

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. **2497**

03/02/2023 Authored by Youakim, Pryor, Clardy and Hill
The bill was read for the first time and referred to the Committee on Rules and Legislative Administration
03/08/2023 Adoption of Report: Re-referred to the Committee on Education Finance
04/03/2023 Adoption of Report: Amended and re-referred to the Committee on Taxes
04/11/2023 Adoption of Report: Amended and re-referred to the Committee on Ways and Means
04/17/2023 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time
04/20/2023 Calendar for the Day, Amended
Read Third Time as Amended
Passed by the House as Amended and transmitted to the Senate to include Floor Amendments

1.1 A bill for an act

1.2 relating to education finance; providing funding for prekindergarten through grade

1.3 12 education; modifying provisions for general education, education excellence,

1.4 literacy, American Indian education, teachers, charter schools, special education,

1.5 facilities, nutrition, libraries, early childhood, community education, grants

1.6 management, and state agencies; making forecast adjustments; providing for

1.7 rulemaking; requiring reports; appropriating money; amending Minnesota Statutes

1.8 2022, sections 13.32, subdivision 3; 120A.20, subdivision 1; 120A.22, subdivision

1.9 10; 120A.414, subdivision 2, by adding a subdivision; 120A.42; 120B.018,

1.10 subdivision 6; 120B.021, subdivisions 1, 2, 3, 4, as amended, by adding a

1.11 subdivision; 120B.022, subdivision 1; 120B.024, subdivisions 1, 2; 120B.11,

1.12 subdivisions 1, 2, 3; 120B.12; 120B.122, subdivision 1; 120B.15; 120B.30,

1.13 subdivisions 1, 1a; 120B.301; 120B.35, subdivision 3; 120B.36, subdivision 2;

1.14 121A.031, subdivision 6; 121A.04, subdivisions 1, 2; 121A.41, subdivision 7, by

1.15 adding subdivisions; 121A.425; 121A.45, subdivision 1; 121A.46, subdivision 4,

1.16 by adding a subdivision; 121A.47, subdivisions 2, 14; 121A.53, subdivision 1;

1.17 121A.55; 121A.58; 121A.582, subdivision 1; 121A.61, subdivisions 1, 3, by adding

1.18 subdivisions; 122A.06, subdivisions 1, 2, 5, 6, 7, 8, by adding subdivisions;

1.19 122A.07, subdivisions 1, 2, 4, 4a, 5, 6; 122A.09, subdivisions 4, 6, 9, 10; 122A.091,

1.20 subdivisions 1, 2; 122A.092, subdivision 5; 122A.15, subdivision 1; 122A.18,

1.21 subdivisions 1, 2, 10, by adding a subdivision; 122A.181, subdivisions 1, 2, 3, 4,

1.22 5, by adding a subdivision; 122A.182, subdivisions 1, 4, by adding subdivisions;

1.23 122A.183, subdivisions 1, 2, by adding subdivisions; 122A.184, subdivision 1;

1.24 122A.185, subdivisions 1, 4; 122A.187, subdivisions 1, 5, by adding a subdivision;

1.25 122A.19, subdivision 4; 122A.26, subdivision 2; 122A.31, subdivision 1; 122A.40,

1.26 subdivisions 3, 5, 8; 122A.41, subdivisions 2, 5, by adding a subdivision; 122A.415,

1.27 subdivision 4; 122A.42; 122A.50; 122A.59; 122A.63, by adding a subdivision;

1.28 122A.635; 122A.69; 122A.70; 122A.73, subdivisions 2, 3, 5; 123B.147, subdivision

1.29 3; 123B.595, subdivisions 1, 2, 3, 4, 7, 8, 8a, 9, 10, 11; 123B.71, subdivisions 9,

1.30 12; 123B.86, subdivision 3; 123B.92, subdivision 1, by adding a subdivision;

1.31 124D.03, subdivisions 3, 5; 124D.09, subdivisions 3, 5, 12, 13; 124D.111,

1.32 subdivisions 2a, 5; 124D.1158, as amended; 124D.119; 124D.128, subdivisions

1.33 1, 2; 124D.151, subdivision 6; 124D.20, subdivisions 3, 5; 124D.2211; 124D.231;

1.34 124D.42, subdivision 8; 124D.531, subdivisions 1, 4; 124D.55; 124D.56; 124D.59,

1.35 subdivisions 2, 2a; 124D.65, subdivision 5; 124D.68, subdivisions 2, 3; 124D.73,

1.36 by adding a subdivision; 124D.74, subdivisions 1, 3, 4, by adding a subdivision;

1.37 124D.76; 124D.78; 124D.79, subdivision 2; 124D.791, subdivision 4; 124D.81;

1.38 124D.861, subdivision 2; 124D.862, subdivision 8; 124D.98, by adding a

subdivision; 124D.99, subdivision 2; 124E.02; 124E.03, subdivision 2, by adding a subdivision; 124E.05, subdivisions 4, 7; 124E.06, subdivisions 1, 4, 5; 124E.10, subdivision 1; 124E.11; 124E.12, subdivision 1; 124E.13, subdivisions 1, 3; 124E.25, subdivision 1a; 125A.03; 125A.08; 125A.0942; 125A.13; 125A.15; 125A.51; 125A.515, subdivision 3; 125A.71, subdivision 1; 125A.76, subdivisions 2c, 2e, by adding a subdivision; 126C.05, subdivisions 1, 3, as amended, 19; 126C.10, subdivisions 2, 2a, 2d, 2e, 3, 4, 13, 13a, 14, 18a, by adding subdivisions; 126C.15, subdivisions 1, 2, 5; 126C.17, by adding a subdivision; 126C.40, subdivisions 1, 6; 126C.43, subdivision 2; 126C.44; 127A.353, subdivisions 2, 4; 134.31, subdivisions 1, 4a; 134.32, subdivision 4; 134.34, subdivision 1; 134.355, subdivisions 5, 6, 7; 144.4165; 179A.03, subdivisions 14, 18, 19; 256B.0625, subdivision 26; 268.085, subdivision 7; 290.0679, subdivision 2; Laws 2021, First Special Session chapter 13, article 1, section 10, subdivisions 2, 3, 4, 5, 6, 7, 9; article 2, section 4, subdivisions 2, 3, 4, 12, 27; article 3, section 7, subdivision 7; article 5, section 3, subdivisions 2, 3, 4; article 7, section 2, subdivisions 2, 3; article 8, section 3, subdivisions 2, 3, 4; article 9, section 4, subdivisions 5, 6, 12; article 10, section 1, subdivisions 2, 8; article 11, section 4, subdivision 2; Laws 2023, chapter 18, section 4, subdivisions 2, 3; proposing coding for new law in Minnesota Statutes, chapters 120B; 121A; 122A; 124D; 125A; 126C; 127A; repealing Minnesota Statutes 2022, sections 120B.35, subdivision 5; 122A.06, subdivision 4; 122A.07, subdivision 2a; 122A.091, subdivisions 3, 6; 122A.18, subdivision 7c; 122A.182, subdivision 2; 124D.095, subdivisions 1, 2, 3, 4, 5, 6, 7, 8; 126C.05, subdivisions 3, 16; 268.085, subdivision 8; Minnesota Rules, part 8710.0500, subparts 8, 11.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

ARTICLE 1

GENERAL EDUCATION

Section 1. [121A.212] ACCESS TO MENSTRUAL PRODUCTS.

A school district or charter school must provide students with access to menstrual products at no charge. The products must be available to all menstruating students in restrooms regularly used by students in grades 4 to 12 according to a plan developed by the school district. For purposes of this section, "menstrual products" means pads, tampons, or other similar products used in connection with the menstrual cycle.

EFFECTIVE DATE. This section is effective January 1, 2024.

Sec. 2. [121A.224] OPIATE ANTAGONISTS.

(a) A school district or charter school must maintain a supply of opiate antagonists, as defined in section 604A.04, subdivision 1, at each school site to be administered in compliance with section 151.37, subdivision 12.

(b) Each school building must have two doses of nasal naloxone available on-site.

(c) The commissioner of health shall identify resources, including at least one training video to help schools implement an opiate antagonist emergency response and make the resources available for schools.

(d) A school board may adopt a model plan for use, storage, and administration of opiate antagonists.

EFFECTIVE DATE. This section is effective July 1, 2023.

Sec. 3. Minnesota Statutes 2022, section 123B.71, subdivision 12, is amended to read:

Subd. 12. **Publication.** (a) At least ~~20~~ 48 days but not more than 60 days before a referendum for bonds or solicitation of bids for a project that has received a positive or unfavorable review and comment under section 123B.70, the school board shall publish a summary of the commissioner's review and comment of that project in the legal newspaper of the district. The school board must hold a public meeting to discuss the commissioner's review and comment before the referendum for bonds. Supplementary information shall be available to the public.

(b) The publication requirement in paragraph (a) does not apply to alternative facilities projects approved under section 123B.595.

EFFECTIVE DATE. This section is effective for elections conducted on or after August 9, 2023.

Sec. 4. Minnesota Statutes 2022, section 123B.86, subdivision 3, is amended to read:

Subd. 3. **Board control.** (a) When transportation is provided, the scheduling of routes, manner and method of transportation, control and discipline of school children and any other matter relating thereto shall be within the sole discretion, control and management of the board.

(b) A school board and a nonpublic school may mutually agree to a written plan for the board to provide nonpublic pupil transportation to nonpublic school students.

(c) A school board that provides pupil transportation through the school's employees may transport nonpublic school students according to the plan and retain the nonpublic pupil transportation aid attributable to that plan. A nonpublic school may make a payment to the school district to cover additional transportation services agreed to in the written plan for nonpublic pupil transportation services not required under sections 123B.84 to 123B.87.

(d) A school board that contracts for pupil transportation services may enter into a contractual arrangement with a school bus contractor according to the written plan adopted by the school board and the nonpublic school to transport nonpublic school students and retain the nonpublic pupil transportation aid attributable to that plan for the purposes of paying the school bus contractor. A nonpublic school may make a payment to the school district to cover additional transportation services agreed to in the written plan for nonpublic pupil transportation services included in the contract that are not required under sections 123B.84 to 123B.87.

(e) The school district must report the number of nonpublic school students transported and the nonpublic pupil transportation expenditures incurred under paragraph (b) in the form and manner specified by the commissioner.

EFFECTIVE DATE. This section is effective for fiscal year 2024 and later.

Sec. 5. Minnesota Statutes 2022, section 123B.92, is amended by adding a subdivision to read:

Subd. 11. Area learning center transportation aid. (a) A district that provides transportation of pupils to and from an area learning center program established under section 123A.05 is eligible for state aid to reimburse the additional costs of transportation during the preceding fiscal year.

(b) A district may apply to the commissioner of education for state aid to reimburse the costs of transporting pupils who are enrolled in an area learning center program established under section 123A.05 during the preceding fiscal year. The commissioner shall develop the form and manner of applications for state aid, the criteria to determine when transportation is necessary, and the accounting procedure to determine excess costs. In determining aid amounts, the commissioner shall consider other revenue received by the district for transportation for area learning center purposes.

(c) The total aid entitlement for this section is \$1,000,000 each year. The commissioner must prorate aid if this amount is insufficient to reimburse district costs.

Sec. 6. **[124D.4536] CAREER AND TECHNICAL EDUCATION CONSORTIUM GRANTS.**

Subdivision 1. Definition. "Career and technical education (CTE) consortium" means a voluntary collaboration of the Minnesota Service Cooperatives and other regional public and private partners, including school districts, intermediate school districts, vocational

5.1 cooperatives, and higher education institutions, that work together to provide career and
5.2 technical education opportunities for students.

5.3 Subd. 2. **Establishment.** (a) A CTE consortium must:

5.4 (1) develop career pathways for students;

5.5 (2) develop new career and technical programs that focus on the industry sectors that
5.6 fuel the regional economy;

5.7 (3) facilitate the development of highly trained and knowledgeable students who are
5.8 equipped with technical and workplace skills needed by regional employers;

5.9 (4) improve access to career and technical education programs for students by developing
5.10 public and private partnerships with labor, business, and industry leaders and by increasing
5.11 coordination of high school and postsecondary program options;

5.12 (5) increase family and student awareness of the availability and benefit of career and
5.13 technical education courses and training opportunities; and

5.14 (6) provide industry-level equipment and technologies supporting skill development as
5.15 identified by CTE consortia partners.

5.16 (b) In addition to the requirements in paragraph (a), a CTE consortium may:

5.17 (1) address the teacher shortage crisis in career and technical education through incentive
5.18 funding and training programs;

5.19 (2) provide professional development for training teachers in curriculum and skill
5.20 development in focus areas identified by CTE consortia partners; and

5.21 (3) provide transportation reimbursement grants to provide equitable opportunities
5.22 throughout the region for students to participate in career and technical education.

5.23 Subd. 3. **Career and technical education advisory committee.** The Minnesota Service
5.24 Cooperatives must establish a career and technical education advisory committee to provide
5.25 advice on the administration of a CTE consortium.

5.26 Subd. 4. **Private funding.** A CTE consortium may receive other sources of funds to
5.27 supplement state funding. All funds received must be administered by the Minnesota Service
5.28 Cooperatives.

5.29 Subd. 5. **Reporting requirements.** By January 15 of each year, a CTE consortium
5.30 receiving funding under this section must submit an annual report on the progress of its
5.31 activities to the commissioner of education and the chairs and ranking minority members

of the legislative committees with jurisdiction over secondary and postsecondary education.

The annual report must contain a financial report for the preceding fiscal year.

Subd. 6. Grant awards. The Minnesota Service Cooperatives serves as the fiscal host for grants awarded under this section. The Minnesota Service Cooperatives may consult with the commissioner to award grants to any CTE consortium that qualifies under this section.

EFFECTIVE DATE. This section is effective July 1, 2023.

Sec. 7. Minnesota Statutes 2022, section 124D.59, subdivision 2, is amended to read:

Subd. 2. English learner. (a) "English learner" means a pupil in kindergarten through grade 12; an early childhood special education student under Part B, section 619 of the Individuals with Disabilities Education Act, United States Code, title 20, section 1419; or a prekindergarten student enrolled in an approved voluntary prekindergarten program under section 124D.151 or a school readiness plus program who meets the requirements under subdivision 2a or the following requirements:

(1) the pupil, as declared by a parent or guardian first learned a language other than English, comes from a home where the language usually spoken is other than English, or usually speaks a language other than English; and

(2) the pupil is determined by a valid assessment measuring the pupil's English language proficiency and by developmentally appropriate measures, which might include observations, teacher judgment, parent recommendations, or developmentally appropriate assessment instruments, to lack the necessary English skills to participate fully in academic classes taught in English.

