A bill for an act

relating to education; providing for funding and policy in early childhood, kindergarten through grade 12, and adult education, including general education, education excellence, standards and assessments, charter schools, special education, facilities and technology, nutrition and accounting, libraries, early childhood education, prevention, self-sufficiency and lifelong learning, state agencies, and forecast adjustments; requiring rulemaking; appropriating money; amending Minnesota Statutes 2014, sections 5A.03; 16A.103, subdivision 1c; 120A.41; 120B.02, subdivision 2; 120B.021, subdivision 4; 120B.022, subdivisions 1, 1a, 1b; 120B.024, subdivision 2; 120B.11, subdivision 1a; 120B.12, subdivision 4a; 120B.125; 120B.13, subdivision 4; 120B.30, subdivisions 1, 1a, 3; 120B.31, subdivision 4; 120B.36, subdivision 1; 121A.17, subdivision 5; 122A.09, subdivision 4, by adding subdivisions; 122A.14, subdivisions 3, 9, by adding a subdivision; 122A.18, subdivisions 2, 7c, 8, 122A.20, subdivision 1; 122A.21, subdivisions 1, 2; 122A.23; 122A.245, subdivisions 1, 3, 7; 122A.25; 122A.30; 122A.31, subdivisions 1, 2; 122A.40, subdivisions 5, 8, 10, 11, 13; 122A.41, subdivisions 2, 5, 6, 14; 122A.414, subdivision 2; 122A.60; 122A.61, subdivision 1; 122A.69; 122A.70, subdivision 1; 123A.24, subdivision 1; 123A.75, subdivision 1; 123B.045; 123B.59, subdivisions 6, 7; 123B.77, subdivision 3; 123B.88, subdivision 1, by adding a subdivision; 124D.041, subdivisions 1, 2; 124D.09, subdivisions 5, 8a, 8, 9, 12; 124D.091, subdivision 1; 124D.10, subdivisions 1, 3, 4, 8, 9, 12, 14, 16, 23, by adding a subdivision; 124D.11, subdivisions 1, 9; 124D.121; 124D.122; 124D.126, subdivision 1; 124D.127; 124D.128, subdivision 1; 124D.13; 124D.135; 124D.16; 124D.165; 124D.531, subdivisions 1, 2, 3; 124D.73, subdivisions 3, 4; 124D.74, subdivisions 1, 3, 6; 124D.75, subdivisions 1, 3, 9; 124D.76; 124D.78; 124D.79, subdivisions 1, 2; 124D.791, subdivision 1 4; 124D.861; 124D.862; 125A.01; 125A.023, subdivisions 3, 4; 125A.027; 125A.03; 125A.08; 125A.085; 125A.0942, subdivision 3; 125A.21; 125A.28; 125A.63, subdivisions 2, 3, 4, 5; 125A.75, subdivision 9; 125A.76, subdivisions 1, 2c; 125B.26, subdivision 2; 126C.10, subdivisions 1, 2, 2a, 2e, 3, 13a, 18, 24; 126C.13, subdivision 4; 126C.15, subdivisions 1, 2, 3; 126C.17, subdivisions 1, 2; 127A.05, subdivision 6; 127A.49, subdivision 1; 134.355, subdivisions 8, 9, 10; 135A.101, by adding a subdivision; 179A.20, by adding a subdivision; Laws 2013, chapter 116, article 1, section 58, subdivisions 2, as amended, 3, as amended, 4, as amended, 5, as amended, 6, as amended, 7, as amended, 11, as amended; article 3, section 37, subdivisions 3, as amended, 4, as amended, 5, as amended, 20, as amended; article 4, section 9, subdivision 2, as amended; article 5, section 31, subdivisions 2, as amended, 3, as amended, 4, as amended; article
2.9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

ARTICLE 1

GENERAL EDUCATION

2.12 Section 1. Minnesota Statutes 2014, section 120A.41, is amended to read:

120A.41 LENGTH OF SCHOOL YEAR; HOURS OF INSTRUCTION.

A school board's annual school calendar must include at least 425 hours of
instruction for a kindergarten student without a disability, 935 hours of instruction for a
student in grades 1 through 6, and 1,020 hours of instruction for a student in grades 7
through 12, not including summer school. The school calendar for all-day kindergarten
must include at least 850 hours of instruction for the school year. A school board's annual
calendar must include at least 165 days of instruction for a student in grades 1 through
11 unless a four-day week schedule has been approved by the commissioner board under
section 124D.126 sections 124D.12 to 124D.127.

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

2.23 Sec. 2. Minnesota Statutes 2014, section 124D.11, subdivision 1, is amended to read:

Subdivision 1. General education revenue. (a) General education revenue must
be paid to a charter school as though it were a district. The general education revenue
for each adjusted pupil unit is the state average general education revenue per pupil unit,
plus the referendum equalization aid allowance in the pupil's district of residence, minus
an amount equal to the product of the formula allowance according to section 126C.10,
subdivision 2, times .0466, calculated without declining enrollment revenue, local optional
revenue, basic skills revenue, extended time support revenue, pension adjustment revenue,
transition revenue, and transportation sparsity revenue, plus declining enrollment revenue,
basic skills revenue, extended time support revenue, pension adjustment revenue, and
transition revenue as though the school were a school district.

(b) For a charter school operating an extended day, extended week, or summer
program, the general education revenue for each extended time pupil unit equals $4,794.
in paragraph (a) is increased by an amount equal to 25 percent of the statewide average extended support revenue per pupil unit.

**EFFECTIVE DATE.** This section is effective for fiscal year 2016 and later.

Sec. 3. Minnesota Statutes 2014, section 124D.121, is amended to read:

**124D.121 DEFINITION OF FLEXIBLE LEARNING YEAR PROGRAM.**

"Flexible learning year program" means any district plan approved by the commissioner that utilizes buildings and facilities during the entire year or that provides forms of optional scheduling of pupils and personnel during the learning year in elementary and secondary schools or residential facilities for children with a disability.

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

Sec. 4. Minnesota Statutes 2014, section 124D.122, is amended to read:

**124D.122 ESTABLISHMENT OF FLEXIBLE LEARNING YEAR PROGRAM.**

The board of any district or a consortium of districts, with the approval of the commissioner, may establish and operate a flexible learning year program in one or more of the day or residential facilities for children with a disability within the district. Consortia may use a single application and evaluation process, though results, public hearings, and board approvals must be obtained for each district as required under appropriate sections.

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

Sec. 5. Minnesota Statutes 2014, section 124D.126, subdivision 1, is amended to read:

Subdivision 1. **Powers and duties.** The commissioner must:

(i) promulgate rules necessary to the operation of sections 124D.12 to 124D.127;

(ii) (1) cooperate with and provide supervision of flexible learning year programs to determine compliance with the provisions of sections 124D.12 to 124D.127, the commissioner's standards and qualifications, and the proposed program as submitted and approved;

(iii) (2) provide any necessary adjustments of (i) attendance and membership computations and (ii) the dates and percentages of apportionment of state aids; and

(iv) (3) consistent with the definition of "average daily membership" in section 126C.05, subdivision 8, furnish the board of a district implementing a flexible learning year program with a formula for computing average daily membership. This formula must be computed so that tax levies to be made by the district, state aids to be received by the
district, and any and all other formulas based upon average daily membership are not
affected solely as a result of adopting this plan of instruction.

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

Sec. 6. Minnesota Statutes 2014, section 124D.127, is amended to read:

**124D.127 TERMINATION OF FLEXIBLE LEARNING YEAR PROGRAM.**

The board of any district, with the approval of the commissioner of education, may
terminate a flexible learning year program in one or more of the day or residential facilities
for children with a disability within the district. This section shall not be construed to
permit an exception to section 120A.22, 127A.41, subdivision 7, or 127A.43.

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

Sec. 7. Minnesota Statutes 2014, section 124D.128, subdivision 1, is amended to read:

Subdivision 1. **Program established.** A learning year program provides instruction
throughout the year on an extended year calendar, extended school day calendar, or
both. A pupil may participate in the program and accelerate attainment of grade level
requirements or graduation requirements. A learning year program may begin after the
close of the regular school year in June. The program may be for students in one or more
grade levels from kindergarten through grade 12.

Sec. 8. Minnesota Statutes 2014, section 126C.10, subdivision 1, is amended to read:

Subdivision 1. **General education revenue.** (a) For fiscal years 2013 and 2014, the
general education revenue for each district equals the sum of the district’s basic revenue,
extended time revenue, gifted and talented revenue, small schools revenue, basic skills
revenue, secondary sparsity revenue, elementary sparsity revenue, transportation sparsity
revenue, total operating capital revenue, equity revenue, alternative teacher compensation
revenue, and transition revenue.

(b) For fiscal year 2015 and later, The general education revenue for each district
equals the sum of the district's basic revenue, extended time support revenue, gifted and
talented revenue, declining enrollment revenue, local optional revenue, small schools
revenue, basic skills revenue, secondary sparsity revenue, elementary sparsity revenue,
transportation sparsity revenue, total operating capital revenue, equity revenue, pension
adjustment revenue, and transition revenue.

Sec. 9. Minnesota Statutes 2014, section 126C.10, subdivision 2, is amended to read:
Subd. 2. Basic revenue. For fiscal year 2014, the basic revenue for each district equals the formula allowance times the adjusted marginal cost pupil units for the school year. For fiscal year 2015 and later, the basic revenue for each district equals the formula allowance times the adjusted pupil units for the school year. The formula allowance for fiscal year 2013 is $5,224. The formula allowance for fiscal year 2014 is $5,302. The formula allowance for fiscal year 2015 and later is $5,831. The formula allowance for fiscal year 2016 is $5,864. The formula allowance for fiscal year 2017 and later is $5,898.

Sec. 10. Minnesota Statutes 2014, section 126C.10, subdivision 2a, is amended to read:

Subd. 2a. Extended time support revenue. (a) A school district's extended time revenue for fiscal year 2014 is equal to the product of $4,601 and the sum of the adjusted marginal cost pupil units of the district for each pupil in average daily membership in excess of 1.0 and less than 1.2 according to section 126C.05, subdivision 8. A school district's extended time support revenue for fiscal year 2015 and later is equal to the product of $5,047 $5,117 and the sum of the adjusted pupil units of the district for each pupil in average daily membership in excess of 1.0 and less than 1.2 according to section 126C.05, subdivision 8.

(b) A school district's extended time support revenue may be used for extended day programs, extended week programs, summer school, vacation break academies, such as spring break academies and summer term academies, and other programming authorized under the learning year program. Extended support revenue may also be used by alternative learning centers serving high school students for academic purposes during the school day.

EFFECTIVE DATE. This section is effective for fiscal year 2016 and later.

Sec. 11. Minnesota Statutes 2014, section 126C.10, subdivision 2e, is amended to read:

Subd. 2e. Local optional revenue. (a) Local optional revenue for a school district equals $424 times the adjusted pupil units of the district for that school year.

(b) A district's local optional levy equals its local optional revenue times the lesser of one or the ratio of its referendum market value per resident pupil unit to $510,000 the local optional equalizing factor. The local optional revenue levy must be spread on referendum market value. A district may levy less than the permitted amount.

(c) A district's local optional aid equals its local optional revenue less its local optional levy, times the ratio of the actual amount levied to the permitted levy.

(d) A district's local optional equalizing factor equals $510,000 times the greater of one or the ratio of the district's seasonal recreational factor to 0.30.
(c) A district's seasonal recreational factor equals the ratio of the market value of property in the district classified as 4(c)12 under section 273.13 to the district's total taxable market value under section 273.13.

**EFFECTIVE DATE.** This section is effective for taxes payable in 2016 and later.

Sec. 12. Minnesota Statutes 2014, section 126C.10, subdivision 3, is amended to read:

Subd. 3. **Compensatory education revenue.** (a) For fiscal year 2014, the compensatory education revenue for each building in the district equals the formula allowance minus $415 times the compensation revenue pupil units computed according to section 126C.05, subdivision 2. For fiscal year 2015 and later, the compensatory education revenue for each building in the district equals the formula allowance for fiscal year 2015 minus $839 times the compensation revenue pupil units computed according to section 126C.05, subdivision 3.

(b) A district's compensatory revenue under paragraph (a) is increased by an amount equal to the product of (1) the ratio of the statewide compensatory growth revenue to the sum of the number of pupils in the district eligible to receive free lunch plus one-half of the number of pupils eligible to receive reduced-price lunch on October 1 of the previous year, and (2) the district's number of pupils eligible to receive free lunch plus one-half of the number of pupils eligible to receive reduced-price lunch on October 1 of the previous year.

(c) Revenue shall be paid to the district and must be allocated according to section 126C.15, subdivision 2.

(d) When the district contracting with an alternative program under section 124D.69 changes prior to the start of a school year, the compensatory revenue generated by pupils attending the program shall be paid to the district contracting with the alternative program for the current school year, and shall not be paid to the district contracting with the alternative program for the prior school year.

(e) When the fiscal agent district for an area learning center changes prior to the start of a school year, the compensatory revenue shall be paid to the fiscal agent district for the current school year, and shall not be paid to the fiscal agent district for the prior school year.

(f) Statewide compensatory growth revenue equals the difference between compensatory revenue computed under paragraph (a) with the formula allowance for the current year and the revenue computed under paragraph (a) using the formula allowance for fiscal year 2015.

**EFFECTIVE DATE.** This section is effective for fiscal year 2016 and later.
Sec. 13. Minnesota Statutes 2014, section 126C.10, subdivision 13a, is amended to read:

Subd. 13a. Operating capital levy. To obtain operating capital revenue for fiscal year 2015 and later, a district may levy an amount not more than the product of its operating capital revenue for the fiscal year times the lesser of one or the ratio of its adjusted net tax capacity per adjusted marginal cost pupil unit to the operating capital equalizing factor. The operating capital equalizing factor equals $14,500.

**EFFECTIVE DATE.** This section is effective the day following final enactment for fiscal year 2015 and later.

Sec. 14. Minnesota Statutes 2014, section 126C.10, subdivision 18, is amended to read:

Subd. 18. Transportation sparsity revenue allowance. (a) A district's transportation sparsity allowance equals the greater of zero or the result of the following computation:

(i) Multiply the formula allowance according to subdivision 2, by .141.
(ii) Multiply the result in clause (i) by the district's sparsity index raised to the 26/100 power.
(iii) Multiply the result in clause (ii) by the district's density index raised to the 13/100 power.
(iv) Multiply the formula allowance according to subdivision 2, by .0466.
(v) Subtract the result in clause (iv) from the result in clause (iii).
(vi) Multiply the result in clause (v) by the greater of (1) one or (2) the ratio of the square mile area of the district to 3,000.
(vii) For a district that does not qualify for secondary sparsity revenue under subdivision 7 or elementary sparsity revenue under subdivision 8, multiply the result in clause (vi) by the greater of (1) one or (2) the ratio of the square mile area of the district to 525.

(b) Transportation sparsity revenue is equal to the transportation sparsity allowance times the adjusted pupil units.

**EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2016 and later.

Sec. 15. Minnesota Statutes 2014, section 126C.10, subdivision 24, is amended to read:

Subd. 24. Equity revenue. (a) A school district qualifies for equity revenue if:

(1) the school district's adjusted pupil unit amount of basic revenue, transition revenue, and referendum revenue is less than the value of the school district at or
immediately above the 95th percentile of school districts in its equity region for those revenue categories; and

(2) the school district's administrative offices are not located in a city of the first class on July 1, 1999.

(b) Equity revenue for a qualifying district that receives referendum revenue under section 126C.17, subdivision 4, equals the product of (1) the district's adjusted pupil units for that year; times (2) the sum of (i) $14, plus (ii) $80, times the school district's equity index computed under subdivision 27.

(c) Equity revenue for a qualifying district that does not receive referendum revenue under section 126C.17, subdivision 4, equals the product of the district's adjusted pupil units for that year times $14.

(d) A school district's equity revenue is increased by the greater of zero or an amount equal to the district's adjusted pupil units times the difference between ten percent of the statewide average amount of referendum revenue per adjusted pupil unit for that year and the district's referendum revenue per adjusted pupil unit. A school district's revenue under this paragraph must not exceed $100,000 for that year.

(e) A school district's equity revenue for a school district located in the metro equity region equals the amount computed in paragraphs (b), (c), and (d) multiplied by 1.25.

(f) A school district's additional equity revenue equals $50 times its adjusted pupil units.

EFFECTIVE DATE. This section is effective for fiscal year 2017 and later.

Sec. 16. Minnesota Statutes 2014, section 126C.13, subdivision 4, is amended to read:

Subd. 4. General education aid. (a) For fiscal years 2013 and 2014 only, a district's general education aid is the sum of the following amounts:

(1) general education revenue, excluding equity revenue, total operating capital revenue, alternative teacher compensation revenue, and transition revenue;

(2) operating capital aid under section 126C.10, subdivision 13b;

(3) equity aid under section 126C.10, subdivision 30;

(4) alternative teacher compensation aid under section 126C.10, subdivision 36;

(5) transition aid under section 126C.10, subdivision 33;

(6) shared time aid under section 126C.01, subdivision 7;

(7) referendum aid under section 126C.17, subdivisions 7 and 7a; and

(8) online learning aid according to section 124D.096;

(b) For fiscal year 2015 and later, a district's general education aid equals:
(1) general education revenue, excluding operating capital revenue, equity revenue, local optional revenue, and transition revenue, minus the student achievement levy, multiplied times the ratio of the actual amount of student achievement levy levied to the permitted student achievement levy; plus

(2) operating capital aid under section 126C.10, subdivision 13b;
(2) (3) equity aid under section 126C.10, subdivision 30; plus
(3) (4) transition aid under section 126C.10, subdivision 33; plus
(4) (5) shared time aid under section 126C.10, subdivision 7; plus
(5) (6) referendum aid under section 126C.17, subdivisions 7 and 7a; plus
(6) (7) online learning aid under section 124D.096; plus
(7) (8) local optional aid according to section 126C.10, subdivision 2d, paragraph (d).

EFFECTIVE DATE. Clause (1) of this section is effective for fiscal year 2017 and later. Clause (2) of this section is effective for fiscal year 2015 and later.

Sec. 17. Minnesota Statutes 2014, section 126C.15, subdivision 1, is amended to read:

Subdivision 1. Use of revenue. The basic skills revenue under section 126C.10, subdivision 4, must be reserved and used to meet the educational needs of pupils who enroll under-prepared to learn and whose progress toward meeting state or local content or performance standards is below the level that is appropriate for learners of their age. Basic skills revenue may also be used for programs designed to prepare children and their families for entry into school whether the student first enrolls in kindergarten or first grade. Any of the following may be provided to meet these learners’ needs:

(1) direct instructional services under the assurance of mastery program according to section 124D.66;
(2) remedial instruction in reading, language arts, mathematics, other content areas, or study skills to improve the achievement level of these learners;
(3) additional teachers and teacher aides to provide more individualized instruction to these learners through individual tutoring, lower instructor-to-learner ratios, or team teaching;
(4) a longer school day or week during the regular school year or through a summer program that may be offered directly by the site or under a performance-based contract with a community-based organization;
(5) recruitment and new teacher development activities through quality mentor-led induction or "grow your own" initiatives;
(6) a hiring bonus or other added compensation for a teacher identified as effective or highly effective under the local teacher professional review cycle who agrees to work
in a hard-to-fill position or hard-to-staff school setting such as a school with a majority
of students whose families meet federal poverty guidelines, a geographically isolated
school, or a school identified by the state as eligible for targeted programs or services
for its students;

(5) (7) comprehensive and ongoing staff development consistent with district and
site plans according to section 122A.60, for teachers, teacher aides, principals, and other
personnel to improve their ability to identify the needs of these learners and provide
appropriate remediation, intervention, accommodations, or modifications;

(6) (8) instructional materials, digital learning, and technology appropriate for
meeting the individual needs of these learners;

(7) (9) programs to reduce truancy, encourage completion of high school, enhance
self-concept, provide health services, provide nutrition services, provide a safe and secure
learning environment, provide coordination for pupils receiving services from other
governmental agencies, provide psychological services to determine the level of social,
emotional, cognitive, and intellectual development, and provide counseling services,
guidance services, and social work services;

(8) (10) bilingual programs, bicultural programs, and programs for English learners;
(9) all-day kindergarten;

(10) (11) prekindergarten programs for four-year-olds and other early education
programs, parent-training programs, school readiness programs, kindergarten programs
for four-year-olds, voluntary home visits under section 124D.13, subdivision 4, and other
outreach efforts designed to prepare children for kindergarten;

(11) (12) extended school day and extended school year programs including summer
academies; and

(12) (13) substantial parent involvement in developing and implementing remedial
education or intervention plans for a learner, including learning contracts between the
school, the learner, and the parent that establish achievement goals and responsibilities of
the learner and the learner's parent or guardian.

**EFFECTIVE DATE.** This section is effective July 1, 2015.

Sec. 18. Minnesota Statutes 2014, section 126C.15, subdivision 2, is amended to read:

Subd. 2. **Building allocation.** (a) Unless a plan has been adopted according to
paragraph (b), a district or cooperative must allocate its compensatory revenue to each
school building in the district or cooperative where the children who have generated the
revenue are served unless the school district or cooperative has received permission under
Laws 2005, First Special Session chapter 5, article 1, section 50, to allocate compensatory revenue according to student performance measures developed by the school board.

(b) Notwithstanding paragraph (a), the board of a district or cooperative may allocate up to five percent of the amount of its compensatory revenue that the district receives to school sites according to a plan adopted by the school board, and a district or cooperative may allocate up to an additional five percent of its compensatory revenue for activities under subdivision 1, clause (10), according to a plan adopted by the school board. The money reallocated under this paragraph must be spent for the purposes listed in subdivision 1, but may be spent on students in any grade, including students attending school readiness or other prekindergarten programs.

(c) For the purposes of this section and section 126C.05, subdivision 3, "building" means education site as defined in section 123B.04, subdivision 1.

(d) Notwithstanding section 123A.26, subdivision 1, compensatory revenue generated by students served at a cooperative unit shall be paid to the cooperative unit.

(e) A district or cooperative with school building openings, school building closings, changes in attendance area boundaries, or other changes in programs or student demographics between the prior year and the current year may reallocate compensatory revenue among sites to reflect these changes. A district or cooperative must report to the department any adjustments it makes according to this paragraph and the department must use the adjusted compensatory revenue allocations in preparing the report required under section 123B.76, subdivision 3, paragraph (c).

**EFFECTIVE DATE.** This section is effective July 1, 2015.

Sec. 19. Minnesota Statutes 2014, section 126C.15, subdivision 3, is amended to read:

Subd. 3. **Recommendation.** A school site decision-making team, as defined in section 123B.04, subdivision 2, paragraph (a), or the instruction and curriculum advisory committee under section 120B.11, if the school has no school site decision team, **shall may** recommend to the school board how the compensatory education revenue will be used to carry out the purpose of this section. A school district that has received permission under Laws 2005, First Special Session chapter 5, article 1, section 50, to allocate compensatory revenue according to school performance measures shall share its plan for the distribution of compensatory revenue with the school site decision team.

**EFFECTIVE DATE.** This section is effective July 1, 2015.

Sec. 20. Minnesota Statutes 2014, section 126C.17, subdivision 1, is amended to read:
Subdivision 1. **Referendum allowance.** (a) A district's initial referendum allowance equals the result of the following calculations:

1. multiply the referendum allowance the district would have received for fiscal year 2015 under Minnesota Statutes 2012, section 126C.17, subdivision 1, based on elections held before July 1, 2013, by the resident marginal cost pupil units the district would have counted for fiscal year 2015 under Minnesota Statutes 2012, section 126C.05;
2. add to the result of clause (1) the adjustment the district would have received under Minnesota Statutes 2012, section 127A.47, subdivision 7, paragraphs (a), (b), and (c), based on elections held before July 1, 2013;
3. divide the result of clause (2) by the district's adjusted pupil units for fiscal year 2015;
4. add to the result of clause (3) any additional referendum allowance per adjusted pupil unit authorized by elections held between July 1, 2013, and December 31, 2013;
5. add to the result in clause (4) any additional referendum allowance resulting from inflation adjustments approved by the voters prior to January 1, 2014;
6. subtract from the result of clause (5), the sum of a district's actual local optional levy and local optional aid under section 126C.10, subdivision 2e, divided by the adjusted pupil units of the district for that school year; and
7. if the result of clause (6) is less than zero, set the allowance to zero.

(b) A district's referendum allowance equals the sum of the district's initial referendum allowance, plus any new referendum allowance authorized between July 1, 2013, and December 31, 2013, under subdivision 9a, plus any additional referendum allowance per adjusted pupil unit authorized after December 31, 2013, minus any allowances expiring in fiscal year 2016 or later, provided that the allowance may not be less than zero. For a district with more than one referendum allowance for fiscal year 2015 under Minnesota Statutes 2012, section 126C.17, the allowance calculated under paragraph (a), clause (3), must be divided into components such that the same percentage of the district's allowance expires at the same time as the old allowances would have expired under Minnesota Statutes 2012, section 126C.17. For a district with more than one allowance for fiscal year 2015 that expires in the same year, the reduction under paragraph (a), clause (6), to offset local optional revenue shall be made first from any allowances that do not have an inflation adjustment approved by the voters.

**EFFECTIVE DATE.** This section is effective the day following final enactment for fiscal year 2015 and later.

Sec. 21. Minnesota Statutes 2014, section 126C.17, subdivision 2, is amended to read:
Subd. 2. Referendum allowance limit. (a) Notwithstanding subdivision 1, for fiscal year 2015 and later, a district's referendum allowance must not exceed the annual inflationary increase as calculated under paragraph (b) times the greatest of:

(1) $1,845;

(2) the sum of the referendum revenue the district would have received for fiscal year 2015 under Minnesota Statutes 2012, section 126C.17, subdivision 4, based on elections held before July 1, 2013, and the adjustment the district would have received under Minnesota Statutes 2012, section 127A.47, subdivision 7, paragraphs (a), (b), and (c), based on elections held before July 1, 2013, divided by the district's adjusted pupil units for fiscal year 2015;

(3) the product of the referendum allowance limit the district would have received for fiscal year 2015 under Minnesota Statutes 2012, section 126C.17, subdivision 2, and the resident marginal cost pupil units the district would have received for fiscal year 2015 under Minnesota Statutes 2012, section 126C.05, subdivision 6, plus the adjustment the district would have received under Minnesota Statutes 2012, section 127A.47, subdivision 7, paragraphs (a), (b), and (c), based on elections held before July 1, 2013, divided by the district's adjusted pupil units for fiscal year 2015; minus $424 for a district receiving local optional revenue under section 126C.10, subdivision 2d, paragraph (a), minus $212 for a district receiving local optional revenue under section 126C.10, subdivision 2d, paragraph (b); or

(4) for a newly reorganized district created after July 1, 2013, the referendum revenue authority for each reorganizing district in the year preceding reorganization divided by its adjusted pupil units for the year preceding reorganization.

(b) For purposes of this subdivision, for fiscal year 2016 and later, "inflationary increase" means one plus the percentage change in the Consumer Price Index for urban consumers, as prepared by the United States Bureau of Labor Standards, for the current fiscal year to fiscal year 2015. For fiscal year 2016 and later, for purposes of paragraph (a), clause (3), the inflationary increase equals one-fourth of the percentage increase in the formula allowance for that year compared with the formula allowance for fiscal year 2015.

EFFECTIVE DATE. This section is effective the day following final enactment for fiscal year 2015 and later.

Sec. 22. APPROPRIATIONS.
Subdivision 1. **Department of Education.** The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

Subd. 2. **General education aid.** For general education aid under Minnesota Statutes, section 126C.13, subdivision 4:

14.6 $ 6,546,771,000 ..... 2016
14.7 $ 6,609,377,000 ..... 2017

The 2016 appropriation includes $622,908,000 for 2015 and $5,923,863,000 for 2016.

The 2017 appropriation includes $630,151,000 for 2016 and $5,979,226,000 for 2017.

Subd. 3. **Enrollment options transportation.** For transportation of pupils attending postsecondary institutions under Minnesota Statutes, section 124D.09, or for transportation of pupils attending nonresident districts under Minnesota Statutes, section 124D.03:

14.15 $ 39,000 ..... 2016
14.16 $ 42,000 ..... 2017

Subd. 4. **Abatement revenue.** For abatement aid under Minnesota Statutes, section 127A.49:

14.19 $ 2,740,000 ..... 2016
14.20 $ 2,932,000 ..... 2017

The 2016 appropriation includes $278,000 for 2015 and $2,462,000 for 2016.

The 2017 appropriation includes $273,000 for 2016 and $2,659,000 for 2017.

Subd. 5. **Consolidation transition.** For districts consolidating under Minnesota Statutes, section 123A.485:

14.25 $ 292,000 ..... 2016
14.26 $ 165,000 ..... 2017

The 2016 appropriation includes $22,000 for 2015 and $270,000 for 2016.

The 2017 appropriation includes $30,000 for 2016 and $135,000 for 2017.

Subd. 6. **Nonpublic pupil education aid.** For nonpublic pupil education aid under Minnesota Statutes, sections 123B.40 to 123B.43 and 123B.87:

14.31 $ 16,756,000 ..... 2016
14.32 $ 17,309,000 ..... 2017

The 2016 appropriation includes $1,575,000 for 2015 and $15,181,000 for 2016.
The 2017 appropriation includes $1,686,000 for 2016 and $15,623,000 for 2017.

Subd. 7. Nonpublic pupil transportation. For nonpublic pupil transportation aid under Minnesota Statutes, section 123B.92, subdivision 9:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$17,322,000</td>
</tr>
<tr>
<td>2017</td>
<td>$17,228,000</td>
</tr>
</tbody>
</table>

The 2016 appropriation includes $1,816,000 for 2015 and $15,506,000 for 2016.

The 2017 appropriation includes $1,722,000 for 2016 and $15,506,000 for 2017.

Subd. 8. One-room schoolhouse. For a grant to Independent School District No. 690, Warroad, to operate the Angle Inlet School:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$65,000</td>
</tr>
<tr>
<td>2017</td>
<td>$65,000</td>
</tr>
</tbody>
</table>

Subd. 9. Compensatory revenue pilot project. For grants for participation in the compensatory revenue pilot program under Laws 2005, First Special Session chapter 5, article 1, section 50:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$7,325,000</td>
</tr>
<tr>
<td>2017</td>
<td>$7,325,000</td>
</tr>
</tbody>
</table>

Of this amount, $4,730,000 in each year is for a grant to Independent School District No. 11, Anoka-Hennepin; $240,000 in each year is for a grant to Independent School District No. 286, Brooklyn Center; $660,000 in each year is for a grant to Independent School District No. 279, Osseo; $500,000 in each year is for a grant to Independent School District No. 281, Robbinsdale; $520,000 in each year is for a grant to Independent School District No. 535, Rochester; $205,000 in each year is for a grant to Independent School District No. 833, South Washington; and $470,000 in each year is for a grant to Independent School District No. 241, Albert Lea.

If a grant to a specific school district is not awarded, the commissioner may increase the aid amounts to any of the remaining participating school districts.

Subd. 10. Career and technical aid. For career and technical aid under Minnesota Statutes, section 124D.4531, subdivision 1b:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$5,420,000</td>
</tr>
<tr>
<td>2017</td>
<td>$4,405,000</td>
</tr>
</tbody>
</table>

The 2016 appropriation includes $574,000 for 2015 and $4,846,000 for 2016.

The 2017 appropriation includes $538,000 for 2016 and $3,867,000 for 2017.

Sec. 23. REPEALER.
Minnesota Statutes 2014, sections 126C.12, subdivision 6; 126C.13, subdivisions 3a, 3b, and 3c; and 126C.41, subdivision 1, and Minnesota Rules, part 3500.1000, are repealed.

ARTICLE 2

EDUCATION EXCELLENCE

Section 1. Minnesota Statutes 2014, section 5A.03, is amended to read:

5A.03 ORGANIZATION APPLICATION FOR REGISTRATION.

Subdivision 1. Placing high school students in Minnesota. (a) An application for registration as an international student exchange visitor placement organization must be submitted in the form prescribed by the secretary of state. The application must include:

(1) evidence that the organization meets the standards established by the secretary of state by rule;

(2) the name, address, and telephone number of the organization, its chief executive officer, and the person within the organization who has primary responsibility for supervising placements within the state;

(3) the organization's unified business identification number, if any;

(4) the organization's Office of Exchange Coordination and Designation, United States Department of State number, if any;

(5) evidence of Council on Standards for International Educational Travel listing, if any;

(6) whether the organization is exempt from federal income tax; and

(7) a list of the organization's placements in Minnesota for the previous academic year including the number of students placed, their home countries, the school districts in which they were placed, and the length of their placements.

(b) The application must be signed by the chief executive officer of the organization and the person within the organization who has primary responsibility for supervising placements within Minnesota. If the secretary of state determines that the application is complete, the secretary of state shall file the application and the applicant is registered.

(c) Organizations that have registered shall inform the secretary of state of any changes in the information required under paragraph (a), clause (1), within 30 days of the change. There is no fee to amend a registration.

(d) Registration under this chapter is valid for one year. The registration may be renewed annually. The fee to renew a registration is $50 per year.

(e) Organizations registering for the first time in Minnesota must pay an initial registration fee of $150.
(f) Fees collected by the secretary of state under this section must be deposited in the state treasury and credited to the general fund.

Subd. 2. Placing Minnesota students in travel abroad programs. (a) A school district or charter school with enrolled students who participate in a foreign exchange or study or other travel abroad program under a written agreement between the district or charter school and the program provider must use a form developed by the Department of Education to annually report to the department by November 1 the following data from the previous school year:

(1) the number of Minnesota student deaths that occurred while Minnesota students were participating in the foreign exchange or study or other travel abroad program and that resulted from Minnesota students participating in the program;

(2) the number of Minnesota students hospitalized due to accidents and the illnesses that occurred while Minnesota students were participating in the foreign exchange or study or other travel abroad program and that resulted from Minnesota students participating in the program; and

(3) the name and type of the foreign exchange or study or other travel abroad program and the city or region where the reported death, hospitalization due to accident, or the illness occurred.

(b) School districts and charter schools must ask but must not require enrolled eligible students and the parents or guardians of other enrolled students who complete a foreign exchange or study or other travel abroad program to disclose the information under paragraph (a).

(c) When reporting the data under paragraph (a), a school district or charter school may supplement the data with a brief explanatory statement. The Department of Education annually must aggregate and publish the reported data on the department Web site in a format that facilitates public access to the aggregated data and include links to both the United States Department of State's Consular Information Program that informs the public of conditions abroad that may affect students' safety and security and the publicly available reports on sexual assaults and other criminal acts affecting students participating in a foreign exchange or study or other travel abroad program.

(d) School districts and charter schools with enrolled students who participate in foreign exchange or study or other travel abroad programs under a written agreement between the district or charter school and the program provider are encouraged to adopt policies supporting the programs and to include program standards in their policies to ensure students' health and safety.
(e) To be eligible under this subdivision to provide a foreign exchange or study or other travel abroad program to Minnesota students enrolled in a school district or charter school, a program provider annually must register with the secretary of state and provide the following information on a form developed by the secretary of state: the name, address, and telephone number of the program provider, its chief executive officer, and the person within the provider's organization who is primarily responsible for supervising programs within the state; the program provider's unified business identification number, if any; evidence of Council on Standards for International Educational Travel listing, if any; whether the program provider is exempt from federal income tax; a list of the program provider's placements in foreign countries for the previous school year including the number of Minnesota students placed, where Minnesota students were placed, and the length of their placement; the terms and limits of the medical and accident insurance available to cover participating students and the process for filing a claim; and the signatures of the program provider's chief executive officer and the person primarily responsible for supervising Minnesota students' placements in foreign countries. If the secretary of state determines the registration is complete, the secretary of state shall file the registration and the program provider is registered. Registration with the secretary of state must not be considered or represented as an endorsement of the program provider by the secretary of state. The secretary of state annually must publish on its Web site aggregated data under paragraph (e) received from the Department of Education.

(f) Program providers, annually by August 1, must provide the data required under paragraph (a), clauses (1) to (3), to the districts and charter schools with enrolled students participating in the provider's program.

(g) The school district, the charter school, the Department of Education, and their respective employees, when acting in their official capacity, are immune from civil and criminal liability with respect to all activities related to implementing this subdivision.

EFFECTIVE DATE. This section is effective for the 2015-2016 school year and later.

Sec. 2. Minnesota Statutes 2014, section 120B.022, subdivision 1a, is amended to read:

Subd. 1a. Foreign language and culture; proficiency certificates. (a) World languages teachers and other school staff should develop and implement world languages programs that acknowledge and reinforce the language proficiency and cultural awareness that non-English language speakers already possess, and encourage students' proficiency in multiple world languages. Programs under this section must encompass indigenous American Indian languages and cultures, among other world languages and cultures. The
department shall consult with postsecondary institutions in developing related professional
development opportunities for purposes of this section.

(b) Any Minnesota public, charter, or nonpublic school may award Minnesota
World Language Proficiency Certificates or Minnesota World Language Proficiency High
Achievement Certificate, consistent with this subdivision.

(c) The Minnesota World Language Proficiency Certificate recognizes students who
demonstrate listening, speaking, reading, and writing language skills at the American
Council on the Teaching of Foreign Languages' Intermediate-Low level on a valid and
reliable assessment tool.  For languages listed as Category 3 by the United States Foreign
Service Institute or Category 4 by the United States Defense Language Institute, the
standard is Intermediate-Low for listening and speaking and Novice-High for reading
and writing.

(d) The Minnesota World Language Proficiency High Achievement Certificate
recognizes students who demonstrate listening, speaking, reading, and writing language
skills at the American Council on the Teaching of Foreign Languages' Pre-Advanced level
for K-12 learners on a valid and reliable assessment tool.  For languages listed as Category
3 by the United States Foreign Service Institute or Category 4 by the United States
Defense Language Institute, the standard is Pre-Advanced for listening and speaking and
Intermediate-Mid for reading and writing.

Sec. 3. Minnesota Statutes 2014, section 120B.022, subdivision 1b, is amended to read:

Subd. 1b.  State bilingual and multilingual seals.  (a) Consistent with efforts to
strive for the world's best workforce under sections 120B.11 and 124D.10, subdivision 8,
paragraph (u), and close the academic achievement and opportunity gap under sections
124D.861 and 124D.862, voluntary state bilingual and multilingual seals are established
to recognize high school graduates who demonstrate level 3 or advanced low
level or an intermediate high level of functional native proficiency in listening, speaking,
reading, and writing on either the Foreign Services Institute language assessments aligned
with American Council on the Teaching of Foreign Languages' (ACTFL) proficiency
tests guidelines or on equivalent valid and reliable assessments in one or more languages
in addition to English.  American Sign Language is a language other than English for
purposes of this subdivision and a world language for purposes of subdivision 1a.

(b) In addition to paragraph (a), to be eligible to receive a seal:

(1) students must satisfactorily complete all required English language arts credits;
and
(2) students whose primary language is other than English must demonstrate mastery of Minnesota's English language proficiency standards.

(c) Consistent with this subdivision, a high school graduate who demonstrates an intermediate high ACTFL level of functional native proficiency in one language in addition to English is eligible to receive the state bilingual gold seal. A high school graduate who demonstrates an intermediate high ACTFL level of functional native proficiency in more than one language in addition to English is eligible to receive the state multilingual gold seal. A high school graduate who demonstrates an advanced low ACTFL level of functional proficiency in one language in addition to English is eligible to receive the state bilingual platinum seal. A high school graduate who demonstrates an advanced-low ACTFL level of functional proficiency in more than one language in addition to English is eligible to receive the state multilingual platinum seal.

(d) School districts and charter schools, in consultation with regional centers of excellence under section 120B.115, must give students periodic opportunities to demonstrate their level of proficiency in listening, speaking, reading, and writing in a language in addition to English. Where valid and reliable assessments are unavailable, a school district or charter school may rely on a licensed foreign language immersion teacher or a nonlicensed community expert under section 122A.25 evaluators trained in assessing under ACTFL proficiency guidelines to assess a student's level of foreign, heritage, or indigenous language proficiency under this section. School districts and charter schools must maintain appropriate records to identify high school graduates eligible to receive the state bilingual or multilingual seal. The school district or charter school must affix the appropriate seal to the transcript of each high school graduate who meets the requirements of this subdivision and may affix the seal to the student's diploma. A school district or charter school must not charge the high school graduate a fee for this seal.

(e) A school district or charter school may award elective course credits in world languages to a student who demonstrates the requisite proficiency in a language other than English under this section.

(f) A school district or charter school may award community service credit to a student who demonstrates level 3 an intermediate high or advanced low ACTFL level of functional native proficiency in listening, speaking, reading, and writing in a language other than English and who participates in community service activities that are integrated into the curriculum, involve the participation of teachers, and support biliteracy in the school or local community.
(g) The commissioner must develop a Web page for the electronic delivery of these seals. The commissioner must list on the Web page those assessments that are equivalent to the Foreign Services Institute language aligned to ACTFL proficiency tests, guidelines.

(h) By August 1, 2015, the colleges and universities of the Minnesota State Colleges and Universities system must award foreign language credits to a student who receives a state bilingual seal or a state multilingual seal under this subdivision and may establish criteria to translate the seals into college credits based on the world language course equivalencies identified by the Minnesota State Colleges and Universities faculty and staff and, upon request from an enrolled student, the Minnesota State Colleges and Universities may award foreign language credits to a student who receives a Minnesota World Language Proficiency Certificate or a Minnesota World Language Proficiency High Achievement Certificate under subdivision 1a. A student who demonstrated the requisite level of language proficiency in grade 10, 11, or 12 to receive a seal or certificate and is enrolled in a Minnesota State Colleges and Universities institution must request college credits for the student's seal or proficiency certificate within three academic years after graduating from high school. The University of Minnesota is encouraged to award students foreign language academic credits consistent with this paragraph.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies beginning with students graduating in the 2014-2015 school year who demonstrate the requisite language proficiency in grade 10, 11, or 12.

Sec. 4. Minnesota Statutes 2014, section 120B.12, subdivision 4a, is amended to read:

Subd. 4a. **Local literacy plan.** (a) Consistent with this section, a school district must adopt a local literacy plan to have every child reading at or above grade level no later than the end of grade 3, including English learners. The plan must be consistent with section 122A.06, subdivision 4, and include the following:

1. A process to assess students' level of reading proficiency; and data to support the effectiveness of an assessment used to screen and identify a student's level of reading proficiency;

2. A process to notify and involve parents; intervene with;

3. A description of how schools in the district will determine the proper reading intervention strategy for a student and the process for intensifying or modifying the reading strategy in order to obtain measurable reading progress;

4. Evidence-based intervention methods for students who are not reading at or above grade level; and identify and meet and progress monitoring to provide information on the effectiveness of the intervention; and
(5) identification of staff development needs, including a program to meet those

needs.

(b) The district must post its literacy plan on the official school district Web site.

**EFFECTIVE DATE.** This section is effective for fiscal year 2016 and later.

Sec. 5. Minnesota Statutes 2014, section 120B.13, subdivision 4, is amended to read:

Subd. 4. **Rigorous course taking information; AP, IB, and PSEO.** The commissioner shall submit the following information on rigorous course taking, disaggregated by student subgroup, school district, and postsecondary institution, to the education committees of the legislature each year by February 1:

(1) the number of pupils enrolled in postsecondary enrollment options under section 124D.09, including concurrent enrollment, career and technical education courses offered as a concurrent enrollment course, advanced placement, and international baccalaureate courses in each school district;

(2) the number of teachers in each district attending training programs offered by the college board, International Baccalaureate North America, Inc., or Minnesota concurrent enrollment programs;

(3) the number of teachers in each district participating in support programs;

(4) recent trends in the field of postsecondary enrollment options under section 124D.09, including concurrent enrollment, advanced placement, and international baccalaureate programs;

(5) expenditures for each category in this section and under sections 124D.09 and 124D.091, including career and technical education courses offered as a concurrent enrollment course; and

(6) other recommendations for the state program or the postsecondary enrollment options under section 124D.09, including concurrent enrollment.

Sec. 6. Minnesota Statutes 2014, section 120B.30, subdivision 3, is amended to read:

Subd. 3. **Reporting.** The commissioner shall report test results publicly and to stakeholders, including the performance achievement levels developed from students' unweighted test scores in each tested subject and a listing of demographic factors that strongly correlate with student performance, including student homelessness, among other factors. The test results must not include personally identifiable information as defined in Code of Federal Regulations, title 34, section 99.3. The commissioner shall also report data that compares performance results among school sites, school districts, Minnesota and other states, and Minnesota and other nations. The commissioner shall disseminate to
schools and school districts a more comprehensive report containing testing information
that meets local needs for evaluating instruction and curriculum. The commissioner
shall disseminate to charter school authorizes a more comprehensive report containing
testing information that contains anonymized data where cell count data are sufficient to
protect student identity and that meets the authorizer's needs in fulfilling its obligations
under section 124D.10.

**EFFECTIVE DATE.** This section is effective the day following final enactment
and applies to school year reports for the 2015-2016 school year and later.

Sec. 7. Minnesota Statutes 2014, section 120B.31, subdivision 4, is amended to read:

Subd. 4. **Student performance data.** In developing policies and assessment
processes to hold schools and districts accountable for high levels of academic standards
under section 120B.021, the commissioner shall aggregate student data over time to
report student performance and growth levels measured at the school, school district, and
statewide level. When collecting and reporting the performance data, the commissioner
shall organize and report the data so that state and local policy makers can understand the
educational implications of changes in districts' demographic profiles over time, **including**
student homelessness, among other demographic factors. Any report the commissioner
disseminates containing summary data on student performance must integrate student
performance and the demographic factors that strongly correlate with that performance.

**EFFECTIVE DATE.** This section is effective the day following final enactment
and applies to school year reports for the 2015-2016 school year and later.

Sec. 8. Minnesota Statutes 2014, section 120B.36, subdivision 1, is amended to read:

Subdivision 1. **School performance reports.** (a) The commissioner shall report
student academic performance under section 120B.35, subdivision 2; the percentages of
students showing low, medium, and high growth under section 120B.35, subdivision
3, paragraph (b); school safety and student engagement and connection under section
120B.35, subdivision 3, paragraph (d); rigorous coursework under section 120B.35,
subdivision 3, paragraph (c); the percentage of students under section 120B.35,
subdivision 3, paragraph (b), clause (2), whose progress and performance levels are
meeting career and college readiness benchmarks under sections 120B.30, subdivision 1,
and 120B.35, subdivision 3, paragraph (e); longitudinal data on the progress of eligible
districts in reducing disparities in students' academic achievement and realizing racial
and economic integration under section 124D.861; the acquisition of English, and
where practicable, native language academic literacy, including oral academic language, and the academic progress of English learners under section 124D.59, subdivisions 2 and 2a; two separate student-to-teacher ratios that clearly indicate the definition of teacher consistent with sections 122A.06 and 122A.15 for purposes of determining these ratios; staff characteristics excluding salaries; student enrollment demographics; student homelessness and district mobility; and extracurricular activities. The report also must indicate a school's adequate yearly progress status under applicable federal law, and must not set any designations applicable to high- and low-performing schools due solely to adequate yearly progress status.

