

1.1 ..... moves to amend H.F. No. 3315, the delete everything amendment  
1.2 (H3315DE1), as follows:

1.3 Page 31, after line 22, insert:

1.4 "Sec. 21. [121A.24] PROGRAM TO PREVENT SEXUAL ASSAULT.

1.5 Subdivision 1. Consent. (a) The commissioner of education, in consultation with the  
1.6 Department of Health, must assist districts and charter schools in developing and  
1.7 implementing a consent program to prevent and reduce the incidence of sexual assault. Each  
1.8 district must have a program that includes age appropriate instruction on consent in grades  
1.9 8 to 12, consistent with paragraph (c), that includes at least the following:

1.10 (1) planning materials and guidelines;

1.11 (2) in-service training for appropriate district staff and school board members;

1.12 (3) collaboration with local community health services, agencies, and organizations  
1.13 having a consent program; and

1.14 (4) participation by state and local student organizations.

1.15 (b) If a district fails to develop and implement a consent program, the department must  
1.16 assist the service cooperative in the region serving that district or charter school to develop  
1.17 or implement the program.

1.18 (c) "Consent" as used in this section means affirmative, conscious, and voluntary  
1.19 agreement to engage in sexual activity. It is a responsibility of each person involved in  
1.20 sexual activity to ensure that the other or others consent to engage in the sexual activity.  
1.21 Lack of protest or resistance does not mean consent. Consent must be ongoing throughout  
1.22 a sexual activity and can be revoked at any time. The existence of a dating relationship  
1.23 between the persons involved, or the fact of past sexual relations between them, should  
1.24 never by itself be assumed to be an indicator of consent.

2.1 Subd. 2. **Funding sources.** Districts and charter schools may accept funds for consent  
2.2 programs developed and implemented under this section from public and private sources  
2.3 including public health funds and foundations, department professional development funds,  
2.4 federal block grants, or other federal or state grants.

2.5 **EFFECTIVE DATE.** This section is effective the day following final enactment."

2.6 Renumber the sections in sequence and correct internal references