(b) A pupil enrolled in a Minnesota public school in any grade 4 through 12 who in the previous school year took a commissioner-provided assessment measuring the pupil's emerging academic English, shall be counted as an English learner in calculating English learner pupil units under section 126C.05, subdivision 17, and shall generate state English learner aid under section 124D.65, subdivision 5, if the pupil scored below the state cutoff score or is otherwise counted as a nonproficient participant on the assessment measuring the pupil's emerging academic English, or, in the judgment of the pupil's classroom teachers, consistent with section 124D.61, clause (1), the pupil is unable to demonstrate academic language proficiency in English, including oral academic language, sufficient to successfully and fully participate in the general core curriculum in the regular classroom.

(c) Notwithstanding paragraphs (a) and (b), a pupil in early childhood special education or prekindergarten under section 124D.151, through grade 12 shall not be counted as an English learner in calculating English learner pupil units under section 126C.05, subdivision 17, and shall not generate state English learner aid under section 124D.65, subdivision 5, if:

(1) the pupil is not enrolled during the current fiscal year in an educational program for English learners under sections 124D.58 to 124D.64; or

(2) the pupil has generated seven or more years of average daily membership in Minnesota public schools since July 1, 1996.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2024 and later.

Sec. 8. Minnesota Statutes 2022, section 124D.65, subdivision 5, is amended to read:

Subd. 5. **School district EL revenue.** (a) A district's English learner programs revenue equals the sum of:

(1) the product of (1) \$704 times (2) (i) \$1,000 and (ii) the greater of 20 or the adjusted average daily membership of eligible English learners enrolled in the district during the current fiscal year;

(2) \$250 times the English learner pupil units under section 126C.05, subdivision 17;
and

(3) the district's English learner cross subsidy aid. A district's English learner cross subsidy aid under paragraph (b) equals:

(i) 33 percent of the district's English learner cross subsidy for fiscal year 2025;

(ii) 66 percent of the district's English learner cross subsidy for fiscal year 2026; and

(iii) 100 percent of the district's English learner cross subsidy for fiscal years 2027 and later.

(b) A district's English learner cross subsidy aid equals the greater of zero or the difference between the district's expenditures for qualifying English learner services for the second previous year and the district's English learner revenue for the second previous year.

~~(b)~~ (c) A pupil ceases to generate state English learner aid in the school year following the school year in which the pupil attains the state cutoff score on a commissioner-provided assessment that measures the pupil's emerging academic English.

Sec. 9. Minnesota Statutes 2022, section 126C.10, subdivision 2, is amended to read:

Subd. 2. **Basic revenue.** (a) 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 2021 is \$6,567. The formula allowance for fiscal year 2022 is \$6,728. The formula allowance for fiscal year 2023 and later is \$6,863. The formula allowance for fiscal year 2024 is \$7,138. The formula allowance for fiscal year 2025 is \$7,281. The formula allowance for fiscal year 2026 and later must be determined as follows:~~

(1) in January of the calendar year in which the formula allowance begins, the commissioner of education must calculate the change in the Consumer Price Index for all urban consumers as published by the Bureau of Labor Statistics of the Department of Labor for the average of the fourth calendar quarter of the second prior fiscal year compared to the average of the fourth calendar quarter of the immediately prior fiscal year; and

(2) the formula allowance in effect for the prior fiscal year must be increased by the lesser of 3.0 percent or the percentage change calculated in clause (1), with the resulting amount rounded to the nearest whole dollar, except in cases of negative Consumer Price Index growth then the formula allowance will remain the same as the prior year.

(b) The commissioner must publish the formula allowance by the end of February of each year.

Sec. 10. Minnesota Statutes 2022, section 126C.10, subdivision 2a, is amended to read:

Subd. 2a. **Extended time revenue.** (a) A school district's extended time allowance equals \$5,117 for fiscal year 2023 and later.

(b) A school district's extended time revenue is equal to the product of \$5,117 the extended time allowance in paragraph (a) 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)~~ (c) Extended time revenue for pupils placed in an on-site education program at the Prairie Lakes Education Center or the Lake Park School, located within the borders of Independent School District No. 347, Willmar, for instruction provided after the end of the preceding regular school year and before the beginning of the following regular school year equals membership hours divided by the minimum annual instructional hours in section 126C.05, subdivision 15, not to exceed 0.20, times the pupil unit weighting in section 126C.05, subdivision 1, times ~~\$5,117~~ the extended time allowance in paragraph (a).

(d) A school district qualifies for extended time revenue for instruction provided after the end of the preceding regular school year and before the beginning of the following regular school year for (1) every pupil attending a day treatment program, and (2) every pupil placed in a children's residential facility, whether the education services are provided on-site or off-site. Extended time revenue under this paragraph equals total membership hours in summer instruction divided by the minimum annual instructional hours in section 126C.05, subdivision 15, not to exceed 0.20, times the pupil unit weighting in section 126C.05, subdivision 1, times the extended time allowance.

(e) For purposes of this subdivision, "children's residential facility" means a residential facility for children, including a psychiatric residential treatment facility, licensed by the Department of Human Services or the Department of Corrections and subject to Minnesota Rules, chapter 2960, or an inpatient hospitalization that includes mental health services.

(f) For purposes of this subdivision, "day treatment program" means:

(1) a site-based structured mental health program consisting of psychotherapy for three or more individuals and individual or group skills training provided by a team, under the treatment supervision of a mental health professional; or

(2) any other day treatment program designated by the commissioner of education consistent with the Minnesota Automated Reporting Student System manual, procedure 27.

~~(e)~~ (g) A school district's extended time 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.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2024 and later.

Sec. 11. Minnesota Statutes 2022, section 126C.10, subdivision 2e, is amended to read:

Subd. 2e. **Local optional revenue.** (a) For fiscal year 2021 and later, local optional revenue for a school district equals the sum of the district's first tier local optional revenue and second tier local optional revenue. A district's first tier local optional revenue equals \$300 times the adjusted pupil units of the district for that school year. A district's second tier local optional revenue equals \$424 times the adjusted pupil units of the district for that school year.

(b) For fiscal year 2021 and later, a district's local optional levy equals the sum of the first tier local optional levy and the second tier local optional levy.

(c) A district's first tier local optional levy equals the district's first tier local optional revenue times the lesser of one or the ratio of the district's referendum market value per resident pupil unit to \$880,000.

~~(d) For fiscal year 2022, a district's second tier local optional levy equals the district's second tier local optional revenue times the lesser of one or the ratio of the district's referendum market value per resident pupil unit to \$510,000. For fiscal year 2023, a district's second tier local optional levy equals the district's second tier local optional revenue times the lesser of one or the ratio of the district's referendum market value per resident pupil unit to \$548,842. For fiscal year 2024 and later, a district's second tier local optional levy equals the district's second tier local optional revenue times the lesser of one or the ratio of the district's referendum market value per resident pupil unit to \$510,000~~ the local optional revenue equalizing factor.

(e) The local optional revenue equalizing factor equals \$510,000 for fiscal year 2024, \$672,000 for fiscal year 2025, \$706,500 for fiscal year 2026, and \$743,000 for fiscal year 2027 and later.

~~(e)~~ (f) The local optional levy must be spread on referendum market value. A district may levy less than the permitted amount.

~~(f)~~ (g) A district's local optional aid equals its local optional revenue minus its local optional levy. If a district's actual levy for first or second tier local optional revenue is less than its maximum levy limit for that tier, its aid must be proportionately reduced.

Sec. 12. Minnesota Statutes 2022, section 126C.10, subdivision 3, is amended to read:

Subd. 3. **Compensatory education revenue.** (a) For fiscal year 2024, the compensatory education revenue for each building in the district equals the formula allowance minus \$839 times the compensation revenue pupil units computed according to section 126C.05, subdivision 3. A district's compensatory revenue equals the sum of its compensatory revenue for each building in the district and the amounts designated under Laws 2015, First Special Session chapter 3, article 2, section 70, subdivision 8, for fiscal year 2017. Revenue shall be paid to the district and must be allocated according to section 126C.15, subdivision 2.

(b) For fiscal year 2025, compensatory revenue must be calculated under Laws 2023, chapter 18, section 3.

(c) For fiscal year 2026 and later, the compensatory education revenue for each building in the district equals its compensatory pupils multiplied by the building compensatory

11.1 allowance. Revenue shall be paid to the district and must be allocated according to section
11.2 126C.15, subdivision 2.

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

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

11.11 (f) Notwithstanding paragraph (c), for voluntary prekindergarten programs under section
11.12 124D.151, charter schools, and contracted alternative programs in the first year of operation,
11.13 compensatory education revenue must be computed using data for the current fiscal year.
11.14 If the voluntary prekindergarten program, charter school, or contracted alternative program
11.15 begins operation after October 1, compensatory education revenue must be computed based
11.16 on pupils enrolled on an alternate date determined by the commissioner, and the
11.17 compensatory education revenue must be prorated based on the ratio of the number of days
11.18 of student instruction to 170 days.

11.19 (g) Notwithstanding paragraph (c), for fiscal year 2026, if the calculation under paragraph
11.20 (d) results in statewide revenue of less than \$838,947,000, additional revenue must be
11.21 provided to each building in a manner prescribed by the commissioner of education until
11.22 total statewide revenue equals \$838,947,000.

11.23 (h) Notwithstanding paragraph (c), for fiscal year 2027, if the calculation under paragraph
11.24 (d) results in statewide revenue of less than \$857,152,000, additional revenue must be
11.25 provided to each building in a manner prescribed by the commissioner of education until
11.26 total statewide revenue equals \$857,152,000.

11.27 Sec. 13. Minnesota Statutes 2022, section 126C.10, is amended by adding a subdivision
11.28 to read:

11.29 Subd. 3a. **Definitions.** The definitions in this subdivision apply only to subdivisions 3,
11.30 3b, and 3c.

11.31 (a) "Building compensatory allowance" means a building concentration factor multiplied
11.32 by the statewide compensatory allowance.

12.1 (b) "Building concentration factor" means the ratio of a building's compensatory pupils
12.2 to the number of pupils enrolled in the building on October 1 of the previous fiscal year.

12.3 (c) "Compensatory pupils" means the sum of the number of pupils enrolled in a building
12.4 eligible to receive free meals pursuant to subdivision 3b plus one-half of the pupils eligible
12.5 to receive reduced priced meals pursuant to subdivision 3b on October 1 of the previous
12.6 fiscal year.

12.7 (d) "Statewide compensatory allowance" means the amount calculated pursuant to
12.8 subdivision 3c.

12.9 Sec. 14. Minnesota Statutes 2022, section 126C.10, is amended by adding a subdivision
12.10 to read:

12.11 Subd. 3b. **Free and reduced-price meals.** The commissioner shall determine the number
12.12 of children eligible by means of direct certification to receive either a free or reduced-price
12.13 meal on October 1 each year. Children enrolled in a building on October 1 and determined
12.14 to be eligible by means of direct certification to receive free or reduced-price meals by
12.15 December 15 of that school year shall be counted as eligible on October 1 for purposes of
12.16 subdivision 3. The commissioner must use federal definitions for these purposes. The
12.17 commissioner may adopt reporting guidelines to assure accuracy of data counts and
12.18 eligibility. Districts must use any guidelines adopted by the commissioner.

12.19 Sec. 15. Minnesota Statutes 2022, section 126C.10, is amended by adding a subdivision
12.20 to read:

12.21 Subd. 3c. **Statewide compensatory allowance.** (a) For fiscal year 2026, the statewide
12.22 compensatory allowance is \$6,734. For fiscal year 2027 and later, the statewide compensatory
12.23 allowance equals the statewide compensatory allowance in effect for the prior fiscal year
12.24 times the ratio of the formula allowance under section 126C.10, subdivision 2, for the current
12.25 fiscal year to the formula allowance under section 126C.10, subdivision 2, for the prior
12.26 fiscal year, rounded to the nearest whole dollar.

12.27 (b) For fiscal year 2026 and later, the statewide compensatory allowance equals the
12.28 statewide compensatory allowance in effect for the prior fiscal year times the ratio of the
12.29 formula allowance under section 126C.10, subdivision 2, for the current fiscal year to the
12.30 formula allowance under section 126C.10, subdivision 2, for the prior fiscal year, rounded
12.31 to the nearest whole dollar.

13.1 Sec. 16. Minnesota Statutes 2022, section 126C.10, subdivision 4, is amended to read:

13.2 Subd. 4. **Basic skills revenue.** A school district's basic skills revenue equals the sum
13.3 of:

13.4 (1) compensatory revenue under subdivision 3; ~~plus~~ and

13.5 (2) English learner revenue under section 124D.65, subdivision 5; ~~plus~~

13.6 ~~(3) \$250 times the English learner pupil units under section 126C.05, subdivision 17.~~

13.7 Sec. 17. Minnesota Statutes 2022, section 126C.10, subdivision 13, is amended to read:

13.8 Subd. 13. **Total operating capital revenue.** (a) Total operating capital revenue for a
13.9 district equals the ~~amount determined under paragraph (b) or (c), plus~~ sum of:

13.10 (1) \$79 times the adjusted pupil units for the school year;

13.11 (2) the product of \$109, the district's maintenance cost index, and its adjusted pupil units
13.12 for the school year plus the amount computed under paragraph (c); and

13.13 (3) \$2 times the adjusted pupil units of the school district for the school year for the
13.14 purposes of supplying menstrual products under subdivision 14, clause (26), and opiate
13.15 antagonists under subdivision 14, clause (27).

13.16 (b) The revenue under this subdivision must be placed in a reserved account in the
13.17 general fund and may only be used according to subdivision 14.

13.18 ~~(b) Capital revenue for a district equals \$109 times the district's maintenance cost index~~
13.19 ~~times its adjusted pupil units for the school year.~~

13.20 (c) The revenue under paragraph (a), clause (2), for a district that operates a program
13.21 under section 124D.128, is increased by an amount equal to \$31 times the number of adjusted
13.22 pupil units served at the site where the program is implemented.

13.23 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

13.24 Sec. 18. Minnesota Statutes 2022, section 126C.10, subdivision 13a, is amended to read:

13.25 Subd. 13a. **Operating capital levy.** (a) To obtain operating capital revenue, a district
13.26 may levy an amount not more than the product of its operating capital revenue computed
13.27 under subdivision 13, paragraph (a), clauses (1) and (2), for the fiscal year times the lesser
13.28 of one or the ratio of its adjusted net tax capacity per adjusted pupil unit to the operating
13.29 capital equalizing factor.

14.1 (b) The operating capital equalizing factor equals ~~\$23,902 for fiscal year 2020, \$23,885~~
14.2 ~~for fiscal year 2021, and \$22,912 for fiscal year years 2022 and later.~~ through 2024, \$24,300
14.3 for fiscal year 2025, \$24,060 for fiscal year 2026, and \$24,055 for fiscal year 2027 and
14.4 later.