(b) The commissioner shall develop, annually update, and post on the department Web site school performance reports.

(c) The commissioner must make available performance reports by the beginning of each school year.

(d) A school or district may appeal its adequate yearly progress status in writing to the commissioner within 30 days of receiving the notice of its status. The commissioner's decision to uphold or deny an appeal is final.

(e) School performance data are nonpublic data under section 13.02, subdivision 9, until the commissioner publicly releases the data. The commissioner shall annually post school performance reports to the department's public Web site no later than September 1, except that in years when the reports reflect new performance standards, the commissioner shall post the school performance reports no later than October 1.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to school year reports for the 2015-2016 school year and later.

Sec. 9. [121A.35] **STUDENT PHYSICAL PRIVACY ACT.**

Subdivision 1. **Purpose.** The purpose of this section is to protect and provide for the privacy and safety of all students enrolled in public schools and to maintain order and dignity in restrooms, locker rooms, changing rooms, showers, and other facilities where students may be in various states of undress in the presence of other students.

Subd. 2. **Definitions.** For the purposes of this section, the following terms have the meanings given them.

(a) "Sex" means the physical condition of being male or female, which is determined by a person's chromosomes and is identified at birth by a person's anatomy.

(b) "Public school" means a public school under section 120A.05, subdivisions 9, 11, 13, and 17, and a charter school under section 124D.10.
Subd. 3. Student physical privacy protection. (a) A public school student restroom, locker room, changing room, and shower room accessible by multiple students at the same time shall be designated for the exclusive use by students of the male sex only or by students of the female sex only.

(b) A public school student restroom, locker room, changing room, and shower room that is designated for the exclusive use of one sex shall be used only by members of that sex.

(c) In any other public school facility or setting where a student may be in a state of undress in the presence of other students, school personnel shall provide separate, private, and safe areas designated for use by students based on their sex.

(d) Nothing in this section shall prohibit public schools from providing accommodation such as single-occupancy facilities or controlled use of faculty facilities upon a student request due to special circumstances, but in no event shall that accommodation result in a public school allowing a student to use a facility designated under paragraph (b) for a sex other than the student's own sex.

Sec. 10. Minnesota Statutes 2014, section 122A.09, subdivision 4, is amended to read:

Subd. 4. License and rules. (a) The board must adopt rules to license public school teachers and interns subject to chapter 14.

(b) The board must adopt rules requiring a person to pass a college-level skills examination in reading, writing, and mathematics or attain either a composite score composed of the average of the essentially equivalent passing scores in English and writing, reading, and mathematics on the ACT Plus Writing recommended by the board, or an equivalent composite score composed of the average of the essentially equivalent passing scores in critical reading, mathematics, and writing on the SAT recommended by the board, as a requirement for initial teacher licensure, except that the board may issue up to two temporary, one-year teaching licenses to an otherwise qualified candidate who has not yet passed the college-level skills exam or attained the requisite composite score essentially equivalent passing scores on the ACT Plus Writing or SAT. Such rules must require college and universities offering a board-approved teacher preparation program to provide remedial assistance to persons who did not achieve a qualifying score on the college-level skills examination or attain the requisite composite score essentially equivalent passing scores on the ACT Plus Writing or SAT, including those for whom English is a second language. The requirement to pass a reading, writing, and mathematics college-level skills examination or attain the requisite composite score essentially equivalent passing scores on the ACT Plus Writing or SAT does not apply to nonnative English speakers, as verified by qualified Minnesota school district personnel
or Minnesota higher education faculty, who, after meeting the content and pedagogy
requirements under this subdivision, apply for a teaching license to provide direct
instruction in their native language or world language instruction under section 120B.022,
subdivision 1. A teacher candidate's official ACT Plus Writing or SAT composite score
report to the board must not be more than ten years old at the time of licensure.

(c) The board must adopt rules to approve teacher preparation programs. The board,
upon the request of a postsecondary student preparing for teacher licensure or a licensed
graduate of a teacher preparation program, shall assist in resolving a dispute between the
person and a postsecondary institution providing a teacher preparation program when the
dispute involves an institution's recommendation for licensure affecting the person or the
person's credentials. At the board's discretion, assistance may include the application
of chapter 14.

(d) The board must provide the leadership and adopt rules for the redesign of teacher
education programs to implement a research based, results-oriented curriculum that
focuses on the skills teachers need in order to be effective. Among other components,
teacher preparation programs are encouraged to provide a school-year-long student
teaching program that combines clinical opportunities with academic coursework and
in-depth student teaching experiences to offer students ongoing mentorship, coaching
and assessment, help to prepare a professional development plan, and structured
learning experiences. The board shall implement new systems of teacher preparation
program evaluation to assure program effectiveness based on proficiency of graduates in
demonstrating attainment of program outcomes. Teacher preparation programs including
alternative teacher preparation programs under section 122A.245, among other programs,
must include a content-specific, board-approved, performance-based assessment that
measures teacher candidates in three areas: planning for instruction and assessment;
engaging students and supporting learning; and assessing student learning. The board's
redesign rules must include creating flexible, specialized teaching licenses, credentials,
and other endorsement forms to increase students' participation in language immersion
programs, world language instruction, career development opportunities, work-based
learning, early college courses and careers, career and technical programs, Montessori
schools, and project and place-based learning, among other career and college ready
learning offerings.

(e) The board must adopt rules requiring candidates for initial licenses to pass an
examination of general pedagogical knowledge and examinations of licensure-specific
teaching skills. The rules shall be effective by September 1, 2001. The rules under this
paragraph also must require candidates for initial licenses to teach prekindergarten or
elementary students to pass, as part of the examination of licensure-specific teaching
skills, test items assessing the candidates' knowledge, skill, and ability in comprehensive,
scientifically based reading instruction under section 122A.06, subdivision 4, and their
knowledge and understanding of the foundations of reading development, the development
of reading comprehension, and reading assessment and instruction, and their ability to
integrate that knowledge and understanding.

(f) The board must adopt rules requiring teacher educators to work directly with
elementary or secondary school teachers in elementary or secondary schools to obtain
periodic exposure to the elementary or secondary teaching environment.

(g) The board must grant licenses to interns and to candidates for initial licenses
based on appropriate professional competencies that are aligned with the board's licensing
system and students' diverse learning needs. All teacher candidates must have preparation
in English language development and content instruction for English learners in order to be
able to effectively instruct the English learners in their classrooms. The board must include
these licenses in a statewide differentiated licensing system that creates new leadership
roles for successful experienced teachers premised on a collaborative professional culture
dedicated to meeting students' diverse learning needs in the 21st century, recognizes the
importance of cultural and linguistic competencies, including the ability to teach and
communicate in culturally competent and aware ways, and formalizes mentoring and
induction for newly licensed teachers provided through a teacher support framework.

(h) The board must design and implement an assessment system which requires a
candidate for an initial license and first continuing license to demonstrate the abilities
necessary to perform selected, representative teaching tasks at appropriate levels.

(i) The board must receive recommendations from local committees as established
by the board for the renewal of teaching licenses. The board must require licensed teachers
who are renewing a continuing license to include in the renewal requirements further
preparation in English language development and specially designed content instruction
in English for English learners.

(j) The board must grant life licenses to those who qualify according to requirements
established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and
124.10. The board must not establish any expiration date for application for life licenses.

(k) The board must adopt rules that require all licensed teachers who are renewing
their continuing license to include in their renewal requirements further preparation in
the areas of using positive behavior interventions and in accommodating, modifying, and
adapting curricula, materials, and strategies to appropriately meet the needs of individual
students and ensure adequate progress toward the state's graduation rule.
(l) In adopting rules to license public school teachers who provide health-related
services for disabled children, the board shall adopt rules consistent with license or
registration requirements of the commissioner of health and the health-related boards who
license personnel who perform similar services outside of the school.

(m) The board must adopt rules that require all licensed teachers who are renewing
their continuing license to include in their renewal requirements further reading
preparation, consistent with section 122A.06, subdivision 4. The rules do not take effect
until they are approved by law. Teachers who do not provide direct instruction including, at
least, counselors, school psychologists, school nurses, school social workers, audiovisual
directors and coordinators, and recreation personnel are exempt from this section.

(n) The board must adopt rules that require all licensed teachers who are renewing
their continuing license to include in their renewal requirements further preparation,
first, in understanding the key warning signs of early-onset mental illness in children
and adolescents and then, during subsequent licensure renewal periods, preparation may
include providing a more in-depth understanding of students' mental illness trauma,
accommodations for students' mental illness, parents' role in addressing students' mental
illness, Fetal Alcohol Spectrum Disorders, autism, the requirements of section 125A.0942
governing restrictive procedures, and de-escalation methods, among other similar topics.

(o) The board must adopt rules by January 1, 2016, to license applicants under
sections 122A.23 and 122A.245. The rules must permit applicants to demonstrate their
qualifications through the board's recognition of a teaching license from another state
in a similar content field, completion of a state-approved teacher preparation program,
teaching experience as the teacher of record in a similar licensure field, depth of content
knowledge, depth of content methods or general pedagogy, subject-specific professional
development and contribution to the field, or classroom performance as determined by
documented student growth on normed assessments or documented effectiveness on
evaluations. The rules must adopt criteria for determining a "similar content field" and
"similar licensure area."

EFFECTIVE DATE. This section is effective the day following final enactment
and applies to all candidates seeking initial teacher licensure, including those holding a
temporary, one-year teaching license.

Sec. 11. Minnesota Statutes 2014, section 122A.09, is amended by adding a
subdivision to read:

Subd. 4a. Teacher and administrator preparation and performance data;
report. (a) The Board of Teaching and the Board of School Administrators, in cooperation
with the Minnesota Association of Colleges of Teacher Education and Minnesota colleges
and universities offering board-approved teacher or administrator preparation programs,
annually must collect and report summary data on teacher and administrator preparation
and performance outcomes, consistent with this subdivision. The Board of Teaching
and the Board of School Administrators annually by June 1 must update and post the
reported summary preparation and performance data on teachers and administrators from
the preceding school years on a Web site hosted jointly by the boards.

(b) Publicly reported summary data on teacher preparation programs must include:
student entrance requirements for each Board of Teaching-approved program, including
grade point average for enrolling students in the preceding year; the average college-level
skills examination or ACT or SAT scores of students entering the program in the preceding
year; summary data on faculty qualifications, including at least the content areas of faculty
undergraduate and graduate degrees and their years of experience either as kindergarten
through grade 12 classroom teachers or school administrators; the average time resident
and nonresident program graduates in the preceding year needed to complete the program;
the current number and percent of students by program who graduated, received a standard
Minnesota teaching license, and were hired to teach full time in their licensure field in a
Minnesota district or school in the preceding year; the number of content area credits and
other credits by undergraduate program that students in the preceding school year needed
to complete to graduate; students' pass rates on skills and subject matter exams required for
graduation in each program and licensure area in the preceding school year; survey results
measuring student and graduate satisfaction with the program in the preceding school
year; a standard measure of the satisfaction of school principals or supervising teachers
with the student teachers assigned to a school or supervising teacher; and information
under paragraphs (d) and (e). Program reporting must be consistent with subdivision 11.

(c) Publicly reported summary data on administrator preparation programs
approved by the Board of School Administrators must include: summary data on faculty
qualifications, including at least the content areas of faculty undergraduate and graduate
degrees and their years of experience either as kindergarten through grade 12 classroom
teachers or school administrators; the average time program graduates in the preceding
year needed to complete the program; the current number and percent of students who
graduated, received a standard Minnesota administrator license, and were employed as an
administrator in a Minnesota school district or school in the preceding year; the number of
credits by graduate program that students in the preceding school year needed to complete
to graduate; survey results measuring student, graduate, and employer satisfaction with
the program in the preceding school year; and information under paragraphs (f) and (g).

Program reporting must be consistent with section 122A.14, subdivision 10.

(d) School districts annually by October 1 must report to the Board of Teaching the following information for all teachers who finished the probationary period and accepted a continuing contract position with the district from September 1 of the previous year through August 31 of the current year: the effectiveness category or rating of the teacher on the summative evaluation under section 122A.40, subdivision 8, or 122A.41, subdivision 5; the licensure area in which the teacher primarily taught during the three-year evaluation cycle; and the teacher preparation program preparing the teacher in the teacher's primary areas of instruction and licensure.

(e) School districts annually by October 1 must report to the Board of Teaching the following information for all probationary teachers in the district who were released or whose contracts were not renewed from September 1 of the previous year through August 31 of the current year: the licensure areas in which the probationary teacher taught; and the teacher preparation program preparing the teacher in the teacher's primary areas of instruction and licensure.

(f) School districts annually by October 1 must report to the Board of School Administrators the following information for all school principals and assistant principals who finished the probationary period and accepted a continuing contract position with the district from September 1 of the previous year through August 31 of the current year: the effectiveness category or rating of the principal or assistant principal on the summative evaluation under section 123B.147, subdivision 3; and the principal preparation program providing instruction to the principal or assistant principal.

(g) School districts annually by October 1 must report to the Board of School Administrators all probationary school principals and assistant principals in the district who were released or whose contracts were not renewed from September 1 of the previous year through August 31 of the current year.

EFFECTIVE DATE. This section is effective July 1, 2016.

Sec. 12. Minnesota Statutes 2014, section 122A.09, is amended by adding a subdivision to read:

Subd. 11. Teacher preparation program reporting. By December 31, 2018, and annually thereafter, the Board of Teaching shall report and publish on its Web site the cumulative summary results of at least three consecutive years of data reported to the board under subdivision 4a, paragraph (b). Where the data are sufficient to yield statistically
31.1 reliable information and the results would not reveal personally identifiable information about an individual teacher, the board shall report the data by teacher preparation program.

31.2 Sec. 13. Minnesota Statutes 2014, section 122A.14, subdivision 3, is amended to read:

Subd. 3. Rules for continuing education requirements. The board shall adopt rules establishing continuing education requirements that promote continuous improvement and acquisition of new and relevant skills by school administrators. Continuing education programs, among other things, must provide school administrators with information and training about building coherent and effective English learner strategies that include relevant professional development, accountability for student progress, students’ access to the general curriculum, and sufficient staff capacity to effect these strategies. A retired school principal who serves as a substitute principal or assistant principal for the same person on a day-to-day basis for no more than 15 consecutive school days is not subject to continuing education requirements as a condition of serving as a substitute principal or assistant principal.

31.3 EFFECTIVE DATE. This section is effective the day following final enactment.

31.4 Sec. 14. Minnesota Statutes 2014, section 122A.14, is amended by adding a subdivision to read:

Subd. 10. Principal preparation program reporting. By December 31, 2018, and annually thereafter, the Board of School Administrators shall report and publish on its Web site the cumulative summary results of three years of data reported to the board under section 122A.09, subdivision 4a, paragraph (c), for each principal preparation program.

31.5 Sec. 15. Minnesota Statutes 2014, section 122A.18, subdivision 2, is amended to read:

Subd. 2. Teacher and support personnel qualifications. (a) The Board of Teaching must issue licenses under its jurisdiction to persons the board finds to be qualified and competent for their respective positions, including those who meet the standards adopted under section 122A.09, subdivision 4, paragraph (o).

(b) The board must require a person to pass an examination of college-level skills in reading, writing, and mathematics or attain either a composite score composed of the average of the passing scores in English and writing, reading, and mathematics on the ACT Plus Writing recommended by the board, or an equivalent composite score composed of the average of the passing scores in critical reading, mathematics, and writing on the SAT recommended by the board, before being granted an initial teaching license to provide direct instruction to pupils in prekindergarten, elementary, secondary, or special education.
programs, except that the board may issue up to two temporary, one-year teaching licenses
to an otherwise qualified candidate who has not yet passed the college-level skills exam
or attained the requisite composite score essentially equivalent passing scores on the
ACT Plus Writing or SAT. At the request of a school district or charter school employer,
the Board of Teaching must grant an additional temporary one-year teaching license to
an otherwise qualified teacher, employed by the district or charter school, who held a
temporary one-year teaching license in the previous school year and who agrees to try to
pass the college-level skills examination or attain the requisite ACT or SAT scores during
the term of the third, temporary one-year teaching license. Also at the request of the school
district or charter school employer, the Board of Teaching must issue a standard teaching
license to a teacher who, after being granted a third, temporary one-year teaching license,
is determined by the school district or charter school employer, based on required teacher
evaluations, to have been an effective teacher in each of the three consecutive school years
during which the teacher taught full-time under a temporary, one-year teaching license.
The board must require colleges and universities offering a board approved teacher
preparation program to make available upon request remedial assistance that includes a
formal diagnostic component to persons enrolled in their institution who did not achieve a
qualifying score on the college-level skills examination or attain the requisite composite
ACT Plus Writing or SAT score essentially equivalent passing scores, including those for
whom English is a second language. The colleges and universities must make available
assistance in the specific academic areas of candidates' deficiency. School districts may
make available upon request similar, appropriate, and timely remedial assistance that
includes a formal diagnostic component to those persons employed by the district who
completed their teacher education program, who did not achieve a qualifying score on the
college-level skills examination, or attain the requisite composite ACT Plus Writing or
SAT score essentially equivalent passing scores, and who received a temporary license
to teach in Minnesota. The Board of Teaching shall report annually to the education
committees of the legislature on the total number of teacher candidates during the most
recent school year taking the college-level skills examination, the number who achieve a
qualifying score on the examination, the number who do not achieve a qualifying score
on the examination, the distribution of all candidates' scores, the number of candidates
who have taken the examination at least once before, and the number of candidates who
have taken the examination at least once before and achieve a qualifying score, and the
candidates who have not attained the requisite composite ACT Plus Writing or SAT score
essentially equivalent passing scores or have not passed a content or pedagogy exam,
disaggregated by categories of race, ethnicity, and eligibility for financial aid.

Article 2 Sec. 15.
(c) The Board of Teaching must grant continuing licenses only to those persons who have met board criteria for granting a continuing license, which includes passing the college-level skills examination in reading, writing, and mathematics or attaining the requisite composite ACT Plus Writing or SAT score essentially equivalent passing scores consistent with paragraph (b), and the exceptions in section 122A.09, subdivision 4, paragraph (b), that are consistent with this paragraph. The requirement to pass a reading, writing, and mathematics college-level skills examination, or attain the requisite composite score essentially equivalent passing scores on the ACT Plus Writing or SAT does not apply to nonnative English speakers, as verified by qualified Minnesota school district personnel or Minnesota higher education faculty, who, after meeting the content and pedagogy requirements under this subdivision, apply for a teaching license to provide direct instruction in their native language or world language instruction under section 120B.022, subdivision 1. A teacher candidate's official ACT Plus Writing or SAT composite score passing scores report to the board must not be more than ten years old at the time of licensure.

(d) All colleges and universities approved by the board of teaching to prepare persons for teacher licensure must include in their teacher preparation programs a common core of teaching knowledge and skills to be acquired by all persons recommended for teacher licensure. Among other requirements, teacher candidates must demonstrate the knowledge and skills needed to provide appropriate instruction to English learners to support and accelerate their academic literacy, including oral academic language, and achievement in content areas in a regular classroom setting. This common core shall meet the standards developed by the interstate new teacher assessment and support consortium in its 1992 "model standards for beginning teacher licensing and development." Amendments to standards adopted under this paragraph are covered by chapter 14. The board of teaching shall report annually to the education committees of the legislature on the performance of teacher candidates on common core assessments of knowledge and skills under this paragraph during the most recent school year.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to all candidates seeking initial teacher licensure, including those holding a temporary, one-year teaching license.

Sec. 16. Minnesota Statutes 2014, section 122A.20, subdivision 1, is amended to read:

Subdivision 1. **Grounds for revocation, suspension, or denial.** (a) The Board of Teaching or Board of School Administrators, whichever has jurisdiction over a teacher's licensure, may, on the written complaint of the school board employing a teacher, a teacher
organization, or any other interested person, refuse to issue, refuse to renew, suspend, or revoke a teacher's license to teach for any of the following causes:

(1) immoral character or conduct;
(2) failure, without justifiable cause, to teach for the term of the teacher's contract;
(3) gross inefficiency or willful neglect of duty;
(4) failure to meet licensure requirements; or
(5) fraud or misrepresentation in obtaining a license.

The written complaint must specify the nature and character of the charges.

(b) The Board of Teaching or Board of School Administrators, whichever has jurisdiction over a teacher's licensure, shall refuse to issue, refuse to renew, or automatically revoke a teacher's license to teach without the right to a hearing upon receiving a certified copy of a conviction showing that the teacher has been convicted of child abuse, as defined in section 609.185, sex trafficking in the first degree under section 609.322, subdivision 1, sex trafficking in the second degree under section 609.322, subdivision 1a, engaging in hiring, or agreeing to hire a minor to engage in prostitution under section 609.324, subdivision 1, sexual abuse under section 609.342, 609.343, 609.344, 609.345, 609.3451, subdivision 3, or 617.23, subdivision 3, solicitation of children to engage in sexual conduct or communication of sexually explicit materials to children under section 609.352, interference with privacy under section 609.746 or stalking under section 609.749 and the victim was a minor, using minors in a sexual performance under section 617.246, or possessing pornographic works involving a minor under section 617.247, or any other offense not listed in this paragraph that requires the person to register as a predatory offender under section 243.166, or a crime under a similar law of another state or the United States. The board shall send notice of this licensing action to the district in which the teacher is currently employed.

(c) A person whose license to teach has been revoked, not issued, or not renewed under paragraph (b), may petition the board to reconsider the licensing action if the person's conviction for child abuse or sexual abuse is reversed by a final decision of the Court of Appeals or the Supreme Court or if the person has received a pardon for the offense. The petitioner shall attach a certified copy of the appellate court's final decision or the pardon to the petition. Upon receiving the petition and its attachment, the board shall schedule and hold a disciplinary hearing on the matter under section 214.10, subdivision 2, unless the petitioner waives the right to a hearing. If the board finds that, notwithstanding the reversal of the petitioner's criminal conviction or the issuance of a pardon, the petitioner is disqualified from teaching under paragraph (a), clause (1), the board shall
affirm its previous licensing action. If the board finds that the petitioner is not disqualified
from teaching under paragraph (a), clause (1), it shall reverse its previous licensing action.
(d) For purposes of this subdivision, the Board of Teaching is delegated the authority
to suspend or revoke coaching licenses.

Sec. 17. Minnesota Statutes 2014, section 122A.21, subdivision 2, is amended to read:

Subd. 2. Licensure via portfolio. (a) An eligible candidate may use licensure
via portfolio to obtain an initial licensure or to add a licensure field, consistent with the
applicable Board of Teaching licensure rules.

(b) A candidate for initial licensure must submit to the Educator Licensing Division
at the department one portfolio demonstrating pedagogical competence and one portfolio
demonstrating content competence.

(c) A candidate seeking to add a licensure field must submit to the Educator
Licensing Division at the department one portfolio demonstrating content competence.

(d) The Board of Teaching must notify a candidate who submits a portfolio under
paragraph (b) or (c) within 90 calendar days after the portfolio is received whether or not
the portfolio was approved. If the portfolio was not approved, the board must immediately
inform the candidate how to revise the portfolio to successfully demonstrate the requisite
competence. The candidate may resubmit a revised portfolio at any time and the Educator
Licensing Division at the department must approve or disapprove the portfolio within
60 calendar days of receiving it.

(e) A candidate must pay to the executive secretary of the Board of Teaching a
$300 fee for the first portfolio submitted for review and a $200 fee for any portfolio
submitted subsequently. The fees must be paid to the executive secretary of the Board of
Teaching. The revenue generated from the fee must be deposited in an education licensure
portfolio account in the special revenue fund. The fees set by the Board of Teaching are
nonrefundable for applicants not qualifying for a license. The Board of Teaching may
waive or reduce fees for candidates based on financial need.

EFFECTIVE DATE. This section is effective the day following final enactment and
applies to all portfolios submitted to the Educator Licensing Division at the department
after that date.

Sec. 18. Minnesota Statutes 2014, section 122A.23, is amended to read:

122A.23 APPLICANTS TRAINED IN OTHER STATES.
Subdivision 1. **Preparation equivalency.** When a license to teach is authorized to
be issued to any holder of a diploma or a degree of a Minnesota state university, or of the
University of Minnesota, or of a liberal arts university, or a technical training institution,
such license may also, in the discretion of the Board of Teaching or the commissioner of
education, whichever has jurisdiction, be issued to any holder of a diploma or a degree
of a teacher training institution of equivalent rank and standing of any other state. The
diploma or degree must be granted by virtue of completing a course coursework in teacher
preparation essentially equivalent in content to that required by such Minnesota state
university or the University of Minnesota or a liberal arts university in Minnesota or a
technical training institution as preliminary to the granting of a diploma or a degree of the
same rank and class. For purposes of granting a Minnesota teaching license to a person
who receives a diploma or degree from a state-accredited, out-of-state teacher training
program leading to licensure, the Board of Teaching must establish criteria and streamlined
procedures by January 1, 2016, to recognize the experience and professional credentials of
the person holding the out-of-state diploma or degree and allow that person to demonstrate
to the board the person's qualifications for receiving a Minnesota teaching license based
on performance measures the board adopts by January 1, 2016, under this section.

Subd. 2. **Applicants licensed in other states.** (a) Subject to the requirements
of sections 122A.18, subdivision 8, and 123B.03, the Board of Teaching must issue a
teaching license or a temporary teaching license under paragraphs (b) (c) to (e) (f) to an
applicant who holds at least a baccalaureate degree from a regionally accredited college
or university and holds or held a **similar** out-of-state teaching license that requires the
applicant to successfully complete a teacher preparation program approved by the issuing
state, which includes either (1) field-specific teaching methods and, student teaching, or
essentially equivalent experience, or (2) at least two years of teaching experience as the
teacher of record in a similar licensure field.

(b) The Board of Teaching may issue a standard license on the basis of teaching
experience and examination requirements only.

(c) The Board of Teaching must issue a teaching license to an applicant who:

(1) successfully completed all exams and human relations preparation components
required by the Board of Teaching; and

(2) holds or held an out-of-state teaching license to teach the same **similar** content
field and grade levels if the scope of the out-of-state license is no more than two grade
levels less than a similar Minnesota license, and either (i) has completed field-specific
teaching methods, student teaching, or equivalent experience, or (ii) has at least two years
of teaching experience as the teacher of record in a similar licensure field.
(e) (d) The Board of Teaching, consistent with board rules and paragraph (b) (i),
must issue up to three one-year temporary teaching licenses to an applicant who holds or
held an out-of-state teaching license to teach the same a similar content field and grade
levels, where the scope of the out-of-state license is no more than two grade levels less
than a similar Minnesota license, but has not successfully completed all exams and human
relations preparation components required by the Board of Teaching.

(d) (e) The Board of Teaching, consistent with board rules, must issue up to three
one-year temporary teaching licenses to an applicant who:

1. successfully completed all exams and human relations preparation components
required by the Board of Teaching; and

2. holds or held an out-of-state teaching license to teach the same a similar content
field and grade levels, where the scope of the out-of-state license is no more than two
grade levels less than a similar Minnesota license, but has not completed field-specific
teaching methods or student teaching or equivalent experience.

The applicant may complete field-specific teaching methods and student teaching
or equivalent experience by successfully participating in a one-year school district
mentorship program consistent with board-adopted standards of effective practice and
Minnesota graduation requirements.

(f) (f) The Board of Teaching must issue a temporary teaching license for a term
of up to three years only in the content field or grade levels specified in the out-of-state
license to an applicant who:

1. successfully completed all exams and human relations preparation components
required by the Board of Teaching; and

2. holds or held an out-of-state teaching license where the out-of-state license is
more limited in the content field or grade levels than a similar Minnesota license.

(g) (g) The Board of Teaching must not issue to an applicant more than three
one-year temporary teaching licenses under this subdivision.

(h) (h) The Board of Teaching must not may issue a license under this subdivision if
the applicant has not attained the additional degrees, credentials, or licenses required in
a particular licensure field and the applicant can demonstrate competency by obtaining
qualifying scores on the college-level skills examination in reading, writing, and
mathematics or demonstrating attainment of essentially equivalent passing scores on the
ACT Plus Writing or SAT, and on applicable board-approved rigorous content area and
pedagogy examinations under section 122A.09, subdivision 4, paragraphs (a) and (e).

(i) (i) The Board of Teaching must require an applicant for a teaching license
or a temporary teaching license under this subdivision to pass a college-level skills
examination in reading, writing, and mathematics or demonstrate, consistent with section 122A.09, subdivision 4, the applicant's attainment of either the requisite composite ACT Plus Writing or SAT score essentially equivalent passing scores before the board issues the license unless, notwithstanding other provisions of this subdivision, an applicable board-approved National Association of State Directors of Teacher Education interstate reciprocity agreement exists to allow fully certified teachers from other states to transfer their certification to Minnesota.

Subd. 3. Teacher licensure agreements with adjoining states. (a) Notwithstanding other law to the contrary, the Board of Teaching must enter into interstate agreements for teacher licensure to allow fully certified teachers from adjoining states to transfer their certification to Minnesota and receive a full, five-year continuing teaching license without having to complete any additional exams or other preparation requirements. The board must enter into these interstate agreements only after determining that the rigor of the teacher licensure or certification requirements in the adjoining state is commensurate with the rigor of Minnesota's teacher licensure requirements. The board may limit an interstate agreement to particular content fields or grade levels based on established priorities or identified shortages. This subdivision does not apply to out-of-state applicants holding only a provisional teaching license.

(b) The Board of Teaching is strongly encouraged to work with designated authorities in adjoining states to establish reciprocal interstate teacher licensure agreements under this section.

EFFECTIVE DATE. This section is effective August 1, 2015.

Sec. 19. Minnesota Statutes 2014, section 122A.245, subdivision 1, is amended to read:

Subdivision 1. Requirements. (a) To improve academic excellence, improve ethnic and cultural diversity in the classroom, and close the academic achievement gap, the Board of Teaching must approve qualified teacher preparation programs under this section that are a means to acquire a two-year limited-term license, which the board may renew one time for an additional one-year term, and to prepare for acquiring a standard license. The following entities are eligible to participate under this section:

(1) a school district or charter school, or nonprofit corporation organized under chapter 317A for an education-related purpose that forms a partnership with a college or university that has a board-approved alternative teacher preparation program; or

(2) a school district or charter school, or nonprofit corporation organized under chapter 317A for an education-related purpose after consulting with a college or university with a board-approved teacher preparation program, that forms a partnership with a
nonprofit corporation organized under chapter 217A for an education-related purpose that
has a board-approved teacher preparation program.

(b) Before participating in this program becoming a teacher of record, a candidate
must:

(1) have a bachelor’s degree with a 3.0 or higher grade point average unless the
board waives the grade point average requirement based on board-adopted criteria adopted
by January 1, 2016;

(2) pass the reading, writing, and mathematics college-level skills examination under
section 122A.09, subdivision 4, paragraph (b), or demonstrate attainment of either ACT
Plus Writing or SAT essentially equivalent passing scores; and

(3) obtain qualifying scores on applicable board-approved rigorous content area and
pedagogy examinations under section 122A.09, subdivision 4, paragraph (e).

(c) The Board of Teaching must issue a two-year limited-term license to a person
who enrolls in an alternative teacher preparation program. This limited term license is not
a provisional license under section 122A.40 or 122A.41.

Sec. 20. Minnesota Statutes 2014, section 122A.245, subdivision 3, is amended to read:

Subd. 3. **Program approval; disapproval.** (a) The Board of Teaching must approve
alternative teacher preparation programs under this section based on board-adopted
criteria that reflect best practices for alternative teacher preparation programs, consistent
with this section.

(b) The board must permit teacher candidates to demonstrate mastery of pedagogy
and content standards in school-based settings and through other nontraditional means.
"Nontraditional means" must include a portfolio of previous experiences, teaching
experience, educator evaluations, certifications marking the completion of education
training programs, and essentially equivalent demonstrations.

(c) The board must use nontraditional criteria to determine the qualifications of
program instructors.

(d) The board may permit instructors to hold a baccalaureate degree only.

(b) (e) If the Board of Teaching determines that a teacher preparation program under
this section does not meet the requirements of this section, it may revoke its approval
of the program after it notifies the program provider of any deficiencies and gives the
program provider an opportunity to remedy the deficiencies.

Sec. 21. Minnesota Statutes 2014, section 122A.245, subdivision 7, is amended to read:
Subd. 7. Standard license. The Board of Teaching must issue a standard license to an otherwise qualified teacher candidate under this section who successfully performs throughout a program under this section, successfully completes all required obtains qualifying scores on applicable board-approved rigorous college-level skills, pedagogy, and content area examinations under section 122A.09, subdivision 4, paragraphs (a) and (e), and is recommended for licensure under subdivision 5 or successfully demonstrates to the board qualifications for licensure under subdivision 6.

Sec. 22. Minnesota Statutes 2014, section 122A.25, is amended to read:

122A.25 NONLICENSED COMMUNITY EXPERTS; VARIANCE.

Subdivision 1. Authorization. Notwithstanding any law, Board of Teaching rule, or commissioner of education rule to the contrary, the Board of Teaching may allow school districts or charter schools to hire nonlicensed community experts to teach in the public schools or charter schools on a limited basis according to this section after making efforts to obtain acceptable licensed teachers for the particular course or subject area, consistent with subdivision 2, clause (3). A school district or charter school must notify a student's parent or guardian before placing the student in the classroom of a nonlicensed community expert hired by the district or school to provide instruction under this section.

Subd. 2. Applications Reports; criteria. The school district or charter school shall apply to the Board of Teaching for approval when it uses a variance to hire nonlicensed teaching personnel from the community. In approving or disapproving the application for each community expert, the board report shall consider include:

(1) the qualifications of the community person whom the district or charter school proposes to employ;

(2) the unique and compelling reasons for the need for a variance from the teacher licensure requirements;

(3) the district's efforts to obtain licensed teachers, who are acceptable to the school board, for the particular course or subject area or the charter school's efforts to obtain licensed teachers for the particular course or subject area;

(4) the amount of teaching time for which the community expert would be hired;

(5) the extent to which the district or charter school is utilizing other nonlicensed community experts under this section;

(6) the nature of the community expert's proposed teaching responsibility; and

(7) the proposed level of compensation to be paid to the community expert.

Subd. 3. Approval of plan Comment on variance. The Board of Teaching shall approve or disapprove an application may comment on a district or charter school report.
under subdivision 2 within 60 days of receiving it from a school and the district or charter school must post the comment on its official Web site.

Subd. 4. **Background check.** A school district or charter school shall provide confirmation to the Board of Teaching with confirmation that criminal background checks have been completed for all nonlicensed community experts employed by the district or charter school and approved by the Board of Teaching under this section.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to all nonlicensed community experts hired or sponsored after that date.

Sec. 23. Minnesota Statutes 2014, section 122A.30, is amended to read:

**122A.30 EXEMPTION FOR TECHNICAL COLLEGE EDUCATION INSTRUCTORS.**

Notwithstanding section 122A.15, subdivision 1, and upon approval of the local employer school board, a person who teaches in a part-time vocational or career and technical education program not more than 61 hours per fiscal year is exempt from a license requirement.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to all technical education instructors hired after that date.

Sec. 24. Minnesota Statutes 2014, section 122A.40, subdivision 5, is amended to read:

Subd. 5. **Probationary period.** (a) The first three consecutive years of a teacher's first teaching experience in Minnesota in a single district is deemed to be a probationary period of employment, and, the probationary period in each district in which the teacher is thereafter employed shall be one year. The school board must adopt a plan for written evaluation of teachers during the probationary period that is consistent with subdivision 8. Evaluation must occur at least three times periodically throughout each school year for a teacher performing services during that school year; the first evaluation must occur within the first 90 days of teaching service. Days devoted to parent-teacher conferences, teachers' workshops, and other staff development opportunities and days on which a teacher is absent from school must not be included in determining the number of school days on which a teacher performs services. Except as otherwise provided in paragraph (b), during the probationary period any annual contract with any teacher may or may not be renewed (1) as the school board shall see fit, or (2) consistent with the negotiated agreement unrequested leave of absence plan in effect under subdivision 10. However, the board must give any such teacher whose contract it declines to renew for the following school year a written explanation of the reason for the denial.
year written notice to that effect before July 1. If the teacher requests reasons for any
nonrenewal of a teaching contract, the board must give the teacher its reason in writing,
including a statement that appropriate supervision was furnished describing the nature and
the extent of such supervision furnished the teacher during the employment by the board,
within ten days after receiving such request. The school board may, after a hearing held
upon due notice, discharge a teacher during the probationary period for cause, effective
immediately, under section 122A.44.

(b) A board must discharge a probationary teacher, effective immediately, upon
receipt of notice under section 122A.20, subdivision 1, paragraph (b), that the teacher's
license has been revoked due to a conviction for child abuse or sexual abuse.

(c) A probationary teacher whose first three years of consecutive employment are
interrupted for active military service and who promptly resumes teaching consistent with
federal reemployment timelines for uniformed service personnel under United States
Code, title 38, section 4312(e), is considered to have a consecutive teaching experience
for purposes of paragraph (a).

(d) A probationary teacher whose first three years of consecutive employment are
interrupted for maternity, paternity, or medical leave and who resumes teaching within 12
months of when the leave began is considered to have a consecutive teaching experience
for purposes of paragraph (a) if the probationary teacher completes a combined total of
three years of teaching service immediately before and after the leave.

(e) A probationary teacher must complete at least 120 days of teaching service each
year during the probationary period. Days devoted to parent-teacher conferences, teachers'
workshops, and other staff development opportunities and days on which a teacher is
absent from school do not count as days of teaching service under this paragraph.

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

Sec. 25. Minnesota Statutes 2014, section 122A.40, subdivision 8, is amended to read:

Subd. 8. Development, evaluation, and peer coaching for continuing contract
teachers. (a) To improve student learning and success, a school board and an exclusive
representative of the teachers in the district, consistent with paragraph (b), may develop
a teacher evaluation and peer review process for probationary and continuing contract
teachers through joint agreement. If a school board and the exclusive representative of the
teachers do not agree to an annual teacher evaluation and peer review process, then the
school board and the exclusive representative of the teachers must implement the state
teacher evaluation plan under paragraph (c). The process must include having trained
observers serve as peer coaches or having teachers participate in professional learning communities, consistent with paragraph (b).

(b) To develop, improve, and support qualified teachers and effective teaching practices and improve student learning and success, the annual evaluation process for teachers:

1. must, for probationary teachers, provide for all evaluations required under subdivision 5;
2. must establish a three-year professional review cycle for each teacher that includes an individual growth and development plan, a peer review process, and at least one summative evaluation performed by a qualified and trained evaluator such as a school administrator. For the years when a tenured teacher is not evaluated by a qualified and trained evaluator, the teacher must be evaluated by a peer review;
3. must be based on professional teaching standards established in rule;
4. must coordinate staff development activities under sections 122A.60 and 122A.61 with this evaluation process and teachers' evaluation outcomes;
5. may provide time during the school day and school year for peer coaching and teacher collaboration;
6. may include job-embedded learning opportunities such as professional learning communities;
7. may include mentoring and induction programs;
8. must include an option for teachers to develop and present a portfolio demonstrating evidence of reflection and professional growth, consistent with section 122A.18, subdivision 4, paragraph (b), and include teachers' own performance assessment based on student work samples and examples of teachers' work, which may include video among other activities for the summative evaluation;
9. must use data from valid and reliable assessments aligned to state and local academic standards and must use state and local measures of student growth and literacy that may include value-added models or student learning goals to determine 35 percent of teacher evaluation results;
10. must use longitudinal data on student engagement and connection, and other student outcome measures explicitly aligned with the elements of curriculum for which teachers are responsible, including academic literacy, oral academic language, and achievement of content areas of English learners;
11. must require qualified and trained evaluators such as school administrators to perform summative evaluations and ensure school districts and charter schools provide for effective evaluator training specific to teacher development and evaluation.
(12) must give teachers not meeting professional teaching standards under clauses
(3) through (11) support to improve through a teacher improvement process that includes
established goals and timelines; and
(13) must discipline a teacher for not making adequate progress in the teacher
improvement process under clause (12) that may include a last chance warning,
termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or
other discipline a school administrator determines is appropriate.

Data on individual teachers generated under this subdivision are personnel data
under section 13.43. The observation and interview notes of peer coaches may only be
disclosed to other school officials with the consent of the teacher being coached.

(c) The department, in consultation with parents who may represent parent
organizations and teacher and administrator representatives appointed by their respective
organizations, representing the Board of Teaching, the Minnesota Association of School
Administrators, the Minnesota School Boards Association, the Minnesota Elementary
and Secondary Principals Associations, Education Minnesota, and representatives of
the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota
Chamber of Commerce, and Minnesota postsecondary institutions with research expertise
in teacher evaluation, must create and publish a teacher evaluation process that complies
with the requirements in paragraph (b) and applies to all teachers under this section and
section 122A.41 for whom no agreement exists under paragraph (a) for an annual teacher
evaluation and peer review process. The teacher evaluation process created under this
subdivision does not create additional due process rights for probationary teachers under
subdivision 5.

(d) Consistent with the measures of teacher effectiveness under this subdivision:
(1) for students in kindergarten through grade 4, a school administrator must not
place a student in consecutive school years in the classroom of a teacher with the lowest
evaluation rating in the previous school year unless no other teacher at the school teaches
that grade; and
(2) for students in grades 5 through 12, a school administrator must not place
students in consecutive school years in the classroom of a teacher with the lowest
evaluation rating in the previous school year unless no other teacher at the school teaches
that subject area and grade.

EFFECTIVE DATE. This section is effective for the 2017-2018 school year and
later, except paragraph (b), clause (7), is effective for the 2015-2016 school year and later.

Sec. 26. Minnesota Statutes 2014, section 122A.40, subdivision 10, is amended to read:
Subd. 10. Negotiated unrequested leave of absence. (a) The school board and the exclusive bargaining representative of the teachers may negotiate a plan, consistent with subdivision 8, providing for unrequested leave of absence without pay or fringe benefits for as many teachers as may be necessary because of discontinuance of position, lack of pupils, financial limitations, or merger of classes caused by consolidation of districts. Failing to successfully negotiate such a plan, the provisions of subdivision 11 shall apply. The negotiated plan must not include provisions which would result in the exercise of seniority by a teacher holding only a provisional license, other than a vocational education license, contrary to the provisions of subdivision 11, paragraph (e) if required for the position, or the reinstatement of a teacher holding only a provisional license, other than a vocational education license, contrary to the provisions of subdivision 11, paragraph (e) required for the position. The provisions of section 179A.16 do not apply for the purposes of this subdivision.

(b) Beginning in the 2017-2018 school year and later, and notwithstanding any law to the contrary, a school board must place teachers on unrequested leave of absence based on their subject matter licensure fields, most recent evaluation outcomes and effectiveness category or rating under subdivision 8, and other, locally determined criteria such as teacher seniority, and may include both probationary teachers and continuing contract teachers within an effectiveness category or rating. For purposes of placing a teacher on unrequested leave of absence or recalling a teacher from unrequested leave of absence, a school board is not required to reassign a teacher with more seniority to accommodate the seniority claims of a teacher who is similarly licensed and effective but with less seniority.

Nothing in this paragraph permits a school board to use a teacher's remuneration as a basis for making unrequested leave of absence decisions. Any executed employment contract between the school board and the exclusive representative of the teachers must contain the negotiated unrequested leave of absence plan. The school board must publish in a readily accessible format the unrequested leave of absence plan it negotiates under this paragraph.

(c) A teacher who receives notice of being placed on unrequested leave of absence under paragraph (b) may submit to the board, within 14 days of receiving the notice, a written request for a hearing before a neutral hearing officer to establish whether the district met the following teacher evaluation requirements under subdivision 8: if the teacher is a probationary teacher, all evaluations required under subdivision 5 were provided; a three-year professional review cycle was established for the teacher; any summative evaluation of the teacher was performed by a qualified and trained evaluator; a peer review evaluation occurred in any year when the teacher was not evaluated by a qualified and trained evaluator; and if the teacher did not meet professional teaching
standards, a teacher improvement process with goals and timelines was established. The school board and the exclusive representative of the teachers must agree on a panel of people and a process to select the person to hear the matter. The hearing officer must issue a decision within 14 days of the request for the hearing. Nothing in this subdivision prevents a school board and the exclusive representative of the teachers from negotiating a different process for determining whether the teacher evaluation requirements listed in this subdivision were met.

(d) Evaluation outcomes and effectiveness categories under paragraph (b) must not be used to place a teacher on unrequested leave of absence if the principal evaluating the teacher is on an improvement plan under section 123B.147, subdivision 3, paragraph (b), clause (8).

(e) For purposes of this subdivision, a provisional license is a license to teach issued by the Board of Teaching under a waiver or variance.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to negotiated plans for unrequested leave of absence agreed to on or after that date.

Sec. 27. Minnesota Statutes 2014, section 122A.40, subdivision 11, is amended to read:

Subd. 11. **Unrequested leave of absence.** (a) The board may place on unrequested leave of absence, without pay or fringe benefits, as many teachers as may be necessary because of discontinuance of position, lack of pupils, financial limitations, or merger of classes caused by consolidation or reorganization of districts under chapter 123A. The unrequested leave is effective at the close of the school year.

(b) In placing teachers on unrequested leave in the 2014-2015 through 2016-2017 school years only, the board is governed by the following provisions in this subdivision.

(a) (c) The board may place probationary teachers on unrequested leave first in the inverse order of their employment. A teacher who has acquired continuing contract rights must not be placed on unrequested leave of absence while probationary teachers are retained in positions for which the teacher who has acquired continuing contract rights is licensed.

(b) (d) Teachers who have acquired continuing contract rights shall be placed on unrequested leave of absence in fields in which they are licensed in the inverse order in which they were employed by the school district. In the case of equal seniority, the order in which teachers who have acquired continuing contract rights shall be placed on unrequested leave of absence in fields in which they are licensed is negotiable.

