policy must also address the transfer of credits awarded to students in the Anoka  
16.13 STEP and other 2+2 programs offered in conjunction with colleges in the Minnesota State  
16.14 Colleges and Universities to all colleges within MnSCU. The policy adopted under this  
16.15 section may allow credits to transfer as an equal number of elective credits.

16.16 Sec. 15. **REPEALER.**

16.17 (a) Minnesota Statutes 2010, sections 135A.26; and 181.986, are repealed.

16.18 (b) Minnesota Statutes 2010, section 136G.11, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9,  
16.19 and 10, are repealed effective July 2, 2012.

16.20 (c) Laws 2009, chapter 95, article 2, section 39, is repealed effective July 1, 2011."

16.21 Amend the title accordingly