14.5 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

14.6 Sec. 19. Minnesota Statutes 2022, section 126C.10, subdivision 14, is amended to read:

14.7 Subd. 14. **Uses of total operating capital revenue.** Total operating capital revenue may
14.8 be used only for the following purposes:

14.9 (1) to acquire land for school purposes;

14.10 (2) to acquire or construct buildings for school purposes;

14.11 (3) to rent or lease buildings, including the costs of building repair or improvement that
14.12 are part of a lease agreement;

14.13 (4) to improve and repair school sites and buildings, and equip or reequip school buildings
14.14 with permanent attached fixtures, including library media centers;

14.15 (5) for a surplus school building that is used substantially for a public nonschool purpose;

14.16 (6) to eliminate barriers or increase access to school buildings by individuals with a
14.17 disability;

14.18 (7) to bring school buildings into compliance with the State Fire Code adopted according
14.19 to chapter 299F;

14.20 (8) to remove asbestos from school buildings, encapsulate asbestos, or make
14.21 asbestos-related repairs;

14.22 (9) to clean up and dispose of polychlorinated biphenyls found in school buildings;

14.23 (10) to clean up, remove, dispose of, and make repairs related to storing heating fuel or
14.24 transportation fuels such as alcohol, gasoline, fuel oil, and special fuel, as defined in section
14.25 296A.01;

14.26 (11) for energy audits for school buildings and to modify buildings if the audit indicates
14.27 the cost of the modification can be recovered within ten years;

14.28 (12) to improve buildings that are leased according to section 123B.51, subdivision 4;

14.29 (13) to pay special assessments levied against school property but not to pay assessments
14.30 for service charges;

15.1 (14) to pay principal and interest on state loans for energy conservation according to
15.2 section 216C.37 or loans made under the Douglas J. Johnson Economic Protection Trust
15.3 Fund Act according to sections 298.292 to ~~298.298~~ 298.297;

15.4 (15) to purchase or lease interactive telecommunications equipment;

15.5 (16) by board resolution, to transfer money into the debt redemption fund to: (i) pay the
15.6 amounts needed to meet, when due, principal and interest payments on certain obligations
15.7 issued according to chapter 475; or (ii) pay principal and interest on debt service loans or
15.8 capital loans according to section 126C.70;

15.9 (17) to pay operating capital-related assessments of any entity formed under a cooperative
15.10 agreement between two or more districts;

15.11 (18) to purchase or lease computers and related hardware, software, and annual licensing
15.12 fees, copying machines, telecommunications equipment, and other noninstructional
15.13 equipment;

15.14 (19) to purchase or lease assistive technology or equipment for instructional programs;

15.15 (20) to purchase textbooks as defined in section 123B.41, subdivision 2;

15.16 (21) to purchase new and replacement library media resources or technology;

15.17 (22) to lease or purchase vehicles;

15.18 (23) to purchase or lease telecommunications equipment, computers, and related
15.19 equipment for integrated information management systems for:

15.20 (i) managing and reporting learner outcome information for all students under a
15.21 results-oriented graduation rule;

15.22 (ii) managing student assessment, services, and achievement information required for
15.23 students with individualized education programs; and

15.24 (iii) other classroom information management needs;

15.25 (24) to pay personnel costs directly related to the acquisition, operation, and maintenance
15.26 of telecommunications systems, computers, related equipment, and network and applications
15.27 software; ~~and~~

15.28 (25) to pay the costs directly associated with closing a school facility, including moving
15.29 and storage costs;

16.1 (26) to pay the costs of supplies and equipment necessary to provide access to menstrual
16.2 products at no charge to students in restrooms and as otherwise needed in school facilities;
16.3 and

16.4 (27) to pay the costs of the opiate antagonists required under section 121A.224.

16.5 **EFFECTIVE DATE.** This section is effective July 1, 2023.

16.6 Sec. 20. Minnesota Statutes 2022, section 126C.10, subdivision 18a, is amended to read:

16.7 Subd. 18a. **Pupil transportation adjustment.** (a) An independent, common, or special
16.8 school district's transportation sparsity revenue under subdivision 18 is increased by the
16.9 greater of zero or ~~18.2~~ 40 percent of the difference between:

16.10 (1) the lesser of the district's total cost for regular and excess pupil transportation under
16.11 section 123B.92, subdivision 1, paragraph (b), including depreciation, for the previous fiscal
16.12 year or 105 percent of the district's total cost for the second previous fiscal year; and

16.13 (2) the sum of:

16.14 (i) 4.66 percent of the district's basic revenue for the previous fiscal year;

16.15 (ii) transportation sparsity revenue under subdivision 18 for the previous fiscal year;

16.16 (iii) the district's charter school transportation adjustment for the previous fiscal year;

16.17 and

16.18 (iv) the district's reimbursement for transportation provided under section 123B.92,
16.19 subdivision 1, paragraph (b), clause (1), item (vi).

16.20 (b) A charter school's pupil transportation adjustment equals the school district per pupil
16.21 adjustment under paragraph (a).

16.22 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

16.23 Sec. 21. **[126C.122] CLASS SIZE REPORTING BY SCHOOL SITE.**

16.24 Subdivision 1. **School reporting by site.** (a) A school district and a charter school must
16.25 annually report the district's class size ratios to the commissioner of education in the form
16.26 and manner specified by the commissioner.

16.27 (b) For kindergarten and elementary grades, the district or charter school must report
16.28 the average teacher to student ratio for each grade by site.

(c) For secondary grades, the district or charter school must report the teacher to student ratio by site for each course that satisfies a graduation requirement in language arts, math, science, and social studies under section 120B.024, subdivision 1.

Subd. 2. **Legislative report.** The department must annually submit a report beginning December 1, 2024, to the chairs and ranking minority members of the legislative committees with jurisdiction over kindergarten through grade 12 education detailing the statewide teacher to student ratios by grade, by site, and by core subject area starting with the 2023-2024 school year. The department may include this information in its common course catalog.

Sec. 22. Minnesota Statutes 2022, section 126C.15, subdivision 1, is amended to read:

Subdivision 1. **Use of revenue.** (a) 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.

(b) For fiscal years prior to fiscal year 2024, 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) comprehensive and ongoing staff development consistent with district and site plans according to section 122A.60 and to implement plans under section 120B.12, subdivision 4a, 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;

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

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

18.9 (8) bilingual programs, bicultural programs, and programs for English learners;

18.10 (9) all-day kindergarten;

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

18.14 (11) extended school day and extended school year programs; and

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

18.19 (c) For fiscal year 2024 and later, a district's basic skills revenue must be used for:

18.20 (1) remedial instruction and necessary materials in reading, language arts, mathematics,
18.21 other content areas, or study skills to improve the achievement level of these learners;

18.22 (2) additional teachers and teacher aides to provide more individualized instruction to
18.23 these learners through individual tutoring, lower instructor-to-learner ratios, or team teaching;

18.24 (3) a longer school day or week during the regular school year or through a summer
18.25 program that may be offered directly by the site or under a performance-based contract with
18.26 a community-based organization;

18.27 (4) programs to reduce truancy; provide counseling services, guidance services, and
18.28 social work services; and provide coordination for pupils receiving services from other
18.29 governmental agencies;

18.30 (5) bilingual programs, bicultural programs, and programs for English learners;

18.31 (6) early education programs, parent-training programs, early childhood special education,
18.32 school readiness programs, kindergarten programs for four-year-olds, voluntary home visits

19.1 under section 124D.13, subdivision 4, and other outreach efforts designed to prepare children
19.2 for kindergarten;

19.3 (7) transition programs operated by school districts for special education students until
19.4 the age of 22;

19.5 (8) substantial parent involvement in developing and implementing remedial education
19.6 or intervention plans for a learner, including learning contracts between the school, the
19.7 learner, and the parent that establish achievement goals and responsibilities of the learner
19.8 and the learner's parent or guardian; and

19.9 (9) professional development for teachers on meeting the needs of English learners,
19.10 using assessment tools and data to monitor student progress, and reducing the use of
19.11 exclusionary discipline, and training for tutors and staff in extended day programs to enhance
19.12 staff's knowledge in content areas.

19.13 Sec. 23. Minnesota Statutes 2022, section 126C.15, subdivision 2, is amended to read:

19.14 Subd. 2. **Building allocation.** (a) A district or cooperative must allocate at least 60
19.15 percent of its compensatory revenue to each school building in the district or cooperative
19.16 where the children who have generated the revenue are served unless the school district or
19.17 cooperative has received permission under Laws 2005, First Special Session chapter 5,
19.18 article 1, section 50, to allocate compensatory revenue according to student performance
19.19 measures developed by the school board.

19.20 (b) ~~Notwithstanding paragraph (a),~~ A district or cooperative may allocate ~~up to 50~~ no
19.21 more than 40 percent of the amount of compensatory revenue that the district receives to
19.22 school sites according to a plan adopted by the school board. The money reallocated under
19.23 this paragraph must be spent for the purposes listed in subdivision 1, but may be spent on
19.24 students in any grade, including students attending school readiness or other prekindergarten
19.25 programs.

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

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

19.30 (e) A district or cooperative with school building openings, school building closings,
19.31 changes in attendance area boundaries, or other changes in programs or student demographics
19.32 between the prior year and the current year may reallocate compensatory revenue among
19.33 sites to reflect these changes. A district or cooperative must report to the department any

20.1 adjustments it makes according to this paragraph and the department must use the adjusted
20.2 compensatory revenue allocations in preparing the report required under section 123B.76,
20.3 subdivision 3, paragraph (c).

20.4 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

20.5 Sec. 24. Minnesota Statutes 2022, section 126C.15, subdivision 5, is amended to read:

20.6 Subd. 5. **Annual expenditure report.** ~~Each year a district~~ (a) By February 1 annually,
20.7 the commissioner of education must report to the legislature the expenditures of each district
20.8 that receives received basic skills revenue must submit a report identifying the expenditures
20.9 it incurred to meet the needs of eligible learners in the previous fiscal year under subdivision
20.10 1. The report must conform to uniform financial and reporting standards established for this
20.11 purpose and provide a breakdown by functional area. ~~Using valid and reliable data and~~
20.12 ~~measurement criteria, the report also must determine whether increased expenditures raised~~
20.13 ~~student achievement levels.~~

20.14 (b) A district must also report whether programs funded with compensatory revenue are
20.15 consistent with best practices demonstrated to improve student achievement.

20.16 (c) The Department of Education and regional centers of excellence must identify and
20.17 provide to schools best practices for implementing programs for each use of revenue specified
20.18 in subdivision 1.

20.19 Sec. 25. Minnesota Statutes 2022, section 126C.17, is amended by adding a subdivision
20.20 to read:

20.21 Subd. 9b. **Renewal by school board.** (a) Notwithstanding the election requirements of
20.22 subdivision 9, a school board may renew an expiring referendum not already renewed by
20.23 board action authorized by this subdivision if:

20.24 (1) the per-pupil amount of the referendum is the same as the amount expiring, or for
20.25 an expiring referendum that was adjusted annually by the rate of inflation, the same as the
20.26 per-pupil amount of the expiring referendum, adjusted annually for inflation in the same
20.27 manner as if the expiring referendum had continued;

20.28 (2) the term of the renewed referendum is no longer than the initial term approved by
20.29 the voters; and

20.30 (3) the school board has adopted a written resolution authorizing the renewal after holding
20.31 a meeting and allowing public testimony on the proposed renewal.

21.1 (b) The resolution must be adopted by the school board by June 15 of any calendar year
21.2 and becomes effective 60 days after its adoption.

21.3 (c) A referendum expires in the last fiscal year in which the referendum generates revenue
21.4 for the school district.

21.5 (d) A district renewing an expiring referendum under this subdivision must submit a
21.6 copy of the adopted resolution to the commissioner and to the county auditor no later than
21.7 September 1 of the calendar year in which the levy is certified.

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

21.9 Sec. 26. Minnesota Statutes 2022, section 126C.43, subdivision 2, is amended to read:

21.10 Subd. 2. **Payment to unemployment insurance program trust fund by state and**
21.11 **political subdivisions.** (a) A district may levy the amount necessary (1) to pay the district's
21.12 obligations under section 268.052, subdivision 1, and (2) to pay for job placement services
21.13 offered to employees who may become eligible for benefits pursuant to section 268.085 for
21.14 the fiscal year the levy is certified.

21.15 (b) Districts with a balance remaining in their reserve for reemployment as of June 30,
21.16 2003, may not expend the reserved funds for future reemployment expenditures. Each year
21.17 a levy reduction must be made to return these funds to taxpayers. The amount of the levy
21.18 reduction must be equal to the lesser of: (1) the remaining reserved balance for reemployment,
21.19 or (2) the amount of the district's current levy under paragraph (a).

21.20 (c) The amount in paragraph (a) must not include the amounts for hourly school
21.21 employees during the period of the summer term.

21.22 Sec. 27. Minnesota Statutes 2022, section 127A.353, subdivision 2, is amended to read:

21.23 Subd. 2. **Qualifications.** The governor shall select the school trust lands director on the
21.24 basis of outstanding professional qualifications and knowledge of finance, business practices,
21.25 minerals, forest and real estate management, and the fiduciary responsibilities of a trustee
21.26 to the beneficiaries of a trust. The school trust lands director serves in the unclassified service
21.27 for a term of four years. ~~The first term shall end on December 31, 2020.~~ The governor may
21.28 remove the school trust lands director for cause. If a director resigns or is removed for cause,
21.29 the governor shall appoint a director for the remainder of the term.