(c) (e) Notwithstanding the provisions of paragraph (b) (d), a teacher is not entitled to exercise any seniority when that exercise results in that teacher being retained by the district in a field for which the teacher holds only a provisional license, as defined by the
board of teaching, unless that exercise of seniority results in the placement on unrequested leave of absence of another teacher who also holds a provisional license in the same field.

The provisions of this paragraph do not apply to vocational education licenses, required for the available positions.

(d) (f) Notwithstanding paragraphs (a), (b), and (c), (d), and (e), if the placing of a probationary teacher on unrequested leave before a teacher who has acquired continuing rights, the placing of a teacher who has acquired continuing contract rights on unrequested leave before another teacher who has acquired continuing contract rights but who has greater seniority, or the restriction imposed by the provisions of paragraph (e) (c) would place the district in violation of its affirmative action program, the district may retain the probationary teacher, the teacher with less seniority, or the provisionally licensed teacher.

(e) (g) For purposes of placing a teacher on unrequested leave of absence or recalling a teacher from unrequested leave of absence, nothing in this subdivision requires a school board to reassign a teacher to accommodate the seniority claims of a teacher who is similarly licensed and effective but with less seniority.

(h) Teachers placed on unrequested leave of absence must be reinstated to the positions from which they have been given leaves of absence or, if not available, to other available positions in the school district in fields in which they are licensed. Reinstatement must be in the inverse order of placement on leave of absence. A teacher must not be reinstated to a position in a field in which the teacher holds only a provisional license, other than a vocational education license, while another teacher who holds a nonprovisional license in the same field remains on unrequested leave. The order of reinstatement of teachers who have equal seniority and who are placed on unrequested leave in the same school year is negotiable.

(i) Appointment of a new teacher must not be made while there is available on unrequested leave, a teacher who is properly licensed to fill such vacancy, unless the teacher fails to advise the school board within 30 days of the date of notification that a position is available to that teacher who may return to employment and assume the duties of the position to which appointed on a future date determined by the board.

(j) A teacher placed on unrequested leave of absence may engage in teaching or any other occupation during the period of this leave.

(k) The unrequested leave of absence must not impair the continuing contract rights of a teacher or result in a loss of credit for previous years of service.

(l) Consistent with subdivision 10, the unrequested leave of absence of a teacher who is categorized as effective or better under subdivision 8, who is placed on unrequested leave of absence and who is not reinstated shall continue for a period of five years.
after which the right to reinstatement shall terminate. The teacher's right to
reinstatement shall also terminate if the teacher fails to file with the board by
April 1 of each year a written statement requesting reinstatement.

(m) Consistent with subdivision 10, the unrequested leave of absence of a teacher
who is categorized as ineffective or less under subdivision 8, who is placed on unrequested
leave of absence, and who is not reinstated continues for the following school year
only, after which the teacher's right to reinstatement terminates. The teacher's right to
reinstatement also terminates if the teacher fails to file with the board by April 1 in that
following school year a written statement requesting reinstatement.

(5) (m) The same provisions applicable to terminations of probationary or continuing
contracts in subdivisions 5 and 7 must apply to placement on unrequested leave of absence;

(4) (o) Nothing in this subdivision shall be construed to impair the rights of teachers
placed on unrequested leave of absence to receive unemployment benefits if otherwise
eligible.

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

Sec. 28. Minnesota Statutes 2014, section 122A.40, subdivision 13, is amended to read:

Subd. 13. Immediate discharge. (a) Except as otherwise provided in paragraph
(b), a board may discharge a continuing-contract teacher, effective immediately, upon any
of the following grounds:

(1) immoral conduct, insubordination, or conviction of a felony;

(2) conduct unbecoming a teacher which requires the immediate removal of the
teacher from classroom or other duties;

(3) failure without justifiable cause to teach without first securing the written release
of the school board;

(4) gross inefficiency which the teacher has failed to correct after reasonable written
notice;

(5) willful neglect of duty; or

(6) continuing physical or mental disability subsequent to a 12 months leave of
absence and inability to qualify for reinstatement in accordance with subdivision 12.

For purposes of this paragraph, conduct unbecoming a teacher includes an unfair
discriminatory practice described in section 363A.13.

Prior to discharging a teacher under this paragraph, the board must notify the teacher
in writing and state its ground for the proposed discharge in reasonable detail. Within
ten days after receipt of this notification the teacher may make a written request for a
hearing before the board and it shall be granted before final action is taken. The board
may suspend a teacher with pay pending the conclusion of the hearing and determination of the issues raised in the hearing after charges have been filed which constitute ground for discharge. If a teacher has been charged with a felony and the underlying conduct that is the subject of the felony charge is a ground for a proposed immediate discharge, the suspension pending the conclusion of the hearing and determination of the issues may be without pay. If a hearing under this paragraph is held, the board must reimburse the teacher for any salary or compensation withheld if the final decision of the board or the arbitrator does not result in a penalty to or suspension, termination, or discharge of the teacher.

(b) A board must discharge a continuing-contract teacher, effective immediately, upon receipt of notice under section 122A.20, subdivision 1, paragraph (b), that the teacher's license has been revoked due to a conviction for child abuse or, as defined in section 609.185; sex trafficking in the first degree under section 609.322, subdivision 1; sex trafficking in the second degree under section 609.322, subdivision 1a; engaging in hiring or agreeing to hire a minor to engage in prostitution under section 609.324, subdivision 1; sexual abuse under section 609.342, 609.343, 609.344, 609.345, 609.3451, subdivision 3, or 617.23, subdivision 3; solicitation of children to engage in sexual conduct or communication of sexually explicit materials to children under section 609.352; interference with privacy under section 609.746 or stalking under section 609.749 and the victim was a minor; using minors in a sexual performance under section 617.246; possessing pornographic works involving a minor under section 617.247; or any other offense not listed in this paragraph that requires the person to register as a predatory offender under section 243.166, or a crime under a similar law of another state or the United States.

(c) When a teacher is discharged under paragraph (b) or when the commissioner makes a final determination of child maltreatment involving a teacher under section 626.556, subdivision 11, the school principal or other person having administrative control of the school must include in the teacher's employment record the information contained in the record of the disciplinary action or the final maltreatment determination, consistent with the definition of public data under section 13.41, subdivision 5, and must provide the Board of Teaching and the licensing division at the department with the necessary and relevant information to enable the Board of Teaching and the department's licensing division to fulfill their statutory and administrative duties related to issuing, renewing, suspending, or revoking a teacher's license. Information received by the Board of Teaching or the licensing division at the department under this paragraph is governed by section 13.41 or other applicable law governing data of the receiving entity. In addition to the background check required under section 123B.03, a school board or other school
hiring authority must contact the Board of Teaching and the department to determine whether the teacher's license has been suspended or revoked, consistent with the discharge and final maltreatment determinations identified in this paragraph. Unless restricted by federal or state data practices law or by the terms of a collective bargaining agreement, the responsible authority for a school district must disseminate to another school district private personnel data on a current or former teacher employee or contractor of the district, including the results of background investigations, if the requesting school district seeks the information because the subject of the data has applied for employment with the requesting school district.

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

Sec. 29. Minnesota Statutes 2014, section 122A.41, subdivision 2, is amended to read:

Subd. 2. **Probationary period; discharge or demotion.** (a) All teachers in the public schools in cities of the first class during the first three years of consecutive employment shall be deemed to be in a probationary period of employment during which period any annual contract with any teacher may, or may not, be renewed (1) as the school board, after consulting with the peer review committee charged with evaluating the probationary teachers under subdivision 3, shall see fit, or (2) consistent with the negotiated plan for discontinuing or terminating teachers in effect under subdivision 14. The school site management team or the school board if there is no school site management team, shall adopt a plan for a written evaluation of teachers during the probationary period according to subdivisions 3 and 5. Evaluation by the peer review committee charged with evaluating probationary teachers under subdivision 3 shall occur at least three times periodically throughout each school year for a teacher performing services during that school year; the first evaluation must occur within the first 90 days of teaching service. Days devoted to parent-teacher conferences, teachers' workshops, and other staff development opportunities and days on which a teacher is absent from school shall not be included in determining the number of school days on which a teacher performs services. The school board may, during such probationary period, discharge or demote a teacher for any of the causes as specified in this code. A written statement of the cause of such discharge or demotion shall be given to the teacher by the school board at least 30 days before such removal or demotion shall become effective, and the teacher so notified shall have no right of appeal therefrom.

(b) A probationary teacher whose first three years of consecutive employment are interrupted for active military service and who promptly resumes teaching consistent with federal reemployment timelines for uniformed service personnel under United States
Code, title 38, section 4312(c), is considered to have a consecutive teaching experience for purposes of paragraph (a).

(c) A probationary teacher whose first three years of consecutive employment are interrupted for maternity, paternity, or medical leave and who resumes teaching within 12 months of when the leave began is considered to have a consecutive teaching experience for purposes of paragraph (a) if the probationary teacher completes a combined total of three years of teaching service immediately before and after the leave.

(d) A probationary teacher must complete at least 120 days of teaching service each year during the probationary period. Days devoted to parent-teacher conferences, teachers' workshops, and other staff development opportunities and days on which a teacher is absent from school do not count as days of teaching service under this paragraph.

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

Sec. 30. Minnesota Statutes 2014, section 122A.41, subdivision 5, is amended to read:

Subd. 5. Development, evaluation, and peer coaching for continuing contract teachers. (a) To improve student learning and success, a school board and an exclusive representative of the teachers in the district, consistent with paragraph (b), may develop an annual teacher evaluation and peer review process for probationary and nonprobationary teachers through joint agreement. If a school board and the exclusive representative of the teachers in the district do not agree to an annual teacher evaluation and peer review process, then the school board and the exclusive representative of the teachers must implement the state teacher evaluation plan developed under paragraph (c). The process must include having trained observers serve as peer coaches or having teachers participate in professional learning communities, consistent with paragraph (b).

(b) To develop, improve, and support qualified teachers and effective teaching practices and improve student learning and success, the annual evaluation process for teachers:

(1) must, for probationary teachers, provide for all evaluations required under subdivision 2;

(2) must establish a three-year professional review cycle for each teacher that includes an individual growth and development plan, a peer review process, and at least one summative evaluation performed by a qualified and trained evaluator such as a school administrator;

(3) must be based on professional teaching standards established in rule;

(4) must coordinate staff development activities under sections 122A.60 and 122A.61 with this evaluation process and teachers' evaluation outcomes;
(5) may provide time during the school day and school year for peer coaching and
teacher collaboration;
(6) may include job-embedded learning opportunities such as professional learning
communities;
(7) may include mentoring and induction programs;
(8) must include an option for teachers to develop and present a portfolio
demonstrating evidence of reflection and professional growth, consistent with section
122A.18, subdivision 4, paragraph (b), and include teachers' own performance assessment
based on student work samples and examples of teachers' work, which may include video
among other activities for the summative evaluation;
(9) must use data from valid and reliable assessments aligned to state and local
academic standards and must use state and local measures of student growth and literacy
that may include value-added models or student learning goals to determine 35 percent of
teacher evaluation results;
(10) must use longitudinal data on student engagement and connection and other
student outcome measures explicitly aligned with the elements of curriculum for which
teachers are responsible, including academic literacy, oral academic language, and
achievement of English learners;
(11) must require qualified and trained evaluators such as school administrators to
perform summative evaluations and ensure school districts and charter schools provide for
effective evaluator training specific to teacher development and evaluation;
(12) must give teachers not meeting professional teaching standards under clauses
(3) through (11) support to improve through a teacher improvement process that includes
established goals and timelines; and
(13) must discipline a teacher for not making adequate progress in the teacher
improvement process under clause (12) that may include a last chance warning,
termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or
other discipline a school administrator determines is appropriate.

Data on individual teachers generated under this subdivision are personnel data
under section 13.43. The observation and interview notes of peer coaches may only be
disclosed to other school officials with the consent of the teacher being coached.
(c) The department, in consultation with parents who may represent parent
organizations and teacher and administrator representatives appointed by their respective
organizations, representing the Board of Teaching, the Minnesota Association of School
Administrators, the Minnesota School Boards Association, the Minnesota Elementary
and Secondary Principals Associations, Education Minnesota, and representatives of
the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with research expertise in teacher evaluation, must create and publish a teacher evaluation process that complies with the requirements in paragraph (b) and applies to all teachers under this section and section 122A.40 for whom no agreement exists under paragraph (a) for an annual teacher evaluation and peer review process. The teacher evaluation process created under this subdivision does not create additional due process rights for probationary teachers under subdivision 2.

(d) Consistent with the measures of teacher effectiveness under this subdivision:

(1) for students in kindergarten through grade 4, a school administrator must not place a student in consecutive school years in the classroom of a teacher with the lowest evaluation rating in the previous school year unless no other teacher at the school teaches that grade; and

(2) for students in grades 5 through 12, a school administrator must not place students in consecutive school years in the classroom of a teacher with the lowest evaluation rating in the previous school year unless no other teacher at the school teaches that subject area and grade.

EFFECTIVE DATE. This section is effective for the 2017-2018 school year and later, except paragraph (b), clause (7), is effective for the 2015-2016 school year and later.

Sec. 31. Minnesota Statutes 2014, section 122A.41, subdivision 6, is amended to read:

Subd. 6. Grounds for discharge or demotion. (a) Except as otherwise provided in paragraph (b), causes for the discharge or demotion of a teacher either during or after the probationary period must be:

(1) immoral character, conduct unbecoming a teacher, or insubordination;

(2) failure without justifiable cause to teach without first securing the written release of the school board having the care, management, or control of the school in which the teacher is employed;

(3) inefficiency in teaching or in the management of a school, consistent with subdivision 5, paragraph (b);

(4) affliction with a communicable disease must be considered as cause for removal or suspension while the teacher is suffering from such disability; or

(5) discontinuance of position or lack of pupils.

For purposes of this paragraph, conduct unbecoming a teacher includes an unfair discriminatory practice described in section 363A.13.
(b) A probationary or continuing-contract teacher must be discharged immediately
upon receipt of notice under section 122A.20, subdivision 1, paragraph (b), that the
teacher's license has been revoked due to a conviction for child abuse or, as defined in
section 609.185; sex trafficking in the first degree under section 609.322, subdivision 1;
sex trafficking in the second degree under section 609.322, subdivision 1a; engaging
in hiring or agreeing to hire a minor to engage in prostitution under section 609.324,
subdivision 1; sexual abuse under section 609.342, 609.343, 609.344, 609.345, 609.3451,
subdivision 3, or 617.23, subdivision 3; solicitation of children to engage in sexual
conduct or communication of sexually explicit materials to children under section
609.352; interference with privacy under section 609.746 or stalking under section
609.749 and the victim was a minor; using minors in a sexual performance under section
617.246; possessing pornographic works involving a minor under section 617.247; or
any other offense not listed in this paragraph that requires the person to register as a
predatory offender under section 243.166, or a crime under a similar law of another state
or the United States.

(c) When a teacher is discharged under paragraph (b) or when the commissioner
makes a final determination of child maltreatment involving a teacher under section
626.556, subdivision 11, the school principal or other person having administrative
control of the school must include in the teacher's employment record the information
contained in the record of the disciplinary action or the final maltreatment determination,
consistent with the definition of public data under section 13.41, subdivision 5, and must
provide the Board of Teaching and the licensing division at the department with the
necessary and relevant information to enable the Board of Teaching and the department's
licensing division to fulfill their statutory and administrative duties related to issuing,
renewing, suspending, or revoking a teacher's license. Information received by the Board
of Teaching or the licensing division at the department under this paragraph is governed
by section 13.41 or other applicable law governing data of the receiving entity. In addition
to the background check required under section 123B.03, a school board or other school
hiring authority must contact the Board of Teaching and the department to determine
whether the teacher's license has been suspended or revoked, consistent with the discharge
and final maltreatment determinations identified in this paragraph. Unless restricted by
federal or state data practices law or by the terms of a collective bargaining agreement,
the responsible authority for a school district must disseminate to another school district
private personnel data on a current or former teacher employee or contractor of the district,
including the results of background investigations, if the requesting school district seeks
the information because the subject of the data has applied for employment with the
requesting school district.

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

Sec. 32. Minnesota Statutes 2014, section 122A.41, subdivision 14, is amended to read:

Subd. 14. Services terminated by discontinuance or lack of pupils; preference
given. (a) A teacher whose services are terminated on account of discontinuance of
position or lack of pupils must receive first consideration for other positions in the district
for which that teacher is qualified. In the event it becomes necessary to discontinue one
or more positions in the 2014-2015 through the 2016-2017 school years, in making such
discontinuance, teachers must receive first consideration for other positions in the district
for which that teacher is qualified and must be discontinued in any department in the
inverse order in which they were employed, unless

(b) Beginning in the 2017-2018 school year and later, a board and the exclusive
representative of teachers in the district must negotiate a plan providing otherwise.
consistent with subdivision 5, for discontinuing and terminating teachers under this
subdivision based on their subject matter licensure fields, most recent evaluation outcomes
and effectiveness category or rating under subdivision 5, and other, locally determined
criteria such as teacher seniority, and may include both probationary teachers and
continuing contract teachers within an effectiveness category or rating. For purposes
of discharging, demoting, or recalling a teacher whose services are discontinued or
terminated under this subdivision, a school board is not required to reassign a teacher with
more seniority to accommodate the seniority claims of a teacher who is similarly licensed
and effective but with less seniority. Nothing in this paragraph permits a school board to
use a teacher's remuneration as a basis for discontinuing or terminating a teacher. Any
executed employment contract between the school board and the exclusive representative
of the teachers must contain the negotiated plan for discontinuing or terminating teachers.
The school board must publish in a readily accessible format any plan it negotiates for
 discontinuing or terminating teachers under this paragraph.

(c) A teacher who receives notice of discontinuance or termination under paragraph
(b) may submit to the board, within 14 days of receiving the notice, a written request
for a hearing before a neutral hearing officer to establish whether the district met the
following teacher evaluation requirements under subdivision 5: if the teacher is a
probationary teacher, all evaluations required under subdivision 2 were provided; a
three-year professional review cycle was established for the teacher; any summative
evaluation of the teacher was performed by a qualified and trained evaluator; a peer review
evaluation occurred in any year when the teacher was not evaluated by a qualified and
trained evaluator; and if the teacher did not meet professional teaching standards, a teacher
improvement process with goals and timelines was established. The school board and the
exclusive representative of the teachers must agree on a panel of people and a process to
select the person to hear the matter. The hearing officer must issue a decision within 14 days
of the request for the hearing. Nothing in this subdivision prevents a school board and the
exclusive representative of the teachers from negotiating a different process for determining
whether the teacher evaluation requirements listed in this subdivision were met.

(b) (d) Notwithstanding the provisions of clause paragraph (a), for the 2014-2015
through 2016-2017 school years, a teacher is not entitled to exercise any seniority when
that exercise results in that teacher being retained by the district in a field for which the
teacher holds only a provisional license, as defined by the Board of Teaching, unless that
exercise of seniority results in the termination of terminating the services, on account
of discontinuance of position or lack of pupils, of another teacher who also holds a
provisional license in the same field. The provisions of this clause paragraph do not apply
to vocational education licenses.

(e) (e) Notwithstanding the provisions of clause paragraph (a), for the 2014-2015
through 2016-2017 school years, a teacher must not be reinstated to a position in a field
in which the teacher holds only a provisional license, other than a vocational education
license, while another teacher who holds a nonprovisional license in the same field is
available for reinstatement.

(f) Evaluation outcomes and effectiveness categories under paragraph (b) must not
be used to place a teacher on unrequested leave of absence if the principal evaluating the
teacher is on an improvement plan under section 123B.147, subdivision 3, paragraph
(b), clause (8).

EFFECTIVE DATE. This section is effective the day following final enactment
and applies to negotiated plans for discontinuing or terminating teachers agreed to on or
after that date.

Sec. 33. Minnesota Statutes 2014, section 122A.414, subdivision 2, is amended to read:

Subd. 2. Alternative teacher professional pay system. (a) To participate in this
program, a school district, intermediate school district, school site, or charter school must
have an educational improvement plan under section 122A.413 and an alternative teacher
professional pay system agreement under paragraph (b). A charter school participant also
must comply with subdivision 2a.

(b) The alternative teacher professional pay system agreement must:
(1) describe how teachers can achieve career advancement and additional compensation;

(2) describe how the school district, intermediate school district, school site, or charter school will provide teachers with career advancement options that allow teachers to retain primary roles in student instruction and facilitate site-focused professional development that helps other teachers improve their skills;

(3) reform the "steps and lanes" salary schedule, prevent any teacher's compensation paid before implementing the pay system from being reduced as a result of participating in this system, base at least 60 percent of any compensation increase on teacher performance using:

(i) schoolwide student achievement gains under section 120B.35 or locally selected standardized assessment outcomes, or both;

(ii) measures of student growth and literacy that may include value-added models or student learning goals, consistent with section 122A.40, subdivision 8, clause (9), or 122A.41, subdivision 5, clause (9), and other measures that include the academic literacy, oral academic language, and achievement of English learners under section 122A.40, subdivision 8, clause (10), or 122A.41, subdivision 5, clause (10); and

(iii) an objective evaluation program under section 122A.40, subdivision 8, paragraph (b), clause (2), or 122A.41, subdivision 5, paragraph (b), clause (2);

(4) provide for participation in job-embedded learning opportunities such as professional learning communities to improve instructional skills and learning that are aligned with student needs under section 122A.413, consistent with the staff development plan under section 122A.60 and led during the school day by trained teacher leaders such as master or mentor teachers;

(5) allow any teacher in a participating school district, intermediate school district, school site, or charter school that implements an alternative pay system to participate in that system without any quota or other limit; and

(6) encourage collaboration rather than competition among teachers.

(c) The alternative teacher professional pay system may:

(1) include a hiring bonus or other added compensation for teachers who are identified as effective or highly effective under the local teacher professional review cycle and work in a hard-to-fill position or in a hard-to-staff school such as a school with a majority of students whose families meet federal poverty guidelines, a geographically isolated school, or a school identified by the state as eligible for targeted programs or services for its students;
(2) include incentives for teachers to obtain a master's degree or other advanced
certification in their content field of licensure, pursue the training or education necessary
to obtain an additional licensure in shortage areas identified by the district or charter
school, or help fund a "grow your own" new teacher initiative; and
(3) be structured around teacher-powered site-governed schools allowed under
section 123B.045.

**EFFECTIVE DATE.** This section is effective the day following final enactment
and applies to agreements approved or renegotiated after that date.

Sec. 34. Minnesota Statutes 2014, section 122A.60, is amended to read:

**122A.60 STAFF DEVELOPMENT PROGRAM.**

Subdivision 1. **Staff development committee.** (a) A school board must use the
revenue authorized in section 122A.61 for in-service education for programs under section
120B.22, subdivision 2, or for staff development:
(1) teacher development and evaluation plans under this section 122A.40,
subdivision 8, or 122A.41, subdivision 5;
(2) principal development and evaluation under section 123B.147, subdivision 3;
(3) in-service education programs under section 120B.22, subdivision 2; and
(4) other staff development needs.

(b) The board must establish an advisory staff development committee to develop
the plan, assist site professional development teams in developing a site plan consistent
with the goals of the plan, and evaluate staff development efforts at the site level. A
majority of the advisory committee and the site professional development team must be
teachers representing various grade levels, subject areas, and special education. The
advisory committee must also include nonteaching staff, parents, and administrators.

Subd. 1a. **Effective staff development activities.** (a) Staff development activities
must:
(1) focus on the school classroom and research-based strategies that improve student
learning;
(2) provide opportunities for teachers to practice and improve their instructional
skills over time;
(3) provide opportunities for teachers to use student data as part of their daily work
to increase student achievement;
(4) enhance teacher content knowledge and instructional skills, including to accommodate the delivery of digital and blended learning and curriculum and engage students with technology;

(5) align with state and local academic standards;

(6) provide opportunities to build professional relationships, foster collaboration among principals and staff who provide instruction, and provide opportunities for teacher-to-teacher mentoring;

(7) align with the plan of the district or site for an alternative teacher professional pay system;

(8) provide teachers of English learners, including English as a second language and content teachers, with differentiated instructional strategies critical for ensuring students’ long-term academic success; the means to effectively use assessment data on the academic literacy, oral academic language, and English language development of English learners; and skills to support native and English language development across the curriculum; and

(9) provide opportunities for staff to learn about current workforce trends, the connections between workforce trends and postsecondary education, and training options, including career and technical education options.

Staff development activities may include curriculum development and curriculum training programs, and activities that provide teachers and other members of site-based teams training to enhance team performance. The school district also may implement other staff development activities required by law and activities associated with professional teacher compensation models.

(b) Release time provided for teachers to supervise students on field trips and school activities, or independent tasks not associated with enhancing the teacher’s knowledge and instructional skills, such as preparing report cards, calculating grades, or organizing classroom materials, may not be counted as staff development time that is financed with staff development reserved revenue under section 122A.61.

Subd. 2. Contents of plan. The plan must include the staff development outcomes under section 122A.40, subdivision 8, or 122A.41, subdivision 5, and section 123B.147, subdivision 3, the means to achieve the outcomes, and procedures for evaluating progress at each school site toward meeting education and staff development outcomes, consistent with relicensure requirements under section 122A.18, subdivision 4. The plan also must:

(1) support stable and productive professional communities achieved through ongoing and schoolwide progress and growth in teaching practice;

(2) emphasize coaching, professional learning communities, classroom action research, and other job-embedded models;
60.1 (3) maintain a strong subject matter focus premised on students' learning goals, consistent with section 120B.125;
60.2 (4) ensure specialized preparation and learning about issues related to teaching English learners and students with special needs by focusing on long-term systemic efforts to improve educational services and opportunities and raise student achievement; and
60.5 (5) reinforce national and state standards of effective teaching practice.

Subd. 3. **Staff development outcomes.** The advisory staff development committee must adopt a staff development plan, consistent with section 122A.40, subdivision 8, or 122A.41, subdivision 5, for developing and evaluating teachers and for improving student achievement outcomes and with section 123B.147, subdivision 3, for strengthening principals' capacity in areas of instruction, supervision, evaluation, and teacher development. The plan must be consistent with education outcomes that the school board determines. The plan must include ongoing staff development activities that contribute toward continuous improvement in achieving the following goals:

60.15 (1) improve student achievement of state and local education standards in all areas of the curriculum, including areas of regular academic and applied and experiential learning, by using research-based best practices methods;
60.16 (2) effectively meet the needs of a diverse student population, including at-risk children, children with disabilities, English learners, and gifted children, within the regular classroom, applied and experiential learning settings, and other settings;
60.21 (3) provide an inclusive curriculum for a racially, ethnically, linguistically, and culturally diverse student population that is consistent with the state education diversity rule and the district's education diversity plan;
60.24 (4) improve staff collaboration and develop mentoring and peer coaching programs for teachers new to the school or district;
60.26 (5) effectively teach and model violence prevention policy and curriculum that address early intervention alternatives, issues of harassment, and teach nonviolent alternatives for conflict resolution;
60.29 (6) effectively deliver digital and blended learning and curriculum and engage students with technology; and
60.30 (7) provide teachers and other members of site-based management teams with appropriate management and financial management skills.

Subd. 4. **Staff development report.** (a) By October 15 of each year, the district and site staff development committees shall write and submit a report of staff development activities and expenditures for the previous year, in the form and manner determined by the commissioner. The report, signed by the district superintendent and staff development
chair, must include assessment and evaluation data indicating progress toward district and
site staff development goals based on teaching and learning outcomes, including the
percentage of teachers and other staff involved in instruction who participate in effective
staff development activities under subdivision 3.

(b) The report must break down expenditures for:

(1) curriculum development and curriculum training programs; and

(2) staff development training models, workshops, and conferences, and the cost of
releasing teachers or providing substitute teachers for staff development purposes.

The report also must indicate whether the expenditures were incurred at the district
level or the school site level, and whether the school site expenditures were made possible
by grants to school sites that demonstrate exemplary use of allocated staff development
revenue. These expenditures must be reported using the uniform financial and accounting
and reporting standards.

(c) The commissioner shall report the staff development progress and expenditure
data to the house of representatives and senate committees having jurisdiction over
education by February 15 each year.

**EFFECTIVE DATE.** This section is effective for the 2016-2017 school year and
later.

Sec. 35. Minnesota Statutes 2014, section 122A.61, subdivision 1, is amended to read:

Subdivision 1. **Staff development revenue.** A district is required to reserve
an amount equal to at least two percent of the basic revenue under section 126C.10,
subdivision 2, for:

(1) teacher development and evaluation under sections 122A.40, subdivision 8, or
122A.41, subdivision 5;

(2) principal development and evaluation under section 123B.147, subdivision 3;

(3) professional development under section 122A.60; and

(4) in-service education for programs under section 120B.22, subdivision 2.
To the extent extra funds remain, staff development revenue may be used for
staff development plans, including plans for challenging instructional activities and
experiences under section 122A.60, and for curriculum development and programs,
other in-service education, teachers' mentoring under section 122A.70 and evaluation,
teachers' workshops, teacher conferences, the cost of substitute teachers staff development
purposes, preservice and in-service education for special education professionals and
paraprofessionals, and other related costs for staff development efforts. A district may
annually waive the requirement to reserve their basic revenue under this section if a
majority vote of the licensed teachers in the district and a majority vote of the school board
agree to a resolution to waive the requirement. A district in statutory operating debt is
exempt from reserving basic revenue according to this section. Districts may expend an
additional amount of unreserved revenue for staff development based on their needs.

EFFECTIVE DATE. This section is effective for the 2016-2017 school year and
later.

Sec. 36. Minnesota Statutes 2014, section 122A.69, is amended to read:

122A.69 PRACTICE OR STUDENT TEACHERS.
The Board of Teaching may, by agreements with teacher preparing preparation
institutions, arrange for classroom experience in the district for practice or student
teachers who have completed not less than at least two years of an approved teacher
education preparation program. Such practice and student teachers must be provided with
appropriate supervision appropriately supervised by a fully qualified teacher under rules
promulgated adopted by the board. A practice or student teacher must be placed with a
cooperating licensed teacher who has at least three years of teaching experience and is
not in the improvement process under section 122A.40, subdivision 8, paragraph (b),
clause (12), or 122A.41, subdivision 5, paragraph (b), clause (12). Practice and student
teachers are deemed employees of the school district in which they are rendering services
for purposes of workers' compensation; liability insurance, if provided for other district
employees in accordance with under section 123B.23; and legal counsel in accordance
with the provisions of under section 123B.25.

EFFECTIVE DATE. This section is effective for the 2015-2016 school year and
later.

Sec. 37. Minnesota Statutes 2014, section 122A.70, subdivision 1, is amended to read:

Subdivision 1. Teacher mentoring programs. (a) School districts are encouraged
to develop and implement programs for mentoring teachers new
to the profession or district, including and may, at a minimum, include in the mentoring
program teaching residents, teachers of color, teachers with special needs, or and
experienced teachers under section 122A.40, subdivision 8, paragraph (b), clause (12), or
122A.41, subdivision 5, paragraph (b), clause (12), in need of peer coaching.
(b) Teacher mentoring programs must support districts' teacher evaluation and
peer review processes under section 122A.40, subdivision 8, or 122A.41, subdivision
5. A district may use staff development revenue under sections 122A.60 and 122A.61
or another funding source, including achievement gap elimination revenue, alternative
teacher pay, or compensatory revenue, to pay a stipend to a mentor who may be a district
employee or a third-party contractor.

Sec. 38. Minnesota Statutes 2014, section 123A.75, subdivision 1, is amended to read:

Subdivision 1. Teacher assignment. (a) As of the effective date of a consolidation
in which a district is divided or the dissolution of a district and its attachment to two or
more existing districts, each teacher employed by an affected district shall be assigned to
the newly created or enlarged district on the basis of a ratio of the pupils assigned to each
district according to the new district boundaries. The district receiving the greatest number
of pupils must be assigned the most effective teacher under section 122A.40, subdivision 8,
with the greatest seniority, and the remaining teachers must be alternately assigned to each
district from most to least effective and with most to least seniority within each category or
rating of effectiveness until the district receiving the fewest pupils has received its ratio of
teachers who will not be retiring before the effective date of the consolidation or dissolution.

(b) Notwithstanding paragraph (a), the board and the exclusive representative of
teachers in each district involved in the consolidation or dissolution and attachment may
negotiate a plan for assigning teachers to each newly created or enlarged district.

(c) Notwithstanding any other law to the contrary, the provisions of this section apply
only to the extent they are consistent with section 122A.40, subdivisions 8, 10, and 11.

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

Sec. 39. Minnesota Statutes 2014, section 123B.045, is amended to read:

123B.045 DISTRICT-CREATED SITE-GOVERNED, TEACHER-POWERED
SCHOOLS.

Subdivision 1. Authority. (a) A school board may approve site-governed, teacher-powered
school proposals. The request for proposals must include what types of schools or
education innovations the board intends to create. A current site may submit a proposal to
create a different model for the site if 60 percent or more of the teachers at the site support
the proposal. A group of licensed district professionals from one or multiple district
sites may submit a proposal. The group submitting the proposal must include parents or
other community members in the development of the proposal. A proposal may request
approval for a model of a school not included in the request for proposal of the board.
(b) The school board and the applicable bargaining unit representing district employees must enter into memoranda of understanding specifying how applicable sections of current contracts will enable the provisions of subdivision 2, paragraph (a), clauses (7) and (8), to be implemented.

c (c) Within 60 days of receipt of the application, the school board shall determine whether to approve, deny, or return the application to the applicants for further information or development.

d) Upon approval of the proposal, an agreement between the district and the site council shall be developed identifying the powers and duties delegated to the site and outlining the details of the proposal including the provisions of subdivisions 2, 3, and 5. Any powers or duties not specifically delegated to the school site in the agreement remains with the school board.

Subd. 2. Roles and responsibilities of site-governed, teacher-powered schools.

(a) Site-governed, teacher-powered schools approved by the school board have the following autonomy and responsibilities at the discretion of the site:

1. to create the site-governing, teacher-powered council of the school. The council shall include teachers, administrators, parents, students if appropriate, community members, and other representatives of the community as determined by the site-governing, teacher-powered council. Teachers may comprise a majority of the site-governing, teacher-powered council at the option of a majority of the teachers at the site. The number of members on the site-governing, teacher-powered council and the composition shall be included in the proposal approved by the school board;

2. to determine the leadership model for the site including: selecting a principal, operating as a teacher professional practices model with school leadership functions performed by one or more teachers or administrators at the school or other model determined by the site;

3. to determine the budget for the site and the allocation and expenditure of the revenue based on provisions of subdivision 3;

4. to determine the learning model and organization of the school consistent with the application approved by the school board;

5. to select and develop its curriculum and determine formative and summative assessment practices;

6. to set policies for the site including student promotion, attendance, discipline, graduation requirements which may exceed the school board standards, and other such rules as approved by the school board consistent with the mission, goals, and learning program of the school site;
(7) to determine the length of the school day and year and employee work rules covered by the terms and conditions of the employment contract;

(8) to select teachers and other staff consistent with current law and collective bargaining agreements and memoranda of understanding provided for in subdivision 1, paragraph (b). At least 70 percent of the teachers must be selected by the site prior to final approval of the agreement. Prior to requesting the district to employ staff not currently employed by the district, the site must first select current district staff including those on requested and unrequested leave as provided for in sections 122A.40 and 122A.41. The school board shall be the legal employer of all staff at the site and all teachers and other staff members of the applicable bargaining units. Teachers and other employees may be required to sign an individual work agreement with the site-governing, teacher-powered council committing themselves to the mission and learning program of the school and the requirements of the site-governing, teacher-powered council; and

(9) to fulfill other provisions as agreed to by the district and site-governing teacher-powered council.

(b) If a self-governed, teacher-powered school created under this section is supervised by a principal, that principal must be licensed, consistent with section 123B.147, subdivision 2.

Subd. 3. Revenue to self-governed school. (a) The revenue that shall be allocated by the site includes the general education revenue generated by the students at the site from state, local, and private sources, referendum revenue, federal revenue from the Elementary and Secondary Education Act, Individuals with Disabilities Education Act, Carl Perkins Act, and other federal programs as agreed to by the school board and site council.

(b) The district may retain an administrative fee for managing the federal programs, private revenues, and general administrative functions including school board, superintendent, district legal counsel, finance, accountability and self-governed school contract oversight, facilities maintenance, districtwide special education programs, and other such services as agreed to by the site and school board. The administrative fee shall be included in the agreement.

(c) As part of the agreement, the district may provide specific services for the site and may specify the amount to be paid for each service and retain the revenues for that amount. The formula or procedures for determining the amount of revenue to be allocated to the site each year shall be consistent with this subdivision and incorporated in the site budget annually following a timeline and process that is included in the agreement with the school board. The site is responsible for allocating revenue for all staff at the site and for the other provisions of the agreement with the district board.
(d) All unspent revenue shall be carried over to following years for the sole use
of the site.

Subd. 4. Exemption from statutes and rules. Except as outlined in this section,
site-governed, teacher-powered schools established under this section are exempt from
and subject to the same laws and rules as are chartered schools under section 124D.10,
except that the schools shall be subject to chapters 13, 13D, and 179A, and sections
122A.40, 122A.41, 122A.50, and 122A.51.

Subd. 5. Performance standards. (a) The school board and the site council shall
include in the agreement performance standards and expectations that shall include at
least the following:

1. student achievement targets on multiple indicators including either a growth
model or value-added growth model;

2. the criteria and process to be followed if it is determined that the site failed
to comply with district oversight and accountability requirements as outlined in the
agreement; and

3. other performance provisions as agreed to.

(b) All agreements shall be filed with the commissioner. The initial agreement shall
be for up to three years, shall be reviewed annually, and may be renewed by the district
board for additional terms of up to five years based on the performance of the school.


(a) The district board may terminate the agreement for one or more of the following reasons:

1. failure of the site to meet the provisions specified in the agreement in subdivision
5;

2. violations of law; or

3. other good cause shown.

(b) Site-governed, teacher-powered schools that are terminated or not renewed for
reasons other than cause may request to convert to charter school status as provided for in
section 124D.10 and, if chartered by the board, shall become the owner of all materials,
supplies, and equipment purchased during the period the school was a site-governed
teacher-powered school.

Sec. 40. Minnesota Statutes 2014, section 124D.09, subdivision 5, is amended to read:

Subd. 5. Authorization; notification. Notwithstanding any other law to the
contrary, an 11th or 12th grade pupil enrolled in a school or an American Indian-controlled
tribal contract or grant school eligible for aid under section 124D.83, except a foreign
exchange pupil enrolled in a district under a cultural exchange program, may apply to an
eligible institution, as defined in subdivision 3, to enroll in nonsectarian courses offered by
that postsecondary institution. Notwithstanding any other law to the contrary, a 9th or 10th
grade pupil enrolled in a district or an American Indian-controlled tribal contract or grant
school eligible for aid under section 124D.83, except a foreign exchange pupil enrolled in
a district under a cultural exchange program, may apply to enroll in nonsectarian courses
offered under subdivision 10, if (1) after all 11th and 12th grade students have applied
for a course, additional students are necessary to offer the course and the school district
and the eligible postsecondary institution providing the course agree to the student's
enrollment or (2) the course is a world language course currently available to 11th and
12th grade students, and consistent with section 120B.022 governing world language
standards, certificates, and seals. If an institution accepts a secondary pupil for enrollment
under this section, the institution shall send written notice to the pupil, the pupil's school
or school district, and the commissioner within ten days of acceptance. The notice must
indicate the course and hours of enrollment of that pupil. If the pupil enrolls in a course for
postsecondary credit, the institution must notify the pupil about payment in the customary
manner used by the institution.

Sec. 41. Minnesota Statutes 2014, section 124D.09, subdivision 5a, is amended to read:

Subd. 5a. Authorization; career or technical education. A 10th, 11th, or 12th
grade pupil enrolled in a district or an American Indian-controlled tribal contract or grant
school eligible for aid under section 124D.83, except a foreign exchange pupil enrolled in
a district under a cultural exchange program, may enroll in a career or technical education
course offered by a Minnesota state college or university. A 10th grade pupil applying
for enrollment in a career or technical education course under this subdivision must have
received a passing score on the 8th grade Minnesota Comprehensive Assessment in
reading as a condition of enrollment. A current 10th grade pupil who did not take the 8th
grade Minnesota Comprehensive Assessment in reading may substitute another reading
assessment accepted by the enrolling postsecondary institution. A secondary pupil may
enroll in the pupil's first postsecondary options enrollment course under this subdivision.
A student who is refused enrollment by a Minnesota state college or university under this
subdivision may apply to an eligible institution offering a career or technical education
course. The postsecondary institution must give priority to its students according to
subdivision 9. If a secondary student receives a grade of "C" or better in the career or
technical education course taken under this subdivision, the postsecondary institution
must allow the student to take additional postsecondary courses for secondary credit at
that institution, not to exceed the limits in subdivision 8. A "career or technical course" is
a course that is part of a career and technical education program that provides individuals
with coherent, rigorous content aligned with academic standards and relevant technical
knowledge and skills needed to prepare for further education and careers in current and
emerging professions and provide technical skill proficiency, an industry recognized
credential, and a certificate, a diploma, or an associate degree.

Sec. 42. Minnesota Statutes 2014, section 124D.09, subdivision 8, is amended to read:

Subd. 8. **Limit on participation.** A pupil who first enrolls in grade 9 may not
enroll in postsecondary courses under this section for secondary credit for more than
the equivalent of four academic years. A pupil who first enrolls in grade 10 may not
enroll in postsecondary courses under this section for secondary credit for more than
the equivalent of three academic years. A pupil who first enrolls in grade 11 may not
enroll in postsecondary courses under this section for secondary credit for more than the
equivalent of two academic years. A pupil who first enrolls in grade 12 may not enroll in
postsecondary courses under this section for secondary credit for more than the equivalent
of one academic year. If a pupil in grade 9, 10, 11, or 12 first enrolls in a postsecondary
course for secondary credit during the school year, the time of participation shall be
reduced proportionately. If a pupil is in a learning year or other year-round program and
begins each grade in the summer session, summer sessions shall not be counted against
the time of participation. If a school district determines a pupil is not on track to graduate,
the limit on participation does not apply to that pupil. A pupil who has graduated from
high school cannot participate in a program under this section. A pupil who has completed
course requirements for graduation but who has not received a diploma may participate in
the program under this section.

Sec. 43. Minnesota Statutes 2014, section 124D.09, subdivision 9, is amended to read:

Subd. 9. **Enrollment priority.** (a) A postsecondary institution shall give priority to
its postsecondary students when enrolling 10th, 11th, and 12th grade pupils in its courses.
A postsecondary institution may provide information about its programs to a secondary
school or to a pupil or parent and it may advertise or otherwise recruit or solicit a secondary
pupil to enroll in its programs on educational and programmatic grounds only except,
notwithstanding other law to the contrary, and for the 2014-2015 through 2019-2020
school years only, an eligible postsecondary institution may advertise or otherwise recruit
or solicit a secondary pupil residing in a school district with 700 students or more in grades
10, 11, and 12, to enroll in its programs on educational, programmatic, or financial grounds.
(b) An institution must not enroll secondary pupils, for postsecondary enrollment options purposes, in remedial, developmental, or other courses that are not college level except when a student eligible to participate and enrolled in the graduation incentives program under section 124D.68 enrolls full time in a middle or early college program. A middle or early college program must be specifically designed to allow the student to earn dual high school and college credit with a well-defined pathway to allow the student to earn a postsecondary degree or credential. In this case, the student shall receive developmental college credit and not college credit for completing remedial or developmental courses.

(c) Once a pupil has been enrolled in any postsecondary course under this section, the pupil shall not be displaced by another student.

(d) If a postsecondary institution enrolls a secondary school pupil in a course under this section, the postsecondary institution also must enroll in the same course an otherwise enrolled and qualified postsecondary student who qualifies as a veteran under section 197.447, and demonstrates to the postsecondary institution's satisfaction that the institution's established enrollment timelines were not practicable for that student.

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

Sec. 44. Minnesota Statutes 2014, section 124D.09, subdivision 12, is amended to read:

Subd. 12. Credits. A pupil must not audit a course under this section.

A district shall grant academic credit to a pupil enrolled in a course for secondary credit if the pupil successfully completes the course. Seven quarter or four semester college credits equal at least one full year of high school credit. Fewer college credits may be prorated. A district must also grant academic credit to a pupil enrolled in a course for postsecondary credit if secondary credit is requested by a pupil. If no comparable course is offered by the district, the district must, as soon as possible, notify the commissioner, who shall determine the number of credits that shall be granted to a pupil who successfully completes a course. If a comparable course is offered by the district, the school board shall grant a comparable number of credits to the pupil. If there is a dispute between the district and the pupil regarding the number of credits granted for a particular course, the pupil may appeal the board's decision to the commissioner. The commissioner's decision regarding the number of credits shall be final.

The secondary credits granted to a pupil must be counted toward the graduation requirements and subject area requirements of the district. Evidence of successful completion of each course and secondary credits granted must be included in the pupil's secondary school record. A pupil shall provide the school with a copy of the pupil's grade in each course taken for secondary credit under this section. Upon the request of a pupil,
the pupil's secondary school record must also include evidence of successful completion and credits granted for a course taken for postsecondary credit. In either case, the record must indicate that the credits were earned at a postsecondary institution.

If a pupil enrolls in a postsecondary institution after leaving secondary school, the postsecondary institution must award postsecondary credit for any course successfully completed for secondary credit at that institution. Other postsecondary institutions may award, after a pupil leaves secondary school, postsecondary credit for any courses successfully completed under this section. An institution may not charge a pupil for the award of credit.

The Board of Trustees of the Minnesota State Colleges and Universities and the Board of Regents of the University of Minnesota must, and private nonprofit and proprietary postsecondary institutions should, award postsecondary credit for any successfully completed courses in a program certified by the National Alliance of Concurrent Enrollment Partnerships offered according to an agreement under subdivision 10. Consistent with section 135A.101, subdivision 3, all MnSCU institutions must give full credit to a secondary pupil who completes for postsecondary credit a postsecondary course or program that is part or all of a goal area or a transfer curriculum at a MnSCU institution when the pupil enrolls in a MnSCU institution after leaving secondary school.

Once one MnSCU institution certifies as completed a secondary student's postsecondary course or program that is part or all of a goal area or a transfer curriculum, every MnSCU institution must consider the student's course or program for that goal area or the transfer curriculum as completed.

**EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and later.

Sec. 45. Minnesota Statutes 2014, section 124D.091, subdivision 1, is amended to read:

Subdivision 1. **Accreditation.** To establish a uniform standard by which concurrent enrollment courses and professional development activities may be measured, postsecondary institutions are encouraged to apply for accreditation by must adopt and implement the National Alliance of Concurrent Enrollment Partnership's program standards and required evidence for accreditation by the 2020-2021 school year and later.

Sec. 46. Minnesota Statutes 2014, section 124D.73, subdivision 3, is amended to read:

Subd. 3. **Advisory task force** Tribal Nations Education Committee. "Advisory task force" "Tribal Nations Education Committee" means the state advisory task force
committee established through tribal directive that the commissioner consults with
American Indian education programs, policy, and all matters related to educating
Minnesota's American Indian students.

Sec. 47. Minnesota Statutes 2014, section 124D.73, subdivision 4, is amended to read:

Subd. 4. Participating school; American Indian school. "Participating school"
and "American Indian school" mean a school that:
(1) is not operated by a school district; and
(2) is eligible for a grant under federal Title IV of the Indian Education for the Elementary
and Secondary Education Act for the education of American Indian children.

Sec. 48. Minnesota Statutes 2014, section 124D.74, subdivision 1, is amended to read:

Subdivision 1. Program described. American Indian education programs are
programs in public elementary and secondary schools, nonsectarian nonpublic, community,
tribal, charter, or alternative schools enrolling American Indian children designed to:
(1) support postsecondary preparation for pupils;
(2) support the academic achievement of American Indian students with identified
focus to improve reading and mathematic skills;
(3) make the curriculum more relevant to the needs, interests, and cultural heritage
of American Indian pupils;
(4) provide positive reinforcement of the self-image of American Indian pupils;
(5) develop intercultural awareness among pupils, parents, and staff; and
(6) supplement, not supplant, state and federal educational and cocurricular programs.

Program components may include: development of support components for students in
the areas of services designed to increase completion and graduation rates of American
Indian students must emphasize academic achievement, retention, and attendance;
development of support components services for staff, including in-service training and
technical assistance in methods of teaching American Indian pupils; research projects,
including experimentation with innovative teaching approaches and evaluation of
methods of relating to American Indian pupils; provision of personal and vocational
career counseling to American Indian pupils; modification of curriculum, instructional
methods, and administrative procedures to meet the needs of American Indian pupils; and
supplemental instruction in American Indian language, literature, history, and culture.
Districts offering programs may make contracts for the provision of program components
services by establishing cooperative liaisons with tribal programs and American Indian
social service agencies. These programs may also be provided as components of early
childhood and family education programs.

Sec. 49. Minnesota Statutes 2014, section 124D.74, subdivision 3, is amended to read:

Subd. 3. Enrollment of other children; shared time enrollment. To the extent
it is economically feasible, a district or participating school may make provision for the
voluntary enrollment of non-American Indian children in the instructional components of
an American Indian education program in order that they may acquire an understanding of
the cultural heritage of the American Indian children for whom that particular program is
designed. However, in determining eligibility to participate in a program, priority must be
given to American Indian children. American Indian children and other children enrolled
in an existing nonpublic school system may be enrolled on a shared time basis in all
academic, targeted services, and American Indian education programs.

Sec. 50. Minnesota Statutes 2014, section 124D.74, subdivision 6, is amended to read:

Subd. 6. Nonverbal courses and extracurricular activities. In predominantly
nonverbal subjects, such as art, music, and physical education, American Indian children
shall participate fully and on an equal basis with their contemporaries peers in school
classes provided for these subjects. Every school district or participating school shall
ensure to children enrolled in American Indian education programs an equal and
meaningful opportunity to participate fully with other children in all extracurricular
activities. This subdivision shall not be construed to prohibit instruction in nonverbal
subjects or extracurricular activities which relate to the cultural heritage of the American
Indian children, or which are otherwise necessary to accomplish the objectives described
in sections 124D.71 to 124D.82.

Sec. 51. Minnesota Statutes 2014, section 124D.75, subdivision 1, is amended to read:

Subdivision 1. American Indian language and culture education licenses. The
Board of Teaching, in consultation with the Tribal Nations Education Committee, must
grant initial and continuing teaching licenses in American Indian language and culture
education that bear the same duration as other initial and continuing licenses. The board
must grant licenses to persons who present satisfactory evidence that they:

(1) possess competence in an American Indian language or possess unique
qualifications relative to or knowledge and understanding of American Indian history
and culture; or
(2) possess a bachelor's degree or other academic degree approved by the board or meet such requirements as to course of study and training as the board may prescribe, or possess such relevant experience as the board may prescribe.

This evidence may be presented by affidavits, tribal resolutions, or by such other methods as the board may prescribe. Individuals may present applications for licensure on their own behalf or these applications may be submitted by the superintendent or other authorized official of a school district, participating school, or an American Indian school.

Sec. 52. Minnesota Statutes 2014, section 124D.75, subdivision 3, is amended to read:

Subd. 3. Resolution or letter. All persons applying for a license under this section must submit to the board a resolution or letter of support signed by an American Indian tribal government or its designee. All persons holding a license under this section on July 4, 1995, must have on file or file with the board a resolution or letter of support signed by a tribal government or its designee by January 1, 1996, or the next renewal date of the license thereafter.

Sec. 53. Minnesota Statutes 2014, section 124D.75, subdivision 9, is amended to read:

Subd. 9. Affirmative efforts in hiring. In hiring for all positions in these programs, school districts and participating schools shall give preference to and make affirmative efforts to seek, recruit, and employ persons who share the culture of the American Indian children who are enrolled in the program. The district or participating school shall provide procedures for the involvement of the parent advisory committees in designating the procedures for the recruitment, screening and selection of applicants. This subdivision shall not be construed to limit the school board's authority to hire and discharge personnel.

Sec. 54. Minnesota Statutes 2014, section 124D.76, is amended to read:

124D.76 TEACHERS' AIDES, COMMUNITY COORDINATORS, INDIAN HOME/SCHOOL LIAISONS, PARAPROFESSIONALS.

In addition to employing American Indian language and culture education teachers, each district or participating school providing programs pursuant to sections 124D.71 to 124D.82 may employ teachers' aides paraprofessionals. Teachers' aides Paraprofessionals must not be employed for the purpose of supplanting American Indian language and culture education teachers.

Any district or participating school which conducts American Indian education programs pursuant to sections 124D.71 to 124D.82 must employ one or more full-time or part-time community coordinators or Indian home/school liaisons if there are 100 or
more American Indian students enrolled in the program district. Community coordinators shall promote communication understanding, and cooperation between the schools and the community and shall visit the homes of children who are to be enrolled in an American Indian education program in order to convey information about the program.

Sec. 55. Minnesota Statutes 2014, section 124D.78, is amended to read:

**124D.78 PARENT AND COMMUNITY PARTICIPATION.**

Subdivision 1. **Parent committee.** School boards and American Indian schools must provide for the maximum involvement of parents of children enrolled in education programs, programs for elementary and secondary grades, special education programs, and support services. Accordingly, the board of a school district in which there are ten or more American Indian children enrolled and each American Indian school must establish an American Indian education parent advisory committee. If a committee whose membership consists of a majority of parents of American Indian children has been or is established according to federal, tribal, or other state law, that committee may serve as the committee required by this section and is subject to, at least, the requirements of this subdivision and subdivision 2.

The American Indian education parent advisory committee must develop its recommendations in consultation with the curriculum advisory committee required by section 120B.11, subdivision 3. This committee must afford parents the necessary information and the opportunity effectively to express their views concerning all aspects of American Indian education and the educational needs of the American Indian children enrolled in the school or program. The committee must also address the need for adult education programs for American Indian people in the community. The board or American Indian school must ensure that programs are planned, operated, and evaluated with the involvement of and in consultation with parents of children served by the programs.

Subd. 2. **Resolution of concurrence.** Prior to December March 1, the board or American Indian school must submit to the department a copy of a resolution adopted by the American Indian education parent advisory committee. The copy must be signed by the chair of the committee and must state whether the committee concurs with the educational programs for American Indian children offered by the school board or American Indian school. If the committee does not concur with the educational programs, the reasons for nonconcurrency and recommendations shall be submitted with the resolution. By resolution, the board must respond in writing within 60 days, in cases
of nonconcurrence, to each recommendation made by the committee and state its reasons
for not implementing the recommendations.

Subd. 3. Membership. The American Indian education parent advisory committee
must be composed of parents of children eligible to be enrolled in American Indian
education programs; secondary students eligible to be served; American Indian language
and culture education teachers and aides, paraprofessionals; American Indian teachers;
counselors; adult American Indian people enrolled in educational programs; and
representatives from community groups. A majority of each committee must be parents
of children enrolled or eligible to be enrolled in the programs. The number of parents
of American Indian and non-American Indian children shall reflect approximately the
proportion of children of those groups enrolled in the programs.

Subd. 4. Alternate committee. If the organizational membership or the board
of directors of an American Indian school consists of parents of children attending the
school, that membership or board may serve also as the American Indian education parent
advisory committee.

Sec. 56. Minnesota Statutes 2014, section 124D.79, subdivision 1, is amended to read:

Subdivision 1. American Indian community involvement. The commissioner
must provide for the maximum involvement of the state committees on American Indian
education, Tribal Nations Education Committee, parents of American Indian children,
secondary students eligible to be served, American Indian language and culture education
teachers, American Indian teachers, teacher's aides, paraprofessionals, representatives of
community groups, and persons knowledgeable in the field of American Indian education,
in the formulation of policy and procedures relating to the administration of sections
124D.71 to 124D.82. The commissioner must annually hold a field hearing on Indian
education to gather input from American Indian educators, parents, and students on the
state of American Indian education in Minnesota. Results of the hearing must be made
available to all 11 tribal nations for review and comment.

Sec. 57. Minnesota Statutes 2014, section 124D.79, subdivision 2, is amended to read:

Subd. 2. Technical assistance. The commissioner shall provide technical assistance
to districts, schools and postsecondary institutions for preservice and in-service training
for teachers, American Indian education teachers and teacher's aides, paraprofessionals
specifically designed to implement culturally responsive teaching methods, culturally
based curriculum development, testing and testing mechanisms, and the development of
materials for American Indian education programs.
Sec. 58. Minnesota Statutes 2014, section 124D.791, subdivision 4, is amended to read:

Subd. 4. Duties; powers. The Indian education director shall:

1. serve as the liaison for the department with the Tribal Nations Education Committee, the 11 reservations tribal communities in Minnesota, the Minnesota Chippewa tribe, and the Minnesota Indian Affairs Council, and the Urban Advisory Council;

2. evaluate the state of American Indian education in Minnesota;

3. engage the tribal bodies, community groups, parents of children eligible to be served by American Indian education programs, American Indian administrators and teachers, persons experienced in the training of teachers for American Indian education programs, the tribally controlled schools, and other persons knowledgeable in the field of American Indian education and seek their advice on policies that can improve the quality of American Indian education;

4. advise the commissioner on American Indian education issues, including:

   i. issues facing American Indian students;

   ii. policies for American Indian education;

   iii. awarding scholarships to eligible American Indian students and in administering the commissioner's duties regarding awarding of American Indian postsecondary preparation education grants to school districts; and

   iv. administration of the commissioner's duties under sections 124D.71 to 124D.82 and other programs for the education of American Indian people;

5. propose to the commissioner legislative changes that will improve the quality of American Indian education;

6. develop a strategic plan and a long-term framework for American Indian education, in conjunction with the Minnesota Indian Affairs Council, that is updated every five years and implemented by the commissioner, with goals to:

   i. increase American Indian student achievement, including increased levels of proficiency and growth on statewide accountability assessments;

   ii. increase the number of American Indian teachers in public schools;

   iii. close the achievement gap between American Indian students and their more advantaged peers;

   iv. increase the statewide graduation rate for American Indian students; and

   v. increase American Indian student placement in postsecondary programs and the workforce; and

7. keep the American Indian community informed about the work of the department by reporting to the Tribal Nations Education Committee at each committee meeting.
Sec. 59. Minnesota Statutes 2014, section 124D.861, is amended to read:

**124D.861 ACHIEVEMENT AND INTEGRATION FOR MINNESOTA.**

Subdivision 1. Program to close the academic achievement and opportunity gap; revenue uses. (a) The "Achievement and Integration for Minnesota " program is established to pursue improve academic achievement and promote racial and economic integration and increase student academic achievement, to create equitable educational opportunities and outcomes, and reduce academic disparities based on students' diverse racial, ethnic, and economic backgrounds in Minnesota public schools.

(b) For purposes of this section and section 124D.862, "eligible district" means a district required to submit a plan to the commissioner under Minnesota Rules governing school desegregation and integration, or be a member of a multidistrict integration collaborative that files a plan with the commissioner and "hard to staff" classroom or school means a classroom or school designated as such by the school board because of the difficulty of attracting or retaining qualified and effective teachers at that site.

(c) Eligible districts must use the revenue aid under section 124D.862 to pursue improve the academic achievement and racial and economic integration through: (1) integrated learning environments that prepare of all students to be effective citizens and enhance social cohesion; (2) policies and curricula and trained instructors, administrators, school counselors, and other advocates to support and enhance integrated learning environments under this section, including through magnet schools, innovative, research-based instruction, differentiated instruction, and targeted interventions to improve achievement; and (3) rigorous career and college readiness programs for underserved student populations, consistent with section 120B.30, subdivision 1; integrated learning environments to increase student academic achievement, cultural fluency, competency, and interaction; graduation and educational attainment rates; and parent involvement. and eliminate disparities in academic achievement among student subgroups through:

(1) school choice programs, innovative academic instruction, and best teaching practices;

(2) opportunity programs proven to increase students' access to academic rigor and focused on college and career readiness;

(3) family engagement programs that promote involvement in students' academic life and success;

(4) extended day and extended week programs;

(5) summer school academies;

(6) before and after school academic programs;

(7) prekindergarten or other early learning programs; and
(8) other programs proven through data to improve students' academic achievement.

d) Eligible districts may use the levy under section 124D.862 to promote racial

and academic integration through:

(1) integrated learning environments that prepare all students to be effective citizens

and enhance social cohesion, cultural fluency, competency, and interaction:

(2) policies, curricula, and trained instructors, administrators, school counselors,

and other advocates to support and enhance integrated learning environments under this

section, including, but not limited to, through magnet schools, before and after school

programming, and summer activities and academies; or

(3) other locally developed, innovative programs or opportunities.

(e) Eligible districts may use the aid and the levy under section 124D.862 to increase

teacher and administrator diversity through recruitment and retention policies and to

provide incentives for teachers to teach in hard-to-staff schools or classrooms.

Notwithstanding any law to the contrary, a cash incentive may be paid directly to a teacher

teaching in a hard-to-staff school or classroom.

Subd. 2. Plan implementation; components. (a) The school board of each

eligible district must formally develop and implement a long-term comprehensive plan

under this section consistent with subdivision 1, containing specific district and school

goals for eliminating the disparities in students' academic achievement and promoting

students' academic success. The plan must be incorporated into the district's

comprehensive strategic plan under section 120B.11 and may include students enrolled

in alternative learning centers under section 126C.05, subdivision 15, and contract

alternative programs under section 124D.69. Plan components may include: innovative

and integrated prekindergarten through grade 12 learning environments that offer students

school enrollment choices; family engagement initiatives that involve families in their

students' academic life and success; professional development opportunities for teachers

and administrators focused on improving the academic achievement of all students;

increased programmatic opportunities focused on rigor and college and career readiness

for underserved students, including students enrolled in alternative learning centers under

section 123A.05, public alternative programs under section 126C.05, subdivision 15, and

contract alternative programs under section 124D.69, among other underserved students;

or recruitment and retention of teachers and administrators with diverse racial and ethnic

backgrounds. The plan must contain goals for: (1) reducing the disparities in academic

achievement among all students and specific categories of students under section 120B.35,

subdivision 3, paragraph (b), excluding the student categories of gender, disability, and

English learners; and (2) increasing racial and economic integration in schools and

Article 2 Sec. 59.
The board may also develop and implement an integration plan to increase racial and economic integration in schools and districts.

(b) Among other requirements, an eligible district must implement effective cost-effective, research-based interventions that include formative assessment practices to reduce eliminate the disparities in student academic performance among the specific achievement between the highest and lowest performing racial and ethnic categories of students as measured by student progress and growth demonstration of proficiency and growth on state reading and math assessments and as aligned with section 120B.11.

(c) Eligible districts must create may collaborate in creating efficiencies and eliminate eliminating duplicative programs and services under this section, which may include forming collaborations or a single, seven county metropolitan areawide partnership of eligible districts for this purpose.

Subd. 3. Public engagement; progress report and biennial report; budget process. (a) To receive revenue aid under section 124D.862, the school board of an eligible district must incorporate school and district plan components under section 120B.11 into the district's comprehensive integration plan.

(b) A school board must hold at least one formal annual hearing to publicly report its progress in realizing the goals identified in its plan. At the hearing, the board must provide the public with longitudinal data demonstrating district and school progress in reducing the disparities in student eliminating the academic performance among the specified categories of students and in realizing racial and economic integration achievement gap, consistent with the district plan and the measures in paragraph (a) (b). At least 30 days before the formal hearing under this paragraph, the board must post its plan, its preliminary analysis, relevant student performance data, and other longitudinal data on the district's Web site. A district must hold one hearing to meet the hearing requirements of both this section and section 120B.11. The board must also include in this hearing a discussion of its integration plan.

(e) (b) The district must submit a detailed budget to the commissioner by March 15 in the year before it implements its achievement gap elimination plan. If a district develops an integration plan, the district must also submit a budget for its integration activities at the same time. The commissioner must review, and approve or disapprove the district's budget budgets by June 1 of that year.

(d) (c) The longitudinal data required under paragraph (a) must be based on student growth and progress in reading and mathematics, as defined under section 120B.30, subdivision 1, and student performance data and achievement reports from fully adaptive reading and mathematics assessments for grades 3 through 8, and high school reading
and math tests beginning in the 2015-2016 school year under section 120B.30, subdivision 1a, and either (i) school enrollment choices, (ii) the number of world language proficiency or high achievement certificates awarded under section 120B.022, subdivision 1a, or the number of state bilingual and multilingual seals issued under section 120B.022, subdivision 1b, or (iii) school safety and students' engagement and connection at school under section 120B.35, subdivision 3, paragraph (d). Additional longitudinal data may be based on: students' progress toward career and college readiness under section 120B.30; subdivision 1; or rigorous coursework completed under section 120B.35, subdivision 3, paragraph (c), clause (3).

Subd. 4. **Timeline and implementation.** A board must approve its achievement gap elimination plan and submit it to the department by March 15. If a district that is part of a multidistrict council applies for revenue for a plan, the individual district shall not receive revenue aid unless it ratifies the plan adopted by the multidistrict council. Each plan has a term of three years. For the 2014-2015 school year, an eligible district under this section must submit its plan to the commissioner for review by March 15, 2014. For the 2013-2014 school year only, an eligible district may continue to implement its current plan until the commissioner approves a new plan under this section.

Subd. 5. **Evaluation.** The commissioner must evaluate the efficacy of district plans in reducing eliminating the disparities in student academic performance achievement among the specified categories of students within the district, and where applicable, in realizing racial and economic integration. The commissioner shall report evaluation results to the kindergarten through grade 12 education committees of the legislature by February 1 of every odd-numbered fourth year beginning February 1, 2017.

**EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2016 and later. A district with a plan approved during the 2014-2015 school year may modify its plan during the 2015-2016 school year to conform the content of the plan to the requirements of this section but must have the content of the plan conform entirely with the requirements of this section beginning in the 2016-2017 school year.

Sec. 60. Minnesota Statutes 2014, section 124D.862, is amended to read:

**124D.862 ACHIEVEMENT GAP ELIMINATION REVENUE AND INTEGRATION REVENUE LEVY.**

Subdivision 1. **Initial achievement and integration gap elimination revenue.** (a) An eligible district's initial achievement and integration gap elimination revenue equals the lesser of 100.3% 100.2 percent of the district's expenditures under the budget approved
Subd. 2. Incentive revenue. An eligible school district's maximum incentive revenue equals $10 per adjusted pupil unit. A district's incentive revenue equals the lesser of the maximum incentive revenue or the district's expenditures for implementing a voluntary plan to reduce racial and economic enrollment disparities through intradistrict and interdistrict activities that have been approved as a part of the district's achievement and integration plan under the budget approved by the commissioner under section 124D.861, subdivision 3, paragraph (c).

Subd. 3. Achievement and integration gap elimination revenue. Achievement and integration gap elimination revenue equals the sum of initial achievement and integration gap elimination revenue and incentive revenue.

Subd. 4. Achievement and integration gap elimination aid. For fiscal year 2015 and later, a district's achievement and integration gap elimination aid equals the lesser of (1) $350 times the district's adjusted pupil units for that year; (2) 70 percent of its achievement and integration gap elimination revenue; or (3) the district's actual expenditures under the budget approved by the commissioner under section 124D.861, subdivision 3.

Subd. 5. Achievement and Integration levy. A district's achievement and integration levy equals the sum of: (1) 30 percent of its achievement and integration gap elimination revenue times 30 percent under subdivision 3; and (2) the greater of zero or the difference between the district's initial integration revenue under clause (1) and an amount equal to $350 times the district's adjusted pupil units for that year. For Special School District No. 1, Minneapolis; Independent School District No. 625, St. Paul; and Independent School District No. 709, Duluth, 100 percent of the levy certified under this subdivision is shifted into the prior calendar year for purposes of sections 123B.75, subdivision 5, and 127A.441.

Subd. 6. Revenue uses. (a) At least 80 percent of a district's achievement and integration revenue gap elimination aid received under this section must be used for
innovative and integrated learning environments, school enrollment choices, family
engagement activities, academic programming consistent with the plan under section
124D.861, subdivision 1; and other approved programs providing direct instructional
services to students.
(b) Up to 20 five percent of the revenue aid may be used for professional
development and staff development activities and placement services.
(c) No more than ten five percent of the total amount of revenue aid may be spent on
administrative services.

Subd. 7. Revenue reserved. Integration revenue Achievement gap elimination aid
received under this section must be reserved and used only for the programs authorized in
subdivision 2 6. The integration levy under subdivision 5, clause (1), must be reserved
and used only for the purposes of the district's integration plan adopted under section
124D.861, subdivision 1.

Subd. 8. Commissioner authority to withhold revenue. (a) The commissioner
must review the results of each district's integration and achievement gap elimination
plan by August 1 at the end of the third year of implementing the plan and determine if
the district met its goals.
(b) If a district met its goals, it may submit a new three-year plan to the commissioner
for review.
(c) If a district has not met its goals, the commissioner must:
(1) develop a district improvement plan and timeline, in consultation with the
affected district, that identifies strategies and practices designed to meet the district's goals
under this section and section 120B.11; and
(2) use up to 20 percent of the district's integration revenue achievement gap
elimination aid, until the district's goals are reached, to implement the improvement plan.

Subd. 9. Department funding. For fiscal years 2016 and later, an amount equal
to 0.2 percent of the total expenditures under section 124D.862 for fiscal year 2015 is
transferred to the department for oversight and accountability activities required under
this section and section 124D.861.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2016
and later.

Sec. 61. Minnesota Statutes 2014, section 135A.101, is amended by adding a
subdivision to read:

Subd. 3. Minnesota transfer curriculum. Notwithstanding section 135A.08 or
other law to the contrary, all MnSCU institutions must give full credit to a secondary pupil

Article 2 Sec. 61. 82
who completes for postsecondary credit a postsecondary course or program that is part or
all of a goal area or a transfer curriculum at a MnSCU institution when the pupil enrolls
in a MnSCU institution after leaving secondary school. Once one MnSCU institution
certifies as completed a secondary student's postsecondary course or program that is part
or all of a goal area or a transfer curriculum, every MnSCU institution must consider the
student's course or program for that goal area or the transfer curriculum as completed.

**EFFECTIVE DATE.** This section is effective August 1, 2015.

Sec. 62. Minnesota Statutes 2014, section 179A.20, is amended by adding a subdivision to read:

**Subd. 4a. Unrequested leave of absence for teachers.** A school board and the exclusive representative of the teachers may not execute a contract effective for the 2017-2018 school year or later unless the contract contains a plan for unrequested leave of absence under section 122A.40, subdivision 10, or a plan for discontinuing or terminating teachers under section 122A.41, subdivision 14.

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

Sec. 63. Laws 2014, chapter 312, article 16, section 15, is amended to read:

**Sec. 15. TEACHER DEVELOPMENT AND EVALUATION REVENUE.**

(a) For fiscal year 2015 only, teacher development and evaluation revenue for a school district, intermediate school district, or charter school with any school site that does not have an alternative professional pay system agreement under Minnesota Statutes, section 122A.414, subdivision 2, equals $302 times the number of full-time equivalent teachers employed on October 1 of the previous school year in each school site without an alternative professional pay system under Minnesota Statutes, section 122A.414, subdivision 2. Except for charter schools, revenue under this section must be reserved for teacher development and evaluation activities consistent with Minnesota Statutes, section 122A.40, subdivision 8, or Minnesota Statutes, section 122A.41, subdivision 5. For the purposes of this section, "teacher" has the meaning given it in Minnesota Statutes, section 122A.40, subdivision 1, or Minnesota Statutes, section 122A.41, subdivision 1.

(b) Notwithstanding paragraph (a), the state total teacher development and evaluation revenue entitlement must not exceed $10,000,000 for fiscal year 2015. The commissioner must limit the amount of revenue under this section so as not to exceed this limit.

**EFFECTIVE DATE.** This section is effective for fiscal year 2015.
Sec. 64. **TEACHER LICENSURE AGREEMENTS WITH ADJOINING STATES.**

The Board of Teaching must prepare and submit a report to the K-12 education committees of the legislature by February 15, 2016, indicating the number, contracting states, and extent of the interstate agreements for teacher licensure under Minnesota Statutes, section 122A.23, subdivision 3, reached between August 1 and December 31, 2015.

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

Sec. 65. **TRANSFER CURRICULUM REPORT.**

By February 1, 2016, the chancellor of the Minnesota State Colleges and Universities must prepare and submit to the K-12 and higher education committees of the legislature a report describing the implementation of the transfer curriculum policy for postsecondary enrollment options program students under Minnesota Statutes, sections 124D.09, subdivision 12, and 135A.101, subdivision 3, and how to standardize Advanced Placement, International Baccalaureate, and college-level exam program course equivalencies across all state colleges and universities.

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

Sec. 66. **INTEGRATION LEVY ADJUSTMENT.**

Notwithstanding section 60, for fiscal year 2016 only, a school district's achievement and integration levy under Minnesota Statutes, section 124D.862, that is recognized entirely in the previous year equals 30 percent of its achievement and integration revenue for fiscal year 2016.

Sec. 67. **APPROPRIATIONS.**

Subdivision 1. **Department.** The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

Subd. 2. **Achievement gap elimination aid.** For gap elimination aid under Minnesota Statutes, section 124D.862:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
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<tbody>
<tr>
<td>2016</td>
<td>$62,622,000</td>
</tr>
<tr>
<td>2017</td>
<td>$65,484,000</td>
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</table>

The 2016 appropriation includes $6,382,000 for 2015 and $56,240,000 for 2016.

The 2017 appropriation includes $6,249,000 for 2016 and $59,235,000 for 2017.
Subd. 3. **Literacy incentive aid.** For literacy incentive aid under Minnesota Statutes, section 124D.98:

<table>
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<tbody>
<tr>
<td>2016</td>
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<tr>
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</table>

The 2016 appropriation includes $4,683,000 for 2015 and $39,869,000 for 2016.

The 2017 appropriation includes $4,429,000 for 2016 and $41,079,000 for 2017.

Subd. 4. **Interdistrict desegregation or integration transportation grants.** For interdistrict desegregation or integration transportation grants under Minnesota Statutes, section 124D.87:

<table>
<thead>
<tr>
<th>Year</th>
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</thead>
<tbody>
<tr>
<td>2016</td>
<td>$15,023,000</td>
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<tr>
<td>2017</td>
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Subd. 5. **Success for the future.** For American Indian success for the future grants under Minnesota Statutes, section 124D.81:

<table>
<thead>
<tr>
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<tbody>
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<tr>
<td>2017</td>
<td>$2,887,000</td>
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</table>

The 2016 appropriation includes $213,000 for 2015 and $2,599,000 for 2016.

The 2017 appropriation includes $288,000 for 2016 and $2,599,000 for 2017.

Subd. 6. **American Indian teacher preparation grants.** From the educator licensure account in the special revenue fund, unless insufficient funds exist within the educator licensure account in which case any remaining funds are from the general fund, for joint grants to assist American Indian people to become teachers under Minnesota Statutes, section 122A.63:

<table>
<thead>
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<tr>
<td>2016</td>
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<td>2017</td>
<td>$190,000</td>
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Subd. 7. **Tribal contract schools.** For tribal contract school aid under Minnesota Statutes, section 124D.83:

<table>
<thead>
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<tbody>
<tr>
<td>2016</td>
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</tr>
<tr>
<td>2017</td>
<td>$2,273,000</td>
</tr>
</tbody>
</table>

The 2016 appropriation includes $204,000 for 2015 and $1,953,000 for 2016.

The 2017 appropriation includes $216,000 for 2016 and $2,057,000 for 2017.

Subd. 8. **Early childhood programs at tribal schools.** For early childhood family education programs at tribal contract schools under Minnesota Statutes, section 124D.83, subdivision 4:
Subd. 9. Examination fees; teacher training and support programs. (a) For
students’ advanced placement and international baccalaureate examination fees under
Minnesota Statutes, section 120B.13, subdivision 3, and the training and related costs
for teachers and other interested educators under Minnesota Statutes, section 120B.13,
subdivision 1:

<table>
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<td>2016</td>
<td>$4,500,000</td>
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<tr>
<td>2017</td>
<td>$4,500,000</td>
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</table>

(b) The advanced placement program shall receive 75 percent of the appropriation
each year and the international baccalaureate program shall receive 25 percent of the
appropriation each year. The department, in consultation with representatives of the
advanced placement and international baccalaureate programs selected by the Advanced
Placement Advisory Council and IBMN, respectively, shall determine the amounts of
the expenditures each year for examination fees and training and support programs for
each program.

(c) Notwithstanding Minnesota Statutes, section 120B.13, subdivision 1, at least
$500,000 each year is for teachers to attend subject matter summer training programs
and follow-up support workshops approved by the advanced placement or international
baccalaureate programs. The amount of the subsidy for each teacher attending an
advanced placement or international baccalaureate summer training program or workshop
shall be the same. The commissioner shall determine the payment process and the amount
of the subsidy.

(d) The commissioner shall pay all examination fees for all students of low-income
families under Minnesota Statutes, section 120B.13, subdivision 3, and, to the extent
of available appropriations, shall also pay examination fees for students sitting for an
advanced placement examination, international baccalaureate examination, or both.
Any balance in the first year does not cancel but is available in the second year.

Subd. 10. Concurrent enrollment programs. For concurrent enrollment programs
under Minnesota Statutes, section 124D.091:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>2017</td>
<td>$8,000,000</td>
</tr>
</tbody>
</table>

If the appropriation is insufficient, the commissioner must proportionately reduce
the aid payment to each district.

Any balance in the first year does not cancel but is available in the second year.
Subd. 11. **Collaborative urban educator.** For the collaborative urban educator

grant program:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$780,000</td>
<td>2017</td>
<td>$780,000</td>
</tr>
</tbody>
</table>

$195,000 each year is for the Southeast Asian teacher program at Concordia University, St. Paul; $195,000 each year is for the collaborative urban educator program at the University of St. Thomas; $195,000 each year is for the Center for Excellence in Urban Teaching at Hamline University; and $195,000 each year is for the East Africa Student to Teacher program at Augsburg College.

Any balance in the first year does not cancel but is available in the second year.

Each institution shall prepare for the legislature, by January 15 of each year, a detailed report regarding the funds used. The report must include the number of teachers prepared as well as the diversity for each cohort of teachers produced.

Subd. 12. **ServeMinnesota program.** For funding ServeMinnesota programs under Minnesota Statutes, sections 124D.37 to 124D.45:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$900,000</td>
<td>2017</td>
<td>$900,000</td>
</tr>
</tbody>
</table>

A grantee organization may provide health and child care coverage to the dependents of each participant enrolled in a full-time ServeMinnesota program to the extent such coverage is not otherwise available.

Subd. 13. **Student organizations.** For student organizations:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$725,000</td>
<td>2017</td>
<td>$725,000</td>
</tr>
</tbody>
</table>

$46,000 each year is for student organizations serving health occupations.

$100,000 each year is for student organizations serving trade and industry occupations.

$95,000 each year is for student organizations serving business occupations.

$187,000 each year is for student organizations serving agriculture occupations.

$142,000 each year is for student organizations serving family and consumer science occupations.

$109,000 each year is for student organizations serving marketing occupations.

$46,000 each year is for the Minnesota Foundation for Student Organizations.

Any balance in the first year does not cancel but is available in the second year.
Subd. 14. Early childhood literacy programs. For innovation grants to ServeMinnesota for the Minnesota reading corps program under Minnesota Statutes, section 124D.42, subdivision 8:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$7,375,000</td>
<td></td>
</tr>
<tr>
<td>2017</td>
<td>$7,375,000</td>
<td></td>
</tr>
</tbody>
</table>

Up to $7,375,000 each year is to help maximize federal and nonpublic funding to support AmeriCorps members serving in the Minnesota reading corps program established by ServeMinnesota, including costs to train and teach early literacy skills to children age three to grade 3 and to evaluate the impact of the Minnesota reading corps program under Minnesota Statutes, section 124D.42, subdivision 8.

Any balance in the first year does not cancel but is available in the second year.

Subd. 15. Minnesota math corps program. For the Minnesota math corps program under Minnesota Statutes, section 124D.42, subdivision 9:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$250,000</td>
<td></td>
</tr>
<tr>
<td>2017</td>
<td>$250,000</td>
<td></td>
</tr>
</tbody>
</table>

Any unexpended balance in the first year does not cancel but is available in the second year.

Subd. 16. Alternative compensation. For alternative teacher compensation aid under Minnesota Statutes, section 122A.415, subdivision 4:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$78,331,000</td>
<td></td>
</tr>
<tr>
<td>2017</td>
<td>$77,647,000</td>
<td></td>
</tr>
</tbody>
</table>

The 2016 appropriation includes $7,766,000 for 2015 and $70,565,000 for 2016.

The 2017 appropriation includes $7,840,000 for 2016 and $69,807,000 for 2017.

Subd. 17. Starbase MN. For a grant to Starbase MN for rigorous science, technology, engineering, and math (STEM) programs providing students in grades 4 to 6 with a multisensory learning experience and a hands-on curriculum in an aerospace environment using state-of-the-art technology:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$924,000</td>
<td></td>
</tr>
<tr>
<td>2017</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

This appropriation does not cancel but is available in the second year of the biennium.

The base budget for this appropriation is $500,000 for fiscal year 2018 and later.

All unspent funds, estimated at $924,000 from the Starbase MN appropriation under Laws 2013, chapter 116, article 3, section 37, subdivision 22, are canceled to the general fund on June 30, 2015.
Subd. 18. **Teacher development and evaluation.** For teacher development and evaluation revenue:

<table>
<thead>
<tr>
<th>Amount</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1,000,000</td>
<td>2016</td>
</tr>
</tbody>
</table>

The 2016 appropriation includes $1,000,000 for 2015 and $0 for 2016. This is a onetime appropriation and is available until expended.

Subd. 19. **Recovery program grants.** For recovery program grants under Minnesota Statutes, section 124D.695:

<table>
<thead>
<tr>
<th>Amount</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>$500,000</td>
<td>2016</td>
</tr>
<tr>
<td>$500,000</td>
<td>2017</td>
</tr>
</tbody>
</table>

Any balance in the first year does not cancel and is available in the second year.

Subd. 20. **Minnesota Principals' Academy.** For a grant to the University of Minnesota, College of Education and Human Development, for the operation of the Minnesota Principals' Academy:

<table>
<thead>
<tr>
<th>Amount</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>$250,000</td>
<td>2016</td>
</tr>
<tr>
<td>$250,000</td>
<td>2017</td>
</tr>
</tbody>
</table>

Any balance in the first year does not cancel but is available in the second year.

Subd. 21. **Cancellation; site decision-making grant.** All unspent funds, estimated at $200,000 for the site decision-making grant program appropriation under Laws 2013, chapter 116, article 3, section 37, subdivision 19, are canceled to the general fund on June 30, 2015.

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

Sec. 68. **REPEALER.**

Minnesota Statutes 2014, section 122A.40, subdivision 11, is repealed.

**EFFECTIVE DATE.** This section is effective beginning in the 2017-2018 school year and later.

**ARTICLE 3**

**STANDARDS AND ASSESSMENTS**

Section 1. Minnesota Statutes 2014, section 120B.02, subdivision 2, is amended to read:

Subd. 2. **Graduation requirements.** To graduate from high school, students must demonstrate to their enrolling school district or school their satisfactory completion of
the credit requirements under section 120B.024 and their understanding of academic
standards on a nationally normed college entrance exam as required under section
120B.30, subdivision 1, paragraph (c), clause (1). A school district must adopt graduation
requirements that meet or exceed state graduation requirements established in law or rule.

EFFECTIVE DATE. This section is effective and applies to students entering grade
9 in the 2015-2016 school year and later.

Sec. 2. Minnesota Statutes 2014, section 120B.021, subdivision 4, is amended to read:

Subd. 4. Revisions and reviews required. (a) The commissioner of education must
revise and appropriately embed technology and information literacy standards consistent
with recommendations from school media specialists into the state's academic standards
and graduation requirements and implement a ten-year cycle to review and, consistent
with the review, revise state academic standards and related benchmarks, consistent with
this subdivision. During each ten-year review and revision cycle, the commissioner also
must examine the alignment of each required academic standard and related benchmark
with the knowledge and skills students need for career and college readiness and advanced
work in the particular subject area. The commissioner must include the contributions of
Minnesota American Indian tribes and communities as related to the academic standards
during the review and revision of the required academic standards.

(b) The commissioner must ensure that the statewide mathematics assessments
administered to students in grades 3 through 8 and 11 are aligned with the state academic
standards in mathematics, consistent with section 120B.30, subdivision 1, paragraph
(b). The commissioner must implement a review of the academic standards and related
benchmarks in mathematics beginning in the 2015-2016 2020-2021 school year and
every ten years thereafter.

(c) The commissioner must implement a review of the academic standards and related
benchmarks in arts beginning in the 2016-2017 school year and every ten years thereafter.

(d) The commissioner must implement a review of the academic standards and
related benchmarks in science beginning in the 2017-2018 school year and every ten
years thereafter.

(e) The commissioner must implement a review of the academic standards and
related benchmarks in language arts beginning in the 2018-2019 school year and every
ten years thereafter.

(f) The commissioner must implement a review of the academic standards and
related benchmarks in social studies beginning in the 2019-2020 school year and every
ten years thereafter.
(g) School districts and charter schools must revise and align local academic
standards and high school graduation requirements in health, world languages, and career
and technical education to require students to complete the revised standards beginning
in a school year determined by the school district or charter school. School districts and
charter schools must formally establish a periodic review cycle for the academic standards
and related benchmarks in health, world languages, and career and technical education.

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

Sec. 3. Minnesota Statutes 2014, section 120B.022, subdivision 1, is amended to read:
Subdivision 1. Elective standards. A district must establish its own standards in the
following subject areas:
(1) career and technical education; and
(2) A district must use the current world languages standards developed by the
American Council on the Teaching of Foreign Languages.
A school district must offer courses in all elective subject areas.

Sec. 4. Minnesota Statutes 2014, section 120B.024, subdivision 2, is amended to read:
Subd. 2. Credit equivalencies. (a) A one-half credit of economics taught in a
school’s agriculture education or business department may fulfill a one-half credit in
social studies under subdivision 1, clause (5), if the credit is sufficient to satisfy all of the
academic standards in economics.
(b) An agriculture science or career and technical education credit may fulfill the
credit in chemistry or physics or the elective science credit required under subdivision 1,
clause (4), if the credit meets the state chemistry or physics or district biology physical
science, life science, earth and space science, chemistry, or physics academic standards or
a combination of these academic standards as approved by the district. An agriculture or
career and technical education credit may fulfill the credit in chemistry or physics required
under subdivision 1, clause (4), if the credit meets the state chemistry or physics academic
standards as approved by the district. A student must satisfy either all of the chemistry
academic standards or all of the physics academic standards prior to graduation. An
agriculture science or career and technical education credit may not fulfill the required
biology credit under subdivision 1, clause (4).
(c) A career and technical education credit may fulfill a mathematics or arts credit
requirement under subdivision 1, clause (2) or (6).
(d) An agriculture education teacher is not required to meet the requirements of Minnesota Rules, part 3505.1150, subpart 1, item B, to meet the credit equivalency requirements of paragraph (b) above.

(e) A computer science credit may fulfill a mathematics credit requirement under subdivision 1, clause (2), if the credit meets state academic standards in mathematics.

**EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and later.

Sec. 5. Minnesota Statutes 2014, section 120B.11, subdivision 1a, is amended to read:

Subd. 1a. **Performance measures.** Measures to determine school district and school site progress in striving to create the world's best workforce must include at least:

1. student performance on the National Assessment of Education Progress where applicable;
2. the size of the academic achievement gap, rigorous course taking under section 120B.35, subdivision 3, paragraph (c), clause (2), and enrichment experiences by student subgroup;
3. student performance on the Minnesota Comprehensive Assessments including attainment of readiness score guidelines identified under section 120B.30, subdivision 1, paragraph (j);
4. high school graduation rates; and
5. career and college readiness under section 120B.30, subdivision 1, paragraph (p).

Sec. 6. Minnesota Statutes 2014, section 120B.125, is amended to read:

**120B.125 PLANNING FOR STUDENTS' SUCCESSFUL TRANSITION TO POSTSECONDARY EDUCATION AND EMPLOYMENT; PERSONAL LEARNING PLANS.**

(a) Consistent with sections 120B.128, 120B.13, 120B.131, 120B.132, 120B.14, 120B.15, 120B.30, subdivision 1, paragraph (c), 125A.08, and other related sections, school districts, beginning in the 2013-2014 school year, must assist all students by no later than grade 9 to explore their educational, college, and career interests, aptitudes, and aspirations and develop a plan for a smooth and successful transition to postsecondary education or employment. All students' plans must:

1. provide a comprehensive plan to prepare for and complete a career and college ready curriculum by meeting state and local academic standards and developing career and
employment-related skills such as team work, collaboration, creativity, communication,
critical thinking, and good work habits;
(2) emphasize academic rigor and high expectations;
(3) help students identify interests, aptitudes, aspirations, and personal learning
styles that may affect their career and college ready goals and postsecondary education
and employment choices;
(4) set appropriate career and college ready goals with timelines that identify
effective means for achieving those goals;
(5) help students access education and career options;
(6) integrate strong academic content into career-focused courses and applied and
experiential learning opportunities and integrate relevant career-focused courses and
applied and experiential learning opportunities into strong academic content;
(7) help identify and access appropriate counseling and other supports and assistance
that enable students to complete required coursework, prepare for postsecondary education
and careers, and obtain information about postsecondary education costs and eligibility
for financial aid and scholarship;
(8) help identify collaborative partnerships among prekindergarten through grade
12 schools, postsecondary institutions, economic development agencies, and local and
regional employers that support students' transition to postsecondary education and
employment and provide students with applied and experiential learning opportunities; and
(9) be reviewed and revised at least annually by the student, the student's parent or
 guardian, and the school or district to ensure that the student's course-taking schedule keeps
the student making adequate progress to meet state and local academic standards and high
school graduation requirements and with a reasonable chance to succeed with employment
or postsecondary education without the need to first complete remedial course work.
(b) A school district may develop grade-level curricula or provide instruction that
introduces students to various careers, but must not require any curriculum, instruction,
or employment-related activity that obligates an elementary or secondary student to
involuntarily select or pursue a career, career interest, employment goals, or related job
training.
(c) Educators must possess the knowledge and skills to effectively teach all English
learners in their classrooms. School districts must provide appropriate curriculum,
targeted materials, professional development opportunities for educators, and sufficient
resources to enable English learners to become career and college ready.
(d) When assisting students in developing a plan for a smooth and successful
transition to postsecondary education and employment, districts must recognize the unique
Sec. 7. Minnesota Statutes 2014, section 120B.30, subdivision 1, is amended to read:

Subdivision 1. Statewide testing. (a) The commissioner, with advice from experts with appropriate technical qualifications and experience and stakeholders, consistent with subdivision 1a, shall include in the comprehensive assessment system, for each grade level to be tested, state-constructed tests developed as computer-adaptive reading and mathematics assessments for students that are aligned with the state's required academic standards under section 120B.021, include multiple choice questions, and are administered annually to all students in grades 3 through 8. Reading and mathematics assessments for all students in grade 8 must be aligned with the state's required reading and mathematics standards, be administered annually, and include multiple choice questions. State-developed high school tests aligned with the state's required academic standards under section 120B.021 and administered to all high school students in a subject other than writing must include multiple choice questions. The commissioner shall establish one or more months during which schools shall administer the tests to students each school year.

(1) Students enrolled in grade 8 through the 2009-2010 school year are eligible to be assessed under (i) the graduation-required assessment for diploma in reading, mathematics, or writing under Minnesota Statutes 2012, section 120B.30, subdivision 1, paragraphs (c), clauses (1) and (2), and (d), (ii) the WorkKeys job skills assessment, (iii) the Compass college placement test, (iv) the ACT assessment for college admission, or (v) a nationally recognized armed services vocational aptitude test, or (vi) the high school assessments required under subdivision 1a.

(2) Students enrolled in grade 8 in the 2010-2011 or 2011-2012 school year are eligible to be assessed under (i) the graduation-required assessment for diploma in reading, mathematics, or writing under Minnesota Statutes 2012, section 120B.30, subdivision 1, paragraph (c), clauses (1) and (2), (ii) the WorkKeys job skills assessment, (iii) the Compass college placement test, (iv) the ACT assessment for college admission, or (v) a nationally recognized armed services vocational aptitude test, or (vi) the high school assessments required under subdivision 1a.

(3) Students enrolled in grade 8 in the 2012-2013 or 2013-2014 school year are eligible to be assessed under the ACT assessment for college admission or the high school assessments required under subdivision 1a.
(3) (4) For students under clause (1) or (2), or (3), a school district may substitute
a score from an alternative, equivalent assessment to satisfy the requirements of this
paragraph.