21.30 Sec. 28. Minnesota Statutes 2022, section 127A.353, subdivision 4, is amended to read:

21.31 Subd. 4. **Duties; powers.** (a) The school trust lands director shall:

- 22.1 (1) ~~take an oath of office before assuming any duties as the director~~ act in a fiduciary
22.2 capacity for trust beneficiaries in accordance with the principles under section 127A.351;
- 22.3 (2) evaluate the school trust land asset position;
- 22.4 (3) determine the estimated current and potential market value of school trust lands;
- 22.5 (4) advise and provide recommendations to the governor, ~~Executive Council,~~
22.6 ~~commissioner of natural resources, and the Legislative Permanent School Fund Commission~~
22.7 ~~on the management of school trust lands, including;~~ on school trust land management policies
22.8 and other policies that may affect the goal of the permanent school fund under section
22.9 127A.31;
- 22.10 (5) advise and provide recommendations to the Executive Council and Land Exchange
22.11 Board on all matters regarding school trust lands presented to either body;
- 22.12 (6) advise and provide recommendations to the commissioner of natural resources on
22.13 managing school trust lands, including but not limited to advice and recommendations on:
- 22.14 (i) Department of Natural Resources school trust land management plans;
- 22.15 (ii) leases of school trust lands;
- 22.16 (iii) royalty agreements on school trust lands;
- 22.17 (iv) land sales and exchanges;
- 22.18 (v) cost certification; and
- 22.19 (vi) revenue generating options;
- 22.20 (7) serve as temporary trustee of school trust lands for school trust lands subject to
22.21 proposed or active eminent domain proceedings;
- 22.22 (8) serve as temporary trustee of school trust lands pursuant to section 94.342, subdivision
22.23 5;
- 22.24 ~~(5) propose~~ (9) submit to the Legislative Permanent School Fund Commission for review
22.25 an annual budget and management plan for the director that includes proposed legislative
22.26 changes that will improve the asset allocation of the school trust lands;
- 22.27 ~~(6)~~ (10) develop and implement a ten-year strategic plan and a 25-year framework for
22.28 management of school trust lands, in conjunction with the commissioner of natural resources,
22.29 that is updated every five years and implemented by the commissioner, with goals to:
- 22.30 (i) retain core real estate assets;

- 23.1 (ii) increase the value of the real estate assets and the cash flow from those assets;
- 23.2 (iii) rebalance the portfolio in assets with high performance potential and the strategic
- 23.3 disposal of selected assets;
- 23.4 (iv) establish priorities for management actions;
- 23.5 (v) balance revenue enhancement and resource stewardship; and
- 23.6 (vi) advance strategies on school trust lands to capitalize on ecosystem services markets;
- 23.7 and
- 23.8 ~~(7) submit to the Legislative Permanent School Fund Commission for review an annual~~
- 23.9 ~~budget and management plan for the director; and~~
- 23.10 ~~(8)~~ (11) keep the beneficiaries, governor, legislature, and the public informed about the
- 23.11 work of the director by reporting to the Legislative Permanent School Fund Commission
- 23.12 in a public meeting at least once during each calendar quarter.
- 23.13 (b) In carrying out the duties under paragraph (a), the school trust lands director ~~shall~~
- 23.14 ~~have the authority to~~ may:
- 23.15 (1) direct and control money appropriated to the director;
- 23.16 (2) establish job descriptions and employ ~~up to five employees in the unclassified service,~~
- 23.17 staff within the limitations of money appropriated to the director;
- 23.18 (3) enter into interdepartmental agreements with any other state agency;
- 23.19 (4) enter into joint powers agreements under chapter 471;
- 23.20 (5) evaluate and initiate real estate development projects on school trust lands in
- 23.21 conjunction with the commissioner of natural resources and with the advice of the Legislative
- 23.22 Permanent School Fund Commission ~~in order~~ to generate long-term economic return to the
- 23.23 permanent school fund; and
- 23.24 ~~(6) serve as temporary trustee of school trust land for school trust lands subject to~~
- 23.25 ~~proposed or active eminent domain proceedings; and~~
- 23.26 ~~(7)~~ (6) submit recommendations on strategies for school trust land leases, sales, or
- 23.27 exchanges to the commissioner of natural resources and the Legislative Permanent School
- 23.28 Fund Commission.

24.1 Sec. 29. Minnesota Statutes 2022, section 268.085, subdivision 7, is amended to read:

24.2 Subd. 7. **School employees; between terms denial.** (a) Wage credits from employment
24.3 with an educational institution or institutions may not be used for unemployment benefit
24.4 purposes for any week during the period between two successive academic years or terms
24.5 if:

24.6 (1) the applicant had employment for an educational institution or institutions in the
24.7 prior academic year or term; and

24.8 (2) there is a reasonable assurance that the applicant will have employment for an
24.9 educational institution or institutions in the following academic year or term.

24.10 ~~This paragraph applies to a vacation period or holiday recess if the applicant was~~
24.11 ~~employed immediately before the vacation period or holiday recess, and there is a reasonable~~
24.12 ~~assurance that the applicant will be employed immediately following the vacation period~~
24.13 ~~or holiday recess. This paragraph also applies to the period between two regular but not~~
24.14 ~~successive terms if there is an agreement for that schedule between the applicant and the~~
24.15 ~~educational institution.~~

24.16 This paragraph does not apply if the subsequent employment is substantially less
24.17 favorable than the employment of the prior academic year or term, or the employment prior
24.18 to the vacation period or holiday recess.

24.19 (b) Paragraph (a) does not apply to ~~an applicant who, at the end of the prior academic~~
24.20 ~~year or term, had an agreement for a definite period of employment between academic years~~
24.21 ~~or terms in other than an instructional, research, or principal administrative capacity and~~
24.22 ~~the educational institution or institutions failed to provide that employment. any week during~~
24.23 the period between two successive academic years or terms if an applicant worked in a
24.24 capacity other than instructional, research, or principal administrative capacity.

24.25 (c) ~~If unemployment benefits are denied to any applicant under paragraph (a) who was~~
24.26 ~~employed in the prior academic year or term in other than an instructional, research, or~~
24.27 ~~principal administrative capacity and who was not offered an opportunity to perform the~~
24.28 ~~employment in the following academic year or term, the applicant is entitled to retroactive~~
24.29 ~~unemployment benefits for each week during the period between academic years or terms~~
24.30 ~~that the applicant filed a timely continued request for unemployment benefits, but~~
24.31 ~~unemployment benefits were denied solely because of paragraph (a). Paragraph (a) applies~~
24.32 to a vacation period or holiday recess if the applicant was employed immediately before
24.33 the vacation period or holiday recess, and there is a reasonable assurance that the applicant
24.34 will be employed immediately following the vacation period or holiday recess, including

25.1 applicants who worked in a capacity other than instructional, research, or principal
25.2 administrative capacity.

25.3 (d) This subdivision applies to employment with an educational service agency if the
25.4 applicant performed the services at an educational institution or institutions. "Educational
25.5 service agency" means a governmental entity established and operated for the purpose of
25.6 providing services to one or more educational institutions.

25.7 (e) This subdivision applies to employment with Minnesota, a political subdivision, or
25.8 a nonprofit organization, if the services are provided to or on behalf of an educational
25.9 institution or institutions.

25.10 (f) Paragraph (a) applies beginning the Sunday of the week that there is a reasonable
25.11 assurance of employment.

25.12 (g) Employment and a reasonable assurance with multiple education institutions must
25.13 be aggregated for purposes of application of this subdivision.

25.14 (h) If all of the applicant's employment with any educational institution or institutions
25.15 during the prior academic year or term consisted of on-call employment, and the applicant
25.16 has a reasonable assurance of any on-call employment with any educational institution or
25.17 institutions for the following academic year or term, it is not considered substantially less
25.18 favorable employment.

25.19 (i) A "reasonable assurance" may be written, oral, implied, or established by custom or
25.20 practice.

25.21 (j) An "educational institution" is a school, college, university, or other educational entity
25.22 operated by Minnesota, a political subdivision or instrumentality thereof, or a nonprofit
25.23 organization.

25.24 (k) An "instructional, research, or principal administrative capacity" does not include
25.25 an educational assistant.

25.26 **EFFECTIVE DATE.** This section is effective May 28, 2023.

25.27 Sec. 30. Minnesota Statutes 2022, section 290.0679, subdivision 2, is amended to read:

25.28 Subd. 2. **Conditions for assignment.** A qualifying taxpayer may assign all or part of
25.29 an anticipated refund for the current and future taxable years to a financial institution or a
25.30 qualifying organization. A financial institution or qualifying organization accepting
25.31 assignment must pay the amount secured by the assignment to a third-party vendor. The
25.32 commissioner of education shall, upon request from a third-party vendor, certify that the

vendor's products and services qualify for the education credit. A denial of a certification ~~is subject to the contested case procedure under~~ may be appealed to the commissioner pursuant to this subdivision and notwithstanding chapter 14. A financial institution or qualifying organization that accepts assignments under this section must verify as part of the assignment documentation that the product or service to be provided by the third-party vendor has been certified by the commissioner of education as qualifying for the education credit. The amount assigned for the current and future taxable years may not exceed the maximum allowable education credit for the current taxable year. Both the taxpayer and spouse must consent to the assignment of a refund from a joint return.

Sec. 31. **UNEMPLOYMENT INSURANCE REPORT.**

By January 15 of each year, the Department of Education, in consultation with the Department of Employment and Economic Development, must report to the legislative committees with jurisdiction over education the balances in unemployment insurance aid accounts and information about the annual changes in reimbursable costs for school workers receiving unemployment insurance benefits. To the extent possible, the report must break out the costs by district and major job classes. The report must be filed according to Minnesota Statutes, section 3.195.

Sec. 32. **FUND TRANSFER; BURNSVILLE-EAGAN-SAVAGE SCHOOL DISTRICT.**

(a) Notwithstanding Minnesota Statutes, section 123B.51, subdivision 4, paragraph (b), or any law to the contrary, any remaining net proceeds received by the district in connection with a lease of real property that is not needed for school purposes, or part of the property that is not needed for school purposes as permitted under Minnesota Statutes, section 123B.51, subdivision 4, paragraph (a), and which the school board of Independent School District No. 191, Burnsville-Eagan-Savage, specifically identified in the district's open facilities action plan, may be deposited in the district's general unrestricted fund following the deposit of such proceeds, as required under Minnesota Statutes, section 123B.51, subdivision 4, paragraph (b).

(b) Notwithstanding Minnesota Statutes, section 123B.51, subdivision 6, paragraphs (c) to (f), or any law to the contrary, any remaining proceeds of the sale or exchange of school buildings or real property of Independent School District No. 191, Burnsville-Eagan-Savage, specifically identified in the district's open facilities action plan may be deposited in the

27.1 district's general unrestricted fund following application of such proceeds, as required under
27.2 Minnesota Statutes, section 123B.51, subdivision 6, paragraph (b).

27.3 **EFFECTIVE DATE.** This section is effective upon compliance by Independent School
27.4 District No. 191, Burnsville-Eagan-Savage, with Minnesota Statutes, section 645.021,
27.5 subdivisions 2 and 3.

27.6 Sec. 33. **REPLACING PAPER FORMS.**

27.7 By January 15, 2024, the Department of Education must report to the legislative
27.8 committees with jurisdiction over education whether free and reduced-price meals
27.9 information obtained through parents submitting paper eligibility forms may be eliminated
27.10 for all school nutritional programs, Title 1 funding, e-rate funding, and any other federal or
27.11 state programs that require the determination of family income for eligibility.

27.12 Sec. 34. **APPROPRIATIONS GIVEN EFFECT ONCE.**

27.13 If an appropriation or transfer in this act is enacted more than once during the 2023
27.14 regular session, the appropriation or transfer must be given effect once.

27.15 Sec. 35. **APPROPRIATIONS.**

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

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

27.21 \$ 8,028,259,000 2024

27.22 \$ 8,319,353,000 2025

27.23 (b) The 2024 appropriation includes \$707,254,000 for 2023 and \$7,321,005,000 for
27.24 2024.

27.25 (c) The 2025 appropriation includes \$813,445,000 for 2024 and \$7,505,908,000 for
27.26 2025.

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

28.1 \$ 18,000 2024

28.2 \$ 19,000 2025

28.3 Subd. 4. **Abatement aid.** (a) For abatement aid under Minnesota Statutes, section
28.4 127A.49:

28.5 \$ 2,339,000 2024

28.6 \$ 2,665,000 2025

28.7 (b) The 2024 appropriation includes \$126,000 for 2023 and \$2,213,000 for 2024.

28.8 (c) The 2025 appropriation includes \$245,000 for 2024 and \$2,420,000 for 2025.

28.9 Subd. 5. **Consolidation transition aid.** (a) For districts consolidating under Minnesota
28.10 Statutes, section 123A.485:

28.11 \$ 187,000 2024

28.12 \$ 290,000 2025

28.13 (b) The 2024 appropriation includes \$7,000 for 2023 and \$180,000 for 2024.

28.14 (c) The 2025 appropriation includes \$20,000 for 2024 and \$270,000 for 2025.

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

28.17 \$ 22,354,000 2024

28.18 \$ 23,902,000 2025

28.19 (b) The 2024 appropriation includes \$1,925,000 for 2023 and \$20,429,000 for 2024.

28.20 (c) The 2025 appropriation includes \$2,269,000 for 2024 and \$21,633,000 for 2025.

28.21 Subd. 7. **Nonpublic pupil transportation.** (a) For nonpublic pupil transportation aid
28.22 under Minnesota Statutes, section 123B.92, subdivision 9:

28.23 \$ 22,248,000 2024

28.24 \$ 23,624,000 2025

28.25 (b) The 2024 appropriation includes \$2,115,000 for 2023 and \$20,133,000 for 2024.

28.26 (c) The 2025 appropriation includes \$2,236,000 for 2024 and \$21,388,000 for 2025.

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

28.29 \$ 65,000 2024

28.30 \$ 65,000 2025

29.1 Subd. 9. Career and technical aid. (a) For career and technical aid under Minnesota
29.2 Statutes, section 124D.4531, subdivision 1b:

29.3 \$ 1,512,000 2024

29.4 \$ 761,000 2025

29.5 (b) The 2024 appropriation includes \$183,000 for 2023 and \$1,329,000 for 2024.

29.6 (c) The 2025 appropriation includes \$147,000 for 2024 and \$614,000 for 2025.

29.7 Subd. 10. Pregnant and parenting pupil transportation reimbursement. (a) To
29.8 reimburse districts for transporting pregnant or parenting pupils under Minnesota Statutes,
29.9 section 123B.92, subdivision 1, paragraph (b), clause (1), item (vi):

29.10 \$ 55,000 2024

29.11 \$ 55,000 2025

29.12 (b) To receive reimbursement, districts must apply using the form and manner of
29.13 application prescribed by the commissioner. If the appropriation is insufficient, the
29.14 commissioner must prorate the amount paid to districts seeking reimbursement.

29.15 (c) Any balance in the first year does not cancel but is available in the second year.

29.16 Subd. 11. Career and technical education consortium. (a) To the Minnesota Service
29.17 Cooperatives for career and technical education consortium grants under Minnesota Statutes,
29.18 section 124D.4536:

29.19 \$ 5,000,000 2024

29.20 \$ 5,000,000 2025

29.21 (b) If the appropriation in the first year is insufficient, the 2025 appropriation is available.
29.22 Any balance in the first year does not cancel but is available in the second year.

29.23 Subd. 12. Career and technical program expansion; aeronautics pilot program. (a)
29.24 For Independent School District No. 482, Little Falls, for an aeronautics and commercial
29.25 over-the-road technical program:

29.26 \$ 450,000 2024

29.27 (b) The funds must be used to help support the district's aeronautics and commercial
29.28 over-the-road technical pilot program. The funds may be used for equipment, staffing costs,
29.29 travel costs, and contracted services.

29.30 (c) By February 1, 2027, the district must report to the chairs and ranking minority
29.31 members of the legislative committees with jurisdiction over kindergarten through grade
29.32 12 education on the activities funded by this appropriation. The report must include but is

not limited to information about program participation and demographic information about the students served in the program, a description of the type of activities offered by each program during the year, partnerships with higher education and private providers of aeronautic and commercial over-the-road services, and recommendations for state actions that could improve aeronautics and commercial over-the-road programming for all school districts.

(d) This appropriation is available until June 30, 2026. This is a onetime appropriation.