(b) The state assessment system must be aligned to the most recent revision of
academic standards as described in section 120B.023 in the following manner:

(1) mathematics;

(i) grades 3 through 8 beginning in the 2010-2011 school year; and

(ii) high school level beginning in the 2013-2014 school year;

(2) science; grades 5 and 8 and at the high school level beginning in the 2011-2012
school year; and

(3) language arts and reading; grades 3 through 8 and high school level beginning in
the 2012-2013 school year.

(c) For students enrolled in grade 8 in the 2012-2013 2014-2015 school year
and later, students’ state graduation requirements, based on a longitudinal, systematic
approach to student education and career planning, assessment, instructional support, and
evaluation, include the following:

(1) demonstrate understanding of required academic standards on a nationally
normed college entrance exam high school assessments required under subdivision 1a;

(2) achievement and career and college readiness tests in mathematics, reading, and
writing, consistent with paragraph (e) (j) and to the extent available, to monitor students'
continuous development of and growth in requisite knowledge and skills; analyze
students' progress and performance levels, identifying students' academic strengths and
diagnosing areas where students require curriculum or instructional adjustments, targeted
interventions, or remediation; and, based on analysis of students' progress and performance
data, determine students' learning and instructional needs and the instructional tools and
best practices that support academic rigor for the student; and

(3) consistent with this paragraph and section 120B.125, age-appropriate exploration
and planning activities and career assessments to encourage students to identify personally
relevant career interests and aptitudes and help students and their families develop a
regularly reexamined transition plan for postsecondary education or employment without
need for postsecondary remediation.

Based on appropriate state guidelines, students with an individualized education program
may satisfy state graduation requirements by achieving an individual score on the
state-identified alternative assessments.

(d) Expectations of schools, districts, and the state for career or college readiness
under this subdivision must be comparable in rigor, clarity of purpose, and rates of student
completion. A student under paragraph (c), clause (2), must receive targeted, relevant, academically rigorous, and resourced instruction, which may include a targeted instruction and intervention plan focused on improving the student's knowledge and skills in core subjects so that the student has a reasonable chance to succeed in a career or college without need for postsecondary remediation. Consistent with sections 120B.13, 124D.09, 124D.091, 124D.49, and related sections, an enrolling school or district must 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. Students are not required to achieve a specified score or level of proficiency on an assessment under this subdivision to graduate from high school.

(d) To improve the secondary and postsecondary outcomes of all students, the alignment between secondary and postsecondary education programs and Minnesota's workforce needs, and the efficiency and cost-effectiveness of secondary and postsecondary programs, the commissioner, after consulting with the chancellor of the Minnesota State Colleges and Universities and using a request for proposal process, shall contract for a series of assessments that are consistent with this subdivision, aligned with state academic standards, and include career and college readiness benchmarks. Mathematics, reading, and writing assessments for students in grades 8 and 10 must be predictive of a nationally normed assessment for career and college readiness. This

(e) Though not a high school graduation requirement, students are encouraged to participate in a nationally recognized college entrance exam. With funding provided by the state, a district must pay the cost, one time, for an interested student in grade 11 or 12 who is eligible for a meal benefit to take a nationally recognized assessment must be a college entrance exam and given to students in grade 11 before graduating. This series of assessments must include a college placement diagnostic exam and contain career exploration elements.

(f) The commissioner and the chancellor of the Minnesota State Colleges and Universities must collaborate in aligning instruction and assessments for adult basic education students and English learners to provide the students with diagnostic information about any targeted interventions, accommodations, modifications, and supports they need so that assessments and other performance measures are accessible to them and they may seek postsecondary education or employment without need for postsecondary remediation. When administering formative or summative assessments used to measure the academic progress, including the oral academic development, of English learners and inform their instruction, schools must ensure that the assessments are accessible to
the students and students have the modifications and supports they need to sufficiently
derstand the assessments.

(4) (g) Districts and schools, on an annual basis, must use the career exploration
elements in these 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 must use timely regional labor
market information and partnerships, among other resources, to help students and their
families successfully develop, pursue, review, and revise an individualized plan for
postsecondary education or a career. This process must help increase students' engagement
in and connection to school, improve students' knowledge and skills, and deepen students'
understanding of career pathways as a sequence of academic and career courses that lead
to an industry-recognized credential, an associate's degree, or a bachelor's degree and are
available to all students, whatever their interests and career goals.

(2) Students in grade 10 or 11 not yet academically ready for a career or college based
on their growth in academic achievement between grades 8 and 10 must take the college
placement diagnostic exam before taking the college entrance exam under clause (3).

Students, their families, the school, and the district can then use the results of the college
placement diagnostic exam for targeted instruction, intervention, or remediation and
improve students' knowledge and skills in core subjects sufficient for a student to graduate
and have a reasonable chance to succeed in a career or college without remediation.

(3) All students except those eligible for alternative assessments must be given the
college entrance part of these assessments in grade 11. (h) A student under this clause
who demonstrates attainment of required state academic standards, which include career
and college readiness benchmarks, on these high school assessments under subdivision 1a
is academically ready for a career or college and is encouraged to participate in courses
awarding college credit to high school students. Such courses and programs may include
sequential courses of study within broad career areas and technical skill assessments
that extend beyond course grades.

(4) (i) As appropriate, students through grade 12 must continue to participate in
targeted instruction, intervention, or remediation and be encouraged to participate in
courses awarding college credit to high school students.

(5) A study to determine the alignment between these assessments and state
academic standards under this chapter must be conducted. Where alignment exists, the
commissioner must seek federal approval to, and immediately upon receiving approval,
replace the federally required assessments referenced under subdivision 1a and section
120B.35, subdivision 2, with assessments under this paragraph.
(e) (i) In developing, supporting, and improving students' academic readiness for a
career or college, schools, districts, and the state must have a continuum of empirically
derived, clearly defined benchmarks focused on students' attainment of knowledge
and skills so that 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
postsecondary remediation. The commissioner, in consultation with local school officials
and educators, and Minnesota's public postsecondary institutions must 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. The
commissioner of education, in consultation with the chancellor of the Minnesota State
Colleges and Universities, shall identify the minimum score guidelines on the high
school reading, writing, and mathematics Minnesota Comprehensive Assessments that
demonstrate readiness for:

(1) a certificate level program;
(2) a two-year college program; and
(3) a four-year college program.

(k) For students in grade 8 in the 2012-2013 school year and later, a school,
district, or charter school must record on the high school transcript a student's progress
toward career and college readiness, and for other students as soon as practicable.

(l) The school board granting students their diplomas may formally decide to
include a notation of high achievement on the high school diplomas of those graduating
seniors who, according to established school board criteria, demonstrate exemplary
academic achievement during high school.

(m) The 3rd through 8th grade computer-adaptive assessment results and grade
8 and high school test results shall be available to districts for diagnostic purposes affecting
student learning and district instruction and curriculum, and for establishing educational
accountability. The commissioner must establish empirically derived benchmarks on
adaptive assessments in grades 3 through 8 that reveal a trajectory toward career and
college readiness. The commissioner must disseminate to the public the computer-adaptive
assessments, grade 8, and high school test results upon receiving those results.

(n) The grades 3 through 8 computer-adaptive assessments and grade 8 and
high school tests must be aligned with state academic standards. The commissioner shall
determine the testing process and the order of administration. The statewide results shall
be aggregated at the site and district level, consistent with subdivision 1a.
99.1 (o) The commissioner shall include the following components in the statewide public reporting system:

99.2 (1) uniform statewide computer-adaptive assessments of all students in grades 3 through 8 and testing at the high school level that provides appropriate, technically sound accommodations or alternate assessments;

99.3 (2) educational indicators that can be aggregated and compared across school districts and across time on a statewide basis, including average daily attendance, high school graduation rates, and high school drop-out rates by age and grade level;

99.4 (3) state results on the American College Test; and

99.5 (4) state results from participation in the National Assessment of Educational Progress so that the state can benchmark its performance against the nation and other states, and, where possible, against other countries, and contribute to the national effort to monitor achievement.

99.6 (p) For purposes of statewide accountability, "career and college ready" means a high school graduate has the knowledge, skills, and competencies to successfully pursue a career pathway, including postsecondary credit leading to a degree, diploma, certificate, or industry-recognized credential and employment. Students who are career and college ready are able to successfully complete credit-bearing coursework at a two- or four-year college or university or other credit-bearing postsecondary program without need for remediation.

99.7 (q) For purposes of statewide accountability, "cultural competency," or "culturally competent" means the ability and will to interact effectively with people of different cultures, native languages, and socioeconomic backgrounds.

99.8 EFFECTIVE DATE. This section is effective for the 2015-2016 school year and later.

99.9 Sec. 8. Minnesota Statutes 2014, section 120B.30, subdivision 1a, is amended to read:

99.10 Subd. 1a. Statewide and local assessments; results. (a) For purposes of this section, the following definitions have the meanings given them.

99.11 (1) "Computer-adaptive assessments" means fully adaptive assessments.

99.12 (2) "Fully adaptive assessments" include test items that are on-grade level and items that may be above or below a student's grade level.

99.13 (3) "On-grade level" test items contain subject area content that is aligned to state academic standards for the grade level of the student taking the assessment.

99.14 (4) "Above-grade level" test items contain subject area content that is above the grade level of the student taking the assessment and is considered aligned with state academic standards to the extent it is aligned with content represented in state academic
standards above the grade level of the student taking the assessment. Notwithstanding
the student's grade level, administering above-grade level test items to a student does not
violate the requirement that state assessments must be aligned with state standards.

(5) "Below-grade level" test items contain subject area content that is below the
grade level of the student taking the test and is considered aligned with state academic
standards to the extent it is aligned with content represented in state academic standards
below the student's current grade level. Notwithstanding the student's grade level,
administering below-grade level test items to a student does not violate the requirement
that state assessments must be aligned with state standards.

(b) The commissioner must use fully adaptive mathematics and reading assessments
for grades 3 through 8 beginning in the 2015-2016 school year and later.

(c) For purposes of conforming with existing federal educational accountability
requirements, the commissioner must develop and implement computer-adaptive reading
and mathematics assessments for grades 3 through 8, state-developed grade 8 and high
school reading, writing, and mathematics tests aligned with state academic standards, and
science assessments under clause (2) that districts and sites must use to monitor student
growth toward achieving those standards. The commissioner must not develop statewide
assessments for academic standards in social studies, health and physical education, and
the arts. The commissioner must require:

(1) annual computer-adaptive reading and mathematics assessments in grades 3
through 8, and grade 8 and high school reading, writing, and mathematics tests; and

(2) annual science assessments in one grade in the grades 3 through 5 span, the
grades 6 through 8 span, and a life sciences assessment in the grades 9 through 12 span,
and the commissioner must not require students to achieve a passing score on high school
science assessments as a condition of receiving a high school diploma.

(d) The commissioner must ensure that for annual computer-adaptive assessments:

(1) individual student performance data and achievement reports are available
within three school days of when students take an assessment except in a year when an
assessment reflects new performance standards;

(2) growth information is available for each student from the student's first
assessment to each proximate assessment using a constant measurement scale;

(3) parents, teachers, and school administrators are able to use elementary and
middle school student performance data to project students' secondary and postsecondary
achievement; and

(4) useful diagnostic information about areas of students' academic strengths and
weaknesses is available to teachers and school administrators for improving student
101.1 instruction and indicating the specific skills and concepts that should be introduced and
devolved for students at given performance levels, organized by strands within subject
areas, and aligned to state academic standards.
101.4 (e) The commissioner must ensure that all state tests administered to elementary and
secondary students measure students' academic knowledge and skills and not students'
values, attitudes, and beliefs.
101.7 (f) Reporting of state assessment results must:
101.8 (1) provide timely, useful, and understandable information on the performance of
101.9 individual students, schools, school districts, and the state;
101.10 (2) include a growth indicator of student achievement; and
101.11 (3) determine whether students have met the state's academic standards.
101.12 (g) Consistent with applicable federal law, the commissioner must include
101.13 appropriate, technically sound accommodations or alternative assessments for the very
101.14 few students with disabilities for whom statewide assessments are inappropriate and
101.15 for English learners.
101.16 (h) A school, school district, and charter school must administer statewide
101.17 assessments under this section, as the assessments become available, to evaluate student
101.18 progress toward career and college readiness in the context of the state's academic
101.19 standards. A school, school district, or charter school may use a student's performance
101.20 on a statewide assessment as one of multiple criteria to determine grade promotion or
101.21 retention. A school, school district, or charter school may use a high school student's
101.22 performance on a statewide assessment as a percentage of the student's final grade in a
101.23 course, or place a student's assessment score on the student's transcript.
101.24 EFFECTIVE DATE. This section is effective for the 2016-2017 school year and
101.25 later.
101.26 Sec. 9. APPROPRIATIONS.
101.27 Subdivision 1. Department. The sums indicated in this section are appropriated
101.28 from the general fund to the Department of Education for the fiscal years designated.
101.29 Subd. 2. Statewide testing and reporting system. For the statewide testing and
101.30 reporting system under Minnesota Statutes, section 120B.30:
101.31 $11,176,000 .... 2016
101.32 $10,864,000 .... 2017
101.33 Any balance in the first year does not cancel but is available in the second year.
Subd. 3. **ACT test reimbursement.** To reimburse districts for students who qualify under Minnesota Statutes, section 120B.30, subdivision 1, paragraph (e), for onetime payment of their ACT examination fee:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$1,750,000</td>
<td>....</td>
</tr>
<tr>
<td>2017</td>
<td>$1,750,000</td>
<td>....</td>
</tr>
</tbody>
</table>

The Department of Education must reimburse districts for their onetime payments on behalf of students eligible for a meal benefit who take the college entrance exam in grade 11 or 12.

Any balance in the first year does not cancel but is available in the second year.

Sec. 10. **REPEALER.**

Minnesota Statutes 2014, section 120B.128, is repealed.

**ARTICLE 4**

**CHARTER SCHOOLS**

Section 1. Minnesota Statutes 2014, section 123B.88, is amended by adding a subdivision to read:

Subd. 10a. **Nonresident charter school pupil transportation.** If a school district is providing transportation for a charter school under section 124D.10, subdivision 16, the school district must allow a nonresident pupil attending the charter school to be transported on a district-operated or contracted route from any scheduled stop to any other scheduled stop on that route. The district providing the pupil transportation services may charge a fee to the nonresident pupil. The fee for each nonresident pupil must not exceed the lesser of 15 cents per mile or the district's actual cost of transportation per mile traveled.

**EFFECTIVE DATE.** This section is effective July 1, 2015.

Sec. 2. Minnesota Statutes 2014, section 124D.10, subdivision 1, is amended to read:

Subdivision 1. **Purposes.** (a) The primary purpose of this section is to improve all pupil learning and all student achievement. Additional purposes include to:

(1) increase learning opportunities for all pupils;

(2) encourage the use of different and innovative teaching methods;

(3) measure learning outcomes and create different and innovative forms of measuring outcomes;

(4) establish new forms of accountability for schools; or
(5) create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.

(b) This section does not provide a means to keep open a school that a school board decides to close. However, a school board may endorse or authorize the establishing of a charter school to replace the school the board decided to close. Applicants seeking a charter under this circumstance must demonstrate to the authorizer that the charter sought is substantially different in purpose and program from the school the board closed and that the proposed charter satisfies the requirements of this subdivision. If the school board that closed the school authorizes the charter, it must document in its affidavit to the commissioner that the charter is substantially different in program and purpose from the school it closed.

(c) An authorizer shall not approve an application submitted by a charter school developer under subdivision 4, paragraph (a), if the application does not comply with this subdivision. The commissioner shall not approve an affidavit submitted by an authorizer under subdivision 4, paragraph (b), if the affidavit does not comply with this subdivision.

Sec. 3. Minnesota Statutes 2014, section 124D.10, subdivision 3, is amended to read:

Subd. 3. Authorizer. (a) For purposes of this section, the terms defined in this subdivision have the meanings given them.

"Application" to receive approval as an authorizer means the proposal an eligible authorizer submits to the commissioner under paragraph (c) (d) before that authorizer is able to submit any affidavit to charter a school.

"Application" under subdivision 4 means the charter school business plan a school developer submits to an authorizer for approval to establish a charter school that documents the school developer's mission statement, school purposes, program design, financial plan, governance and management structure, and background and experience, plus any other information the authorizer requests. The application also shall include a "statement of assurances" of legal compliance prescribed by the commissioner.

"Affidavit" means a written statement the authorizer submits to the commissioner for approval to establish a charter school under subdivision 4 attesting to its review and approval process before chartering a school.

(b) The following organizations may authorize one or more charter schools:

(1) a school board, intermediate school district school board, or education district organized under sections 123A.15 to 123A.19;

(2) a charitable organization under section 501(c)(3) of the Internal Revenue Code of 1986, excluding a nonpublic sectarian or religious institution; any person other than a
natural person that directly or indirectly, through one or more intermediaries, controls,
is controlled by, or is under common control with the nonpublic sectarian or religious
institution; and any other charitable organization under this clause that in the federal IRS
Form 1023, Part IV, describes activities indicating a religious purpose, that:
(i) is a member of the Minnesota Council of Nonprofits or the Minnesota Council on
Foundations;
(ii) is registered with the attorney general's office; and
(iii) is incorporated in the state of Minnesota and has been operating continuously
for at least five years but does not operate a charter school;
(3) a Minnesota private college, notwithstanding clause (2), that grants two- or
four-year degrees and is registered with the Minnesota Office of Higher Education under
chapter 136A; community college, state university, or technical college governed by the
Board of Trustees of the Minnesota State Colleges and Universities; or the University
of Minnesota;
(4) a nonprofit corporation subject to chapter 317A, described in section 317A.905,
and exempt from federal income tax under section 501(c)(6) of the Internal Revenue Code
of 1986, may authorize one or more charter schools if the charter school has operated
for at least three years under a different authorizer and if the nonprofit corporation has
existed for at least 25 years; or
(5) single-purpose authorizers formed as charitable, nonsectarian organizations
under section 501(c)(3) of the Internal Revenue Code of 1986 and incorporated in the state
of Minnesota under chapter 317A as a corporation with no members or under section
322B.975 as a nonprofit limited liability company for the sole purpose of chartering schools.
(c) Eligible organizations interested in being approved as an authorizer under this
paragraph must submit a proposal to the commissioner that includes the provisions
of paragraph (c)(d) and a five-year financial plan. Such authorizers shall consider and
approve charter school applications using the criteria provided in subdivision 4 and shall
not limit the applications it solicits, considers, approves or approves to any single curriculum,
learning program, or method.
(d) An eligible authorizer under this subdivision must apply to the commissioner
for approval as an authorizer before submitting any affidavit to the commissioner to charter
a school. The application for approval as a charter school authorizer must demonstrate
the applicant's ability to implement the procedures and satisfy the criteria for chartering a
school under this section. The commissioner must approve or disapprove an application
within 45 business days of the application deadline. If the commissioner disapproves
the application, the commissioner must notify the applicant of the specific deficiencies
in writing and the applicant then has 20 business days to address the deficiencies to the
commissioner's satisfaction. After the 20 business days expire, the commissioner has 15
business days to make a final decision to approve or disapprove the application. Failing to
address the deficiencies to the commissioner's satisfaction makes an applicant ineligible to
be an authorizer. The commissioner, in establishing criteria for approval, must consider
the applicant's:

1. capacity and infrastructure;
2. application criteria and process;
3. contracting process;
4. ongoing oversight and evaluation processes; and
5. renewal criteria and processes.

(e) An applicant must include in its application to the commissioner to be an
approved authorizer at least the following:

1. how charting schools is a way for the organization to carry out its mission;
2. a description of the capacity of the organization to serve as an authorizer,
including the personnel who will perform the authorizing duties, their qualifications, the
amount of time they will be assigned to this responsibility, and the financial resources
allocated by the organization to this responsibility;
3. a description of the application and review process the authorizer will use to
make decisions regarding the granting of charters;
4. a description of the type of contract it will arrange with the schools it charters
that meets the provisions of subdivision 6;
5. the process to be used for providing ongoing oversight of the school consistent
with the contract expectations specified in clause (4) that assures that the schools chartered
are complying with both the provisions of applicable law and rules, and with the contract;
6. a description of the criteria and process the authorizer will use to grant expanded
applications under subdivision 4, paragraph (j) (s);
7. the process for making decisions regarding the renewal or termination of
the school's charter based on evidence that demonstrates the academic, organizational,
and financial competency of the school, including its success in increasing student
achievement and meeting the goals of the charter school agreement; and
8. an assurance specifying that the organization is committed to serving as an
authorizer for the full five-year term.

(f) A disapproved applicant under this section may resubmit an application
during a future application period.
If the governing board of an approved authorizer votes to withdraw as an approved authorizer for a reason unrelated to any cause under subdivision 23, the authorizer must notify all its chartered schools and the commissioner in writing by July 15 of its intent to withdraw as an authorizer on June 30 in the next calendar year, regardless of when the authorizer's five-year term of approval ends. The commissioner may approve the transfer of a charter school to a new authorizer under this paragraph after the new authorizer submits an affidavit to the commissioner.

The commissioner shall review an authorizer's performance every five years in a manner and form determined by the commissioner and may review an authorizer's performance more frequently at the commissioner's own initiative or at the request of a charter school operator, charter school board member, or other interested party. The commissioner, after completing the review, shall transmit a report with findings to the authorizer.

(j) If, consistent with this section, the commissioner finds that an authorizer has not fulfilled the requirements of this section, the commissioner may subject the authorizer to corrective action, which may include terminating the contract with the charter school board of directors of a school it chartered. The commissioner must notify the authorizer in writing of any findings that may subject the authorizer to corrective action and the authorizer then has 15 business days to request an informal hearing before the commissioner takes corrective action. If the commissioner terminates a contract between an authorizer and a charter school under this paragraph, the commissioner may assist the charter school in acquiring a new authorizer.

The commissioner may at any time take corrective action against an authorizer, including terminating an authorizer's ability to charter a school for: (1) failing to demonstrate the criteria under paragraph (e)(d) under which the commissioner approved the authorizer; (2) violating a term of the chartering contract between the authorizer and the charter school board of directors; (3) unsatisfactory performance as an approved authorizer; or (4) any good cause shown that provides the commissioner a legally sufficient reason to take corrective action against an authorizer.

Sec. 4. Minnesota Statutes 2014, section 124D.10, subdivision 4, is amended to read:

Subd. 4. **Formation of school.** (a) An authorizer, after receiving an application from a school developer, may charter a licensed teacher under section 122A.18, subdivision
1, or a group of individuals that includes one or more licensed teachers under section
122A.18, subdivision 1, to operate a school subject to the commissioner's approval of the
authorizer's affidavit under paragraph (b) (d).

(b) The school must be organized and operated as a nonprofit corporation under
chapter 317A and the provisions under the applicable chapter shall apply to the school
except as provided in this section.

c) Notwithstanding sections 465.717 and 465.719, a school district, subject to this
section and section 124D.11, may create a corporation for the purpose of establishing a
charter school.

(d) Before the operators may establish and operate a school, the authorizer must
file an affidavit with the commissioner stating its intent to charter a school. An authorizer
must file a separate affidavit for each school it intends to charter. An authorizer must file
an affidavit by May 1 to be able to charter a new school in the next school year after the
commissioner approves the authorizer's affidavit at least 14 months before July 1 of the
year the new charter school plans to serve students. The affidavit must state the terms and
conditions under which the authorizer would charter a school and how the authorizer
intends to oversee the fiscal and student performance of the charter school and to comply
with the terms of the written contract between the authorizer and the charter school
board of directors under subdivision 6. The commissioner must approve or disapprove
the authorizer's affidavit within 60 business days of receipt of the affidavit. If the
commissioner disapproves the affidavit, the commissioner shall notify the authorizer of
the deficiencies in the affidavit and the authorizer then has 20 business days to address the
deficiencies. The commissioner must notify the authorizer of final approval or disapproval
within 15 business days after receiving the authorizer's response to the deficiencies in the
affidavit. If the authorizer does not address deficiencies to the commissioner's satisfaction,
the commissioner's disapproval is final. Failure to obtain commissioner approval precludes
an authorizer from chartering the school that is the subject of this affidavit.

e) The authorizer may prevent an approved charter school from opening for
operation if, among other grounds, the charter school violates this section or does not meet
the ready-to-open standards that are part of the authorizer's oversight and evaluation
process or are stipulated in the charter school contract.

f) The operators authorized to organize and operate a school, before entering
into a contract or other agreement for professional or other services, goods, or facilities,
must incorporate as a nonprofit corporation under chapter 317A and.

g) The operators authorized to organize and operate a school, before entering into a
contract or other agreement for professional or other services, goods, or facilities, must
establish a board of directors composed of at least five members who are not related parties
until a timely election for members of the ongoing charter school board of directors is
held according to the school's articles and bylaws under paragraph (f) (l). A charter school
board of directors must be composed of at least five members who are not related parties.

(h) Staff members employed at the school, including teachers providing instruction
under a contract with a cooperative, members of the board of directors, and all parents
or legal guardians of children enrolled in the school are the voters eligible to elect the
members of the school's board of directors. A charter school must notify eligible voters of
the school board election dates at least 30 days before the election.

(i) Board of director meetings must comply with chapter 13D.

(f) (l) A charter school shall publish and maintain on the school's official Web site:
(1) the minutes of meetings of the board of directors, and of members and committees
having any board-delegated authority, for at least one calendar year from the date
of publication; (2) directory information for members of the board of directors and
committees having board-delegated authority; and (3) identifying and contact information
for the school's authorizer. Identifying and contact information for the school's authorizer
must be included in other school materials made available to the public.

(k) Upon request of an individual, the charter school must also make available in
a timely fashion financial statements showing all operations and transactions affecting
income, surplus, and deficit during the school's last annual accounting period; and a
balance sheet summarizing assets and liabilities on the closing date of the accounting
period. A charter school also must include that same information about its authorizer in
other school materials that it makes available to the public.

(l) Every charter school board member shall attend annual training throughout
the member's term on the board. All new board members shall attend initial training on
the board's role and responsibilities, employment policies and practices, and financial
management. A new board member who does not begin the required initial training within
six months after being seated and complete that training within 12 months of being seated
on the board is automatically ineligible to continue to serve as a board member. The
school shall include in its annual report the training attended by each board member
during the previous year.

(m) The ongoing board must be elected before the school completes its third
year of operation. Board elections must be held during the school year but may not be
conducted on days when the school is closed for holidays, breaks, or vacations.

(n) The charter school board of directors shall be composed of at least five nonrelated
members and include: (i) at least one licensed teacher employed as a teacher at the school
or providing instruction under contract between the charter school and a cooperative; (ii)

at least one parent or legal guardian of a student enrolled in the charter school who is not

an employee of the charter school; and (iii) at least one interested community member

who resides in Minnesota and is not employed by the charter school and does not have a

child enrolled in the school. The board may include a majority of teachers described in

this paragraph or parents or community members, or it may have no clear majority. The

chief financial officer and the chief administrator may only serve as ex-officio nonvoting

board members. No charter school employees shall serve on the board other than teachers

under item (i). Contractors providing facilities, goods, or services to a charter school shall

not serve on the board of directors of the charter school.

(o) Board bylaws shall outline the process and procedures for changing the board's

governance structure, consistent with chapter 317A. A board may change its governance

structure only:

(1) by a majority vote of the board of directors and a majority vote of the licensed

teachers employed by the school as teachers, including licensed teachers providing

instruction under a contract between the school and a cooperative; and

(2) with the authorizer's approval.

Any change in board governance structure must conform with the composition of

the board established under this paragraph.

(p) The granting or renewal of a charter by an authorizer must not be conditioned

upon the bargaining unit status of the employees of the school.

(q) The granting or renewal of a charter school by an authorizer must not be

contingent on the charter school being required to contract, lease, or purchase services

from the authorizer.

(r) Any potential contract, lease, or purchase of service from an authorizer must

be disclosed to the commissioner, accepted through an open bidding process, and be a

separate contract from the charter contract. The school must document the open bidding

process. An authorizer must not enter into a contract to provide management and financial

services for a school that it authorizes, unless the school documents that it received at

least two competitive bids.

(s) A charter school may apply to the authorizer to amend the school charter to

expand the operation of the school to additional grades or sites that would be students'

primary enrollment site beyond those defined in the original affidavit approved by the

commissioner. After approving the school's application, the authorizer shall submit a

supplementary affidavit in the form and manner prescribed by the commissioner. The

authorizer must file a supplement affidavit by October 1 to be eligible to expand in the next
school year. The supplementary affidavit must document that the school has demonstrated
to the satisfaction of the authorizer the following:

(1) the need for the expansion with supporting long-range enrollment projections;
(2) a longitudinal record of demonstrated student academic performance and growth
on statewide assessments under chapter 120B or on other academic assessments that
measure longitudinal student performance and growth approved by the charter school's
board of directors and agreed upon with the authorizer;
(3) a history of sound school finances and a finance plan to implement the expansion
in a manner to promote the school's financial sustainability; and

(4) board capacity and an administrative and management plan to implement its
expansion.

The commissioner shall have 30 business days to review and comment on the
supplemental affidavit. The commissioner shall notify the authorizer in writing of any
deficiencies in the supplemental affidavit and the authorizer then has 20 business days to
address, to the commissioner's satisfaction, any deficiencies in the supplemental affidavit.
The commissioner must notify the authorizer of final approval or disapproval within 15
business days after receiving the authorizer's response to the deficiencies in the affidavit.
The school may not expand grades or add sites until the commissioner has approved the
supplemental affidavit. The commissioner's approval or disapproval of a supplemental
affidavit is final.

Sec. 5. Minnesota Statutes 2014, section 124D.10, subdivision 8, is amended to read:

Subd. 8. Federal, state, and local requirements. (a) A charter school shall meet all
federal, state, and local health and safety requirements applicable to school districts.
(b) A school must comply with statewide accountability requirements governing
standards and assessments in chapter 120B.
(c) A school authorized by a school board may be located in any district, unless the
school board of the district of the proposed location disapproves by written resolution.
(d) A charter school must be nonsectarian in its programs, admission policies,
employment practices, and all other operations. An authorizer may not authorize a charter
school or program that is affiliated with a nonpublic sectarian school or a religious
institutions.
(e) A charter school student must be released for religious instruction, consistent
with section 120A.22, subdivision 12, clause (3).
(e) (f) Charter schools must not be used as a method of providing education or generating revenue for students who are being home-schooled. This paragraph does not apply to shared time aid under section 126C.19.

(4) (g) The primary focus of a charter school must be to provide a comprehensive program of instruction for at least one grade or age group from five through 18 years of age. Instruction may be provided to people older than 18 years of age. A charter school may offer a free or fee-based preschool or prekindergarten that meets high-quality early learning instructional program standards that are aligned with Minnesota's early learning standards for children. The hours a student is enrolled in a fee-based prekindergarten program do not generate pupil units under section 126C.05 and must not be used to calculate general education revenue under section 126C.10. A charter school with at least 90 percent of enrolled students who are eligible for special education services and have a primary disability of deaf or hard-of-hearing may enroll prekindergarten pupils with a disability under section 126C.05, subdivision 1, paragraph (a), and must comply with the federal Individuals with Disabilities Education Act under Code of Federal Regulations, title 34, section 300.324, subsection (2), clause (iv).

(g) (h) Except as provided in paragraph (g), a charter school may not charge tuition.

(4) (i) A charter school is subject to and must comply with chapter 363A and section 121A.04.

(4) (j) Once a student is enrolled in the school, the student is considered enrolled in the school until the student formally withdraws or is expelled under the Pupil Fair Dismissal Act in sections 121A.40 to 121A.56. A charter school is subject to and must comply with the Pupil Fair Dismissal Act, sections 121A.40 to 121A.56, and.

(k) A charter school is subject to and must comply with the Minnesota Public School Fee Law, sections 123B.34 to 123B.39.

(4) (l) A charter school is subject to the same financial audits, audit procedures, and audit requirements as a district, except as required under subdivision 6a. Audits must be conducted in compliance with generally accepted governmental auditing standards, the federal Single Audit Act, if applicable, and section 6.65. A charter school is subject to and must comply with sections 15.054; 118A.01; 118A.02; 118A.03; 118A.04; 118A.05; 118A.06; 471.38; 471.391; 471.392; and 471.425. The audit must comply with the requirements of sections 123B.75 to 123B.83, except to the extent deviations are necessary because of the program at the school. Deviations must be approved by the commissioner and authorizer. The Department of Education, state auditor, legislative auditor, or authorizer may conduct financial, program, or compliance audits. A charter
school determined to be in statutory operating debt under sections 123B.81 to 123B.83
must submit a plan under section 123B.81, subdivision 4.

(نة) (m) A charter school is a district for the purposes of tort liability under chapter 466.
(نة) (n) A charter school must comply with chapters 13 and 13D; and sections
120A.22, subdivision 7; 121A.75; and 260B.171, subdivisions 3 and 5.
(m) (o) A charter school is subject to the Pledge of Allegiance requirement under
section 121A.11, subdivision 3.
(نة) (p) A charter school offering online courses or programs must comply with
section 124D.095.
(نة) (q) A charter school and charter school board of directors are subject to chapter
181.
(نة) (r) A charter school must comply with section 120A.22, subdivision 7, governing
the transfer of students' educational records and sections 138.163 and 138.17 governing
the management of local records.
(نة) (s) A charter school that provides early childhood health and developmental
screening must comply with sections 121A.16 to 121A.19.
(نة) (t) A charter school that provides school-sponsored youth athletic activities
must comply with section 121A.38.
(نة) (u) A charter school is subject to and must comply with continuing truant
notification under section 260A.03.
(نة) (v) A charter school must develop and implement a teacher evaluation and
peer review process under section 122A.40, subdivision 8, paragraph (b), clauses (2) to
(13). The teacher evaluation process in this paragraph does not create any additional
employment rights for teachers.
(نة) (w) A charter school must adopt a policy, plan, budget, and process, consistent
with section 120B.11, to review curriculum, instruction, and student achievement and
strive for the world's best workforce.
(نة) (x) A charter school must comply with section 121A.031 governing policies on
prohibited conduct.
(نة) (y) A charter school must comply with all pupil transportation requirements in
section 123B.88, subdivision 1. A charter school must not require parents to surrender
their rights to pupil transportation under section 123B.88, subdivision 2.

Sec. 6. Minnesota Statutes 2014, section 124D.10, subdivision 9, is amended to read:
Subd. 9. Admission requirements. (a) A charter school may limit admission to:
(1) pupils within an age group or grade level;
(2) pupils who are eligible to participate in the graduation incentives program under section 124D.68; or

(3) residents of a specific geographic area in which the school is located when the majority of students served by the school are members of underserved populations.

(b) A charter school shall enroll an eligible pupil who submits a timely application, unless the number of applications exceeds the capacity of a program, class, grade level, or building. In this case, pupils must be accepted by lot. The charter school must develop and publish, including on its Web site, a lottery policy and process that it must use when accepting pupils by lot.

(c) A charter school shall give enrollment preference to a sibling of an enrolled pupil and to a foster child of that pupil's parents and may give preference for enrolling children of the school's staff before accepting other pupils by lot. A charter school that is located in Duluth township in St. Louis County and admits students in kindergarten through grade 6 must give enrollment preference to students residing within a five-mile radius of the school and to the siblings of enrolled children. If a charter school has a preschool or prekindergarten program under subdivision 8, paragraph (g), that is free to all participants, the charter school may give enrollment preference to children currently enrolled in the school's free preschool or prekindergarten program under subdivision 8, paragraph (f), who are eligible to enroll in kindergarten in the next school year.

(d) A person shall not be admitted to a charter school (1) as a kindergarten pupil, unless the pupil is at least five years of age on September 1 of the calendar year in which the school year for which the pupil seeks admission commences; or (2) as a first grade student, unless the pupil is at least six years of age on September 1 of the calendar year in which the school year for which the pupil seeks admission commences or has completed kindergarten; except that a charter school may establish and publish on its Web site a policy for admission of selected pupils at an earlier age, consistent with the enrollment process in paragraphs (b) and (c).

(e) Except as permitted in paragraph (d), a charter school may not limit admission to pupils on the basis of intellectual ability, measures of achievement or aptitude, or athletic ability and may not establish any criteria or requirements for admission that are inconsistent with this subdivision.

(f) The charter school shall not distribute any services or goods of value to students, parents, or guardians as an inducement, term, or condition of enrolling a student in a charter school.

**EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and later.
Sec. 7. Minnesota Statutes 2014, section 124D.10, subdivision 12, is amended to read:

Subd. 12. **Pupils with a disability.** A charter school must comply with sections 125A.02, 125A.03 to 125A.24, and 125A.65, and 125A.75 and rules relating to the education of pupils with a disability as though it were a district. A charter school enrolling prekindergarten pupils with a disability under subdivision 8, paragraph (g), must comply with sections 125A.259 to 125A.48 and rules relating to the Interagency Early Intervention System as though it were a school district.

**EFFECTIVE DATE.** This section is effective for fiscal year 2016 and later.

Sec. 8. Minnesota Statutes 2014, section 124D.10, subdivision 14, is amended to read:

Subd. 14. **Annual public reports.** (a) A charter school must publish an annual report approved by the board of directors. The annual report must at least include information on school enrollment, student attrition, governance and management, staffing, finances, academic performance, innovative practices and implementation, and future plans. A charter school may combine this report with the reporting required under section 120B.11. A charter school must post the annual report on the school's official Web site. A charter school must also distribute the annual report by publication, mail, or electronic means to its authorizer, school employees, and parents and legal guardians of students enrolled in the charter school. The reports are public data under chapter 13.

(b) The commissioner shall establish specifications for an authorizer's annual public report that is part of the system to evaluate authorizer performance under subdivision 3, paragraph (h). The report shall at least include key indicators of school academic, operational, and financial performance.

Sec. 9. Minnesota Statutes 2014, section 124D.10, subdivision 16, is amended to read:

Subd. 16. **Transportation.** (a) A charter school after its first fiscal year of operation by March 1 of each fiscal year and a charter school by July 1 of its first fiscal year of operation must notify the district in which the school is located and the Department of Education if it will provide its own transportation or use the transportation services of the district in which it is located for the fiscal year.

(b) If a charter school elects to provide transportation for pupils, the transportation must be provided by the charter school within the district in which the charter school is located. The state must pay transportation aid to the charter school according to section 124D.11, subdivision 2.

For pupils who reside outside the district in which the charter school is located, the charter school is not required to provide or pay for transportation between the pupil's

Article 4 Sec. 9.
residence and the border of the district in which the charter school is located. A parent
may be reimbursed by the charter school for costs of transportation from the pupil's
residence to the border of the district in which the charter school is located if the pupil is
from a family whose income is at or below the poverty level, as determined by the federal
government. The reimbursement may not exceed the pupil's actual cost of transportation
or 15 cents per mile traveled, whichever is less. Reimbursement may not be paid for
more than 250 miles per week.

At the time a pupil enrolls in a charter school, the charter school must provide the
parent or guardian with information regarding the transportation.

(c) If a charter school does not elect to provide transportation, transportation for
pupils enrolled at the school must be provided by the district in which the school is located,
according to sections 123B.88, subdivision 6, and 124D.03, subdivision 8, for a pupil
residing in the same district in which the charter school is located. Transportation may
be provided by the district in which the school is located, according to sections 123B.88,
subdivision 6, and 124D.03, subdivision 8, for a pupil residing in a different district and
must be provided according to section 123B.88, subdivision 10a. If the district provides the
transportation, the scheduling of routes, manner and method of transportation, control and
discipline of the pupils, and any other matter relating to the transportation of pupils under
this paragraph shall be within the sole discretion, control, and management of the district.

EFFECTIVE DATE. This section is effective July 1, 2015.

Sec. 10. Minnesota Statutes 2014, section 124D.10, subdivision 23, is amended to read:

Subd. 23. Causes for nonrenewal or termination of charter school contract. (a)
The duration of the contract with an authorizer must be for the term contained in the
contract according to subdivision 6. The authorizer may or may not renew a contract at
the end of the term for any ground listed in paragraph (b). An authorizer may unilaterally
terminate a contract during the term of the contract for any ground listed in paragraph (b).
At least 60 business days before not renewing or terminating a contract, the authorizer
shall notify the board of directors of the charter school of the proposed action in writing.
The notice shall state the grounds for the proposed action in reasonable detail and that the
charter school's board of directors may request in writing an informal hearing before the
authorizer within 15 business days of receiving notice of nonrenewal or termination of
the contract. Failure by the board of directors to make a written request for an informal
hearing within the 15-business-day period shall be treated as acquiescence to the proposed
action. Upon receiving a timely written request for a hearing, the authorizer shall give ten
business days' notice to the charter school's board of directors of the hearing date. The
authorizer shall conduct an informal hearing before taking final action. The authorizer shall take final action to renew or not renew a contract no later than 20 business days before the proposed date for terminating the contract or the end date of the contract.

(b) A contract may be terminated or not renewed upon any of the following grounds:

1. failure to demonstrate satisfactory academic achievement for all students, including the requirements for pupil performance contained in the contract;

2. failure to meet generally accepted standards of fiscal management;

3. violations of law; or

4. other good cause shown.

If a contract is terminated or not renewed under this paragraph, the school must be dissolved according to the applicable provisions of chapter 317A.

c) If the authorizer and the charter school board of directors mutually agree not to renew the contract, a change in authorizers is allowed. The authorizer and the school board must jointly submit a written and signed letter of their intent to the commissioner to mutually not renew the contract. The authorizer that is a party to the existing contract must inform the proposed authorizer about the fiscal, operational, and student performance status of the school, as well as any outstanding contractual obligations that exist. The charter contract between the proposed authorizer and the school must identify and provide a plan to address any outstanding obligations from the previous contract. The proposed contract must be submitted at least 105 business days before the end of the existing charter contract. The commissioner shall have 30 business days to review and make a determination. The proposed authorizer and the school shall have 15 business days to respond to the determination and address any issues identified by the commissioner. A final determination by the commissioner shall be made no later than 45 business days before the end of the current charter contract. If no change in authorizer is approved, the school and the current authorizer may withdraw their letter of nonrenewal and enter into a new contract. If the transfer of authorizers is not approved and the current authorizer and the school do not withdraw their letter and enter into a new contract, the school must be dissolved according to applicable law and the terms of the contract.

d) The commissioner, after providing reasonable notice to the board of directors of a charter school and the existing authorizer, and after providing an opportunity for a public hearing, may terminate the existing contract between the authorizer and the charter school board if the charter school has a history of:

1. failure to meet pupil performance requirements consistent with state law;

2. financial mismanagement or failure to meet generally accepted standards of fiscal management; or
(3) repeated or major violations of the law.

(e) Notwithstanding other provisions of this subdivision, the authorizer of a charter school may terminate an existing contract between the authorizer and the charter school at the end of the current school year, after notifying the charter school board of directors by December 1, if in each of the previous three consecutive school years the performance of the charter school based on federal school accountability measures and on state measures of student performance and growth would place the school in the bottom ten percent of all public schools as determined by the commissioner. If an authorizer chooses to terminate the contract, the school must be closed according to applicable law and the terms of the contract. The authorizer must work with the charter school's board of directors to ensure parents of children currently enrolled at the school are aware of school choice options and receive assistance in selecting an appropriate choice for their children for the next school year. If the authorizer chooses not to terminate the existing contract under these conditions, the authorizer must submit a public, written justification of its decision to the commissioner by December 1. The federal and state measures identified in this paragraph do not prevent an authorizer from closing schools under other conditions, consistent with applicable law and contract terms.

Sec. 11. Minnesota Statutes 2014, section 124D.10, is amended by adding a subdivision to read:

Subd. 24a. Merger. (a) Two or more charter schools may merge under chapter 317A. The effective date of a merger must be July 1. The merged school must continue under the identity of one of the merging schools. A new charter contract under subdivision 6 must be executed by July 1. The authorizer must submit to the commissioner a copy of the new signed charter contract within ten business days of its execution.

(b) Each merging school must submit a separate year-end report for the previous year for that school only. After the final fiscal year of the premerger schools is closed out, the fund balances and debts from the merging schools must be transferred to the merged school.

(c) For its first year of operation, the merged school is eligible to receive aid from programs requiring approved applications equal to the sum of the aid of all of the merging schools. For aids based on prior year data, the merged school is eligible to receive aid for its first year of operation based on the combined data of all of the merging schools.

Sec. 12. Minnesota Statutes 2014, section 124D.11, subdivision 9, is amended to read:

Subd. 9. Payment of aids to charter schools. (a) Notwithstanding section 127A.45, subdivision 3, if the current year aid payment percentage under section...
118.1 127A.45, subdivision 2, paragraph (d), is 90 or greater, aid payments for the current
fiscal year to a charter school shall be of an equal amount on each of the 24 payment
dates. Notwithstanding section 127A.45, subdivision 3, if the current year aid payment
percentage under section 127A.45, subdivision 2, paragraph (d), is less than 90, aid
payments for the current fiscal year to a charter school shall be of an equal amount on
each of the 16 payment dates in July through February.

118.7 (b) Notwithstanding paragraph (a) and section 127A.45, for a charter school ceasing
operation on or prior to June 30 of a school year, for the payment periods occurring after
the school ceases serving students, the commissioner shall withhold the estimated state aid
owed the school. The charter school board of directors and authorizer must submit to the
commissioner a closure plan under chapter 308A or 317A, and financial information about
the school's liabilities and assets. After receiving the closure plan, financial information,
an audit of pupil counts, documentation of lease expenditures, and monitoring of special
education expenditures, the commissioner may release cash withheld and may continue
regular payments up to the current year payment percentages if further amounts are
owed. If, based on audits and monitoring, the school received state aid in excess of the
amount owed, the commissioner shall retain aid withheld sufficient to eliminate the aid
overpayment. For a charter school ceasing operations prior to, or at the end of, a school
year, notwithstanding section 127A.45, subdivision 3, preliminary final payments may
be made after receiving the closure plan, audit of pupil counts, monitoring of special
education expenditures, documentation of lease expenditures, and school submission of
Uniform Financial Accounting and Reporting Standards (UFARS) financial data for the
final year of operation. Final payment may be made upon receipt of audited financial
statements under section 123B.77, subdivision 3.

118.25 (c) If a charter school fails to comply with the commissioner's directive to return,
for cause, federal or state funds administered by the department, the commissioner may
withhold an amount of state aid sufficient to satisfy the directive.

118.28 (d) If, within the timeline under section 471.425, a charter school fails to pay the state
of Minnesota, a school district, intermediate school district, or service cooperative after
receiving an undisputed invoice for goods and services, the commissioner may withhold
an amount of state aid sufficient to satisfy the claim and shall distribute the withheld
aid to the interested state agency, school district, intermediate school district, or service
cooperative. An interested state agency, school district, intermediate school district, or
education cooperative shall notify the commissioner when a charter school fails to pay an
undisputed invoice within 75 business days of when it received the original invoice.
(e) Notwithstanding section 127A.45, subdivision 2, and paragraph (a), 80 percent of the start-up cost aid under subdivision 8 shall be paid within 45 days after the first day of student attendance for that school year.