Subd. 13. **Emergency medical training.** (a) For grants to offer high school students courses in emergency medical services:

\$ 500,000 2024

\$ 500,000 2025

(b) A school district, charter school, or cooperative unit under Minnesota Statutes, section 123A.24, subdivision 2, may apply for a grant under this section to offer enrolled students emergency medical services courses approved by the Minnesota Emergency Medical Services Regulatory Board to prepare students to take the emergency medical technician certification test, including an emergency medical services course that is a prerequisite to an emergency medical technician course.

(c) A grant recipient may use grant funds to partner with a district, charter school, cooperative unit, postsecondary institution, political subdivision, or entity with expertise in emergency medical services, including health systems, hospitals, ambulance services, and health care providers to offer an emergency medical services course.

(d) Eligible uses of grant funds include teacher salaries, transportation, equipment costs, emergency medical technician certification test fees, and student background checks.

(e) To the extent practicable, the commissioner must award half of the grant funds to applicants outside of the seven-county metropolitan area, and 30 percent of the grant funds to applicants with high concentrations of students of color.

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

(g) The base for fiscal year 2026 and later is \$500,000 per year.

Subd. 14. **Area learning center transportation aid.** (a) For area learning center transportation aid under Minnesota Statutes, section 123B.92, subdivision 11:

\$ 1,000,000 2024

\$ 1,000,000 2025

31.1 (b) Any balance in the first year does not cancel but is available in the second year.

31.2 (c) This aid is 100 percent payable in the current year.

31.3 Subd. 15. **English learner cross subsidy aid; four-year program.** (a) For English
 31.4 learner cross subsidy under Laws 2021, First Special Session chapter 13, article 1, section
 31.5 9:

31.6 \$ 2,000,000 2024

31.7 \$ 2,000,000 2025

31.8 (b) The base for this program in fiscal year 2026 and later is \$0.

31.9 Sec. 36. **REPEALER.**

31.10 (a) Minnesota Statutes 2022, section 126C.05, subdivisions 3 and 16, are repealed.

31.11 (b) Minnesota Statutes 2022, section 268.085, subdivision 8, is repealed.

31.12 **EFFECTIVE DATE.** Paragraph (a) is effective for revenue for fiscal year 2026.

31.13 Paragraph (b) is effective May 28, 2023.

31.14 **ARTICLE 2**

31.15 **EDUCATION EXCELLENCE**

31.16 Section 1. Minnesota Statutes 2022, section 120A.22, subdivision 10, is amended to read:

31.17 Subd. 10. **Requirements for instructors.** A person who is providing instruction to a
 31.18 child must meet at least one of the following requirements:

31.19 (1) hold a valid Minnesota teaching license in the field and for the grade level taught;

31.20 (2) be directly supervised by a person holding a valid Minnesota teaching license;

31.21 ~~(3) successfully complete a teacher competency examination;~~

31.22 ~~(4)~~ (3) provide instruction in a school that is accredited by an accrediting agency,
 31.23 recognized according to section 123B.445, or recognized by the commissioner;

31.24 ~~(5)~~ (4) hold a baccalaureate degree; or

31.25 ~~(6)~~ (5) be the parent of a child who is assessed according to the procedures in subdivision

31.26 11.

31.27 Any person providing instruction in a public school must meet the requirements of clause

31.28 (1).

32.1 Sec. 2. Minnesota Statutes 2022, section 120A.414, is amended by adding a subdivision
32.2 to read:

32.3 Subd. 6. **Other school personnel.** A school district or charter school that declares an
32.4 e-learning day must continue to pay the full wages for scheduled work hours and benefits
32.5 of all school employees for the duration of the e-learning period. During the e-learning
32.6 period, school employees must be allowed to work from home to the extent practicable, be
32.7 assigned to work in an alternative location, or be retained on an on-call basis for any potential
32.8 need.

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

32.10 Sec. 3. Minnesota Statutes 2022, section 120B.018, subdivision 6, is amended to read:

32.11 Subd. 6. **Required standard.** "Required standard" means (1) a statewide adopted
32.12 expectation for student learning in the content areas of language arts, mathematics, science,
32.13 social studies, physical education, and the arts, ~~or~~ and (2) a locally adopted expectation for
32.14 student learning in health ~~or the arts.~~

32.15 Sec. 4. Minnesota Statutes 2022, section 120B.021, subdivision 1, is amended to read:

32.16 Subdivision 1. **Required academic standards.** (a) The following subject areas are
32.17 required for statewide accountability:

32.18 (1) language arts;

32.19 (2) mathematics, encompassing algebra II, integrated mathematics III, or an equivalent
32.20 in high school, and to be prepared for the three credits of mathematics in grades 9 through
32.21 12, the grade 8 standards include completion of algebra;

32.22 (3) science, including earth and space science, life science, and the physical sciences,
32.23 including chemistry and physics;

32.24 (4) social studies, including history, geography, economics, ethnic studies, and
32.25 government and citizenship that includes civics consistent with section 120B.02, subdivision
32.26 3;

32.27 (5) physical education;

32.28 (6) health, for which locally developed academic standards apply; and

32.29 (7) the arts, ~~for which statewide or locally developed academic standards apply, as~~
32.30 ~~determined by the school district.~~ Public elementary and middle schools must offer at least
32.31 three and require at least two of the following ~~four~~ five arts areas: dance; media arts; music;

33.1 theater; and visual arts. Public high schools must offer at least three and require at least one
33.2 of the following five arts areas: media arts; dance; music; theater; and visual arts.

33.3 (b) For purposes of applicable federal law, the academic standards for language arts,
33.4 mathematics, and science apply to all public school students, except the very few students
33.5 with extreme cognitive or physical impairments for whom an individualized education
33.6 program team has determined that the required academic standards are inappropriate. An
33.7 individualized education program team that makes this determination must establish
33.8 alternative standards.

33.9 (c) ~~The department must adopt the most recent SHAPE America (Society of Health and~~
33.10 ~~Physical Educators) kindergarten through grade 12 standards and benchmarks for physical~~
33.11 ~~education as the required physical education academic standards.~~ The department may
33.12 modify SHAPE America (Society of Health and Physical Educators) standards and adapt
33.13 the national standards to accommodate state interest. The modification and adaptations must
33.14 maintain the purpose and integrity of the national standards. The department must make
33.15 available sample assessments, which school districts may use as an alternative to local
33.16 assessments, to assess students' mastery of the physical education standards beginning in
33.17 the 2018-2019 school year.

33.18 (d) A school district may include child sexual abuse prevention instruction in a health
33.19 curriculum, consistent with paragraph (a), clause (6). Child sexual abuse prevention
33.20 instruction may include age-appropriate instruction on recognizing sexual abuse and assault,
33.21 boundary violations, and ways offenders groom or desensitize victims, as well as strategies
33.22 to promote disclosure, reduce self-blame, and mobilize bystanders. A school district may
33.23 provide instruction under this paragraph in a variety of ways, including at an annual assembly
33.24 or classroom presentation. A school district may also provide parents information on the
33.25 warning signs of child sexual abuse and available resources.

33.26 (e) District efforts to develop, implement, or improve instruction or curriculum as a
33.27 result of the provisions of this section must be consistent with sections 120B.10, 120B.11,
33.28 and 120B.20.

33.29 Sec. 5. Minnesota Statutes 2022, section 120B.021, subdivision 3, is amended to read:

33.30 Subd. 3. **Rulemaking.** The commissioner, consistent with the requirements of this section
33.31 and section 120B.022, must adopt statewide rules under section 14.389 for implementing
33.32 statewide rigorous core academic standards in language arts, mathematics, science, social
33.33 studies, physical education, and the arts. ~~After the rules authorized under this subdivision~~

34.1 ~~are initially adopted, the commissioner may not amend or repeal these rules nor adopt new~~
34.2 ~~rules on the same topic without specific legislative authorization.~~

34.3 Sec. 6. Minnesota Statutes 2022, section 120B.022, subdivision 1, is amended to read:

34.4 Subdivision 1. **Elective standards.** A district must establish and regularly review its
34.5 own standards ~~in~~ for career and technical education (CTE) programs. Standards must align
34.6 with CTE frameworks developed by the Department of Education, standards developed by
34.7 national CTE organizations, or recognized industry standards. A district must use the current
34.8 world languages standards developed by the American Council on the Teaching of Foreign
34.9 Languages. A school district must offer courses in all elective subject areas.

34.10 Sec. 7. Minnesota Statutes 2022, section 120B.024, subdivision 1, is amended to read:

34.11 Subdivision 1. **Graduation requirements.** (a) Students ~~beginning 9th grade in the~~
34.12 ~~2011-2012 school year and later~~ must successfully complete the following high school level
34.13 credits for graduation:

34.14 (1) four credits of language arts sufficient to satisfy all of the academic standards in
34.15 English language arts;

34.16 (2) three credits of mathematics, ~~including an algebra II credit or its equivalent,~~ sufficient
34.17 to satisfy all of the academic standards in mathematics;

34.18 ~~(3) an algebra I credit by the end of 8th grade sufficient to satisfy all of the 8th grade~~
34.19 ~~standards in mathematics;~~

34.20 ~~(4) (3) three credits of science, including at least one credit of biology, one credit of~~
34.21 ~~chemistry or physics, and one elective credit of science. The combination of credits under~~
34.22 ~~this clause must be sufficient to satisfy (i) all of the academic standards in either chemistry~~
34.23 ~~or physics and (ii) all other academic standards in science;~~ one credit to satisfy all the earth
34.24 and space science standards for grades 9 to 12, one credit to satisfy all the life science
34.25 standards for grades 9 to 12, and one credit to satisfy all the chemistry or physics standards
34.26 for grades 9 to 12;

34.27 ~~(5) (4) three and one-half credits of social studies,~~ including credit for a course in
34.28 government and citizenship in either grade 11 or 12 for students beginning grade 9 in the
34.29 2024-2025 school year and later or an advanced placement, international baccalaureate, or
34.30 other rigorous course on government and citizenship under section 120B.021, subdivision
34.31 1a, and a combination of other credits encompassing at least United States history, geography,

35.1 government and citizenship, world history, and economics sufficient to satisfy all of the
35.2 academic standards in social studies;

35.3 ~~(6)~~ (5) one credit of the arts sufficient to satisfy all of the ~~state or local~~ academic standards
35.4 in the arts; ~~and~~

35.5 ~~(7)~~ (6) credits sufficient to satisfy the state standards in physical education; and

35.6 (7) a minimum of seven elective credits.

35.7 (b) A school district is encouraged to offer a course for credit in government and
35.8 citizenship to ~~11th or 12th grade~~ students in grade 11 or 12 who begin ~~9th grade~~ 9 in the
35.9 2020-2021 school year and later, that satisfies the government and citizenship requirement
35.10 in paragraph (a), clause (5). A school district must offer the course starting in the 2024-2025
35.11 school year.

35.12 (c) Students who begin grade 9 in the 2024-2025 school year and later must successfully
35.13 complete a half-credit in personal finance. A student may choose to have the half-credit
35.14 replace an elective half-credit or the last half-credit of the three math credits if the course
35.15 satisfies the state math standards. A teacher of a personal finance course that satisfies the
35.16 graduation requirement must have a field license or out-of-field permission in agricultural
35.17 education, business, family and consumer science, social studies, or math.

35.18 **EFFECTIVE DATE.** This section is effective for the 2024-2025 school year and later.

35.19 Sec. 8. Minnesota Statutes 2022, section 120B.024, subdivision 2, is amended to read:

35.20 Subd. 2. **Credit equivalencies.** (a) A one-half credit of economics taught in a school's
35.21 ~~agriculture~~ agricultural, food, and natural resources education or business education program
35.22 or department may fulfill a one-half credit in social studies under subdivision 1, clause (5),
35.23 if the credit is sufficient to satisfy all of the academic standards in economics.

35.24 (b) An agriculture science or career and technical education credit may fulfill the elective
35.25 science credit required under subdivision 1, clause (4), if the credit meets the state physical
35.26 science, life science, earth and space science, chemistry, or physics academic standards or
35.27 a combination of these academic standards as approved by the district. An agriculture or
35.28 career and technical education credit may fulfill the credit in chemistry or physics required
35.29 under subdivision 1, clause (4), if the credit meets the state chemistry or physics academic
35.30 standards as approved by the district. A student must satisfy either all of the chemistry
35.31 academic standards or all of the physics academic standards prior to graduation. An
35.32 agriculture science or career and technical education credit may not fulfill the required
35.33 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~~ agricultural, food, and natural resources education teacher is not required to meet the requirements of Minnesota Rules, part 3505.1150, subpart ~~1~~ 2, 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.

(f) A Project Lead the Way credit may fulfill a science or mathematics credit requirement under subdivision 1, clause (2) or (4), if the credit meets the state academic standards in science or mathematics.

(g) An ethnic studies credit may fulfill a social studies, language arts, arts, or science credit if the credit meets the applicable state academic standards. An ethnic studies credit may fulfill an elective credit if the credit meets applicable local standards or other requirements.

Sec. 9. Minnesota Statutes 2022, section 120B.11, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** For the purposes of this section and section 120B.10, the following terms have the meanings given them.

(a) "Instruction" means methods of providing learning experiences that enable a student to meet state and district academic standards and graduation requirements including applied and experiential learning.

(b) "Curriculum" means district or school adopted programs and written plans for providing students with learning experiences that lead to expected knowledge and skills and career and college readiness.

(c) "World's best workforce" means striving to: meet school readiness goals; have all third grade students achieve grade-level literacy; close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty; have all students attain career and college readiness before graduating from high school; and have all students graduate from high school.

(d) "Experiential learning" means learning for students that includes career exploration through a specific class or course or through work-based experiences such as job shadowing, mentoring, entrepreneurship, service learning, volunteering, internships, other cooperative work experience, youth apprenticeship, or employment.

(e) "Ethnic studies" has the meaning provided in section 120B.25. Ethnic studies curriculum may be integrated in existing curricular opportunities or provided through additional curricular offerings.

(f) "Antiracist" means actively working to identify and eliminate racism in all forms so that power and resources are redistributed and shared equitably among racial groups.

(g) "Culturally sustaining" means integrating content and practices that infuse the culture and language of Black, Indigenous, and People of Color communities who have been and continue to be harmed and erased through schooling.

(h) "Institutional racism" means structures, policies, and practices within and across institutions that produce outcomes that chronically favor white people and disadvantage those who are Black, Indigenous, and People of Color.