(f) (c) In order to receive state aid payments under this subdivision, a charter school in its first three years of operation must submit a school calendar in the form and manner requested by the department and a quarterly report to the Department of Education. The report must list each student by grade, show the student's start and end dates, if any, with the charter school, and for any student participating in a learning year program, the report must list the hours and times of learning year activities. The report must be submitted not more than two weeks after the end of the calendar quarter to the department. The department must develop a Web-based reporting form for charter schools to use when submitting enrollment reports. A charter school in its fourth and subsequent year of operation must submit a school calendar and enrollment information to the department in the form and manner requested by the department.

(g) (f) Notwithstanding sections 317A.701 to 317A.791, upon closure of a charter school and satisfaction of creditors, cash and investment balances remaining shall be returned to the state.

(h) (g) A charter school must have a valid, signed contract under section 124D.10, subdivision 6, on file at the Department of Education at least 15 days prior to the date of first payment of state aid for the fiscal year.

(i) (h) State aid entitlements shall be computed for a charter school only for the portion of a school year for which it has a valid, signed contract under section 124D.10, subdivision 6.

Sec. 13. REVISOR'S INSTRUCTION.

The revisor of statutes shall renumber the provisions of Minnesota Statutes listed in column A to the references listed in column B. The revisor of statutes may alter the renumbering to incorporate statutory changes made during the 2015 regular legislative session. The revisor shall also make necessary cross-reference changes in Minnesota Statutes and Minnesota Rules consistent with the renumbering in this instruction and the relettering of paragraphs in sections 1 to 12.

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Sec. 14. APPROPRIATIONS.

Subdivision 1. Department. The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

Subd. 2. Charter school building lease aid. For building lease aid under Minnesota Statutes, section 124D.11, subdivision 4:

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<th>Amount</th>
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<tr>
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<td>2017</td>
<td>$73,603,000</td>
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The 2016 appropriation includes $6,032,000 for 2015 and $60,755,000 for 2016.

The 2017 appropriation includes $6,750,000 for 2016 and $66,853,000 for 2017.
ARTICLE 5

SPECIAL EDUCATION

Section 1. Minnesota Statutes 2014, section 122A.31, subdivision 1, is amended to read:

Subdivision 1. Requirements for American sign language/English interpreters.

(a) In addition to any other requirements that a school district establishes, any person employed to provide American sign language/English interpreting or sign transliterating services on a full-time or part-time basis for a school district after July 1, 2000, must:

   (1) hold current interpreter and transliterator certificates awarded by the Registry of Interpreters for the Deaf (RID), or the general level interpreter proficiency certificate awarded by the National Association of the Deaf (NAD), or a comparable state certification from the commissioner of education; and

   (2) satisfactorily complete an interpreter/transliterator training program affiliated with an accredited educational institution.

(b) New graduates of an interpreter/transliterator program affiliated with an accredited education institution shall be granted a two-year provisional certificate by the commissioner. During the two-year provisional period, the interpreter/transliterator must develop and implement an education plan in collaboration with a mentor under paragraph (c).

(c) A mentor of a provisionally certified interpreter/transliterator must be an interpreter/transliterator who has either NAD level IV or V certification or RID certified interpreter and certified transliterator certification and have at least three years interpreting/transliterating experience in any educational setting. The mentor, in collaboration with the provisionally certified interpreter/transliterator, shall develop and implement an education plan designed to meet the requirements of paragraph (a), clause (1), and include a weekly on-site mentoring process.

(d) Consistent with the requirements of this paragraph, a person holding a provisional certificate may apply to the commissioner for one time-limited extension. The commissioner, in consultation with the Commission of Deaf, DeafBlind and Hard-of-Hearing Minnesotans, must grant the person a time-limited extension of the provisional certificate based on the following documentation:

   (1) letters of support from the person's mentor, a parent of a pupil the person serves, the special education director of the district in which the person is employed, and a representative from the regional service center of the deaf and hard-of-hearing;

   (2) records of the person's formal education, training, experience, and progress on the person's education plan; and
124.1 (3) an explanation of why the extension is needed.
124.2 As a condition of receiving the extension, the person must comply with a plan
124.3 and the accompanying time line for meeting the requirements of this subdivision. A
124.4 committee composed of the director of the Minnesota Resource Center Serving Deaf and
124.5 Hard-of-Hearing, or the director’s designee deaf and hard-of-hearing state specialist, a
124.6 representative of the Minnesota Association of Deaf Citizens, a representative of the
124.7 Minnesota Registry of Interpreters of the Deaf, and other appropriate persons selected
124.8 by the commissioner must develop the plan and time line for the person receiving the
124.9 extension.
124.10 (e) A school district may employ only an interpreter/transliterator who has been
124.11 certified under paragraph (a) or (b), or for whom a time-limited extension has been
124.12 granted under paragraph (d).

Sec. 2. Minnesota Statutes 2014, section 122A.31, subdivision 2, is amended to read:

Subd. 2. Oral or cued speech transliterators. (a) In addition to any other
124.13 requirements that a school district establishes, any person employed to provide oral
124.14 transliterating or cued speech transliterating services on a full-time or part-time basis for a
124.15 school district after July 1, 2000, must hold a current applicable transliterator certificate
124.16 awarded by the national certifying association or comparable state certification from
124.17 the commissioner of education.

(b) To provide oral or cued speech transliterator services on a full-time or part-time
124.21 basis, a person employed in a school district must comply with paragraph (a). The
124.22 commissioner shall grant a nonrenewable, two-year certificate to a school district on behalf
124.23 of a person who has not yet attained a current applicable transliterator certificate under
124.24 paragraph (a). A person for whom a nonrenewable, two-year certificate is issued must
124.25 work under the direction of a licensed teacher who is skilled in language development
124.26 of individuals who are deaf or hard-of-hearing. A person for whom a nonrenewable,
124.27 two-year certificate is issued also must enroll in a state-approved training program and
124.28 demonstrate progress towards the certification required under paragraph (a) sufficient for
124.29 the person to be certified at the end of the two-year period.

(c) Consistent with the requirements of this paragraph, a person holding a
124.30 provisional certificate may apply to the commissioner for one time-limited extension. The
124.31 commissioner, in consultation with the Commission Serving Deaf and Hard-of-Hearing
124.32 People, must grant the person a time-limited extension of the provisional certificate based
124.33 on the following documentation:
(1) letters of support from the person's mentor, a parent of a pupil the person serves, the special education director of the district in which the person is employed, and a representative from the regional service center of the deaf and hard-of-hearing;

(2) records of the person's formal education, training, experience, and progress on the person's education plan; and

(3) an explanation of why the extension is needed.

As a condition of receiving the extension, the person must comply with a plan and the accompanying time line for meeting the requirements of this subdivision. A committee composed of the director of the Minnesota Resource Center Serving Deaf and Hard of Hearing, or the director's designee, deaf and hard-of-hearing state specialist, a representative of the Minnesota Association of Deaf Citizens, a representative of the Minnesota Registry of Interpreters of the Deaf, and other appropriate persons selected by the commissioner must develop the plan and time line for the person receiving the extension.

Sec. 3. Minnesota Statutes 2014, section 123B.88, subdivision 1, is amended to read:

Subdivision 1. Providing transportation. The board may provide for the transportation of pupils to and from school and for any other purpose. The board may also provide for the transportation of pupils to schools in other districts for grades and departments not maintained in the district, including high school, at the expense of the district, when funds are available therefor and if agreeable to the district to which it is proposed to transport the pupils, for the whole or a part of the school year, as it may deem advisable, and subject to its rules. In any district, the board must arrange for the attendance of all pupils living two miles or more from the school, except pupils whose transportation privileges have been voluntarily surrendered under subdivision 2, or whose privileges have been revoked under section 123B.91, subdivision 1, clause (6), or 123B.90, subdivision 2. The district may provide for the transportation of or the boarding and rooming of the pupils who may be more economically and conveniently provided for by that means. Arrangements for attendance may include a requirement that parents or guardians request transportation before it is provided. The board must provide necessary transportation to and from the home of, consistent with section 123B.92, subdivision 1, paragraph (b), clause (4), for a child with a disability not yet enrolled in kindergarten when for the provision of special instruction and services under sections 125A.03 to 125A.24, 125A.26 to 125A.48, and 125A.65 are provided in a location other than in the child's home. Special instruction and services for a child with a disability not yet enrolled in kindergarten include an individualized education program team placement...
in an early childhood program when that placement is necessary to address the child's
level of functioning and needs. When transportation is provided, scheduling of routes,
establishment of the location of bus stops, manner and method of transportation, control
and discipline of school children, the determination of fees, and any other matter relating
thereto must be within the sole discretion, control, and management of the board. The
district may provide for the transportation of pupils or expend a reasonable amount
for room and board of pupils whose attendance at school can more economically and
conveniently be provided for by that means or who attend school in a building rented or
leased by a district within the confines of an adjacent district.

Sec. 4. Minnesota Statutes 2014, section 125A.01, is amended to read:

125A.01 DEFINITIONS.

Subdivision 1. General application. For purposes of this chapter, the words defined
in section 120A.05 have the same meaning.

Subd. 2. Dyslexia. "Dyslexia" means a specific learning disability that is
neurological in origin. It is characterized by difficulties with accurate or fluent recognition
of words and by poor spelling and decoding abilities. These difficulties typically result
from a deficit in the phonological component of language that is often unexpected in
relation to other cognitive abilities and the provision of effective classroom instruction.
Secondary consequences may include problems in reading comprehension and reduced
reading experience that can impede the growth of vocabulary and background knowledge.
Students who have a dyslexia diagnosis must meet the state and federal eligibility
criteria in order to qualify for special education services.

Sec. 5. Minnesota Statutes 2014, section 125A.023, subdivision 3, is amended to read:

Subd. 3. Definitions. For purposes of this section and section 125A.027, the
following terms have the meanings given them:

(a) "Health plan" means:

(1) a health plan under section 62Q.01, subdivision 3;

(2) a county-based purchasing plan under section 256B.692;

(3) a self-insured health plan established by a local government under section
471.617; or

(4) self-insured health coverage provided by the state to its employees or retirees.

(b) For purposes of this section, "health plan company" means an entity that issues
a health plan as defined in paragraph (a).
"Interagency intervention service system" means a system that coordinates services and programs required in state and federal law to meet the needs of eligible children with disabilities ages birth through 21, including:

1. services provided under the following programs or initiatives administered by state or local agencies:
   a. the maternal and child health program under title V of the Social Security Act;
   b. the Minnesota children with special health needs program under sections 144.05 and 144.07;
   c. the Individuals with Disabilities Education Act, Part B, section 619, and Part C as amended;
   d. medical assistance under title 42, chapter 7, of the Social Security Act;
   e. developmental disabilities services under chapter 256B;
   f. the Head Start Act under title 42, chapter 105, of the Social Security Act;
   g. vocational rehabilitation services provided under chapters 248 and 268A and the Rehabilitation Act of 1973;
   h. Juvenile Court Act services provided under sections 260.011 to 260.91; 260B.001 to 260B.446; and 260C.001 to 260C.451;
   i. Minnesota Comprehensive Children's Mental Health Act under section 245.487;
   j. the community health services grants under sections 145.88 to 145.9266;
   k. the Local Public Health Act under chapter 145A; and
   l. the Vulnerable Children and Adults Act, sections 256M.60 to 256M.80;
2. service provision and funding that can be coordinated through:
   a. the children's mental health collaborative under section 245.493;
   b. the family services collaborative under section 124D.23;
   c. the community transition interagency committees under section 125A.22; and
   d. the interagency early intervention committees under section 125A.259;
3. financial and other funding programs to be coordinated including medical assistance under title 42, chapter 7, of the Social Security Act, the MinnesotaCare program under chapter 256L, Supplemental Social Security Income, Developmental Disabilities Assistance, and any other employment-related activities associated with the Social Security Administration; and services provided under a health plan in conformity with an individual family service plan or an individualized education program or an individual interagency intervention plan; and
4. additional appropriate services that local agencies and counties provide on an individual need basis upon determining eligibility and receiving a request from (i)
the interagency early intervention committee school board or county board and (ii) the
child's parent.

(d) "Children with disabilities" has the meaning given in section 125A.02.

(e) A "standardized written plan" means those individual services or programs, with
accompanying funding sources, available through the interagency intervention service
system to an eligible child other than the services or programs described in the child's
individualized education program or the child's individual family service plan.

Sec. 6. Minnesota Statutes 2014, section 125A.023, subdivision 4, is amended to read:

Subd. 4. State Interagency Committee. (a) The commissioner of education, on
behalf of the governor, shall convene an interagency committee to develop and implement
a coordinated, multidisciplinary, interagency intervention service system for children ages
three to 21 with disabilities. The commissioners of commerce, education, health, human
rights, human services, employment and economic development, and corrections shall
each appoint two committee members from their departments; and the Association of
Minnesota Counties, Minnesota School Boards Association, the Minnesota Administrators
of Special Education, and the School Nurse Association of Minnesota shall each appoint
one committee member. The committee shall select a chair from among its members.

(b) The committee shall:

(1) identify and assist in removing state and federal barriers to local coordination of
services provided to children with disabilities;

(2) identify adequate, equitable, and flexible funding sources to streamline these
services;

(3) develop guidelines for implementing policies that ensure a comprehensive and
coordinated system of all state and local agency services, including multidisciplinary
assessment practices for children with disabilities ages three to 21, including:

(i) develop, consistent with federal law, a standardized written plan for providing
services to a child with disabilities;

(ii) identify how current systems for dispute resolution can be coordinated;

(iii) develop an evaluation process to measure the success of state and local
interagency efforts in improving the quality and coordination of services to children with
disabilities ages three to 21; and

(iv) develop guidelines to assist the governing boards of the interagency early
intervention committees in carrying out the duties assigned in section 125A.027,
subdivision 1, paragraph (b); and

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(4) carry out other duties necessary to develop and implement within communities
a coordinated, multidisciplinary, interagency intervention service system for children
with disabilities.

(c) The committee shall consult on an ongoing basis with the state Special Education
Advisory Panel and the governor's Interagency Coordinating Council in carrying out
its duties under this section, including assisting the governing school boards of the
interagency early intervention committees and county boards.

Sec. 7. Minnesota Statutes 2014, section 125A.027, is amended to read:

125A.027 INTERAGENCY EARLY INTERVENTION COMMITTEE
RESPONSIBILITIES LOCAL AGENCY COORDINATION RESPONSIBILITIES.
Subdivision 1. Additional duties School board and county board responsibilities.
(a) It is the joint responsibility of school and county boards to coordinate, provide, and
pay for appropriate services and to facilitate payment for services from public and private
sources. Appropriate services for children eligible under section 125A.02 and receiving
services from two or more public agencies of which one is the public school must be
determined in consultation with parents, physicians, and other education, medical health,
and human services providers. The services provided must conform with a standardized
written plan for each eligible child ages three to 21.

(b) Appropriate services include those services listed on a child's standardized
written plan. These services are those that are required to be documented on a plan under
federal and state law or rule.

(c) School and county boards shall coordinate interagency services. Service
responsibilities for eligible children, ages three to 21, may be established in interagency
agreements or joint powers board agreements. In addition, interagency agreements or
joint powers board agreements may be developed to establish agency responsibility that
ensures that coordinated interagency services are coordinated, provided, and paid for and
that payment is facilitated from public and private sources. School boards must provide,
pay for, and facilitate payment for special education services as required under sections
125A.03 and 125A.06. County boards must provide, pay for, and facilitate payment for
those programs over which they have service and fiscal responsibility as referenced in
section 125A.023, subdivision 3, paragraph (c), clause (1).

Subd. 1a. Local governance structure. (a) The governing school boards of
the interagency early intervention committees and county boards are responsible for
developing and implementing interagency policies and procedures to coordinate services
at the local level for children with disabilities ages three to 21 under guidelines established

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by the state interagency committee under section 125A.023, subdivision 4. Consistent
with the requirements in this section and section 125A.023, the governing school boards
of the interagency early intervention committees and county boards may organize as a
joint powers board under section 471.59 or enter into an interagency agreement that
establishes a governance structure.

(b) The governing board of each interagency early intervention committee as defined
in section 125A.30, paragraph (a), which may include a juvenile justice professional, shall:

(1) identify state and federal barriers to local coordination of services provided to
children with disabilities;

(2) implement policies that ensure a comprehensive and coordinated system of all
state and local agency services, including practices on multidisciplinary assessment,
standardized written plans, dispute resolution, and system evaluation for children with
disabilities ages three to 21;

(3) coordinate services and facilitate payment for services from public and private
institutions, agencies, and health plan companies; and

(4) share needed information consistent with state and federal data practices
requirements.

Subd. 2. Appropriate and necessary services. (a) Parents, physicians, other health
care professionals including school nurses, and education and human services providers
jointly must determine appropriate and necessary services for eligible children with
disabilities ages three to 21. The services provided to the child under this section must
conform with the child's standardized written plan. The governing school board of an
interagency early intervention committee or county board must provide those services
contained in a child's individualized education program and those services for which
a legal obligation exists.

(b) Nothing in this section or section 125A.023 increases or decreases the obligation
of the state, county, regional agency, local school district, or local agency or organization
to pay for education, health care, or social services.

(c) A health plan may not exclude any medically necessary covered service solely
because the service is or could be identified in a child's individual family service plan,
individualized education program, a plan established under section 504 of the federal
Rehabilitation Act of 1973, or a student's individual health plan. This paragraph reaffirms
the obligation of a health plan company to provide or pay for certain medically necessary
covered services, and encourages a health plan company to coordinate this care with any
other providers of similar services. Also, a health plan company may not exclude from a
health plan any medically necessary covered service such as an assessment or physical
examination solely because the resulting information may be used for an individualized
education program or a standardized written plan.

Subd. 4. **Responsibilities of school and county boards.** (a) It is the joint
responsibility of school and county boards to coordinate, provide, and pay for appropriate
services, and to facilitate payment for services from public and private sources.
Appropriate service for children eligible under section 125A.02 and receiving service
from two or more public agencies of which one is the public school must be determined in
consultation with parents, physicians, and other education, medical health, and human
services providers. The services provided must be in conformity with a standardized
written plan for each eligible child ages 3 to 21.

(b) Appropriate services include those services listed on a child’s standardized
written plan. These services are those that are required to be documented on a plan under
federal and state law or rule.

(c) School and county boards shall coordinate interagency services. Service
responsibilities for eligible children, ages 3 to 21, may be established in interagency
agreements or joint powers board agreements. In addition, interagency agreements or joint
powers board agreements may be developed to establish agency responsibility that assures
that coordinated interagency services are coordinated, provided, and paid for, and that
payment is facilitated from public and private sources. School boards must provide,
pay for, and facilitate payment for special education services as required under sections
125A.03 and 125A.06. County boards must provide, pay for, and facilitate payment for
those programs over which they have service and fiscal responsibility as referenced in
section 125A.023, subdivision 3, paragraph (c), clause (1).

Sec. 8. Minnesota Statutes 2014, section 125A.08, is amended to read:

**125A.08 INDIVIDUALIZED EDUCATION PROGRAMS.**

(a) At the beginning of each school year, each school district shall have in effect, for
each child with a disability, an individualized education program.

(b) As defined in this section, every district must ensure the following:

(1) all students with disabilities are provided the special instruction and services
which are appropriate to their needs. Where the individualized education program team
has determined appropriate goals and objectives based on the student's needs, including
the extent to which the student can be included in the least restrictive environment,
and where there are essentially equivalent and effective instruction, related services, or
assistive technology devices available to meet the student's needs, cost to the district may
be among the factors considered by the team in choosing how to provide the appropriate
services, instruction, or devices that are to be made part of the student's individualized education program. The individualized education program team shall consider and may authorize services covered by medical assistance according to section 256B.0625, subdivision 26. The student's needs and the special education instruction and services to be provided must be agreed upon through the development of an individualized education program. The program must address the student's need to develop skills to live and work as independently as possible within the community. The individualized education program team must consider positive behavioral interventions, strategies, and supports that address behavior needs for children with attention deficit disorder or attention deficit hyperactivity disorder. During grade 9, the program must address the student's needs for transition from secondary services to postsecondary education and training, employment, community participation, recreation, and leisure and home living. In developing the program, districts must inform parents of the full range of transitional goals and related services that should be considered. The program must include a statement of the needed transition services, including a statement of the interagency responsibilities or linkages or both before secondary services are concluded;

(2) children with a disability under age five and their families are provided special instruction and services appropriate to the child's level of functioning and needs;

(3) children with a disability and their parents or guardians are guaranteed procedural safeguards and the right to participate in decisions involving identification, assessment including assistive technology assessment, and educational placement of children with a disability;

(4) eligibility and needs of children with a disability are determined by an initial evaluation or reevaluation, which may be completed using existing data under United States Code, title 20, section 33, et seq.;

(5) to the maximum extent appropriate, children with a disability, including those in public or private institutions or other care facilities, are educated with children who are not disabled, and that special classes, separate schooling, or other removal of children with a disability from the regular educational environment occurs only when and to the extent that the nature or severity of the disability is such that education in regular classes with the use of supplementary services cannot be achieved satisfactorily;

(6) in accordance with recognized professional standards, testing and evaluation materials, and procedures used for the purposes of classification and placement of children with a disability are selected and administered so as not to be racially or culturally discriminatory; and
(7) the rights of the child are protected when the parents or guardians are not known or not available, or the child is a ward of the state.

c) For all paraprofessionals employed to work in programs for whose role in part is to provide direct support to students with disabilities, the school board in each district shall ensure that:

(1) before or immediately upon beginning at the time of employment, each paraprofessional develops must develop sufficient knowledge and skills in emergency procedures, building orientation, roles and responsibilities, confidentiality, vulnerability, and reportability, among other things, to begin meeting the needs, especially disability-specific and behavioral needs, of the students with whom the paraprofessional works;

(2) annual training opportunities are available required to enable the paraprofessional to continue to further develop the knowledge and skills that are specific to the students with whom the paraprofessional works, including understanding disabilities, the unique and individual needs of each student according to the student's disability and how the disability affects the student's education and behavior, following lesson plans, and implementing follow-up instructional procedures and activities; and

(3) a districtwide process obligates each paraprofessional to work under the ongoing direction of a licensed teacher and, where appropriate and possible, the supervision of a school nurse.

Sec. 9. [125A.083] STUDENT INFORMATION SYSTEMS; TRANSFERRING RECORDS.

To efficiently and effectively meet federal and state compliance and accountability requirements using an online case management reporting system, school districts may contract only with a student information system vendor employing a universal filing system that is compatible with the online system for compliance reporting under section 125A.085 beginning in the 2018-2019 school year and later. A district's universal filing system under this section must facilitate the seamless transfer of student records for a student with disabilities who transfers between school districts, including records containing the student's evaluation report, service plan, and other due process forms and information, regardless of what filing system any one district uses.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to all district contracts with student information system vendors entered into or modified after that date.
Sec. 10. Minnesota Statutes 2014, section 125A.085, is amended to read:

125A.085 ONLINE REPORTING OF REQUIRED DATA.

(a) To ensure a strong focus on outcomes for children with disabilities informs federal and state compliance and accountability requirements and to increase opportunities for special educators and related-services providers to focus on teaching children with disabilities, the commissioner must customize a streamlined, user-friendly statewide online system, with a single model online form, for effectively and efficiently collecting and reporting required special education-related data to individuals with a legitimate educational interest and who are authorized by law to access the data.

(b) The commissioner must consult with qualified experts, including information technology specialists, licensed special education teachers and directors of special education, related-services providers, third-party vendors, a designee of the commissioner of human services, parents of children with disabilities, representatives of advocacy groups representing children with disabilities, and representatives of school districts and special education cooperatives on integrating, field testing, customizing, and sustaining this simple, easily accessible, efficient, and effective online data system for uniform statewide reporting of required due process compliance data. Among other outcomes, the system must:

(1) reduce special education teachers’ paperwork burden and thereby increase the teachers’ opportunities to focus on teaching children;

(2) to the extent authorized by chapter 13 or other applicable state or federal law governing access to and dissemination of educational records, provide for efficiently and effectively transmitting the records of all transferring children with disabilities, including highly mobile and homeless children with disabilities, among others, and avoid fragmented service delivery;

(3) address language and other barriers and disparities that prevent parents from understanding and communicating information about the needs of their children with disabilities; and

(4) help continuously improve the interface among the online systems serving children with disabilities in order to maintain and reinforce the children’s ability to learn.

(c) The commissioner must use the federal Office of Special Education Programs model forms for the (1) individualized education program, (2) notice of procedural safeguards, and (3) prior written notice that are consistent with Part B of IDEA to integrate and customize a state-sponsored universal special education online case management system, consistent with the requirements of state law and this section for customizing a statewide online reporting system. The commissioner must use a request for proposal process to contract for the technology and software needed for customizing the online.
system in order for the system to be fully functional, consistent with the requirements of this section. This online system must be made available to school districts without charge beginning in the 2015-2016 school year. For the 2015-2016 through 2017-2018 school years and later, school districts may use this online system or may contract with an outside vendor for compliance reporting. Beginning in the 2018-2019 school year and later, school districts must use this online system for compliance reporting.

(d) All data on individuals maintained in the statewide reporting system are classified as provided in chapter 13 or other applicable state or federal law. An authorized individual's ability to enter, update, or access data must be limited through the use of role-based access codes corresponding to that individual's official duties or training level, and the statutory authorization that grants access for a particular purpose. Any action in which data in the system are entered, updated, accessed, or shared or disseminated outside of the system must be recorded in an audit trail. The audit trail must identify the specific user responsible for the action, the date and time the action occurred, and the purpose for the action. Data contained in the audit trail maintain the same classification as the underlying data affected by the action, provided the responsible authority makes the data available to a student or the student's parent upon request, and the responsible authority may access the data to audit the system's user activity and security safeguards. Before entering data on a student, the responsible authority must provide the student or the student's parent written notice of the data practices rights and responsibilities required by this section and a reasonable opportunity to refuse consent to have the student's data included in the system. Upon receiving the student or the student's parent written refusal to consent, the school district must not enter data on that student into the system and must delete any existing data on that student currently in the system.

(e) Consistent with this section, the commissioner must establish a public Internet Web interface to provide information to educators, parents, and the public about the form and content of required special education reports, to respond to queries from educators, parents, and the public about specific aspects of special education reports and reporting, and to use the information garnered from the interface to streamline and revise special education reporting on the online system under this section. The public Internet Web interface must have a prominently linked page describing the rights and responsibilities of students and parents whose data are included in the statewide reporting system, and include information on the data practices rights of students and parents provided by this section and a form students or parents may use to refuse consent to have a student's data included in the system. The public Internet Web interface must not provide access to the educational records of any individual child.
(f) The commissioner annually by February 1 must submit to the legislature a report on the status, recent changes, and sustainability of the online system under this section.

Sec. 11. Minnesota Statutes 2014, section 125A.0942, subdivision 3, is amended to read:

Subd. 3. Physical holding or seclusion. (a) Physical holding or seclusion may be used only in an emergency. A school that uses physical holding or seclusion shall meet the following requirements:

(1) physical holding or seclusion is the least intrusive intervention that effectively responds to the emergency;

(2) physical holding or seclusion is not used to discipline a noncompliant child;

(3) physical holding or seclusion ends when the threat of harm ends and the staff determines the child can safely return to the classroom or activity;

(4) staff directly observes the child while physical holding or seclusion is being used;

(5) each time physical holding or seclusion is used, the staff person who implements or oversees the physical holding or seclusion documents, as soon as possible after the incident concludes, the following information:

(i) a description of the incident that led to the physical holding or seclusion;

(ii) why a less restrictive measure failed or was determined by staff to be inappropiate or impractical;

(iii) the time the physical holding or seclusion began and the time the child was released; and

(iv) a brief record of the child's behavioral and physical status;

(6) the room used for seclusion must:

(i) be at least six feet by five feet;

(ii) be well lit, well ventilated, adequately heated, and clean;

(iii) have a window that allows staff to directly observe a child in seclusion;

(iv) have tamperproof fixtures, electrical switches located immediately outside the door, and secure ceilings;

(v) have doors that open out and are unlocked, locked with keyless locks that have immediate release mechanisms, or locked with locks that have immediate release mechanisms connected with a fire and emergency system; and

(vi) not contain objects that a child may use to injure the child or others;

(7) before using a room for seclusion, a school must:

(i) receive written notice from local authorities that the room and the locking mechanisms comply with applicable building, fire, and safety codes; and

(ii) register the room with the commissioner, who may view that room; and
(8) until August 1, 2015, a school district may use prone restraints with children age five or older if:

(i) the district has provided to the department a list of staff who have had specific training on the use of prone restraints;

(ii) the district provides information on the type of training that was provided and by whom;

(iii) only staff who received specific training use prone restraints;

(iv) each incident of the use of prone restraints is reported to the department within five working days on a form provided by the department; and

(v) the district, before using prone restraints, must review any known medical or psychological limitations that contraindicate the use of prone restraints.

The department must collect data on districts' use of prone restraints and publish the data in a readily accessible format on the department's Web site on a quarterly basis.

(b) By February 1, 2015, and annually thereafter, stakeholders must, as necessary, recommend to the commissioner specific and measurable implementation and outcome goals for reducing the use of restrictive procedures and the commissioner must submit to the legislature a report on districts' progress in reducing the use of restrictive procedures that recommends how to further reduce these procedures and eliminate the use of prone restraints. The statewide plan includes the following components:

measurable goals; the resources, training, technical assistance, mental health services, and collaborative efforts needed to significantly reduce districts' use of prone restraints; and recommendations to clarify and improve the law governing districts' use of restrictive procedures. The commissioner must consult with interested stakeholders when preparing the report, including representatives of advocacy organizations, special education directors, teachers, paraprofessionals, intermediate school districts, school boards, day treatment providers, county social services, state human services department staff, mental health professionals, and autism experts. By June 30 each year, districts must report summary data on their use of restrictive procedures to the department, in a form and manner determined by the commissioner. The summary data must include information about the use of restrictive procedures, including use of reasonable force under section 121A.582.

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

Sec. 12. Minnesota Statutes 2014, section 125A.21, is amended to read:

125A.21 THIRD-PARTY PAYMENT.
Subdivision 1. **Obligation to pay.** Nothing in sections 125A.03 to 125A.24 and 125A.65 relieves an insurer or similar third party from an otherwise valid obligation to pay, or changes the validity of an obligation to pay, for services rendered to a child with a disability, and the child's family. A school district shall pay the nonfederal share of medical assistance services provided according to section 256B.0625, subdivision 26.

Eligible expenditures must not be made from federal funds or funds used to match other federal funds. Any federal disallowances are the responsibility of the school district. A school district may pay or reimburse co-payments, coinsurance, deductibles, and other enrollee cost-sharing amounts, on behalf of the student or family, in connection with health and related services provided under an individual educational plan or individualized family service plan.

**Subd. 2. Third-party reimbursement.** (a) Beginning July 1, 2000, districts shall seek reimbursement from insurers and similar third parties for the cost of services provided by the district whenever the services provided by the district are otherwise covered by the child's health coverage. Districts shall request, but may not require, the child's family to provide information about the child's health coverage when a child with a disability begins to receive services from the district of a type that may be reimbursable, and shall request, but may not require, updated information after that as needed.

(b) For children enrolled in medical assistance under chapter 256B or MinnesotaCare under chapter 256L who have no other health coverage, a district shall provide an initial and annual written notice to the enrolled child's parent or legal representative of its intent to seek reimbursement from medical assistance or MinnesotaCare for the individualized education program or individualized family service plan health-related services provided by the district. The initial notice must give the child's parent or legal representative the right to request a copy of the child's education records on the health-related services that the district provided to the child and disclosed to a third-party payer.

(c) The district shall give the parent or legal representative annual written notice of:

(1) the district's intent to seek reimbursement from medical assistance or MinnesotaCare for individualized education program or individualized family service plan health-related services provided by the district;

(2) the right of the parent or legal representative to request a copy of all records concerning individualized education program or individualized family service plan health-related services disclosed by the district to any third party; and

(3) the right of the parent or legal representative to withdraw consent for disclosure of a child's records at any time without consequence.
The written notice shall be provided as part of the written notice required by Code of Federal Regulations, title 34, section 300.504 or 303.520. The district must ensure that the parent of a child with a disability is given notice, in understandable language, of federal and state procedural safeguards available to the parent under this paragraph and paragraph (b).

(d) In order to access the private health care coverage of a child who is covered by private health care coverage in whole or in part, a district must:

(1) obtain annual written informed consent from the parent or legal representative, in compliance with subdivision 5; and

(2) inform the parent or legal representative that a refusal to permit the district or state Medicaid agency to access their private health care coverage does not relieve the district of its responsibility to provide all services necessary to provide free and appropriate public education at no cost to the parent or legal representative.

(e) If the commissioner of human services obtains federal approval to exempt covered individualized education program or individualized family service plan health-related services from the requirement that private health care coverage refuse payment before medical assistance may be billed, paragraphs (b), (c), and (d) shall also apply to students with a combination of private health care coverage and health care coverage through medical assistance or MinnesotaCare.

(f) In the event that Congress or any federal agency or the Minnesota legislature or any state agency establishes lifetime limits, limits for any health care services, cost-sharing provisions, or otherwise provides that individualized education program or individualized family service plan health-related services impact benefits for persons enrolled in medical assistance or MinnesotaCare, the amendments to this subdivision adopted in 2002 are repealed on the effective date of any federal or state law or regulation that imposes the limits. In that event, districts must obtain informed consent consistent with this subdivision as it existed prior to the 2002 amendments and subdivision 5, before seeking reimbursement for children enrolled in medical assistance under chapter 256B or MinnesotaCare under chapter 256L who have no other health care coverage.

Subd. 3. Use of reimbursements. Of the reimbursements received, districts may:

(1) retain an amount sufficient to compensate the district for its administrative costs of obtaining reimbursements;

(2) regularly obtain from education- and health-related entities training and other appropriate technical assistance designed to improve the district's ability to access third-party payments for individualized education program or individualized family service plan health-related services; or
(3) reallocate reimbursements for the benefit of students with individualized education programs or individualized family service plans in the district.

Subd. 4. **Parents not obligated to use health coverage.** To the extent required by federal law, a school district may not require parents of children with disabilities, if they would incur a financial cost, to use private or public health coverage to pay for the services that must be provided under an individualized education program or individualized family service plan.

Subd. 5. **Informed consent.** When obtaining informed consent, consistent with sections 13.05, subdivision 4a; 256B.77, subdivision 2, paragraph (p); and Code of Federal Regulations, title 34, parts 99 and 300, and 303, to bill health plans for covered services, the school district must notify the legal representative (1) that the cost of the person's private health insurance premium may increase due to providing the covered service in the school setting, (2) that the school district may pay certain enrollee health plan costs, including but not limited to, co-payments, coinsurance, deductibles, premium increases or other enrollee cost-sharing amounts for health and related services required by an individual service plan, or individualized family service plan, and (3) that the school's billing for each type of covered service may affect service limits and prior authorization thresholds. The informed consent may be revoked in writing at any time by the person authorizing the billing of the health plan.

Subd. 6. **District obligation to provide service.** To the extent required by federal law, no school district may deny, withhold, or delay any service that must be provided under an individualized education program or individualized family service plan because a family has refused to provide informed consent to bill a health plan for services or a health plan company has refused to pay any, all, or a portion of the cost of services billed.

Subd. 7. **District disclosure of information.** A school district may disclose information contained in a student's individualized education program, consistent with section 13.32, subdivision 3, paragraph (a), and Code of Federal Regulations, title 34, parts 99 and 300, and 303; including records of the student's diagnosis and treatment, to a health plan company only with the signed and dated consent of the student's parent, or other legally authorized individual. The school district shall disclose only that information necessary for the health plan company to decide matters of coverage and payment. A health plan company may use the information only for making decisions regarding coverage and payment, and for any other use permitted by law.

Sec. 13. Minnesota Statutes 2014, section 125A.28, is amended to read:

**125A.28 STATE INTERAGENCY COORDINATING COUNCIL.**
An Interagency Coordinating Council of at least 17, but not more than 25 members is established, in compliance with Public Law 108-446, section 641. The members must be appointed by the governor and reasonably represent the population of Minnesota. Council members must elect the council chair, who may not be a representative of the Department of Education. The council must be composed of at least five parents, including persons of color, of children with disabilities under age 12, including at least three parents of a child with a disability under age seven, five representatives of public or private providers of services for children with disabilities under age five, including a special education director, county social service director, local Head Start director, and a community health services or public health nursing administrator, one member of the senate, one member of the house of representatives, one representative of teacher preparation programs in early childhood-special education or other preparation programs in early childhood intervention, at least one representative of advocacy organizations for children with disabilities under age five, one physician who cares for young children with special health care needs, one representative each from the commissioners of commerce, education, health, human services, a representative from the state agency responsible for child care, foster care, mental health, homeless coordinator of education of homeless children and youth, and a representative from Indian health services or a tribal council. Section 15.059, subdivisions 2 to 4, apply to the council. The council must meet at least quarterly.

The council must address methods of implementing the state policy of developing and implementing comprehensive, coordinated, multidisciplinary interagency programs of early intervention services for children with disabilities and their families.

The duties of the council include recommending policies to ensure a comprehensive and coordinated system of all state and local agency services for children under age five with disabilities and their families. The policies must address how to incorporate each agency’s services into a unified state and local system of multidisciplinary assessment practices, individual intervention plans, comprehensive systems to find children in need of services, methods to improve public awareness, and assistance in determining the role of interagency early intervention committees.

On the date that Minnesota Part C Annual Performance Report is submitted to Within 30 days of receiving the annual determination from the federal Office of Special Education on the Minnesota Part C Annual Performance Report, the council must recommend to the governor and the commissioners of education, health, human services, commerce, and employment and economic development policies for a comprehensive and coordinated system.
Annually, the council must prepare and submit a report to the governor and the secretary of the federal Department of Education on the status of early intervention services and programs for infants and toddlers with disabilities and their families under the Individuals with Disabilities Education Act, United States Code, title 20, sections 1471 to 1485 (Part C, Public Law 102-119), as operated in Minnesota. The Minnesota Part C annual performance report may serve as the report.

Notwithstanding any other law to the contrary, the State Interagency Coordinating Council does not expire unless federal law no longer requires the existence of the council or committee.

Sec. 14. Minnesota Statutes 2014, section 125A.63, subdivision 2, is amended to read:

Subd. 2. Programs. (a) The resource centers department must offer summer institutes or other training programs throughout the state for deaf or hard-of-hearing, blind or visually impaired, and multiply disabled pupils. The resource centers department must also offer workshops for teachers, and leadership development for teachers.

(b) Training and workshop programs offered through the resource centers under paragraph (a) must help promote and develop education programs offered by school districts or other organizations. The program programs must assist school districts or other organizations to develop innovative programs.

Sec. 15. Minnesota Statutes 2014, section 125A.63, subdivision 3, is amended to read:

Subd. 3. Programs by nonprofits. The resource centers department may contract to have nonprofit organizations provide programs through the resource centers under subdivision 2.

Sec. 16. Minnesota Statutes 2014, section 125A.63, subdivision 4, is amended to read:

Subd. 4. Advisory committees. (a) The commissioner shall establish an advisory committee committees for each resource center, the deaf and hard-of-hearing and for the blind and visually impaired. The advisory committees shall develop recommendations regarding the resource centers and submit an annual report to the commissioner on the form and in the manner prescribed by the commissioner.

(b) The advisory committee for the Resource Center committees for the deaf and hard of hearing and for the blind and visually impaired shall meet periodically at least four times per year and submit an annual report to the commissioner, the education policy and finance committees of the legislature, and the Commission of Deaf, DeafBlind, and Hard of Hearing Minnesotans. The report reports must, at least:
Sec. 17. Minnesota Statutes 2014, section 125A.63, subdivision 5, is amended to read:

Subd. 5. Statewide hearing loss early education intervention coordinator. (a) The coordinator shall:

(1) collaborate with the early hearing detection and intervention coordinator for the Department of Health, the director of the Department of Education Resource Center for Deaf and Hard-of-Hearing deaf and hard-of-hearing state specialist, and the Department of Health Early Hearing Detection and Intervention Advisory Council;

(2) coordinate and support Department of Education early hearing detection and intervention teams;

(3) leverage resources by serving as a liaison between interagency early intervention committees; part C coordinators from the Departments of Education, Health, and Human Services; Department of Education regional low-incidence facilitators; service coordinators from school districts; Minnesota children with special health needs in the Department of Health; public health nurses; child find; Department of Human Services Deaf and Hard-of-Hearing Services Division; and others as appropriate;

(4) identify, support, and promote culturally appropriate and evidence-based early intervention practices for infants with hearing loss, and provide training, outreach, and use of technology to increase consistency in statewide service provision;

(5) identify culturally appropriate specialized reliable and valid instruments to assess and track the progress of children with hearing loss and promote their use;

(6) ensure that early childhood providers, parents, and members of the individual family service and intervention plan are provided with child progress data resulting from specialized assessments;

(7) educate early childhood providers and teachers of the deaf and hard-of-hearing to use developmental data from specialized assessments to plan and adjust individual family service plans; and
(8) make recommendations that would improve educational outcomes to the early
hearing detection and intervention committee, the commissioners of education and health,
the Commission of Deaf, DeafBlind and Hard-of-Hearing Minnesotans, and the advisory
council of the Minnesota Department of Education Resource Center for the deaf and
hard-of-hearing.
(b) The Department of Education must provide aggregate data regarding outcomes
of deaf and hard-of-hearing children who receive early intervention services within the
state in accordance with the state performance plan.

Sec. 18. Minnesota Statutes 2014, section 125A.76, subdivision 1, is amended to read:
Subdivision 1. Definitions. (a) For the purposes of this section and section 125A.79,
the definitions in this subdivision apply.
(b) "Basic revenue" has the meaning given it in section 126C.10, subdivision 2.
For the purposes of computing basic revenue pursuant to this section, each child with a
disability shall be counted as prescribed in section 126C.05, subdivision 1.
(c) "Essential personnel" means teachers, cultural liaisons, related services, and
support services staff providing services to students. Essential personnel may also include
special education paraprofessionals or clericals providing support to teachers and students
by preparing paperwork and making arrangements related to special education compliance
requirements, including parent meetings and individualized education programs. Essential
personnel does not include administrators and supervisors.
(d) "Average daily membership" has the meaning given it in section 126C.05.
(e) "Program growth factor" means 1.046 for fiscal years 2012 through 2015, 1.0
for fiscal year 2016, 1.046 for fiscal year 2017, and the product of 1.046 and the program
growth factor for the previous year for fiscal year 2018 and later.
(f) "Nonfederal special education expenditure" means all direct expenditures that
are necessary and essential to meet the district's obligation to provide special instruction
and services to children with a disability according to sections 124D.454, 125A.03 to
125A.24, 125A.259 to 125A.48, and 125A.65 as submitted by the district and approved by
the department under section 125A.75, subdivision 4, excluding expenditures:
(1) reimbursed with federal funds;
(2) reimbursed with other state aids under this chapter;
(3) for general education costs of serving students with a disability;
(4) for facilities;
(5) for pupil transportation; and
(6) for postemployment benefits.
(g) "Old formula special education expenditures" means expenditures eligible for revenue under Minnesota Statutes 2012, section 125A.76, subdivision 2.

(h) For the Minnesota State Academy for the Deaf and the Minnesota State Academy for the Blind, expenditures under paragraphs (f) and (g) are limited to the salary and fringe benefits of one-to-one instructional and behavior management aides and one-to-one licensed, certified professionals assigned to a child attending the academy, if the aides or professionals are required by the child's individualized education program.

(i) "Cross subsidy reduction aid percentage" means 1.0 percent for fiscal year 2014 and 2.27 percent for fiscal year 2015.

(j) "Cross subsidy reduction aid limit" means $20 for fiscal year 2014 and $48 for fiscal year 2015.

(k) "Special education aid increase limit" means $80 for fiscal year 2016, $100 for fiscal year 2017, and, for fiscal year 2018 and later, the sum of the special education aid increase limit for the previous fiscal year and $40.

(l) "District" means a school district, a charter school, or a cooperative unit as defined in section 123A.24, subdivision 2. Notwithstanding section 123A.26, cooperative units as defined in section 123A.24, subdivision 2, are eligible to receive special education aid under this section and section 125A.79.

EFFECTIVE DATE. This section is effective for fiscal year 2016 and later.

Sec. 19. Minnesota Statutes 2014, section 125A.76, subdivision 2c, is amended to read:

Subd. 2c. Special education aid. (a) For fiscal year 2014 and fiscal year 2015, a district's special education aid equals the sum of the district's special education aid under subdivision 5, the district's cross subsidy reduction aid under subdivision 2b, and the district's excess cost aid under section 125A.79, subdivision 7.

(b) For fiscal year 2016 and later, a district's special education aid equals the sum of the district's special education initial aid under subdivision 2a and the district's excess cost aid under section 125A.79, subdivision 5.

(c) Notwithstanding paragraph (b), for fiscal year 2016, the special education aid for a school district must not exceed the sum of the special education aid the district would have received for fiscal year 2016 under Minnesota Statutes 2012, sections 125A.76 and 125A.79, as adjusted according to Minnesota Statutes 2012, sections 125A.11 and 127A.47, subdivision 7, and the product of the district's average daily membership served and the special education aid increase limit.

(d) Notwithstanding paragraph (b), for fiscal year 2017 and later, the special education aid for a school district must not exceed the sum of: (i) the product of the district's average...
daily membership served and the special education aid increase limit and (ii) the product
of the sum of the special education aid the district would have received for fiscal year 2016
under Minnesota Statutes 2012, sections 125A.76 and 125A.79, as adjusted according
to Minnesota Statutes 2012, sections 125A.11 and 127A.47, subdivision 7, the ratio of
the district's average daily membership served for the current fiscal year to the district's
average daily membership served for fiscal year 2016, and the program growth factor.

(e) Notwithstanding paragraph (b), for fiscal year 2016 and later the special
education aid for a school district, not including a charter school or cooperative unit as
defined in section 123A.24, must not be less than the lesser of (1) the district's nonfederal
special education expenditures for that fiscal year or (2) the product of the sum of the
special education aid the district would have received for fiscal year 2016 under Minnesota
Statutes 2012, sections 125A.76 and 125A.79, as adjusted according to Minnesota Statutes
2012, sections 125A.11 and 127A.47, subdivision 7, the ratio of the district's adjusted
daily membership for the current fiscal year to the district's average daily membership for
fiscal year 2016, and the program growth factor.

(f) Notwithstanding subdivision 2a and section 125A.79, a charter school in its first
year of operation shall generate special education aid based on current year data. A newly
formed cooperative unit as defined in section 123A.24 may apply to the commissioner
for approval to generate special education aid for its first year of operation based on
current year data, with an offsetting adjustment to the prior year data used to calculate aid
for programs at participating school districts or previous cooperatives that were replaced
by the new cooperative.

Sec. 20. SPECIAL EDUCATION EVALUATION.

Subdivision 1. Special education teachers' compliance with legal requirements.
The Department of Education must identify ways to give teachers working with eligible
children with disabilities sufficient written and online resources to make informed decisions
about how to effectively comply with legal requirements related to providing special
education programs and services, including writing individualized education programs and
related documents, among other requirements. The department must work collaboratively
with teachers working with eligible children with disabilities, other school and district staff,
and representatives of affected organizations, including Education Minnesota, Minnesota
School Boards Association, and Minnesota Administrators of Special Education, among
others, to identify obstacles to and solutions for teachers' confusion about complying with
legal requirements governing special education programs and services. The department
must work with schools and districts to provide staff development training to better
comply with applicable legal requirements while meeting the educational needs and improving the educational progress of eligible children with disabilities.

Subd. 2. Efficiencies to reduce paperwork. The Department of Education, in collaboration with teachers and administrators working with eligible children with disabilities in schools and districts, must identify strategies to effectively decrease the amount of time teachers spend completing paperwork for special education programs and services, evaluate whether the strategies are cost-effective, and determine whether other schools and districts are able to effectively use the strategies given available staff and resources. Where an evaluation shows that particular paperwork reduction strategies are cost-effective without undermining the purpose of the paperwork or the integrity of special education requirements, the department must electronically disseminate and promote the strategies to other schools and districts throughout the state.

Subd. 3. Special education forms; reading level. The Department of Education must determine the current reading level of its special education forms, establish a target reading level for such forms, and, based on that target level, determine whether alternative forms are needed to accommodate the lexical and sublexical cognitive processes of individual form users and readers. The department must work with interested special education stakeholders and reading experts in making the determinations and identification required in this subdivision.

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

Sec. 21. APPROPRIATIONS.

Subdivision 1. Department of Education. The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

Subd. 2. Special education; regular. For special education aid under Minnesota Statutes, section 125A.75:

$ 1,170,508,000 ..... 2016

$ 1,229,706,000 ..... 2017

The 2016 appropriation includes $137,932,000 for 2015 and $1,032,576,000 for 2016.

The 2017 appropriation includes $145,356,000 for 2016 and $1,084,350,000 for 2017.
Subd. 3. Aid for children with disabilities. For aid under Minnesota Statutes, section 125A.75, subdivision 3, for children with disabilities placed in residential facilities within the district boundaries for whom no district of residence can be determined:

- $1,406,000 .... 2016
- $1,629,000 .... 2017

If the appropriation for either year is insufficient, the appropriation for the other year is available.

Subd. 4. Travel for home-based services. For aid under Minnesota Statutes, section 125A.75, subdivision 1:

- $361,000 .... 2016
- $371,000 .... 2017

The 2016 appropriation includes $35,000 for 2015 and $326,000 for 2016.

The 2017 appropriation includes $36,000 for 2016 and $335,000 for 2017.

Subd. 5. Court-placed special education revenue. For reimbursing serving school districts for unreimbursed eligible expenditures attributable to children placed in the serving school district by court action under Minnesota Statutes, section 125A.79, subdivision 4:

- $56,000 .... 2016
- $57,000 .... 2017

Subd. 6. Special education out-of-state tuition. For special education out-of-state tuition according to Minnesota Statutes, section 125A.79, subdivision 8:

- $250,000 .... 2016
- $250,000 .... 2017

Subd. 7. Training and technical assistance to reduce district use of seclusion and restraint. (a) For providing school districts with training and technical assistance to reduce district use of seclusion and restraint on students with complex needs:

- $750,000 .... 2016

(b) Of this appropriation, $500,000 is available to the commissioner to reimburse school districts for the cost of hiring experts to provide staff training in reducing district use of seclusion and restraint on students with complex needs.

(c) Of this appropriation, $250,000 is available to the commissioner for the costs of providing specialized training and assistance to school districts with a high use of seclusion and restraint on students with complex needs.
(d) The commissioner may contract with experts from intermediate school district teams or level four programs to provide the specialized training and technical assistance.

(e) Any funds unexpended in fiscal year 2016 do not cancel but carry forward into the next fiscal year.

Sec. 22. REPEALER.

Minnesota Statutes 2014, section 125A.63, subdivision 1, is repealed.

ARTICLE 6

FACILITIES AND TECHNOLOGY

Section 1. Minnesota Statutes 2014, section 123B.59, subdivision 6, is amended to read:

Subd. 6. Alternative facilities aid. A district's alternative facilities aid is the amount equal to equals 53.33 percent of the district's annual debt service costs, provided that the amount does not exceed the amount certified to be levied for those purposes for taxes payable in 1997, or for a district that made a levy under subdivision 5, paragraph (b), the lesser of the district's annual levy amount, or one-sixth of the amount of levy that it certified for that purpose for taxes payable in 1998 alternative facilities aid for fiscal year 2016.

EFFECTIVE DATE. This section is effective for fiscal year 2017 and later.

Sec. 2. Minnesota Statutes 2014, section 123B.59, subdivision 7, is amended to read:

Subd. 7. Alternative facilities appropriation. (a) An amount not to exceed $19,700,000 $20,000,000 for fiscal year 2000, $20,000,000 $11,187,000 for fiscal year 2001, and each year thereafter is appropriated from the general fund to the commissioner of education for payment of alternative facilities aid under subdivision 6.

(b) The appropriation in paragraph (a) must be reduced by the amount of any money specifically appropriated for the same purpose in any year from any state fund.

EFFECTIVE DATE. This section is effective for fiscal year 2017 and later.

Sec. 3. Minnesota Statutes 2014, section 125B.26, subdivision 2, is amended to read:

Subd. 2. E-rates. To be eligible for aid under this section, a district, charter school, or intermediate school district is required to file an e-rate application either separately or through its telecommunications access cluster and have a current technology plan on file with the department. Discounts received on telecommunications expenditures shall be reflected in the costs submitted to the department for aid under this section.
Sec. 4. **FAIR SCHOOL DOWNTOWN TRANSITION.**

Subdivision 1. **Student enrollment.** A student enrolled in the FAIR School downtown during the 2014-2015 school year and a student accepted for enrollment during the 2015-2016 school year may continue to enroll in the FAIR School downtown in any year through the 2018-2019 school year. For the 2015-2016 school year and later, other students may apply for enrollment under Minnesota Statutes, section 124D.03.

Subd. 2. **Compensatory revenue; literacy aid; alternative compensation revenue.** For the 2015-2016 school year only, the Department of Education must calculate compensatory revenue, literacy aid, and alternative compensation revenue for the FAIR School downtown based on the October 1, 2014, enrollment counts.

Subd. 3. **Pupil transportation.** The district may transport a pupil enrolled in the 2014-2015 school year and a pupil accepted for enrollment during the 2015-2016 school year to and from the FAIR School downtown in succeeding school years regardless of the pupil's district of residence. Pupil transportation expenses under this section are reimbursable under Minnesota Statutes, section 124D.87.

**EFFECTIVE DATE.** This section is effective the day following the date on which the real and personal property of the FAIR School downtown in Minneapolis is conveyed to Special School District No. 1, Minneapolis.

Sec. 5. **FAIR SCHOOL CRYSTAL TRANSITION.**

Subdivision 1. **Student enrollment.** A student enrolled in the FAIR School Crystal during the 2014-2015 school year and a student accepted for enrollment during the 2015-2016 school year may continue to enroll in the FAIR School Crystal in any year through the 2019-2020 school year. For the 2015-2016 school year and later, other students may apply for enrollment under Minnesota Statutes, section 124D.03.

Subd. 2. **Compensatory revenue; literacy aid; alternative compensation revenue.** For the 2015-2016 school year only, the Department of Education must calculate compensatory revenue, literacy aid, and alternative compensation revenue for the FAIR School Crystal based on the October 1, 2014, enrollment counts.

Subd. 3. **Pupil transportation.** The district may transport a pupil enrolled in the 2014-2015 school year and a pupil accepted for enrollment during the 2015-2016 school year to and from the FAIR School Crystal in succeeding school years regardless of the pupil's district of residence. Pupil transportation expenses under this section are reimbursable under Minnesota Statutes, section 124D.87.
EFFECTIVE DATE. This section is effective the day following the date on which the real and personal property of the FAIR School Crystal in Crystal is conveyed to Independent School District No. 281, Robbinsdale.

Sec. 6. APPROPRIATIONS.

Subdivision 1. Department of Education. The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

Subd. 2. Health and safety revenue. For health and safety aid according to Minnesota Statutes, section 123B.57, subdivision 5:

151.10 $ 501,000 ..... 2016
151.11 $ 477,000 ..... 2017

The 2016 appropriation includes $66,000 for 2015 and $435,000 for 2016.

The 2017 appropriation includes $48,000 for 2016 and $399,000 for 2017.

Subd. 3. Debt service equalization. For debt service aid according to Minnesota Statutes, sections 123B.53, subdivision 6, and 123B.535, subdivision 5:

151.16 $ 20,349,000 ..... 2016
151.17 $ 22,171,000 ..... 2017

The 2016 appropriation includes $2,295,000 for 2015 and $18,054,000 for 2016.

The 2017 appropriation includes $2,005,000 for 2016 and $20,166,000 for 2017.

Subd. 4. Alternative facilities bonding aid. For alternative facilities bonding aid, according to Minnesota Statutes, section 123B.59, subdivision 1:

151.18 $ 19,287,000 ..... 2016
151.19 $ 11,187,000 ..... 2017

The 2016 appropriation includes $1,928,000 for 2015 and $17,359,000 for 2016.

The 2017 appropriation includes $1,928,000 for 2016 and $9,259,000 for 2017.

Subd. 5. Equity in telecommunications access. For equity in telecommunications access:

151.20 $ 3,750,000 ..... 2016
151.21 $ 3,750,000 ..... 2017

If the appropriation amount is insufficient, the commissioner shall reduce the reimbursement rate in Minnesota Statutes, section 125B.26, subdivisions 4 and 5, and the revenue for fiscal years 2016 and 2017 shall be prorated.
Any balance in the first year does not cancel but is available in the second year.

Subd. 6. Deferred maintenance aid. For deferred maintenance aid, according to Minnesota Statutes, section 123B.591, subdivision 4:

Subd. 7. Cancellation; IT certificates. All unspent funds, estimated at $299,000 for the information technology certificate partnership appropriation under Laws 2014, chapter 312, article 16, section 16, subdivision 5, are canceled to the general fund on June 30, 2015.

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

ARTICLE 7

NUTRITION AND ACCOUNTING

Section 1. Minnesota Statutes 2014, section 16A.103, subdivision 1c, is amended to read:

Subd. 1c. Expenditure data. (a) State agencies must submit any revisions in expenditure data the commissioner determines necessary for the forecast to the commissioner at least four weeks prior to the release of the forecast. The information submitted by state agencies and any modifications to that information made by the commissioner must be made available to legislative fiscal staff no later than three weeks prior to the release of the forecast.

(b) Notwithstanding paragraph (a), the Department of Education must submit any revisions in expenditure data to the commissioner at least three weeks before the release of the November forecast, and the commissioner must make E-12 expenditure data available to legislative fiscal staff no later than two weeks before the release of the November forecast.

Sec. 2. Minnesota Statutes 2014, section 123A.24, subdivision 1, is amended to read:

Subdivision 1. Distribution of assets and liabilities. (a) If a district withdraws from a cooperative unit defined in subdivision 2, the distribution of assets and assignment of liabilities to the withdrawing district shall be determined according to this subdivision.

(b) The withdrawing district remains responsible for its share of debt incurred by the cooperative unit according to section 123B.02, subdivision 3. The district and cooperative
unit may mutually agree, through a board resolution by each, to terms and conditions of
the distribution of assets and the assignment of liabilities.

(c) If the cooperative unit and the district cannot agree on the terms and conditions,
the commissioner shall resolve the dispute by determining the district's proportionate share
of assets and liabilities based on the district's enrollment, financial contribution, usage, or
other factor or combination of factors determined appropriate by the commissioner. If the
dispute requires the commissioner to involve an administrative law judge, any fees due
to the Office of Administrative Hearings must be equally split between the district and
cooperative unit. The assets must be disbursed to the withdrawing district in a manner
that minimizes financial disruption to the cooperative unit.

(d) Assets related to an insurance pool shall not be disbursed to a member district
under paragraph (c).

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

Sec. 3. Minnesota Statutes 2014, section 123B.77, subdivision 3, is amended to read:

Subd. 3. Statement for comparison and correction. (a) By November 30 of the
calendar year of the submission of the unaudited financial data, the district must provide to
the commissioner audited financial data for the preceding fiscal year. The audit must be
conducted in compliance with generally accepted governmental auditing standards, the
federal Single Audit Act, and the Minnesota legal compliance guide issued by the Office
of the State Auditor. An audited financial statement prepared in a form which will allow
comparison with and correction of material differences in the unaudited financial data shall
be submitted to the commissioner and the state auditor by December 31. The audited
financial statement must also provide a statement of assurance pertaining to uniform
financial accounting and reporting standards compliance and a copy of the management
letter submitted to the district by the school district's auditor.

(b) By February 1 of the calendar year following the submission of the unaudited
financial data, the commissioner shall convert the audited financial data required by this
subdivision into the consolidated financial statement format required under subdivision 1a
and publish the information on the department's Web site.

Sec. 4. Minnesota Statutes 2014, section 125A.75, subdivision 9, is amended to read:

Subd. 9. Litigation costs; annual report. (a) By November 30 of each year,
a school district must annually report the district's special education litigation costs,
including attorney fees and costs of due process hearings, to the commissioner of
education, consistent with the Uniform Financial Accounting and Reporting Standards.
(b) By January 15 February 1 of each year, the commissioner shall report school
district special education litigation costs to the house of representatives and the senate
committees having jurisdiction over kindergarten through grade 12 education finance.

Sec. 5. Minnesota Statutes 2014, section 127A.05, subdivision 6, is amended to read:
Subd. 6. Survey of districts. The commissioner of education shall survey the state's
school districts and teacher preparation programs and report to the education committees
of the legislature by January 15 February 1 of each odd-numbered year on the status of
teacher early retirement patterns, the teacher shortage, and the substitute teacher shortage,
including patterns and shortages in subject areas and regions of the state. The report must
also include how districts are making progress in hiring teachers and substitutes in the
areas of shortage and a five-year projection of teacher demand for each district.

Sec. 6. Minnesota Statutes 2014, section 127A.49, subdivision 1, is amended to read:
Subdivision 1. Omissions. No adjustments to any aid payments made pursuant
to this chapter or chapters 120B, 122A, 123A, 123B, 124D, 125A, and 126C resulting
from omissions in district reports, except those adjustments determined by the legislative
auditor, shall be made for any school year after December 30 15 of the next school year,
unless otherwise specifically provided by law.

Sec. 7. Laws 2013, chapter 116, article 7, section 19, is amended to read:
Sec. 19. FUND TRANSFER; FISCAL YEARS YEAR 2014 AND 2015
THROUGH FISCAL YEAR 2017 ONLY.
(a) Notwithstanding Minnesota Statutes, section 123B.80, subdivision 3, for fiscal
years year 2014 and 2015 through fiscal year 2017 only, the commissioner must approve
a request for a fund transfer if the transfer does not increase state aid obligations to the
district or result in additional property tax authority for the district. This section does not
permit transfers from the community service fund, the food service fund, or the reserved
account for staff development under section 122A.61.
(b) A school board may approve a fund transfer under paragraph (a) only after
adopting a resolution stating the fund transfer will not diminish instructional opportunities
for students.

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

Sec. 8. APPROPRIATIONS.
Subdivision 1. **Department of Education.** The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

Subd. 2. **School lunch.** For school lunch aid according to Minnesota Statutes, section 124D.111, and Code of Federal Regulations, title 7, section 210.17:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
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<tbody>
<tr>
<td>2016</td>
<td>$15,661,000</td>
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<tr>
<td>2017</td>
<td>$15,818,000</td>
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Subd. 3. **School breakfast.** For traditional school breakfast aid under Minnesota Statutes, section 124D.118:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
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<tbody>
<tr>
<td>2016</td>
<td>$9,731,000</td>
</tr>
<tr>
<td>2017</td>
<td>$10,361,000</td>
</tr>
</tbody>
</table>

Subd. 4. **Kindergarten milk.** For kindergarten milk aid under Minnesota Statutes, section 124D.118:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$942,000</td>
</tr>
<tr>
<td>2017</td>
<td>$942,000</td>
</tr>
</tbody>
</table>

Subd. 5. **Summer school service replacement aid.** For summer food service replacement aid under Minnesota Statutes, section 124D.119:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$150,000</td>
</tr>
<tr>
<td>2017</td>
<td>$150,000</td>
</tr>
</tbody>
</table>

**ARTICLE 8**

**LIBRARIES**

Section 1. Minnesota Statutes 2014, section 134.355, subdivision 8, is amended to read:

Subd. 8. **Eligibility.** A regional public library system may apply for regional library telecommunications aid. The aid must be used for data and video access maintenance, equipment, or installation of telecommunication lines on behalf of itself and member public libraries. The aid must be used for connections and other eligible nonvoice related e-rate program category one services. Aid may be used for e-rate program category two services as identified in the Federal Communication Commission's eligible services list for the current and preceding four funding years, if sufficient funds remain once category one needs are met in each funding year. To be eligible, a regional public library system must be officially designated by the commissioner of education as a regional public library system as defined in section 134.34, subdivision 3, and each of its participating cities and
sec. 156.1 counties must meet local support levels defined in section 134.34, subdivision 1. a public
library building that receives aid under this section must be open a minimum of 20 hours
per week. exceptions to the minimum open hours requirement may be granted by the
department of education on request of the regional public library system for the following
circumstances: short-term closing for emergency maintenance and repairs following a
natural disaster; in response to exceptional economic circumstances; building repair or
maintenance that requires public services areas to be closed; or to adjust hours of public
service to respond to documented seasonal use patterns.

Sec. 2. Minnesota Statutes 2014, section 134.355, subdivision 9, is amended to read:

Subd. 9. Telecommunications aid. An application for regional library
telecommunications aid must, at a minimum, contain information to document the
following:

1) the connections are adequate and employ an open network architecture that
will ensure interconnectivity and interoperability with school districts, postsecondary
education, or other governmental agencies;

2) that the connection is established through the most cost-effective means and that
the regional library has explored and coordinated connections through school districts,
postsecondary education, or other governmental agencies;

3) that the regional library system has and member libraries included in the
application have filed or are included in an e-rate application; and

4) other information, as determined by the commissioner of education, to ensure
that connections are coordinated, efficient, and cost-effective, take advantage of discounts,
and meet applicable state standards.

The library system may include costs associated with cooperative arrangements with
postsecondary institutions, school districts, and other governmental agencies.

Sec. 3. Minnesota Statutes 2014, section 134.355, subdivision 10, is amended to read:

Subd. 10. Award of funds. The commissioner of education shall develop an
application and a reporting form and procedures for regional library telecommunications
aid. Aid shall be based on actual costs of including, but not limited to, connections, as
documented in e-rate funding commitment decision letters for category one services and
acceptable documentation for category two services and funds available for this purpose.
The commissioner shall make payments directly to the regional public library system.

Sec. 4. DEPARTMENT OF EDUCATION; LIBRARY APPROPRIATIONS.
Subdivision 1. Department of Education. The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

Subd. 2. Basic system support. For basic system support aid under Minnesota Statutes, section 134.355:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$13,570,000</td>
</tr>
<tr>
<td>2017</td>
<td>$13,570,000</td>
</tr>
</tbody>
</table>

The 2016 appropriation includes $1,357,000 for 2015 and $12,213,000 for 2016.

The 2017 appropriation includes $1,357,000 for 2016 and $12,213,000 for 2017.

Subd. 3. Multicounty, multitype library systems. For aid under Minnesota Statutes, sections 134.353 and 134.354, to multicounty, multitype library systems:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$1,300,000</td>
</tr>
<tr>
<td>2017</td>
<td>$1,300,000</td>
</tr>
</tbody>
</table>

The 2016 appropriation includes $130,000 for 2015 and $1,170,000 for 2016.

The 2017 appropriation includes $130,000 for 2016 and $1,170,000 for 2017.

Subd. 4. Electronic library for Minnesota. For statewide licenses to online databases selected in cooperation with the Minnesota Office of Higher Education for school media centers, public libraries, state government agency libraries, and public or private college or university libraries:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$900,000</td>
</tr>
<tr>
<td>2017</td>
<td>$900,000</td>
</tr>
</tbody>
</table>

Any balance in the first year does not cancel but is available in the second year.

Subd. 5. Regional library telecommunications aid. For regional library telecommunications aid under Minnesota Statutes, section 134.355:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$2,300,000</td>
</tr>
<tr>
<td>2017</td>
<td>$2,300,000</td>
</tr>
</tbody>
</table>

The 2016 appropriation includes $230,000 for 2015 and $2,070,000 for 2016.

The 2017 appropriation includes $230,000 for 2016 and $2,070,000 for 2017.

ARTICLE 9

EARLY CHILDHOOD EDUCATION

Section 1. Minnesota Statutes 2014, section 121A.17, subdivision 5, is amended to read:
Subd. 5. Developmental screening program information. (a) The board must inform each resident family with a child eligible to participate in the developmental screening program, and a charter school that provides screening must inform families that apply for admission to the charter school, about the availability of the program and the state's requirement that a child receive a developmental screening or provide health records indicating that the child received a comparable developmental screening from a public or private health care organization or individual health care provider not later than 30 days after the first day of attending kindergarten in a public school. A school district must inform all resident families with eligible children under age seven, and a charter school that provides screening must inform families that apply for admission to the charter school, that their children may receive a developmental screening conducted either by the school district or by a public or private health care organization or individual health care provider and that the screening is not required if a statement signed by the child's parent or guardian is submitted to the administrator or other person having general control and supervision of the school that the child has not been screened.

(b) A school district that enrolls students from an adjoining state under section 124D.041 may inform a nonresident child whose family resides at a Minnesota address as assigned by the United States Postal Service about the availability of the developmental screening program and may provide screening under this section to that child.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2016 and later.

Sec. 2. Minnesota Statutes 2014, section 124D.041, subdivision 1, is amended to read:

Subdivision 1. Agreements. (a) The commissioner may enter into an agreement with the designated authority from an adjoining state to establish an enrollment options program between Minnesota and the adjoining state. Any agreement entered into pursuant to this section must specify the following:

(1) for students who are not residents of Minnesota, the enrollment options program applies only to a student whose resident school district borders Minnesota;

(2) the commissioner must negotiate equal, reciprocal rates with the designated authority from the adjoining state;

(3) if the adjoining state sends more students to Minnesota than Minnesota sends to the adjoining state, the adjoining state must pay the state of Minnesota the rate agreed upon under clause (2) for the excess number of students sent to Minnesota;
(4) if Minnesota sends more students to the adjoining state than the adjoining state sends to Minnesota, the state of Minnesota will pay the adjoining state the rate agreed upon under clause (2) for the excess number of students sent to the adjoining state;

(5) the application procedures for the enrollment options program between Minnesota and the adjoining state;

(6) the reasons for which an application for the enrollment options program between Minnesota and the adjoining state may be denied; and

(7) that a Minnesota school district is not responsible for transportation for any resident student attending school in an adjoining state under the provisions of this section.

A Minnesota school district may, at its discretion, provide transportation services for such a student.

(b) Any agreement entered into pursuant to this section may specify additional terms relating to any student in need of special education and related services pursuant to chapter 125A, including early childhood special education services. Any additional terms must apply equally to both states.

**EFFECTIVE DATE.** This section is effective July 1, 2015.

Sec. 3. Minnesota Statutes 2014, section 124D.041, subdivision 2, is amended to read:

Subd. 2. **Pupil accounting.** (a) Any student from an adjoining state enrolled in Minnesota pursuant to this section is included in the receiving school district's average daily membership and pupil units according to section 126C.05 as if the student were a resident of another Minnesota school district attending the receiving school district under section 124D.03.

(b) Any Minnesota resident student enrolled in an adjoining state pursuant to this section is included in the resident school district's average daily membership and pupil units according to section 126C.05 as if the student were a resident of the district attending another Minnesota school district under section 124D.03.

(c) A prekindergarten child from an adjoining state whose family resides at a Minnesota address as assigned by the United States Postal Service and is receiving early childhood special education services from a Minnesota school district is considered enrolled in a Minnesota school district.

**EFFECTIVE DATE.** This section is effective July 1, 2015.

Sec. 4. [124D.1295] **EARLY LEARNING PROGRAM COORDINATION.**
160.1 Subdivision 1. Early learning program coordination. A school board, after receiving written comments from its early childhood advisory council, may adopt a resolution allowing the district to offer a coordinated early learning program. A coordinated early learning program may provide early childhood family education services, school readiness services, and other early learning programs providing services to parents and children.

160.2 Subd. 2. Early learning program revenue sources. A school district's early learning program revenue includes its early childhood family education revenue under section 124D.135, school readiness program revenue under section 124D.16, and any other revenues set aside for early learning activities.

160.3 Subd. 3. Reserve account. A district that offers a coordinated early learning program must place all of the revenue it receives under subdivision 2 in an early learning program reserve account established in the community service fund.

160.4 EFFECTIVE DATE. This section is effective July 1, 2015.

160.5 Sec. 5. Minnesota Statutes 2014, section 124D.13, is amended to read:

124D.13 EARLY CHILDHOOD FAMILY EDUCATION (ECFE) PROGRAMS.

160.17 Subdivision 1. Establishment; purpose. A district that provides a community education program under sections 124D.18 and 124D.19 may establish an early childhood family education program as an individual program or as a part of an early learning program under section 124D.1295. Two or more districts, each of which provides a community education program, may cooperate to jointly provide an early childhood family education program. The purpose of the early childhood family education program is to provide parenting education to support children's learning and development.

160.18 Subd. 2. Program requirements. (a) Early childhood family education programs are programs for children in the period of life from birth to kindergarten, for the parents and other relatives of these children, and for expectant parents. To the extent that funds are insufficient to provide programs for all children, early childhood family education programs should emphasize programming for a child from birth to age three and encourage parents and other relatives to involve four- and five-year-old children in school readiness programs, and other public and nonpublic early learning programs. A district may not limit participation to school district residents. Early childhood family education programs must provide:
(1) programs to educate parents and other relatives about the physical, cognitive, social, and emotional development of children and to enhance the skills of parents and other relatives in providing for their children's learning and development;

(2) structured learning activities requiring interaction between children and their parents or relatives;

(3) structured learning activities for children that promote children's development and positive interaction with peers, which are held while parents or relatives attend parent education classes;

(4) information on related community resources;

(5) information, materials, and activities that support the safety of children, including prevention of child abuse and neglect;

(6) a community needs assessment that identifies new and underserved populations, identifies child and family risk factors, particularly those that impact children's learning and development, and assesses family and parenting education needs in the community;

(7) programming and services that are tailored to the needs of families and parents prioritized in the community needs assessment; and

(8) information about and, if needed, assist in making arrangements for an early childhood health and developmental screening under sections 121A.16 and 121A.17, when the child nears the third birthday.

Early childhood family education programs should prioritize programming and services for families and parents identified in the community needs assessment, particularly those families and parents with children with the most risk factors birth to age three.

Early childhood family education programs are encouraged to provide parents of English learners with translated oral and written information to monitor the program's impact on their children's English language development, to know whether their children are progressing in developing their English and native language proficiency, and to actively engage with and support their children in developing their English and native language proficiency.

The programs must include learning experiences for children, parents, and other relatives that promote children's early literacy and, where practicable, their native language skills and activities for children that require substantial involvement of the children's parents or other relatives. The program may provide parenting education programming or services to anyone identified in the community needs assessment. Providers must review the program periodically to assure the instruction and materials are not racially, culturally, or sexually biased. The programs must encourage parents to be aware of practices that may affect equitable development of children.
(b) For the purposes of this section, "relative" or "relatives" means noncustodial grandparents or other persons related to a child by blood, marriage, adoption, or foster placement, excluding parents.

Subd. 3. **Substantial parental involvement.** The requirement of substantial parental or other relative involvement in subdivision 2 means that:

(a) parents or other relatives must be physically present much of the time in classes with their children or be in concurrent classes;

(b) parenting education or family education must be an integral part of every early childhood family education program;

(c) early childhood family education appropriations must not be used for traditional day care or nursery school, or similar programs; and

(d) the form of parent involvement common to kindergarten, elementary school, or early childhood special education programs such as parent conferences, newsletters, and notes to parents do not qualify a program under subdivision 2.

Subd. 4. **Home visiting program.** (a) A district that levies for home visiting under section 124D.135, subdivision 6, shall use this revenue to include as part of the early childhood family education programs a parent education component that is designed to reach isolated or at-risk families.

The home visiting program must:

(1) incorporate evidence-informed parenting education practices designed to support the healthy growth and development of children, with a priority focus on reaching those children who have high needs at as early an age as possible;

(2) establish clear objectives and protocols for home visits;

(3) encourage families to make a transition from home visits to site-based parenting programs;

(4) provide program services that are community-based, accessible, and culturally relevant;

(5) foster collaboration among existing agencies and community-based organizations that serve young children and their families, such as public health evidence-based models of home visiting and Head Start home visiting; and

(6) provide information about and assist in making arrangements for an early childhood health and developmental screening when the child nears his or her third birthday.

The home visiting program should be provided by licensed parenting educators, certified family life educators, or professionals with an equivalent license that reflect the demographic composition of the community to the extent possible.
(b) A home visiting program must include information focused on early brain development, including but not limited to brain development at different life stages, expectations of cognitive functions at different life stages, suggested activities to encourage healthy brain development, and suggested activities to discourage negative brain development based on a child's surroundings.

Subd. 5. Separate accounts. The district operating an early childhood family education program independent of an early learning program under section 124D.1295 must maintain a separate account within the community education fund for money for early childhood family education programs.

Subd. 6. Participants' fees. A district must establish a reasonable sliding fee scale but it shall waive the fee for a participant unable to pay.

Subd. 7. Additional funding. A district may receive funds from any governmental agency or private source.

Subd. 8. Coordination. (a) A district must describe strategies to coordinate and maximize public and private community resources and reduce duplication of services.

(b) A district is encouraged to coordinate adult basic education programs provided to parents and early childhood family education programs provided to children to accomplish the goals of section 124D.895.

Subd. 9. District advisory councils. The board must appoint an advisory council from the area in which the program is provided. A majority of the council must be parents participating in the program, who represent the demographics of the community. The district must ensure, to the extent possible, that the council includes representation of families who are racially, culturally, linguistically, and economically diverse. The council must assist the board in developing, planning, and monitoring the early childhood family education program and the early learning program under section 124D.1295. The council must report to the board and the community education advisory council.

Subd. 10. Alternative council. A board may direct the community education council, required according to section 124D.19, subdivision 2, to perform the functions of the Advisory Council for Early Childhood Family Education.

Subd. 11. Teachers. A school board must employ necessary licensed teachers for its early childhood family education programs. The Board of Teaching, at its discretion, may grant an applicant a variance under this subdivision, consistent with sections 122A.09, subdivision 10, and 122A.25, and Board of Teaching rules.

Subd. 12. Assistance. The department must provide assistance to districts with programs described in this section. The department must establish guidelines that list...
barriers to learning and development affecting children served by early childhood family education programs.

Subd. 13. Program data submission requirements. Districts receiving early childhood family education revenue under section 124D.135 must submit annual program data, including data that demonstrates the program response to the community needs assessment, to the department by July 15 in the form and manner prescribed by the commissioner.

Subd. 14. Supervision. A program provided by a board must be supervised by a licensed early childhood teacher or a licensed parent educator.

Subd. 15. Parenting education transition program. To the extent that funds are sufficient, early childhood family education may provide parenting education transition programming for parents of children birth to grade three in districts in which there is a prekindergarten-grade three initiative in order to facilitate continued parent engagement in children's learning and development. Early childhood family education programs are encouraged to develop partnerships to provide a parenting education liaison to providers of other public and nonpublic early learning programs, such as Head Start, school readiness, child care, early childhood special education, local public health programs, and health care providers.

EFFECTIVE DATE. This section is effective July 1, 2015.

Sec. 6. Minnesota Statutes 2014, section 124D.135, is amended to read:

124D.135 EARLY CHILDHOOD FAMILY EDUCATION (ECFE) REVENUE.

Subdivision 1. Revenue. The revenue for early childhood family education programs for a school district equals $120 for fiscal year 2014 and the formula allowance for the year times 0.023 for fiscal year 2015 and later, times the greater of:

(1) 150; or

(2) the number of people under five years of age residing in the district on October 1 of the previous school year.

Subd. 2. Population. For the purposes of subdivision 1, data reported to the department may be used to determine the number of people under five years of age residing in the district. The commissioner, with the assistance of the state demographer, shall review the number reported by any district operating an early childhood family education program. If requested, the district shall submit to the commissioner an explanation of its methods and other information necessary to document accuracy. If the commissioner determines that the district has not provided sufficient documentation of
accuracy, the commissioner may request the state demographer to prepare an estimate of
the number of people under five years of age residing in the district and may use this
estimate for the purposes of subdivision 1.

Subd. 3. Early childhood family education levy. By September 30 of each year,
the commissioner shall establish a tax rate for early childhood family education revenue
that raises $22,135,000 in each fiscal year. If the amount of the early childhood family
education levy would exceed the early childhood family education revenue, the early
childhood family education levy must equal the early childhood family education revenue.
A district may not certify an early childhood family education levy unless it has met the
annual program data reporting requirements under section 124D.13, subdivision 13.

Subd. 4. Early childhood family education aid. If a district complies with the
provisions of section 124D.13, it must receive early childhood family education aid equal
to the difference between the early childhood family education revenue and the early
childhood family education levy. If the district does not levy the entire amount permitted,
the early childhood family education aid must be reduced in proportion to the actual
amount levied.

Subd. 5. Use of revenue restricted. (a) Early childhood family education revenue
may be used only for early learning programs, including early childhood family education
programs.

(b) Not more than five percent of early childhood family education revenue, as defined
in subdivision 7, may be used to administer early childhood family education programs.

(c) An early childhood family education program may use up to ten percent of its
early childhood family education revenue as defined in subdivision 1, including revenue
from participant fees, for equipment that is used in the early childhood family education
program. This revenue may only be used for the following purposes:

(1) to purchase or lease computers and related materials; and

(2) to purchase or lease equipment for instruction for participating children and
their families.

If a district anticipates an unusual circumstance requiring its early childhood family
education program capital expenditures to exceed the ten percent limitation, prior approval
to exceed the limit must be obtained in writing from the commissioner.

Subd. 6. Home visiting levy. A district that is eligible to levy for early childhood
family education under subdivision 3 and that enters into a collaborative agreement to
provide education services and social services to families with young children may levy
an amount equal to $1.60 times the number of people under five years of age residing in
the district on September 1 of the last school year. Levy revenue under this subdivision
must not be included as revenue under subdivision 1. The revenue must be used for home
visiting programs under section 124D.13, subdivision 4.

Subd. 7. **Reserve account.** Early childhood family education revenue, which
includes aids, levies, fees, grants, and all other revenues received by the district for early
childhood family education programs, must be maintained in either an early learning
program reserve account or a separate early childhood family education reserve account
within the community service fund.

**EFFECTIVE DATE.** This section is effective July 1, 2015.

Sec. 7. Minnesota Statutes 2014, section 124D.16, is amended to read:

**124D.16 SCHOOL READINESS AID.**

Subd. 2. **Amount of aid.** (a) A district is eligible to receive school readiness aid
for eligible prekindergarten pupils enrolled in a school readiness program under section
124D.15 if the biennial plan required by section 124D.15, subdivision 3a, has been
approved by the commissioner.

(b) A district must receive school readiness aid equal to:

(1) the number of four-year-old children in the district on October 1 for the previous
school year times the ratio of 50 percent of the total school readiness aid for that year to
the total number of four-year-old children reported to the commissioner for the previous
school year; plus

(2) the number of pupils enrolled in the school district from families eligible for the
free or reduced school lunch program for the previous school year times the ratio of
50 percent of the total school readiness aid for that year to the total number of pupils
in the state from families eligible for the free or reduced school lunch program for the
previous school year.

(c) For fiscal year 2015 and later, the total school readiness aid entitlement
equals $12,170,000.

Subd. 3. **Use of aid.** School readiness aid shall be used only to provide a school
readiness program or an early learning program and may be used to provide transportation.

Not more than five percent of program revenue, as defined in subdivision 5, may be used
for the cost of administering the program. Aid must be used to supplement and not supplant
local, state, and federal funding. Aid may not be used for instruction and services required
under sections 125A.03 to 125A.24 and 125A.65. Aid may not be used to purchase land
or construct buildings, but may be used to lease or renovate existing buildings.
Subd. 5. **Reserve account.** School readiness revenue, which includes aids, fees, grants, and all other revenues received by the district school readiness programs, must be maintained in either an early learning program reserve account or a separate school readiness reserve account within the community service fund.

**EFFECTIVE DATE.** This section is effective July 1, 2015.

Sec. 8. Minnesota Statutes 2014, section 124D.165, is amended to read:

**124D.165 EARLY LEARNING SCHOLARSHIPS.**

Subdivision 1. **Establishment; purpose.** There is established within the Office of Early Learning an early learning scholarships program in order to increase access to high-quality early childhood programs for children ages three to five.

Subd. 2. **Family eligibility.** (a) For a family to receive an early learning scholarship, parents or guardians must meet the following eligibility requirements:

(1) have a child three or four years of age on September 1 of the current school year, who has not yet started kindergarten; and

(2) have income equal to or less than 185 percent of federal poverty level income in the current calendar year, or be able to document their child's current participation in the free and reduced-price lunch program or child and adult care food program, National School Lunch Act, United States Code, title 42, sections 1751 and 1766; the Food Distribution Program on Indian Reservations, Food and Nutrition Act, United States Code, title 7, sections 2011-2036; Head Start under the federal Improving Head Start for School Readiness Act of 2007; Minnesota family investment program under chapter 256J; child care assistance programs under chapter 119B; the supplemental nutrition assistance program; or placement in foster care under section 260C.212.

(b) Notwithstanding the other provisions of this section, a parent under age 21 who is pursuing a high school or general education equivalency diploma or postsecondary training or education is eligible for an early learning scholarship if the parent has a child age zero to five years old and meets the income eligibility guidelines in this subdivision.

(c) Any siblings between the ages zero to five years old of a child who has been awarded a scholarship under this section must be awarded a scholarship upon request, provided the sibling attends the same program as long as funds are available.

(d) Beginning September 1, 2015, any child under the age of five years old on September 1 of the current school year who has not started kindergarten and is a recipient of an early learning scholarship funded under the federal Race to the Top - Early Learning
Challenge Grant must receive a scholarship under this section at the end of the child's Race
to the Top - Early Learning Challenge Grant scholarship as long as funds are available.

(d) (e) A child who has received a scholarship under this section must continue to
receive a scholarship each year until that child is eligible for kindergarten under section
120A.20 and as long as funds are available.

(e) (f) Early learning scholarships may not be counted as earned income for the
purposes of medical assistance under chapter 256B, MinnesotaCare under chapter 256L,
Minnesota family investment program under chapter 256J, child care assistance programs
under chapter 119B, or Head Start under the federal Improving Head Start for School

(g) A child from an adjoining state whose family resides at a Minnesota address as
assigned by the United States Postal Service, who has received developmental screening
under sections 121A.16 to 121A.19, who intends to enroll in a Minnesota school district,
and whose family meets the criteria of paragraph (a) is eligible for an early learning
scholarship under this section.

(h) County human services agencies working with families eligible for the basic
sliding fee child care program under chapter 119B, including the families on the basic
sliding fee waiting list, annually may notify these families by mail about the eligibility
criteria and the application process for receiving an early learning scholarship under
this section.

Subd. 3. **Administration.** (a) The **commissioner** director of the Office of Early
Learning shall establish application timelines and determine the schedule for awarding
scholarships that meets operational needs of eligible families and programs.

(b) The **commissioner** director may prioritize applications on factors including:

(1) family income;

(2) geographic location; and

(3) whether the child's family child:

(i) is in foster care;

(ii) is experiencing homelessness;

(iii) is on a waiting list for a publicly funded program providing early education
or child care services; or

(iv) has a parent under age 21 who is pursuing a high school or postsecondary
training or education.

(b) (c) For fiscal years 2014 and 2015 only, scholarships may not exceed $5,000
per year for each eligible child. For fiscal year 2016 and later, the **commissioner** director
shall establish a target for the average scholarship amount per child based on the results
of the rate survey conducted under section 119B.02, not to exceed the statewide general
education revenue per pupil in adjusted average daily membership. The director may
increase by up to 15 percent the scholarship amount for children enrolled in a three-star
Parent Aware-rated program and may increase by up to 20 percent the scholarship amount
for children enrolled in a four-star Parent Aware-rated program so long as any increase
added to the average scholarship amount does not exceed the actual program rate or tuition.

(e) (d) A four-star rated program that has children eligible for a scholarship enrolled
in or on a waiting list for a program beginning in July, August, or September may notify
the commissioner director, in the form and manner prescribed by the commissioner
director, each year of the program's desire to enhance program services or to serve more
children than current funding provides. The commissioner director may designate a
predetermined number of scholarship slots for that program and notify the program of
that number. Beginning July 1, 2016, a school district or Head Start program qualifying
under this paragraph, a licensed child care center, or a family child care provider
may use its established registration process to enroll scholarship recipients and may
verify a scholarship recipient's family income in the same manner as for other program
participants. Scholarships awarded under this paragraph must be paid to the eligible
program provider designated by the award recipient, and must be transferred to another
eligible program provider at the recipient's request.

(d) (e) A scholarship is awarded for a 12-month period. If the scholarship recipient
has not been accepted and subsequently enrolled in a rated program within ten months of
the awarding of the scholarship, the scholarship cancels and the recipient must reapply in
order to be eligible for another scholarship. A child may not be awarded more than one
scholarship in a 12-month period.

(e) (f) A child who receives a scholarship who has not completed development
screening under sections 121A.16 to 121A.19 must complete that screening within 90
days of first attending an eligible program.

(f) (g) For fiscal year 2017 2016 and later, a school district or Head Start program
enrolling scholarship recipients under paragraph (c) may apply to the commissioner, in
the form and manner prescribed by the commissioner, for direct payment of state aid.
Upon receipt of the application, the commissioner must pay each program directly for
each approved scholarship recipient enrolled under paragraph (e) according to the metered
payment system or another schedule established by the commissioner. the total amount of
funding directly allocated to a program under paragraph (d) must not exceed the amount
directly awarded to those programs in fiscal year 2015.
Subd. 4. Early childhood program eligibility. (a) In order to be eligible to accept an early learning scholarship, a program must:

1. participate in the quality rating and improvement system under section 124D.142; and

2. beginning July 1, 2016, have a three- or four-star rating in the quality rating and improvement system or be a program the director determines is eligible based on an evidence-based program evaluation or program review.

(b) Any program accepting scholarships must use the revenue to supplement and not supplant federal funding.

(c) Notwithstanding paragraph (a), all Minnesota early learning foundation scholarship program pilot sites are eligible to accept an early learning scholarship under this section.

(c) A provider is not eligible to participate in the scholarship program under this section if:

1. the provider has been disqualified from receiving payment for child care services from the child care assistance program under chapter 119B due to wrongfully obtaining child care assistance under section 256.98, subdivision 8, paragraph (c);

2. the program or individual is currently on the national disqualified list for the Child and Adult Care Food Program; or

3. the program or provider has been convicted of any activity that occurred during the past seven years indicating a lack of business integrity, including fraud, making false statements, receiving stolen property, making false claims, or obstruction of justice.

Subd. 4a. Record-keeping requirements. A program participating under this section must maintain and, at the director's request, make available to the director the attendance records and records of charges and payments for all children participating in this program, including payments from sources other than this program.

Subd. 5. Report required. The commissioner shall contract with an independent contractor to evaluate the early learning scholarship program. The evaluation must include recommendations regarding the appropriate scholarship amount, efficiency, and effectiveness of the administration, and impact on kindergarten readiness. By January 15, 2016, the commissioner shall submit a written copy of the evaluation to the chairs and ranking minority members of the legislative committees and divisions with primary jurisdiction over kindergarten through grade 12 education.

Subd. 6. Use of funds. (a) Scholarships must be used to supplement and not supplant federal funding.
(b) A scholarship must be used in a program the child regularly attends to ensure
the child's access to the general curriculum of the program, consistent with the program
schedule.

**EFFECTIVE DATE.** This section is effective for fiscal year 2016 and later.

Sec. 9. Minnesota Statutes 2014, section 125A.03, is amended to read:

**125A.03 SPECIAL INSTRUCTION FOR CHILDREN WITH A DISABILITY.**

(a) As defined in paragraph (b), every district must provide special instruction and
services, either within the district or in another district, for all children with a disability,
including providing required services under Code of Federal Regulations, title 34, section
300.121, paragraph (d), to those children suspended or expelled from school for more than
ten school days in that school year, who are residents of the district and who are disabled
as set forth in section 125A.02. For purposes of state and federal special education laws,
the phrase "special instruction and services" in the state Education Code means a free
and appropriate public education provided to an eligible child with disabilities. "Free
appropriate public education" means special education and related services that:

1. are provided at public expense, under public supervision and direction, and
without charge;

2. meet the standards of the state, including the requirements of the Individuals
with Disabilities Education Act, Part B or C;

3. include an appropriate preschool, elementary school, or secondary school
education; and

4. are provided to children ages three through 21 in conformity with an
individualized education program that meets the requirements of the Individuals with
Disabilities Education Act, subpart A, sections 300.320 to 300.324, and provided to
infants and toddlers in conformity with an individualized family service plan that meets
the requirements of the Individuals with Disabilities Education Act, subpart A, sections
303.300 to 303.346.