Sec. 10. Minnesota Statutes 2022, section 120B.11, subdivision 2, is amended to read:

Subd. 2. **Adopting plans and budgets.** A school board, at a public meeting, ~~shall~~ must adopt a comprehensive, long-term strategic plan to support and improve teaching and learning that is aligned with creating the world's best workforce and includes:

(1) clearly defined district and school site goals and benchmarks for instruction and student achievement for all student subgroups identified in section 120B.35, subdivision 3, paragraph (b), clause (2);

(2) a process to: ~~assess and evaluate each student's progress toward meeting state and local academic standards;~~ ~~assess and identify students to participate in gifted and talented programs and accelerate their instruction;~~ ~~and;~~ adopt early-admission procedures consistent with section 120B.15; assess ethnic studies curriculum needs to determine priorities for integrating ethnic studies into existing courses or developing new courses; ~~and identifying~~ identify the strengths and weaknesses of instruction in pursuit of student and school success and curriculum affecting students' progress and growth toward career and college readiness and leading to the world's best workforce;

(3) a system to periodically review and evaluate the effectiveness of all instruction and curriculum, including ethnic studies curriculum, taking into account strategies and best practices, student outcomes, school principal evaluations under section 123B.147, subdivision 3, students' access to effective teachers who are members of populations underrepresented among the licensed teachers in the district or school and who reflect the diversity of enrolled students under section 120B.35, subdivision 3, paragraph (b), clause (2), and teacher evaluations under section 122A.40, subdivision 8, or 122A.41, subdivision 5;

- 38.1 (4) strategies for improving instruction, curriculum, and student achievement, including:
- 38.2 (i) the English and, where practicable, the native language development and the academic
- 38.3 achievement of English learners; and
- 38.4 (ii) access to ethnic studies curriculum using culturally responsive methodologies for
- 38.5 all learners;
- 38.6 (5) a process to examine the equitable distribution of teachers and strategies to ensure
- 38.7 children in low-income and minority children families, children in families of People of
- 38.8 Color, and children in American Indian families are not taught at higher rates than other
- 38.9 children by inexperienced, ineffective, or out-of-field teachers;
- 38.10 (6) education effectiveness practices that:
- 38.11 (i) integrate high-quality instruction, rigorous curriculum, technology, and curriculum
- 38.12 that is rigorous, accurate, antiracist, and culturally sustaining;
- 38.13 (ii) ensure learning and work environments validate, affirm, embrace, and integrate
- 38.14 cultural and community strengths for all students, families, and employees; and
- 38.15 (iii) provide a collaborative professional culture that develops and supports seeks to
- 38.16 retain qualified, racially and ethnically diverse staff effective at working with diverse students
- 38.17 while developing and supporting teacher quality, performance, and effectiveness; and
- 38.18 (7) an annual budget for continuing to implement the district plan; and
- 38.19 (8) identifying a list of suggested and required materials, resources, sample curricula,
- 38.20 and pedagogical skills for use in kindergarten through grade 12 that accurately reflect the
- 38.21 diversity of the state of Minnesota.

38.22 **EFFECTIVE DATE.** This section is effective for all strategic plans reviewed and

38.23 updated after June 30, 2024.

38.24 Sec. 11. Minnesota Statutes 2022, section 120B.11, subdivision 3, is amended to read:

38.25 Subd. 3. **District advisory committee.** Each school board ~~shall~~ must establish an advisory

38.26 committee to ensure active community participation in all phases of planning and improving

38.27 the instruction and curriculum affecting state and district academic standards, consistent

38.28 with subdivision 2. A district advisory committee, to the extent possible, ~~shall~~ must reflect

38.29 the diversity of the district and its school sites, include teachers, parents, support staff,

38.30 students, and other community residents, and provide translation to the extent appropriate

38.31 and practicable. The district advisory committee ~~shall~~ must pursue community support to

38.32 accelerate the academic and native literacy and achievement of English learners with varied

needs, from young children to adults, consistent with section 124D.59, subdivisions 2 and 2a. The district may establish site teams as subcommittees of the district advisory committee under subdivision 4. The district advisory committee ~~shall~~ must recommend to the school board: rigorous academic standards; student achievement goals and measures consistent with subdivision 1a and sections 120B.022, subdivisions 1a and 1b, and 120B.35; district assessments; means to improve students' equitable access to effective and more diverse teachers; strategies to ensure the curriculum is rigorous, accurate, antiracist, and culturally sustaining; strategies to ensure that curriculum and learning and work environments validate, affirm, embrace, and integrate the cultural and community strengths of all racial and ethnic groups; and program evaluations. School sites may expand upon district evaluations of instruction, curriculum, assessments, or programs. Whenever possible, parents and other community residents ~~shall~~ must comprise at least two-thirds of advisory committee members.

Sec. 12. Minnesota Statutes 2022, section 120B.15, is amended to read:

120B.15 GIFTED AND TALENTED STUDENTS PROGRAMS AND SERVICES.

(a) School districts may identify students, locally develop programs and services addressing instructional and affective needs, provide staff development, and evaluate programs to provide gifted and talented students with challenging and appropriate educational programs and services.

(b) School districts must adopt guidelines for assessing and identifying students for participation in gifted and talented programs and services consistent with section 120B.11, subdivision 2, clause (2). The guidelines should include the use of:

(1) multiple and objective criteria; and

(2) assessments and procedures that are valid and reliable, fair, and based on current theory and research. Assessments and procedures should be sensitive to underrepresented groups, including, but not limited to, low-income, minority, twice-exceptional, and English learners.

(c) School districts must adopt procedures for the academic acceleration of gifted and talented students consistent with section 120B.11, subdivision 2, clause (2). These procedures must include how the district will:

(1) assess a student's readiness and motivation for acceleration; and

(2) match the level, complexity, and pace of the curriculum to a student to achieve the best type of academic acceleration for that student.

(d) School districts must adopt procedures consistent with section 124D.02, subdivision 1, for early admission to kindergarten or first grade of gifted and talented learners consistent with section 120B.11, subdivision 2, clause (2). The procedures must be sensitive to underrepresented groups.

Sec. 13. **[120B.25] ETHNIC STUDIES.**

"Ethnic studies" means the interdisciplinary study of race, ethnicity, and indigeneity with a focus on the experiences and perspectives of people of color within and beyond the United States. Ethnic studies analyzes the ways in which race and racism have been and continue to be powerful social, cultural, and political forces, and the connection of race to the stratification of other groups, including stratification based on gender, class, disability, sexuality, religion, and legal status.

Sec. 14. **[120B.251] ETHNIC STUDIES REQUIREMENTS.**

Subdivision 1. **Definition.** "Ethnic studies" has the meaning provided in section 120B.25.

Subd. 2. **Requirements.** (a) Starting in the 2026-2027 school year, a district or charter school must offer an ethnic studies course that fulfills the requirements of this paragraph without increasing the number of credits required for graduation under section 120B.024. An ethnic studies credit may fulfill a social studies, language arts, arts, or science credit if the credit meets the applicable state academic standards. An ethnic studies credit may fulfill an elective credit if the credit meets applicable local academic standards or other requirements.

(b) School districts and charter schools must provide ethnic studies instruction in elementary schools and middle schools by the 2027-2028 school year in accordance with state academic standards.

(c) Ethnic studies instruction must meet statewide academic standards for ethnic studies.

(d) An ethnic studies course may focus specifically on a particular group of national or ethnic origin, including Hmong, Karen, or Somali people.

Subd. 3. **Rulemaking.** The commissioner of education must adopt rules for statewide academic standards for ethnic studies.

Subd. 4. **School needs assessment.** (a) A school district or charter school must conduct an ethnic studies school needs assessment with students, parents or guardians, and community members to determine the priorities for course selection, implementation, and timeline. The ethnic studies school needs assessment must include qualitative and quantitative components.

41.1 Qualitative priorities must include written and in-person feedback opportunities for students,
41.2 parents or guardians, and community members. Quantitative priorities must include a school
41.3 survey.

41.4 (b) A school district or charter school must annually evaluate the implementation of
41.5 ethnic studies instruction by seeking feedback from students, parents or guardians, and
41.6 community members. A school district or charter school must report to the commissioner
41.7 of education in the form and manner determined by the commissioner on plans to modify
41.8 implementation based on the annual evaluation.

41.9 Subd. 5. **Department of Education.** (a) The Department of Education must hire dedicated
41.10 ethnic studies staff sufficient to fulfill the following department duties:

41.11 (1) support school district and charter school implementation of ethnic studies courses
41.12 that fulfill ethnic studies standards through activities such as assistance with increased
41.13 completion of the Minnesota Common Course Catalog, hosting an annual implementation
41.14 support symposium, and regular updates and lessons learned;

41.15 (2) support school districts and charter schools in providing training for teachers and
41.16 school district staff to successfully implement ethnic studies standards;

41.17 (3) support and provide tools for each school district or charter school to annually evaluate
41.18 the implementation of the ethnic studies requirements by seeking feedback from students,
41.19 parents or guardians, and community members;

41.20 (4) provide resources and examples of how a dedicated coordinator for ethnic studies
41.21 can facilitate higher quality implementation of ethnic studies; and

41.22 (5) make available to school districts and charter schools the following:

41.23 (i) an ethnic studies school survey for each school district and charter school to use as
41.24 part of a school needs assessment;

41.25 (ii) a list of recommended examples of implementation supports for use in kindergarten
41.26 through grade 12 that accurately reflect the diversity of the state of Minnesota;

41.27 (iii) training materials for teachers and district and school staff, including an ethnic
41.28 studies coordinator, to implement ethnic studies requirements, including a school needs
41.29 assessment; and

41.30 (iv) other resources to assist districts and charter schools in successfully implementing
41.31 ethnic studies standards.

(b) The commissioner must review and revise the ethnic studies standards, once adopted, every ten years. Review and revision of the state standards must include robust community engagement and consultation with stakeholders.

EFFECTIVE DATE. This section is effective July 1, 2023, except subdivision 3, which is effective the day following final enactment.

Sec. 15. [120B.252] HOLOCAUST, GENOCIDE OF INDIGENOUS PEOPLES, AND OTHER GENOCIDE EDUCATION.

Subdivision 1. **Definitions.** (a) "Holocaust and genocide studies" means interdisciplinary teaching and learning about the causes, impacts, and legacies of the Holocaust, other genocides, and incidents of mass violence.

(b) "Holocaust" means the systematic, state-sponsored persecution and murder of 6,000,000 Jews by the Nazi regime and its allies and collaborators.

(c) "Genocide" means an internationally recognized crime where acts are committed with the intent to destroy, in whole or in part, a national, ethnic, racial, or religious group. Acts of genocide, as defined by the United Nations and the Rome Statute, include the following categories:

(1) killing members of the group;

(2) causing serious bodily or mental harm to members of the group;

(3) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;

(4) imposing measures intended to prevent births within the group; or

(5) forcibly transferring children of the group to another group.

Genocide also means a series of purposeful actions by a perpetrator or perpetrators to destroy a collectivity through mass or selective murders of group members and suppressing the biological and social reproduction of the collectivity. The perpetrator or perpetrators may represent the state of the victim, another state, or another collectivity.

(d) "Incidents of mass violence" means extreme violence deliberately inflicted on a large scale on civilians or noncombatants by state or nonstate actors. Incidents of mass violence encompass the international crimes of genocide, crimes against humanity, war crimes, and terrorism.

43.1 (e) "Center for Holocaust and Genocide Studies" means the Center for Holocaust and
43.2 Genocide Studies at the University of Minnesota.

43.3 Subd. 2. **Requirements.** (a) A school district must, at a minimum, offer as part of its
43.4 social studies curriculum for middle and high school education on the Holocaust, genocide
43.5 of Indigenous Peoples, and other genocides. Curriculum must:

43.6 (1) examine the history of the genocide of Indigenous Peoples and Indigenous removal
43.7 from Minnesota, including the genocide, dispossession, and forced removal of the Dakota,
43.8 Ojibwe, and Ho-Chunk;

43.9 (2) analyze the connections between World War II, nationalism, fascism, antisemitism,
43.10 and the Holocaust;

43.11 (3) analyze how individuals, groups, and societies around the world have been affected
43.12 by genocide, such as the genocide of Indigenous Peoples in the Americas and throughout
43.13 the world; Black genocide in the United States and the Americas; the genocide in German
43.14 Southwest Africa; Armenian genocide; the genocide of the Ukrainian people from 1932 to
43.15 1933, also known as the Holodomor; the Holocaust, including non-Jewish victims of Nazi
43.16 persecution and genocide; Cambodian genocide; Guatemalan genocide; Rwandan genocide;
43.17 genocide in the former Yugoslavia; genocide in Darfur; Rohingya genocide; and other
43.18 historical and contemporary cases of genocide and mass violence, especially those
43.19 experienced by communities expelled from, resettled in, migrated to, or living in Minnesota,
43.20 including the Karen, Hmong, and Somali communities; and

43.21 (4) describe and evaluate different responses to genocides and other human rights
43.22 violations, such as the genocide of Indigenous Peoples in the Americas and throughout the
43.23 world; Black genocide in the United States and the Americas; the genocide in German
43.24 Southwest Africa; Armenian genocide; the genocide of the Ukrainian people from 1932 to
43.25 1933, also known as the Holodomor; the Holocaust, including non-Jewish victims of Nazi
43.26 persecution and genocide; Cambodian genocide; Guatemalan genocide; Rwandan genocide;
43.27 genocide in the former Yugoslavia; genocide in Darfur; Rohingya genocide; and other
43.28 historical and contemporary cases of genocide.

43.29 (b) Public schools are strongly encouraged to include in middle and high school social
43.30 studies curriculum context about the history, culture, and traditions of the communities
43.31 devastated by the Holocaust, genocide of Indigenous Peoples, other genocides, and incidents
43.32 of mass violence.

(c) School districts are strongly encouraged to include the Holocaust, genocide of Indigenous Peoples, other genocides, and incidents of mass violence in middle and high school English language arts curriculum.

(d) A school district must provide Holocaust and genocide education as part of its curriculum in middle and high school by the 2026-2027 school year in accordance with Department of Education rulemaking on social studies standards and benchmarks.

EFFECTIVE DATE. This section is effective July 1, 2023.

Sec. 16. Minnesota Statutes 2022, 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, must 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. 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 must establish a testing period as late as possible each school year during which schools must administer the Minnesota Comprehensive Assessments to students. The commissioner must publish the testing schedule at least two years before the beginning of the testing period.

(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 school year and later, students' state graduation requirements, based on a longitudinal, systematic approach to student

45.1 education and career planning, assessment, instructional support, and evaluation, include
45.2 the following:

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

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

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

45.19 (d) Expectations of schools, districts, and the state for career or college readiness under
45.20 this subdivision must be comparable in rigor, clarity of purpose, and rates of student
45.21 completion.

45.22 A student under paragraph (c), clause (1), must receive targeted, relevant, academically
45.23 rigorous, and resourced instruction, which may include a targeted instruction and intervention
45.24 plan focused on improving the student's knowledge and skills in core subjects so that the
45.25 student has a reasonable chance to succeed in a career or college without need for
45.26 postsecondary remediation. Consistent with sections 120B.13, 124D.09, 124D.091, 124D.49,
45.27 and related sections, an enrolling school or district must actively encourage a student in
45.28 grade 11 or 12 who is identified as academically ready for a career or college to participate
45.29 in courses and programs awarding college credit to high school students. Students are not
45.30 required to achieve a specified score or level of proficiency on an assessment under this
45.31 subdivision to graduate from high school.