(b) Notwithstanding any age limits in laws to the contrary, special instruction and
services must be provided from birth until July 1 after the child with a disability becomes
21 years old but shall not extend beyond secondary school or its equivalent, except as
provided in section 124D.68, subdivision 2. Local health, education, and social service
agencies must refer children under age five who are known to need or suspected of
needing special instruction and services to the school district. Districts with less than the
minimum number of eligible children with a disability as determined by the commissioner.
must cooperate with other districts to maintain a full range of programs for education and services for children with a disability. This section does not alter the compulsory attendance requirements of section 120A.22.

(c) At the board's discretion, a school district that participates in a reciprocity agreement with a neighboring state under section 124D.041 may enroll and provide special instruction and services to a child from an adjoining state whose family resides at a Minnesota address as assigned by the United States Postal Service if the district has completed child identification procedures for that child to determine the child's eligibility for special education services, and the child has received developmental screening under sections 121A.16 to 121A.19.

**EFFECTIVE DATE.** This section is effective July 1, 2015.

Sec. 10. APPROPRIATIONS.

Subdivision 1. Department of Education. The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

Subd. 2. School readiness. For revenue for school readiness programs under Minnesota Statutes, sections 124D.15 and 124D.16:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$16,670,000</td>
</tr>
<tr>
<td>2017</td>
<td>$17,170,000</td>
</tr>
</tbody>
</table>

The 2016 appropriation includes $1,217,000 for 2015 and $15,453,000 for 2016.

The 2017 appropriation includes $1,717,000 for 2016 and $15,453,000 for 2017.

Subd. 3. Early childhood family education aid. For early childhood family education aid under Minnesota Statutes, section 124D.135:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$27,698,000</td>
</tr>
<tr>
<td>2017</td>
<td>$28,346,000</td>
</tr>
</tbody>
</table>

The 2016 appropriation includes $2,713,000 for 2015 and $24,985,000 for 2016.

The 2017 appropriation includes $2,776,000 for 2016 and $25,570,000 for 2017.

Subd. 4. Developmental screening aid. For developmental screening aid under Minnesota Statutes, sections 121A.17 and 121A.19:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$3,363,000</td>
</tr>
<tr>
<td>2017</td>
<td>$3,369,000</td>
</tr>
</tbody>
</table>

The 2016 appropriation includes $338,000 for 2015 and $3,025,000 for 2016.

The 2017 appropriation includes $336,000 for 2016 and $3,033,000 for 2017.
Subd. 5. **Head Start program.** (a) For Head Start programs under Minnesota Statutes, section 119A.52:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$20,100,000</td>
</tr>
<tr>
<td>2017</td>
<td>$20,100,000</td>
</tr>
</tbody>
</table>

(b) Head Start programs must use the funds under this subdivision to increase the number of eligible children served beyond the number of eligible children served under federal funds.

(c) No Head Start programs providing compensation or other employment benefits that exceed established federal limits may receive funding under this subdivision.

Subd. 6. **Educate parents partnership.** For the educate parents partnership under Minnesota Statutes, section 124D.129:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$49,000</td>
</tr>
<tr>
<td>2017</td>
<td>$49,000</td>
</tr>
</tbody>
</table>

Subd. 7. **Kindergarten entrance assessment initiative and intervention program.** For the kindergarten entrance assessment initiative and intervention program under Minnesota Statutes, section 124D.162:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$281,000</td>
</tr>
<tr>
<td>2017</td>
<td>$281,000</td>
</tr>
</tbody>
</table>

Subd. 8. **Early learning scholarships.** For the early learning scholarship program under Minnesota Statutes, section 124D.165:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$37,884,000</td>
</tr>
<tr>
<td>2017</td>
<td>$47,884,000</td>
</tr>
</tbody>
</table>

Up to $950,000 each year is for administration of this program.

Any balance in the first year does not cancel but is available in the second year.

Subd. 9. **Parent-child home program.** For a grant to the parent-child home program:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$350,000</td>
</tr>
<tr>
<td>2017</td>
<td>$350,000</td>
</tr>
</tbody>
</table>

The grant must be used for an evidence-based and research-validated early childhood literacy and school readiness program for children ages 16 months to four years at its existing suburban program location. The program must include urban and rural program locations for fiscal years 2016 and 2017.
Subd. 10. **Northside Achievement Zone.** For a grant to the Northside Achievement Zone:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$200,000</td>
</tr>
<tr>
<td>2017</td>
<td>$200,000</td>
</tr>
</tbody>
</table>

Funds appropriated in this section are to reduce multigenerational poverty and the educational achievement gap through increased enrollment of families within the zone, and may be used for Northside Achievement Zone programming and services consistent with federal Promise Neighborhood program agreements and requirements.

Subd. 11. **St. Paul Promise Neighborhood.** For a grant to the St. Paul Promise Neighborhood:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$200,000</td>
</tr>
<tr>
<td>2017</td>
<td>$200,000</td>
</tr>
</tbody>
</table>

Funds appropriated in this section are to reduce multigenerational poverty and the educational achievement gap through increased enrollment of families within the zone, and may be used for St. Paul Promise Neighborhood programming and services consistent with federal Promise Neighborhood program agreements and requirements.

Subd. 12. **Quality Rating System.** For transfer to the commissioner of human services for the purposes of expanding the Quality Rating and Improvement System under Minnesota Statutes, section 124D.142, in greater Minnesota and increasing supports for providers participating in the Quality Rating and Improvement System:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$1,200,000</td>
</tr>
<tr>
<td>2017</td>
<td>$2,300,000</td>
</tr>
</tbody>
</table>

Any balance in the first year does not cancel but is available in the second year.

**ARTICLE 10**

**PREVENTION**

Section 1. **APPROPRIATION.**

Subdivision 1. **Department of Education.** The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

Subd. 2. **Community education aid.** For community education aid under Minnesota Statutes, section 124D.20:
The 2016 appropriation includes $107,000 for 2015 and $681,000 for 2016.

The 2017 appropriation includes $75,000 for 2016 and $479,000 for 2017.

Subd. 3. **Adults with disabilities program aid.** For adults with disabilities programs under Minnesota Statutes, section 124D.56:

\[
\begin{array}{ccc}
\text{year} & \text{amount} & \text{year} \\
2016 & $710,000 & 2017 & $710,000 \\
\end{array}
\]

The 2016 appropriation includes $71,000 for 2015 and $639,000 for 2016.

The 2017 appropriation includes $71,000 for 2016 and $639,000 for 2017.

Subd. 4. **Hearing-impaired adults.** For programs for hearing-impaired adults under Minnesota Statutes, section 124D.57:

\[
\begin{array}{ccc}
\text{year} & \text{amount} & \text{year} \\
2016 & $70,000 & 2017 & $70,000 \\
\end{array}
\]

Subd. 5. **School-age care revenue.** For extended day aid under Minnesota Statutes, section 124D.22:

\[
\begin{array}{ccc}
\text{year} & \text{amount} & \text{year} \\
2016 & $1,000 & 2017 & $1,000 \\
\end{array}
\]

ARTICLE 11

SELF-SUFFICIENCY AND LIFELONG LEARNING

Section 1. Minnesota Statutes 2014, section 124D.531, subdivision 1, is amended to read:

Subdivision 1. **State total adult basic education aid.** (a) The state total adult basic education aid for fiscal year 2011 equals $44,419,000, plus any amount that is not paid during the previous fiscal year as a result of adjustments under subdivision 4, paragraph (a), or section 124D.52, subdivision 3. The state total adult basic education aid for later fiscal years equals:

(1) the state total adult basic education aid for the preceding fiscal year plus any amount that is not paid for during the previous fiscal year, as a result of adjustments under subdivision 4, paragraph (a), or section 124D.52, subdivision 3; times
(2) the lesser of:

(i) 4.03 \times 1.005; or

(ii) the average growth in state total contact hours over the prior ten program years.

Three percent of the state total adult basic education aid must be set aside for adult basic education supplemental service grants under section 124D.522.

(b) The state total adult basic education aid, excluding basic population aid, equals the difference between the amount computed in paragraph (a), and the state total basic population aid under subdivision 2.

**EFFECTIVE DATE.** This section is effective for fiscal year 2016 and later.

Sec. 2. Minnesota Statutes 2014, section 124D.531, subdivision 2, is amended to read:

Subd. 2. **Basic population aid.** (a) A district is eligible for basic population aid if the district has a basic service level approved by the commissioner under section 124D.52, subdivision 5, or is a member of a consortium with an approved basic service level. Basic population aid is equal to the greater of $3,844 or $1.73 times the population of the district.

District population is determined according to section 275.14.

(b) The basic population aid for approved community-based providers of an adult basic education program without a specific defined district population equals $1.73 times the number of students participating in the program during the previous calendar year.

**EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2016 and later.

Sec. 3. Minnesota Statutes 2014, section 124D.531, subdivision 3, is amended to read:

Subd. 3. **Program revenue.** Adult basic education programs established under section 124D.52 and approved by the commissioner are eligible for revenue under this subdivision. For fiscal year 2001 and later, Adult basic education revenue for each approved program equals the sum of:

(1) the basic population aid under subdivision 2 for districts participating in the program during the current program year; plus

(2) 84 percent times the amount computed in subdivision 1, paragraph (b), times the ratio of the contact hours for students participating in the program during the first prior program year to the state total contact hours during the first prior program year; plus

(3) eight percent times the amount computed in subdivision 1, paragraph (b), times the ratio of the enrollment of English learners during the second prior school year in districts participating in the program during the current program year to the state total...
enrollment of English learners during the second prior school year in districts participating in adult basic education programs during the current program year; plus

(4) eight percent times the amount computed in subdivision 1, paragraph (b), times the ratio of the latest federal census count of the number of adults aged 25 or older with no diploma residing in the districts participating in the program during the current program year to the latest federal census count of the state total number of adults aged 25 or older with no diploma residing in the districts participating in adult basic education programs during the current program year; and

(5) for an approved community-based provider of an adult basic education program without district characteristics necessary to calculate revenue under clauses (3) and (4), the average revenue per participant for programs receiving revenue under those clauses for the previous year, times the program's participants for the previous year.

**EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2016 and later.

Sec. 4. **APPROPRIATIONS.**

Subdivision 1. **Department of Education.** The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

**Subd. 2. Adult basic education aid.** For adult basic education aid under Minnesota Statutes, section 124D.531:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$48,036,000</td>
</tr>
<tr>
<td>2017</td>
<td>$48,276,000</td>
</tr>
</tbody>
</table>

The 2016 appropriation includes $4,782,000 for 2015 and $43,254,000 for 2016.

The 2017 appropriation includes $4,806,000 for 2016 and $43,470,000 for 2017.

**Subd. 3. GED tests.** For payment of 60 percent of the costs of GED tests under Minnesota Statutes, section 124D.55:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$125,000</td>
</tr>
<tr>
<td>2017</td>
<td>$125,000</td>
</tr>
</tbody>
</table>

**ARTICLE 12**

**STATE AGENCIES**

Section 1. **[119A.035] SCHOOL CRISIS RESPONSE TEAMS.**
Subdivision 1. **Commissioner's duties.** To ensure timely responses to school crises, the commissioner must work in cooperation with the Minnesota School Safety Center to collect, maintain, and make available to schools contact information for crisis response teams throughout the state.

Subd. 2. **Crisis response teams.** In regions of Minnesota where an existing crisis response team has not been formed by a school district, county, or city, the commissioner, in cooperation with the Minnesota School Safety Center, must convene a working group in each region to develop a plan to form a crisis response team for that region. Team members from the public and private sectors may represent various disciplines, including school administrators, guidance counselors, psychologists, social workers, teachers, nurses, security experts, media relations professionals, and other related areas.

Sec. 2. Minnesota Statutes 2014, section 122A.14, subdivision 9, is amended to read:

Subd. 9. **Fee.** Each person licensed by the Board of School Administrators shall pay the board a fee of $75, collected each fiscal year. When transmitting notice of the license fee, the board also must notify the licensee of the penalty for failing to pay the fee within the time specified by the board. The board may provide a lower fee for persons on retired or inactive status. After receiving notice from the board, any licensed school administrator who does not pay the fee in the given fiscal year shall have all administrative licenses held by the person automatically suspended, without the right to a hearing, until the fee has been paid to the board. If the board suspends a licensed school administrator for failing to pay the fee, it must immediately notify the district currently employing the school administrator of the school administrator's suspension. The executive secretary shall deposit the fees in the educator licensure account in the special revenue fund in the state treasury.

Sec. 3. Minnesota Statutes 2014, section 122A.18, subdivision 7c, is amended to read:

Subd. 7c. **Temporary military license.** The Board of Teaching shall establish a temporary license in accordance with section 197.4552 for teaching. The fee for a temporary license under this subdivision shall be $87.90 for an online application or $86.40 for a paper application. Fee revenue must be deposited in the educator licensure account in the special revenue fund.

Sec. 4. Minnesota Statutes 2014, section 122A.18, subdivision 8, is amended to read:

Subd. 8. **Background checks.** (a) The Board of Teaching and the commissioner of education must request a criminal history background check from the superintendent
of the Bureau of Criminal Apprehension on all applicants for initial licenses under their jurisdiction. An application for a license under this section must be accompanied by:

1. an executed criminal history consent form, including fingerprints; and
2. a money order or cashier’s check payable to the Bureau of Criminal Apprehension for the fee for conducting payment to conduct the criminal history background check.

Proceeds from this fee must be deposited in the educator licensure background check account in the special revenue fund.

(b) The superintendent of the Bureau of Criminal Apprehension shall perform the background check required under paragraph (a) by retrieving criminal history data as defined in section 13.87 and shall also conduct a search of the national criminal records repository. The superintendent is authorized to exchange fingerprints with the Federal Bureau of Investigation for purposes of the criminal history check. The superintendent shall recover the cost to the bureau of a background check through the fee charged to the applicant under paragraph (a).

(c) The Board of Teaching or the commissioner of education may issue a license pending completion of a background check under this subdivision, but must notify the individual that the individual’s license may be revoked based on the result of the background check.

Sec. 5. [122A.185] SPECIAL REVENUE FUND ACCOUNTS; EDUCATOR LICENSURE AND BACKGROUND CHECKS.

Subdivision 1. Educator licensure account. An educator licensure account is created in the special revenue fund. Fees received by the Department of Education, the Board of Teaching, or the Board of Administrators must be deposited in the educator licensure account. Any funds appropriated from this account that remain unexpended at the end of the biennium cancel to the educator licensure account in the special revenue fund.

Subd. 2. Background check account. An educator licensure background check account is created in the special revenue fund. Payments received by the Department of Education, the Board of Teaching, or the Board of Administrators for the costs of the background checks to be conducted by the Bureau of Criminal Apprehension must be deposited in the education licensure background check account. Amounts in the account are appropriated to the commissioner of education for payment to the superintendent of the Bureau of Criminal Apprehension for the costs of background checks on applicants for licensure.

Sec. 6. Minnesota Statutes 2014, section 122A.21, subdivision 1, is amended to read:
Subdivision 1. **Licensure applications.** Each application for the issuance, renewal, or extension of a license to teach, including applications for licensure via portfolio under subdivision 2, must be accompanied by a processing fee of $57. Each application for issuing, renewing, or extending the license of a school administrator or supervisor must be accompanied by a processing fee in the amount set by the Board of Teaching. The processing fee for a teacher's license and for the licenses of supervisory personnel must be paid to the executive secretary of the appropriate board. The executive secretary of the board shall deposit the fees with the commissioner of management and budget must be deposited in the educator licensure account in the special revenue fund. The fees as set by the board are nonrefundable for applicants not qualifying for a license. However, a fee must be refunded by the commissioner of management and budget in any case in which the applicant already holds a valid unexpired license. The board may waive or reduce fees for applicants who apply at the same time for more than one license.

Sec. 7. Minnesota Statutes 2014, section 122A.21, subdivision 2, is amended to read:

Subd. 2. **Licensure via portfolio.** (a) An eligible candidate may use licensure via portfolio to obtain an initial licensure or to add a licensure field, consistent with the applicable Board of Teaching licensure rules.

(b) A candidate for initial licensure must submit to the Educator Licensing Division at the department one portfolio demonstrating pedagogical competence and one portfolio demonstrating content competence.

(c) A candidate seeking to add a licensure field must submit to the Educator Licensing Division at the department one portfolio demonstrating content competence.

(d) A candidate must pay to the executive secretary of the Board of Teaching a $300 fee for the first portfolio submitted for review and a $200 fee for any portfolio submitted subsequently. The fees must be paid to the executive secretary of the Board of Teaching. The revenue generated from the fee must be deposited in an education licensure portfolio account in the special revenue fund. The fees set by the Board of Teaching are nonrefundable for applicants not qualifying for a license. The Board of Teaching may waive or reduce fees for candidates based on financial need.

Sec. 8. **TRANSFERS.**

Subdivision 1. **Portfolio account.** On July 1, 2015, the commissioner of management and budget shall transfer any balances in the educator licensure portfolio account in the special revenue fund to an educator licensure account in the special revenue fund.
Subd. 2. **Background check.** Any balance in an account that holds fees collected under Minnesota Statutes, section 122A.18, subdivision 8, is transferred to the education licensure background check account in the special revenue fund in Minnesota Statutes, 122A.185, subdivision 2. On July 2, 2015, $80,000 is transferred from the education licensure background check account in the special revenue fund to the educator licensure account in the special revenue fund.

Sec. 9. **APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

Subdivision 1. **Department of Education.** Unless otherwise indicated, the sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

Subd. 2. **Department.** (a) For the Department of Education:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$18,032,000</td>
</tr>
<tr>
<td>2017</td>
<td>$17,652,000</td>
</tr>
</tbody>
</table>

(b) The fiscal year 2016 appropriation includes $17,142,000 from the general fund and $890,000 from the educator licensure account in the special revenue fund. The fiscal year 2017 appropriation includes $16,867,000 from the general fund and $745,000 from the educator licensure account in the special revenue fund.

(c) Of these amounts:

1. $260,000 each year is for the Minnesota Children's Museum;
2. $50,000 each year is for the Duluth Children's Museum;
3. $41,000 each year is for the Minnesota Academy of Science; and
4. $25,000 each year is for administration of the Innovative Education Pilot under Laws 2012, chapter 263, section 1.

(d) Any balance in the first year does not cancel but is available in the second year.

(e) None of the amounts appropriated under this subdivision may be used for Minnesota's Washington, D.C. office.

(f) The expenditures of federal grants and aids as shown in the biennial budget document and its supplements are approved and appropriated and shall be spent as indicated.

(g) This appropriation includes funds for information technology project services and support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing information technology costs will be incorporated into the service level agreement and will be paid to the Office of MN.IT Services by the Department of Education under the rates and mechanism specified in that agreement.
(h) $720,000 in fiscal year 2016 and $720,000 in fiscal year 2017 of the appropriation in paragraph (a) are from the educator licensure account in the special revenue fund for the educator licensure division to support the Boards of Teaching and Administrators.

(i) $50,000 in fiscal year 2016 of the appropriation in paragraph (a) is from the educator licensure account in the special revenue fund for IT-related costs associated with rulemaking for out-of-state teacher candidates.

(j) $120,000 in fiscal year 2016 and $25,000 in fiscal year 2017 in paragraph (a) are from the educator licensure account in the special revenue fund for IT-related costs associated with establishing interstate teacher licensure agreements.

(k) $23,000 each year is for collecting data on the number of deaths and hospitalizations for students who participate in travel abroad programs.

(l) $58,000 each year is for the Board of School Administrators.

Sec. 10. APPROPRIATIONS; BOARD OF TEACHING.

(a) $618,000 in fiscal year 2016 and $618,000 in fiscal year 2017 are appropriated from the educator licensure account in the special revenue fund to the Board of Teaching.

(b) $130,000 in fiscal year 2016 is appropriated from the educator licensure account in the special revenue fund for rulemaking related to additional teacher licensure activities.

(c) $25,000 in fiscal year 2016 and $25,000 in fiscal year 2017 are appropriated from the educator licensure account in the special revenue fund for travel and communications costs associated with establishing interstate teacher licensure agreements with adjoining states.

Sec. 11. APPROPRIATIONS; BOARD OF SCHOOL ADMINISTRATORS.

$167,000 in fiscal year 2016 and $167,000 in fiscal year 2017 are appropriated from the educator licensure account in the special revenue fund to the Board of School Administrators.

Sec. 12. APPROPRIATIONS; MINNESOTA STATE ACADEMIES.

(a) The sums indicated in this section are appropriated from the general fund to the Minnesota State Academies for the Deaf and the Blind for the fiscal years designated:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>12,672,000</td>
</tr>
<tr>
<td>2017</td>
<td>12,454,000</td>
</tr>
</tbody>
</table>

(b) Of the amounts appropriated in paragraph (a), $708,000 in fiscal year 2016 and $490,000 in fiscal year 2017 are for technology enhancements and may be used for:

1. computer hardware;
2. computer software;
3. connectivity, communications, and communications.
 infrastructure; (4) assistive technology; (5) access to electronic books and other online
materials, licenses, and subscriptions; and (6) technology staff and training costs.

(c) Any balance in the first year does not cancel but is available in the second year.
(d) The base for 2018 and later is $11,964,000.

Sec. 13. APPROPRIATIONS; PERPICH CENTER FOR ARTS EDUCATION.

The sums in this section are appropriated from the general fund to the Perpich
Center for Arts Education for the fiscal years designated:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$6,773,000</td>
</tr>
<tr>
<td>2017</td>
<td>$6,773,000</td>
</tr>
</tbody>
</table>

Any balance in the first year does not cancel but is available in the second year.

ARTICLE 13

FORECAST ADJUSTMENTS

A. GENERAL EDUCATION

Section 1. Laws 2013, chapter 116, article 1, section 58, subdivision 2, as amended
by Laws 2013, chapter 144, section 7, and Laws 2014, chapter 312, article 15, section
26, is amended to read:

Subd. 2. General education aid. For general education aid under Minnesota
Statutes, section 126C.13, subdivision 4:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>$6,851,419,000</td>
</tr>
<tr>
<td>2015</td>
<td>$6,443,330,000</td>
</tr>
</tbody>
</table>

The 2014 appropriation includes $780,156,000 for 2013 and $6,071,263,000 for
2014.

The 2015 appropriation includes $589,095,000 $586,824,000 for 2014 and
$5,875,104,000 $5,856,506,000 for 2015.

Sec. 2. Laws 2013, chapter 116, article 1, section 58, subdivision 3, as amended by
Laws 2014, chapter 312, article 22, section 1, is amended to read:

Subd. 3. Enrollment options transportation. For transportation of pupils attending
postsecondary institutions under Minnesota Statutes, section 124D.09, or for transportation
of pupils attending nonresident districts under Minnesota Statutes, section 124D.03:
 Sec. 3. Laws 2013, chapter 116, article 1, section 58, subdivision 4, as amended by Laws 2014, chapter 312, article 22, section 2, is amended to read:

Subd. 4. Abatement revenue. For abatement aid under Minnesota Statutes, section 127A.49:

The 2014 appropriation includes $301,000 for 2013 and $2,575,000 for 2014.

The 2015 appropriation includes $286,000 for 2014 and $2,817,000 for 2015.

for 2015.

 Sec. 4. Laws 2013, chapter 116, article 1, section 58, subdivision 5, as amended by Laws 2014, chapter 312, article 22, section 3, is amended to read:

Subd. 5. Consolidation transition. For districts consolidating under Minnesota Statutes, section 123A.485:

The 2014 appropriation includes $40,000 for 2013 and $545,000 for 2014.

The 2015 appropriation includes $60,000 for 2014 and $194,000 for 2015.

for 2015.

 Sec. 5. Laws 2013, chapter 116, article 1, section 58, subdivision 6, as amended by Laws 2014, chapter 312, article 15, section 27, is amended to read:

Subd. 6. Nonpublic pupil education aid. For nonpublic pupil education aid under Minnesota Statutes, sections 123B.40 to 123B.43 and 123B.87:

The 2014 appropriation includes $1,898,000 for 2013 and $13,969,000 for 2014.

The 2015 appropriation includes $1,552,000 for 2014 and $14,580,000 for 2015.
Sec. 6. Laws 2013, chapter 116, article 1, section 58, subdivision 7, as amended by Laws 2014, chapter 312, article 15, section 28, is amended to read:

Subd. 7. Nonpublic pupil transportation. For nonpublic pupil transportation aid under Minnesota Statutes, section 123B.92, subdivision 9:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>$18,500,000</td>
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<tr>
<td>2015</td>
<td>$18,118,000</td>
</tr>
</tbody>
</table>

The 2014 appropriation includes $2,602,000 for 2013 and $15,898,000 for 2014. The 2015 appropriation includes $1,766,000 for 2014 and $15,944,000 for 2015.

Sec. 7. Laws 2013, chapter 116, article 1, section 58, subdivision 11, as amended by Laws 2014, chapter 312, article 22, section 4, is amended to read:

Subd. 11. Career and technical aid. For career and technical aid under Minnesota Statutes, section 124D.4531, subdivision 1b:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>$3,959,000</td>
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<tr>
<td>2015</td>
<td>$5,617,000</td>
</tr>
</tbody>
</table>

The 2014 appropriation includes $0 for 2013 and $3,959,000 for 2014. The 2015 appropriation includes $439,000 for 2014 and $4,733,000 for 2015.

$5,172,000 for 2015.

B. EDUCATION EXCELLENCE

Sec. 8. Laws 2013, chapter 116, article 3, section 37, subdivision 3, as amended by Laws 2014, chapter 312, article 22, section 5, is amended to read:

Subd. 3. Achievement and integration aid. For achievement and integration aid under Minnesota Statutes, section 124D.862:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>$55,609,000</td>
</tr>
<tr>
<td>2015</td>
<td>$63,831,000</td>
</tr>
</tbody>
</table>

The 2014 appropriation includes $0 for 2013 and $55,609,000 for 2014. The 2015 appropriation includes $6,178,000 for 2014 and $56,514,000 for 2015.

$57,445,000 for 2015.

Sec. 9. Laws 2013, chapter 116, article 3, section 37, subdivision 4, as amended by Laws 2014, chapter 312, article 22, section 6, is amended to read:
Subd. 4. Literacy incentive aid. For literacy incentive aid under Minnesota Statutes, section 124D.98:

186.3 $ 50,998,000 ..... 2014
186.4 47,458,000
186.5 $ 44,839,000 ..... 2015

The 2014 appropriation includes $6,607,000 for 2013 and $44,391,000 for 2014.

The 2015 appropriation includes $4,932,000 for 2014 and $42,526,000 for 2015.

Sec. 10. Laws 2013, chapter 116, article 3, subdivision 5, as amended by Laws 2014, chapter 312, article 22, section 7, is amended to read:

Subd. 5. Interdistrict desegregation or integration transportation grants. For interdistrict desegregation or integration transportation grants under Minnesota Statutes, section 124D.87:

186.14 $ 13,521,000 ..... 2014
186.15 14,248,000
186.16 $ 14,261,000 ..... 2015

The 2015 appropriation includes $0 for 2014 and $71,599,000 for 2015.

Sec. 11. Laws 2013, chapter 116, article 3, subdivision 20, as amended by Laws 2013, chapter 144, section 10, and Laws 2014, chapter 312, article 22, section 9, is amended to read:

Subd. 20. Alternative compensation. For alternative teacher compensation aid under Minnesota Statutes, section 122A.415, subdivision 4:

186.22 71,599,000
186.23 $ 69,899,000 ..... 2015

The 2015 appropriation includes $0 for 2014 and $71,599,000 for 2015.

C. CHARTER SCHOOLS

Sec. 12. Laws 2013, chapter 116, article 4, subdivision 2, as amended by Laws 2014, chapter 312, article 22, section 10, is amended to read:

Subd. 2. Charter school building lease aid. For building lease aid under Minnesota Statutes, section 124D.11, subdivision 4:

186.30 $ 54,625,000 ..... 2014
186.31 58,294,000
186.32 $ 59,565,000 ..... 2015

The 2014 appropriation includes $6,681,000 for 2013 and $47,944,000 for 2014.
The 2015 appropriation includes $5,227,000 for 2014 and $52,967,000 for 2015.

D. SPECIAL PROGRAMS

Sec. 13. Laws 2013, chapter 116, article 5, section 31, subdivision 2, as amended by Laws 2013, chapter 144, section 14, and Laws 2014, chapter 312, article 22, section 11, is amended to read:

Subd. 2. Special education; regular. For special education aid under Minnesota Statutes, section 125A.75:

<table>
<thead>
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<th>Year</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>2014</td>
<td>$1,038,465,000</td>
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<tr>
<td>2015</td>
<td>$1,109,144,000</td>
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</tbody>
</table>

The 2014 appropriation includes $118,183,000 for 2013 and $920,282,000 for 2014.

The 2015 appropriation includes $129,317,000 for 2014 and $982,092,000 for 2015.

The 2014 appropriation includes $45,000 for 2013 and $306,000 for 2014.

The 2015 appropriation includes $33,000 for 2014 and $313,000 for 2015.
E. FACILITIES AND TECHNOLOGY

Sec. 16. Laws 2013, chapter 116, article 6, section 12, subdivision 2, as amended by
Laws 2014, chapter 312, article 22, section 15, is amended to read:

Subd. 2. Health and safety revenue. For health and safety aid according to
Minnesota Statutes, section 123B.57, subdivision 5:

<table>
<thead>
<tr>
<th>188.4</th>
<th>Subd. 2. Health and safety revenue. For health and safety aid according to Minnesota Statutes, section 123B.57, subdivision 5:</th>
</tr>
</thead>
<tbody>
<tr>
<td>188.4</td>
<td></td>
</tr>
</tbody>
</table>

The 2014 appropriation includes $24,000 for 2013 and $447,000 for 2014.

The 2015 appropriation includes $49,000 for 2014 and $602,000 for 2015.

Subd. 6. Deferred maintenance aid. For deferred maintenance aid, according to
Minnesota Statutes, section 123B.591, subdivision 4:

<table>
<thead>
<tr>
<th>188.11</th>
<th>Subd. 6. Deferred maintenance aid. For deferred maintenance aid, according to Minnesota Statutes, section 123B.591, subdivision 4:</th>
</tr>
</thead>
<tbody>
<tr>
<td>188.11</td>
<td></td>
</tr>
</tbody>
</table>

The 2014 appropriation includes $475,000 for 2013 and $3,402,000 for 2014.

The 2015 appropriation includes $378,000 for 2014 and $3,646,000 for 2015.

F. NUTRITION AND LIBRARIES

Sec. 17. Laws 2013, chapter 116, article 6, section 12, subdivision 6, as amended by
Laws 2014, chapter 312, article 22, section 18, is amended to read:

Subd. 6. Deferred maintenance aid. For deferred maintenance aid, according to
Minnesota Statutes, section 123B.591, subdivision 4:

<table>
<thead>
<tr>
<th>188.22</th>
<th>Subd. 6. Deferred maintenance aid. For deferred maintenance aid, according to Minnesota Statutes, section 123B.591, subdivision 4:</th>
</tr>
</thead>
<tbody>
<tr>
<td>188.22</td>
<td></td>
</tr>
</tbody>
</table>

The 2014 appropriation includes $475,000 for 2013 and $3,402,000 for 2014.

The 2015 appropriation includes $378,000 for 2014 and $3,646,000 for 2015.

Sec. 18. Laws 2013, chapter 116, article 7, section 21, subdivision 2, as amended by
Laws 2014, chapter 312, article 19, section 5, is amended to read:

Subd. 2. School lunch. For school lunch aid according to Minnesota Statutes,
section 124D.111, and Code of Federal Regulations, title 7, section 210.17:

<table>
<thead>
<tr>
<th>188.23</th>
<th>Subd. 2. School lunch. For school lunch aid according to Minnesota Statutes, section 124D.111, and Code of Federal Regulations, title 7, section 210.17:</th>
</tr>
</thead>
<tbody>
<tr>
<td>188.23</td>
<td></td>
</tr>
</tbody>
</table>

The 2014 appropriation includes $12,417,000 for 2014.

The 2015 appropriation includes $16,185,000 for 2015 and $15,506,000 for 2015.

Subd. 3. School breakfast. For traditional school breakfast aid under Minnesota
Statutes, section 124D.1158:

<table>
<thead>
<tr>
<th>188.24</th>
<th>Subd. 3. School breakfast. For traditional school breakfast aid under Minnesota Statutes, section 124D.1158:</th>
</tr>
</thead>
<tbody>
<tr>
<td>188.24</td>
<td></td>
</tr>
</tbody>
</table>

The 2014 appropriation includes $12,417,000 for 2014.

The 2015 appropriation includes $16,185,000 for 2015 and $15,506,000 for 2015.
Sec. 20. Laws 2013, chapter 116, article 7, section 21, subdivision 4, as amended by Laws 2014, chapter 312, article 22, section 19, is amended to read:

Subd. 4. Kindergarten milk. For kindergarten milk aid under Minnesota Statutes, section 124D.118:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>$992,000</td>
<td>2015</td>
</tr>
<tr>
<td>2015</td>
<td>$942,000</td>
<td></td>
</tr>
</tbody>
</table>

G. EARLY CHILDHOOD EDUCATION, SELF-SUFFICIENCY, AND LIFELONG LEARNING

Sec. 21. Laws 2013, chapter 116, article 8, section 5, subdivision 3, as amended by Laws 2014, chapter 312, article 20, section 17, is amended to read:

Subd. 3. Early childhood family education aid. For early childhood family education aid under Minnesota Statutes, section 124D.135:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>$22,797,000</td>
<td>2015</td>
</tr>
<tr>
<td>2015</td>
<td>$26,651,000</td>
<td></td>
</tr>
</tbody>
</table>

The 2014 appropriation includes $3,008,000 for 2013 and $19,789,000 for 2014. The 2015 appropriation includes $2,198,000 for 2014 and $24,425,000 for 2015.

Sec. 22. Laws 2013, chapter 116, article 8, section 5, subdivision 4, as amended by Laws 2014, chapter 312, article 22, section 23, is amended to read:

Subd. 4. Health and developmental screening aid. For health and developmental screening aid under Minnesota Statutes, sections 121A.17 and 121A.19:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>$3,524,000</td>
<td>2015</td>
</tr>
<tr>
<td>2015</td>
<td>$3,390,000</td>
<td></td>
</tr>
</tbody>
</table>

The 2014 appropriation includes $471,000 for 2013 and $3,053,000 for 2014. The 2015 appropriation includes $339,000 for 2014 and $3,051,000 for 2015.
Sec. 23. Laws 2013, chapter 116, article 8, section 5, subdivision 14, as amended by Laws 2014, chapter 312, article 20, section 20, is amended to read:

Subd. 14. **Adult basic education aid.** For adult basic education aid under Minnesota Statutes, section 124D.531:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>$48,776,000</td>
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<tr>
<td>2015</td>
<td>$47,750,000</td>
</tr>
</tbody>
</table>

The 2014 appropriation includes $6,278,000 for 2013 and $42,498,000 for 2014.

The 2015 appropriation includes $4,722,000 for 2014 and $43,693,000 for 2015.

$43,038,000 for 2015.
ARTICLE 1  GENERAL EDUCATION .............................................  Page.Ln 2.10
ARTICLE 2  EDUCATION EXCELLENCE .....................................  Page.Ln 16.3
ARTICLE 3  STANDARDS AND ASSESSMENTS ..............................  Page.Ln 89.26
ARTICLE 4  CHARTER SCHOOLS .............................................  Page.Ln 102.12
ARTICLE 5  SPECIAL EDUCATION ..........................................  Page.Ln 123.1
ARTICLE 6  FACILITIES AND TECHNOLOGY ...............................  Page.Ln 149.7
ARTICLE 7  NUTRITION AND ACCOUNTING ..............................  Page.Ln 152.12
ARTICLE 8  LIBRARIES ..........................................................  Page.Ln 155.20
ARTICLE 9  EARLY CHILDHOOD EDUCATION .............................  Page.Ln 157.29
ARTICLE 10  PREVENTION .....................................................  Page.Ln 174.24
ARTICLE 11  SELF-SUFFICIENCY AND LIFELONG LEARNING ..........  Page.Ln 175.21
ARTICLE 12  STATE AGENCIES ...............................................  Page.Ln 177.29
ARTICLE 13  FORECAST ADJUSTMENTS .....................................  Page.Ln 183.11
120B.128 EDUCATIONAL PLANNING AND ASSESSMENT SYSTEM (EPAS) PROGRAM.

(a) School districts and charter schools may elect to participate in the Educational Planning and Assessment System (EPAS) program offered by ACT, Inc. to provide a longitudinal, systematic approach to student educational and career planning, assessment, instructional support, and evaluation. The EPAS achievement tests include English, reading, mathematics, science, and components on planning for high school and postsecondary education, interest inventory, needs assessments, and student education plans. These tests are linked to the ACT assessment for college admission and allow students, parents, teachers, and schools to determine the student's college readiness before grades 11 and 12.

(b) The commissioner of education shall provide ACT Explore tests for students in grade 8 and the ACT Plan test for students in grade 10 to assess individual student academic strengths and weaknesses, academic achievement and progress, higher order thinking skills, and college readiness.

(c) Students enrolled in grade 8 through the 2011-2012 school year who have not yet demonstrated proficiency on the Minnesota Comprehensive Assessments, the graduation-required assessments for diploma, or the basic skills testing requirements prior to high school graduation may satisfy state high school graduation requirements for assessments in reading, mathematics, and writing by taking the graduation-required assessment for diploma in reading, mathematics, or writing under Minnesota Statutes 2012, section 120B.30, subdivision 1, paragraph (c), clauses (1) and (2), the WorkKeys job skills assessment, the Compass college placement test, a nationally recognized armed services vocation aptitude test, or the ACT assessment for college admission.

(d) The state shall pay the test costs for public school students to participate in the assessments under this section. The commissioner shall establish an application procedure and a process for state payment of costs.

122A.40 EMPLOYMENT; CONTRACTS; TERMINATION.

Subd. 11. Unrequested leave of absence. The board may place on unrequested leave of absence, without pay or fringe benefits, as many teachers as may be necessary because of discontinuance of position, lack of pupils, financial limitations, or merger of classes caused by consolidation of districts. The unrequested leave is effective at the close of the school year. In placing teachers on unrequested leave, the board is governed by the following provisions:

(a) The board may place probationary teachers on unrequested leave first in the inverse order of their employment. A teacher who has acquired continuing contract rights must not be placed on unrequested leave of absence while probationary teachers are retained in positions for which the teacher who has acquired continuing contract rights is licensed;

(b) Teachers who have acquired continuing contract rights shall be placed on unrequested leave of absence in fields in which they are licensed in the inverse order in which they were employed by the school district. In the case of equal seniority, the order in which teachers who have acquired continuing contract rights shall be placed on unrequested leave of absence in fields in which they are licensed is negotiable;

(c) Notwithstanding the provisions of paragraph (b), a teacher is not entitled to exercise any seniority when that exercise results in that teacher being retained by the district in a field for which the teacher holds only a provisional license, as defined by the board of teaching, unless that exercise of seniority results in the placement on unrequested leave of absence of another teacher who also holds a provisional license in the same field. The provisions of this paragraph do not apply to vocational education licenses;

(d) Notwithstanding paragraphs (a), (b), and (c), if the placing of a probationary teacher on unrequested leave before a teacher who has acquired continuing rights, the placing of a teacher who has acquired continuing contract rights on unrequested leave before another teacher who has acquired continuing contract rights but who has greater seniority, or the restriction imposed by the provisions of paragraph (c) would place the district in violation of its affirmative action program, the district may retain the probationary teacher, the teacher with less seniority, or the provisionally licensed teacher;

(e) Teachers placed on unrequested leave of absence must be reinstated to the positions from which they have been given leaves of absence or, if not available, to other available positions in the school district in fields in which they are licensed. Reinstatement must be in the inverse order of placement on leave of absence. A teacher must not be reinstated to a position in a field in which the teacher holds only a provisional license, other than a vocational education.
license, while another teacher who holds a nonprovisional license in the same field remains on unrequested leave. The order of reinstatement of teachers who have equal seniority and who are placed on unrequested leave in the same school year is negotiable;

(f) Appointment of a new teacher must not be made while there is available, on unrequested leave, a teacher who is properly licensed to fill such vacancy, unless the teacher fails to advise the school board within 30 days of the date of notification that a position is available to that teacher who may return to employment and assume the duties of the position to which appointed on a future date determined by the board;

(g) A teacher placed on unrequested leave of absence may engage in teaching or any other occupation during the period of this leave;

(h) The unrequested leave of absence must not impair the continuing contract rights of a teacher or result in a loss of credit for previous years of service;

(i) The unrequested leave of absence of a teacher who is placed on unrequested leave of absence and who is not reinstated shall continue for a period of five years, after which the right to reinstatement shall terminate. The teacher's right to reinstatement shall also terminate if the teacher fails to file with the board by April 1 of any year a written statement requesting reinstatement;

(j) The same provisions applicable to terminations of probationary or continuing contracts in subdivisions 5 and 7 must apply to placement on unrequested leave of absence;

(k) Nothing in this subdivision shall be construed to impair the rights of teachers placed on unrequested leave of absence to receive unemployment benefits if otherwise eligible.

125A.63 RESOURCE CENTERS; DEAF OR HARD OF HEARING AND BLIND OR VISUALLY IMPAIRED.

Subdivision 1. Also for multiply disabled. Resource centers for the deaf or hard of hearing, and the blind or visually impaired, each also serving multiply disabled pupils, are transferred to the Department of Education.

126C.12 LEARNING AND DEVELOPMENT REVENUE AMOUNT AND USE.

Subd. 6. Annual report. By December 1 of each year, districts receiving revenue under subdivision 1 shall make available to the public a report on the amount of revenue the district has received and the use of the revenue. This report shall be in the form and manner determined by the commissioner and shall include the district average class sizes in kindergarten through grade 6 as of October 1 of the current school year and the class sizes for each site serving kindergarten through grade 6 students in the district. A copy of the report shall be filed with the commissioner by December 15.

126C.13 GENERAL EDUCATION AID.

Subd. 3a. Student achievement rate. The commissioner must establish the student achievement rate by July 1 of each year for levies payable in the following year. The student achievement rate must be a rate, rounded up to the nearest hundredth of a percent, that, when applied to the adjusted net tax capacity for all districts, raises the amount specified in this subdivision. The student achievement rate must be the rate that raises $20,000,000 for fiscal year 2015 and later years. The student achievement rate may not be changed due to changes or corrections made to a district's adjusted net tax capacity after the rate has been established.

Subd. 3b. Student achievement levy. To obtain general education revenue, a district may levy an amount not to exceed the student achievement rate times the adjusted net tax capacity of the district for the preceding year. If the amount of the student achievement levy would exceed the general education revenue, the student achievement levy must be determined according to subdivision 3c.

Subd. 3c. Student achievement levy; districts off the formula. (a) If the amount of the student achievement levy for a district exceeds the district's general education revenue, excluding operating capital revenue, equity revenue, and transition revenue, the amount of the student achievement levy must be limited to the district's general education revenue, excluding operating capital revenue, equity revenue, and transition revenue.

(b) A levy made according to this subdivision shall also be construed to be the levy made according to subdivision 3b.

126C.41 BENEFITS LEVIES.
Subdivision 1. **Health insurance.** (a) A district may levy the amount necessary to make employer contributions for insurance for retired employees under this subdivision.

(b) The school board of a joint vocational technical district formed under the provisions formerly codified as sections 136C.60 to 136C.69 and the school board of a school district may provide employer-paid hospital, medical, and dental benefits to a person who:

(1) is eligible for employer-paid insurance under collective bargaining agreements or personnel plans in effect on June 30, 1992;

(2) has at least 25 years of service credit in the public pension plan of which the person is a member on the day before retirement or, in the case of a teacher, has a total of at least 25 years of service credit in the teachers retirement association, a first-class city teacher retirement fund, or any combination of these;

(3) upon retirement is immediately eligible for a retirement annuity;

(4) is at least 55 and not yet 65 years of age; and


A school board paying insurance under this subdivision may not exclude any eligible employees.

(c) An employee who is eligible both for the health insurance benefit under this subdivision and for an early retirement incentive under a collective bargaining agreement or personnel plan established by the employer must select either the early retirement incentive provided under the collective bargaining agreement personnel plan or the incentive provided under this subdivision, but may not receive both. For purposes of this subdivision, a person retires when the person terminates active employment and applies for retirement benefits. The retired employee is eligible for single and dependent coverages and employer payments to which the person was entitled immediately before retirement, subject to any changes in coverage and employer and employee payments through collective bargaining or personnel plans, for employees in positions equivalent to the position from which the employee retired. The retired employee is not eligible for employer-paid life insurance. Eligibility ceases when the retired employee attains the age of 65, or when the employee chooses not to receive the retirement benefits for which the employee has applied, or when the employee is eligible for employer-paid health insurance from a new employer. Coverages must be coordinated with relevant health insurance benefits provided through the federally sponsored Medicare program.

(d) Unilateral implementation of this section by a public employer is not an unfair labor practice for purposes of chapter 179A. The authority provided in this subdivision for an employer to pay health insurance costs for certain retired employees is not subject to the limits in section 179A.20, subdivision 2a.

(e) If a school district levies according to this subdivision, it may not also levy according to section 123A.73, subdivision 12, for eligible employees.
APPENDIX
Repealed Minnesota Rule: H0844-3

3500.1000 EXPERIMENTAL AND FLEXIBLE SCHOOL YEAR PROGRAMS.

Subpart 1. Request. A district may request approval from the commissioner of education for an experimental program of study, a four-day school week, or a flexible school year program. They shall be designed to accomplish at least one of the following:
   A. improve instructional quality;
   B. increase cost-effectiveness;
   C. make better use of community resources or available technology; or
   D. establish an alternative eligibility criteria intended to identify pupils in need of special education services.

Subp. 2. Exemption from state rules. If the proposed program is approved, the commissioner of education shall provide an exemption to state rules that otherwise would apply.

Subp. 3. Contents of proposal. The proposal shall include: specific state rules from which the district requests exemption, the goals and objectives of the program, the activities to be used to accomplish the objectives, a definite time limit which may not exceed three years, and the evaluation procedures to be used.

Subp. 4. Participation and approval. The district shall provide evidence that the district staff, pupils, and parents who would be affected, participated in the development and will participate in the annual review of the proposal, and that the proposal has the approval of the district school board.

Parents whose children will be involved shall be fully informed at the IEP meeting and shall have the opportunity to approve or disapprove placement in the experimental program.

Subp. 5. Criteria for continuation. If the commissioner of education finds that the program has met the proposed goals and objectives, the commissioner shall authorize continuation of the program and specify the state rules from which the program is exempt and the period of time the program will be continued.