45.32 (e) Though not a high school graduation requirement, students are encouraged to
45.33 participate in a nationally recognized college entrance exam. To the extent state funding
45.34 for college entrance exam fees is available, a district must pay the cost, one time, for an

interested student in grade 11 or 12 who is eligible for a free or reduced-price meal, to take a nationally recognized college entrance exam before graduating. A student must be able to take the exam under this paragraph at the student's high school during the school day and at any one of the multiple exam administrations available to students in the district. A district may administer the ACT or SAT or both the ACT and SAT to comply with this paragraph. If the district administers only one of these two tests and a free or reduced-price meal eligible student opts not to take that test and chooses instead to take the other of the two tests, the student may take the other test at a different time or location and remains eligible for the examination fee reimbursement. Notwithstanding sections 123B.34 to 123B.39, a school district may require a student that is not eligible for a free or reduced-price meal to pay the cost of taking a nationally recognized college entrance exam. The district must waive the cost for a student unable to pay.

(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 understand the assessments.

(g) Districts and schools, on an annual basis, must use career exploration elements 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.

(h) A student who demonstrates attainment of required state academic standards, which include career and college readiness benchmarks, on high school assessments under

47.1 subdivision 1a is academically ready for a career or college and is encouraged to participate
47.2 in courses awarding college credit to high school students. Such courses and programs may
47.3 include sequential courses of study within broad career areas and technical skill assessments
47.4 that extend beyond course grades.

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

47.8 (j) In developing, supporting, and improving students' academic readiness for a career
47.9 or college, schools, districts, and the state must have a continuum of empirically derived,
47.10 clearly defined benchmarks focused on students' attainment of knowledge and skills so that
47.11 students, their parents, and teachers know how well students must perform to have a
47.12 reasonable chance to succeed in a career or college without need for postsecondary
47.13 remediation. The commissioner, in consultation with local school officials and educators,
47.14 and Minnesota's public postsecondary institutions must ensure that the foundational
47.15 knowledge and skills for students' successful performance in postsecondary employment
47.16 or education and an articulated series of possible targeted interventions are clearly identified
47.17 and satisfy Minnesota's postsecondary admissions requirements.

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

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

47.25 (m) The 3rd through 8th grade computer-adaptive assessment results and high school
47.26 test results must be available to districts for diagnostic purposes affecting student learning
47.27 and district instruction and curriculum, and for establishing educational accountability. The
47.28 commissioner, in consultation with the chancellor of the Minnesota State Colleges and
47.29 Universities, must establish empirically derived benchmarks on the high school tests that
47.30 reveal a trajectory toward career and college readiness consistent with section 136F.302,
47.31 subdivision 1a. The commissioner must disseminate to the public the computer-adaptive
47.32 assessments and high school test results upon receiving those results.

47.33 (n) The grades 3 through 8 computer-adaptive assessments and high school tests must
47.34 be aligned with state academic standards. The commissioner must determine the testing

process and the order of administration. The statewide results must be aggregated at the site and district level, consistent with subdivision 1a.

(o) The commissioner must include the following components in the statewide public reporting system:

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

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

(3) state results on the ~~American College Test~~ ACT test; and

(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.

(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.

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

Sec. 17. Minnesota Statutes 2022, section 120B.30, subdivision 1a, is amended to read:

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

~~(1) "Computer adaptive assessments" means fully adaptive assessments.~~

~~(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.~~

~~(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.~~

~~(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.~~

~~(e)~~ (a) 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 high school reading and mathematics tests aligned with state academic standards, a high school writing test aligned with state standards when it becomes available, 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 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)~~ (b) The commissioner must ensure that for annual computer-adaptive assessments:

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

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

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

50.9 (4) useful diagnostic information about areas of students' academic strengths and
50.10 weaknesses is available to teachers and school administrators for improving student
50.11 instruction and indicating the specific skills and concepts that should be introduced and
50.12 developed for students at given performance levels, organized by strands within subject
50.13 areas, and aligned to state academic standards.

50.14 ~~(e)~~ (c) The commissioner must ensure that all state tests administered to elementary and
50.15 secondary students measure students' academic knowledge and skills and not students'
50.16 values, attitudes, and beliefs.

50.17 ~~(f)~~ (d) Reporting of state assessment results must:

50.18 (1) provide timely, useful, and understandable information on the performance of
50.19 individual students, schools, school districts, and the state;

50.20 (2) include a growth indicator of student achievement; and

50.21 (3) determine whether students have met the state's academic standards.

50.22 ~~(g)~~ (e) Consistent with applicable federal law, the commissioner must include appropriate,
50.23 technically sound accommodations or alternative assessments for the very few students with
50.24 disabilities for whom statewide assessments are inappropriate and for English learners.

50.25 ~~(h)~~ (f) A school, school district, and charter school must administer statewide assessments
50.26 under this section, as the assessments become available, to evaluate student progress toward
50.27 career and college readiness in the context of the state's academic standards. A school,
50.28 school district, or charter school may use a student's performance on a statewide assessment
50.29 as one of multiple criteria to determine grade promotion or retention. A school, school
50.30 district, or charter school may use a high school student's performance on a statewide
50.31 assessment as a percentage of the student's final grade in a course, or place a student's
50.32 assessment score on the student's transcript.

51.1 Sec. 18. Minnesota Statutes 2022, section 120B.301, is amended to read:

51.2 **120B.301 LIMITS ON LOCAL TESTING.**

51.3 (a) For students in grades 1 through 6, the cumulative total amount of time spent taking
51.4 locally adopted districtwide or schoolwide assessments must not exceed ten hours per school
51.5 year. For students in grades 7 through 12, the cumulative total amount of time spent taking
51.6 locally adopted districtwide or schoolwide assessments must not exceed 11 hours per school
51.7 year. For purposes of this paragraph, international baccalaureate and advanced placement
51.8 exams are not considered locally adopted assessments.

51.9 (b) A district or charter school is exempt from the requirements of paragraph (a), if the
51.10 district or charter school, in consultation with the exclusive representative of the teachers
51.11 or other teachers if there is no exclusive representative of the teachers, decides to exceed a
51.12 time limit in paragraph (a) and includes the information in the report required under section
51.13 120B.11, subdivision 5.

51.14 (c) A district or charter school, ~~before the first day of each school year,~~ must publish on
51.15 its website a comprehensive calendar of standardized tests to be administered in the district
51.16 or charter school during that school year. The calendar must provide the rationale for
51.17 administering each assessment and indicate whether the assessment is a local option or
51.18 required by state or federal law. The calendar must be published at least one week prior to
51.19 any eligible assessments being administered but no later than October 1.

51.20 Sec. 19. Minnesota Statutes 2022, section 120B.35, subdivision 3, is amended to read:

51.21 Subd. 3. **State growth ~~target~~ measures; other state measures.** (a)(1) The state's
51.22 educational assessment system measuring individual students' educational growth is based
51.23 on indicators of current achievement ~~growth~~ that show growth relative to an individual
51.24 student's prior achievement. Indicators of achievement and prior achievement must be based
51.25 on highly reliable statewide or districtwide assessments.

51.26 (2) For purposes of paragraphs (b), (c), and (d), the commissioner must analyze and
51.27 report separate categories of information using the student categories identified under the
51.28 federal Elementary and Secondary Education Act, as most recently reauthorized, and, in
51.29 addition to "other" for each race and ethnicity, and the Karen community, seven of the most
51.30 populous Asian and Pacific Islander groups, three of the most populous Native groups,
51.31 seven of the most populous Hispanic/Latino groups, and five of the most populous Black
51.32 and African Heritage groups as determined by the total Minnesota population based on the
51.33 most recent American Community Survey; English learners under section 124D.59; home

52.1 language; free or reduced-price lunch; and all students enrolled in a Minnesota public school
52.2 who are currently or were previously in foster care, except that such disaggregation and
52.3 cross tabulation is not required if the number of students in a category is insufficient to yield
52.4 statistically reliable information or the results would reveal personally identifiable information
52.5 about an individual student.

52.6 (b) The commissioner, in consultation with a stakeholder group that includes assessment
52.7 and evaluation directors, district staff, experts in culturally responsive teaching, and
52.8 researchers, must implement ~~a~~ an appropriate growth model that compares the difference
52.9 in students' achievement scores over time, and includes criteria for identifying schools and
52.10 school districts that demonstrate academic progress or progress toward English language
52.11 proficiency. The model may be used to advance educators' professional development and
52.12 replicate programs that succeed in meeting students' diverse learning needs. Data on
52.13 individual teachers generated under the model are personnel data under section 13.43. The
52.14 model must allow users to:

52.15 (1) report student growth consistent with this paragraph; and

52.16 (2) for all student categories, report and compare aggregated and disaggregated state
52.17 student growth and, under section 120B.11, subdivision 2, clause (2), student learning and
52.18 outcome data using the student categories identified under the federal Elementary and
52.19 Secondary Education Act, as most recently reauthorized, and other student categories under
52.20 paragraph (a), clause (2).

52.21 The commissioner must report measures of student growth and, under section 120B.11,
52.22 subdivision 2, clause (2), student learning and outcome data, consistent with this paragraph,
52.23 including the English language development, academic progress, and oral academic
52.24 development of English learners and their native language development if the native language
52.25 is used as a language of instruction, and include data on all pupils enrolled in a Minnesota
52.26 public school course or program who are currently or were previously counted as an English
52.27 learner under section 124D.59.

52.28 (c) When reporting student performance under section 120B.36, subdivision 1, the
52.29 commissioner annually, beginning July 1, 2011, must report two core measures indicating
52.30 the extent to which current high school graduates are being prepared for postsecondary
52.31 academic and career opportunities:

52.32 (1) a preparation measure indicating the number and percentage of high school graduates
52.33 in the most recent school year who completed course work important to preparing them for
52.34 postsecondary academic and career opportunities, consistent with the core academic subjects

53.1 required for admission to Minnesota's public colleges and universities as determined by the
53.2 Office of Higher Education under chapter 136A; and

53.3 (2) a rigorous coursework measure indicating the number and percentage of high school
53.4 graduates in the most recent school year who successfully completed one or more
53.5 college-level advanced placement, international baccalaureate, postsecondary enrollment
53.6 options including concurrent enrollment, other rigorous courses of study under section
53.7 120B.021, subdivision 1a, or industry certification courses or programs.

53.8 When reporting the core measures under clauses (1) and (2), the commissioner must also
53.9 analyze and report separate categories of information using the student categories identified
53.10 under the federal Elementary and Secondary Education Act, as most recently reauthorized,
53.11 and other student categories under paragraph (a), clause (2).

53.12 (d) When reporting student performance under section 120B.36, subdivision 1, the
53.13 commissioner annually, beginning July 1, 2014, must report summary data on school safety
53.14 and students' engagement and connection at school, consistent with the student categories
53.15 identified under paragraph (a), clause (2). The summary data under this paragraph are
53.16 separate from and must not be used for any purpose related to measuring or evaluating the
53.17 performance of classroom teachers. The commissioner, in consultation with qualified experts
53.18 on student engagement and connection and classroom teachers, must identify highly reliable
53.19 variables that generate summary data under this paragraph. The summary data may be used
53.20 at school, district, and state levels only. Any data on individuals received, collected, or
53.21 created that are used to generate the summary data under this paragraph are nonpublic data
53.22 under section 13.02, subdivision 9.

53.23 (e) For purposes of statewide educational accountability, the commissioner must identify
53.24 and report measures that demonstrate the success of learning year program providers under
53.25 sections 123A.05 and 124D.68, among other such providers, in improving students'
53.26 graduation outcomes. The commissioner, beginning July 1, 2015, must annually report
53.27 summary data on:

53.28 (1) the four- and six-year graduation rates of students under this paragraph;

53.29 (2) the percent of students under this paragraph whose progress and performance levels
53.30 are meeting career and college readiness benchmarks under section 120B.30, subdivision
53.31 1; and

53.32 (3) the success that learning year program providers experience in:

53.33 (i) identifying at-risk and off-track student populations by grade;

54.1 (ii) providing successful prevention and intervention strategies for at-risk students;

54.2 (iii) providing successful recuperative and recovery or reenrollment strategies for off-track
54.3 students; and

54.4 (iv) improving the graduation outcomes of at-risk and off-track students.

54.5 The commissioner may include in the annual report summary data on other education
54.6 providers serving a majority of students eligible to participate in a learning year program.

54.7 (f) The commissioner, in consultation with recognized experts with knowledge and
54.8 experience in assessing the language proficiency and academic performance of all English
54.9 learners enrolled in a Minnesota public school course or program who are currently or were
54.10 previously counted as an English learner under section 124D.59, must identify and report
54.11 appropriate and effective measures to improve current categories of language difficulty and
54.12 assessments, and monitor and report data on students' English proficiency levels, program
54.13 placement, and academic language development, including oral academic language.

54.14 (g) When reporting four- and six-year graduation rates, the commissioner or school
54.15 district must disaggregate the data by student categories according to paragraph (a), clause
54.16 (2).

54.17 (h) A school district must inform parents and guardians that volunteering information
54.18 on student categories not required by the most recent reauthorization of the Elementary and
54.19 Secondary Education Act is optional and will not violate the privacy of students or their
54.20 families, parents, or guardians. The notice must state the purpose for collecting the student
54.21 data.

54.22 Sec. 20. Minnesota Statutes 2022, section 120B.36, subdivision 2, is amended to read:

54.23 Subd. 2. **Student progress and other data.** (a) All data the department receives, collects,
54.24 or creates under section 120B.11, governing the world's best workforce, or uses to determine
54.25 federal expectations under the most recently reauthorized Elementary and Secondary
54.26 Education Act, ~~set state growth targets,~~ and determine student growth, learning, and outcomes
54.27 under section 120B.35 are nonpublic data under section 13.02, subdivision 9, until the
54.28 commissioner publicly releases the data.

54.29 (b) Districts must provide parents sufficiently detailed summary data to permit parents
54.30 to appeal under the most recently reauthorized federal Elementary and Secondary Education
54.31 Act. The commissioner shall annually post federal expectations and state student growth,
54.32 learning, and outcome data to the department's public website no later than September 1,
54.33 except that in years when data or federal expectations reflect new performance standards,

55.1 the commissioner shall post data on federal expectations and state student growth data no
55.2 later than October 1.

55.3 Sec. 21. Minnesota Statutes 2022, section 121A.031, subdivision 6, is amended to read:

55.4 Subd. 6. **State model policy.** (a) The commissioner, in consultation with the
55.5 commissioner of human rights, shall develop and maintain a state model policy. A district
55.6 or school that does not adopt and implement a local policy under subdivisions 3 to 5 must
55.7 implement and may supplement the provisions of the state model policy. The commissioner
55.8 must assist districts and schools under this subdivision to implement the state policy. The
55.9 state model policy must:

55.10 (1) define prohibited conduct, consistent with this section;

55.11 (2) apply the prohibited conduct policy components in this section;

55.12 (3) for a child with a disability, whenever an evaluation by an individualized education
55.13 program team or a section 504 team indicates that the child's disability affects the child's
55.14 social skills development or the child is vulnerable to prohibited conduct because of the
55.15 child's disability, the child's individualized education program or section 504 plan may
55.16 address the skills and proficiencies the child needs to not engage in and respond to such
55.17 conduct; and

55.18 (4) encourage violence prevention and character development education programs under
55.19 section 120B.232, subdivision 1.

55.20 (b) The commissioner shall develop and post departmental procedures for:

55.21 (1) periodically reviewing district and school programs and policies for compliance with
55.22 this section;

55.23 (2) investigating, reporting, and responding to noncompliance with this section, which
55.24 may include an annual review of plans to improve and provide a safe and supportive school
55.25 climate; and

55.26 (3) allowing students, parents, and educators to file a complaint about noncompliance
55.27 with the commissioner.

55.28 (c) The commissioner must post on the department's website information indicating that
55.29 when districts and schools allow non-curriculum-related student groups access to school
55.30 facilities, the district or school must give all student groups equal access to the school
55.31 facilities regardless of the content of the group members' speech.

(d) The commissioner must develop and maintain resources to assist a district or school in implementing strategies for creating a positive school climate and use evidence-based, social-emotional learning to prevent and reduce discrimination and other improper conduct.

Sec. 22. **[121A.0312] MALICIOUS AND SADISTIC CONDUCT.**

(a) For purposes of this section, "malicious and sadistic conduct" means creating a hostile learning environment by acting with the intent to cause harm by intentionally injuring another without just cause or reason or engaging in extreme or excessive cruelty or delighting in cruelty.

(b) A school board must adopt a written policy to address malicious and sadistic conduct involving race, color, creed, national origin, sex, age, marital status, status with regard to public assistance, disability, religion, sexual harassment, and sexual orientation, as defined in chapter 363A, and sexual exploitation by a district or school staff member, independent contractor, or student enrolled in a public school against a staff member, independent contractor, or student that occurs as described in section 121A.031, subdivision 1, paragraph (a).

(c) The policy must apply to students, independent contractors, teachers, administrators, and other school personnel; must include at a minimum the components under section 121A.031, subdivision 4, paragraph (a); and must include disciplinary actions for each violation of the policy. Disciplinary actions must conform with collective bargaining agreements and sections 121A.41 to 121A.56.

(d) The policy must be conspicuously posted throughout each school building, distributed to each district employee and independent contractor at the time of hiring or contracting, and included in each school's student handbook on school policies. Each school must develop a process for discussing with students, parents of students, independent contractors, and school employees the school's policy addressing malicious and sadistic conduct involving race, color, creed, national origin, sex, age, marital status, status with regard to public assistance, disability, religion, sexual harassment, and sexual orientation, as defined in chapter 363A, and sexual exploitation.

Sec. 23. **[121A.201] MTSS AND COLLABORATIVE MINNESOTA PARTNERSHIPS TO ADVANCE STUDENT SUCCESS (COMPASS).**

Beginning July 1, 2023, all Minnesota school districts and charter schools must be offered training and support in implementing MTSS through the Department of Education COMPASS team and the Department of Education's regional partners, the Minnesota Service

Cooperatives. COMPASS is the state school improvement model providing a statewide system through which all districts and schools may receive support in the areas of literacy, math, social-emotional learning, and mental health within the MTSS framework. The MTSS framework is the state's systemic, continuous school improvement framework for ensuring positive social, emotional, behavioral, developmental, and academic outcomes for every student. MTSS provides access to layered tiers of culturally and linguistically responsive, evidence-based practices. The MTSS framework relies on the understanding and belief that every student can learn and thrive, and it engages an anti-bias and socially just approach to examining policies and practices and ensuring equitable distribution of resources and opportunity. The MTSS systemic framework requires:

(1) a district-wide infrastructure consisting of effective leaders, collective efficacy among staff, positive school climate, linked teams, and professional learning that supports continuous improvement;

(2) authentic engagement with families and communities to develop reciprocal relationships and build new opportunities for students together;

(3) multilayered tiers of culturally and linguistically responsive instruction and support that allows every student the support they need to reach meaningful and rigorous learning standards. Tiers of support include core (Tier 1), supplemental (Tier 2), and intensive (Tier 3) instruction levels;

(4) valid and reliable assessment tools and processes to assess student and system performance and inform necessary changes; and

(5) a data-based decision-making approach in which problems are precisely defined and analyzed, solutions address root causes, and implementation is monitored to ensure success. The data-based problem-solving component of the MTSS framework consists of three major subcomponents: accessible and integrated data, decision-making process, and system performance.

Sec. 24. Minnesota Statutes 2022, section 121A.41, is amended by adding a subdivision to read:

Subd. 12. **Nonexclusionary disciplinary policies and practices; alternatives to pupil removal and dismissal.** "Nonexclusionary disciplinary policies and practices" means policies and practices that are alternatives to removing a pupil from class or dismissing a pupil from school, including evidence-based positive behavior interventions and supports, social and emotional services, school-linked mental health services, counseling services,

social work services, referrals for special education or 504 evaluations, academic screening for Title 1 services or reading interventions, and alternative education services.

Nonexclusionary disciplinary policies and practices require actions by school officials to intervene in, redirect, and support a pupil's behavior before beginning dismissal proceedings. Nonexclusionary disciplinary policies and practices include but are not limited to the policies and practices under sections 120B.12; 121A.575, clauses (1) and (2); 121A.031, subdivision 4, paragraph (a), clause (1); 121A.61, subdivision 3, paragraph (r); and 122A.627, clause (3).

EFFECTIVE DATE. This section is effective for the 2023-2024 school year and later.

Sec. 25. Minnesota Statutes 2022, section 121A.41, is amended by adding a subdivision to read:

Subd. 13. Pupil withdrawal agreement. "Pupil withdrawal agreement" means a verbal or written agreement between a school administrator or district administrator and a pupil's parent to withdraw a student from the school district to avoid expulsion or exclusion dismissal proceedings. The duration of the withdrawal agreement cannot be for more than a 12-month period.

EFFECTIVE DATE. This section is effective for the 2023-2024 school year and later.

Sec. 26. Minnesota Statutes 2022, section 121A.425, is amended to read:

121A.425 FULL AND EQUITABLE PARTICIPATION IN ~~PRESCHOOL AND PREKINDERGARTEN~~ EARLY LEARNING.

Subdivision 1. **Disciplinary dismissals prohibited.** (a) A pupil enrolled in the following is not subject to dismissals under this chapter:

(1) a preschool or prekindergarten program, including a child participating in an early childhood family education, school readiness, school readiness plus, voluntary prekindergarten, Head Start, or other school-based preschool or prekindergarten program; may not be subject to dismissals under this chapter; or

(2) kindergarten through grade 3.

(b) Notwithstanding this subdivision, expulsions and exclusions may be used only after resources outlined in subdivision 2 have been exhausted, and only in circumstances where there is an ongoing serious safety threat to the child or others.

59.1 Subd. 2. **Nonexclusionary discipline.** For purposes of this section, nonexclusionary
59.2 discipline must include at least one of the following:

59.3 (1) collaborating with the pupil's family or guardian, child mental health consultant or
59.4 provider, education specialist, or other community-based support;

59.5 (2) creating a plan, written with the parent or guardian, that details the action and support
59.6 needed for the pupil to fully participate in the current educational program, including a
59.7 preschool or prekindergarten program; or

59.8 (3) providing a referral for needed support services, including parenting education, home
59.9 visits, other supportive education interventions, or, where appropriate, an evaluation to
59.10 determine if the pupil is eligible for special education services or section 504 services.

59.11 **EFFECTIVE DATE.** This section is effective July 1, 2023.

59.12 Sec. 27. Minnesota Statutes 2022, section 121A.45, subdivision 1, is amended to read:

59.13 Subdivision 1. **Provision of alternative programs.** No school shall dismiss any pupil
59.14 without attempting to ~~provide alternative educational services~~ use nonexclusionary
59.15 disciplinary policies and practices before dismissal proceedings or pupil withdrawal
59.16 agreements, except where it appears that the pupil will create an immediate and substantial
59.17 danger to self or to surrounding persons or property.

59.18 **EFFECTIVE DATE.** This section is effective for the 2024-2025 school year and later.

59.19 Sec. 28. Minnesota Statutes 2022, section 121A.46, subdivision 4, is amended to read:

59.20 Subd. 4. **Provision of alternative education services; suspension pending expulsion**
59.21 **or exclusion hearing.** (a) Alternative education services must be provided to a pupil who
59.22 is suspended for more than five consecutive school days.

59.23 (b) Notwithstanding the provisions of subdivisions 1 and 3, the pupil may be suspended
59.24 pending the school board's decision in the expulsion or exclusion hearing; provided that
59.25 alternative educational services are implemented to the extent that suspension exceeds five
59.26 consecutive school days.

59.27 **EFFECTIVE DATE.** This section is effective for the 2023-2024 school year and later.

60.1 Sec. 29. Minnesota Statutes 2022, section 121A.46, is amended by adding a subdivision
60.2 to read:

60.3 Subd. 5. **Minimum education services.** School administration must allow a suspended
60.4 pupil the opportunity to complete all school work assigned during the period of the pupil's
60.5 suspension and to receive full credit for satisfactorily completing the assignments. The
60.6 school principal or other person having administrative control of the school building or
60.7 program is encouraged to designate a district or school employee as a liaison to work with
60.8 the pupil's teachers to allow the suspended pupil to (1) receive timely course materials and
60.9 other information, and (2) complete daily and weekly assignments and receive teachers'
60.10 feedback.

60.11 **EFFECTIVE DATE.** This section is effective for the 2023-2024 school year and later.

60.12 Sec. 30. Minnesota Statutes 2022, section 121A.47, subdivision 2, is amended to read:

60.13 Subd. 2. **Written notice.** Written notice of intent to take action shall:

60.14 (a) be served upon the pupil and the pupil's parent or guardian personally or by mail;

60.15 (b) contain a complete statement of the facts, a list of the witnesses and a description of
60.16 their testimony;

60.17 (c) state the date, time, and place of the hearing;

60.18 (d) be accompanied by a copy of sections 121A.40 to 121A.56;

60.19 (e) describe ~~alternative educational services~~ the nonexclusionary disciplinary practices
60.20 accorded the pupil in an attempt to avoid the expulsion proceedings; and

60.21 (f) inform the pupil and parent or guardian of the right to:

60.22 (1) have a representative of the pupil's own choosing, including legal counsel, at the
60.23 hearing. The district ~~shall~~ must advise the pupil's parent or guardian that free or low-cost
60.24 legal assistance may be available and that a legal assistance resource list is available from
60.25 the Department of Education and is posted on their website;

60.26 (2) examine the pupil's records before the hearing;

60.27 (3) present evidence; and

60.28 (4) confront and cross-examine witnesses.

60.29 **EFFECTIVE DATE.** This section is effective for the 2024-2025 school year and later.

61.1 Sec. 31. Minnesota Statutes 2022, section 121A.47, subdivision 14, is amended to read:

61.2 Subd. 14. **Admission or readmission plan.** (a) A school administrator ~~shall~~ must prepare
61.3 and enforce an admission or readmission plan for any pupil who is excluded or expelled
61.4 from school. The plan ~~may~~ must include measures to improve the pupil's behavior, ~~including~~
61.5 which may include completing a character education program, consistent with section
61.6 120B.232, subdivision 1, ~~and require~~ social and emotional learning, counseling, social work
61.7 services, mental health services, referrals for special education or 504 evaluation, and
61.8 evidence-based academic interventions. The plan must include reasonable attempts to obtain
61.9 parental involvement in the admission or readmission process, and may indicate the
61.10 consequences to the pupil of not improving the pupil's behavior.

61.11 (b) The definition of suspension under section 121A.41, subdivision 10, does not apply
61.12 to a student's dismissal from school for ~~one school day or less~~ than one school day, except
61.13 as provided under federal law for a student with a disability. Each suspension action may
61.14 include a readmission plan. A readmission plan must provide, where appropriate, alternative
61.15 education services, which must not be used to extend the student's current suspension period.
61.16 Consistent with section 125A.091, subdivision 5, a readmission plan must not obligate a
61.17 parent or guardian to provide psychotropic drugs to their student as a condition of
61.18 readmission. School officials must not use the refusal of a parent or guardian to consent to
61.19 the administration of psychotropic drugs to their student or to consent to a psychiatric
61.20 evaluation, screening or examination of the student as a ground, by itself, to prohibit the
61.21 student from attending class or participating in a school-related activity, or as a basis of a
61.22 charge of child abuse, child neglect or medical or educational neglect.

61.23 **EFFECTIVE DATE.** This section is effective for the 2023-2024 school year and later.

61.24 Sec. 32. Minnesota Statutes 2022, section 121A.53, subdivision 1, is amended to read:

61.25 Subdivision 1. **Exclusions and expulsions; student withdrawals; physical**
61.26 **assaults.** Consistent with subdivision 2, the school board must report through the department
61.27 electronic reporting system each exclusion or expulsion ~~and,~~ each physical assault of a
61.28 district employee by a ~~student~~ pupil, and each pupil withdrawal agreement within 30 days
61.29 of the effective date of the dismissal action, pupil withdrawal, or assault, to the commissioner
61.30 of education. This report must include a statement of ~~alternative educational services~~
61.31 nonexclusionary disciplinary practices, or other sanction, intervention, or resolution in
61.32 response to the assault given the pupil and the reason for, the effective date, and the duration
61.33 of the exclusion or expulsion or other sanction, intervention, or resolution. The report must
61.34 also include the ~~student's~~ pupil's age, grade, gender, race, and special education status.

62.1 **EFFECTIVE DATE.** This section is effective for the 2023-2024 school year and later.

62.2 Sec. 33. Minnesota Statutes 2022, section 121A.55, is amended to read:

62.3 **121A.55 POLICIES TO BE ESTABLISHED.**

62.4 (a) The commissioner of education ~~shall~~ must promulgate guidelines to assist each school
62.5 board. Each school board ~~shall~~ must establish uniform criteria for dismissal and adopt written
62.6 policies and rules to effectuate the purposes of sections 121A.40 to 121A.56. The policies
62.7 ~~shall~~ must include nonexclusionary disciplinary policies and practices consistent with section
62.8 121A.41, subdivision 12, and must emphasize preventing dismissals through early detection
62.9 of problems and shall. The policies must be designed to address students' inappropriate
62.10 behavior from recurring.

62.11 (b) The policies ~~shall~~ must recognize the continuing responsibility of the school for the
62.12 education of the pupil during the dismissal period.

62.13 (c) The school is responsible for ensuring that alternative educational services, if the
62.14 pupil wishes to take advantage of them, must be adequate to allow the pupil to make progress
62.15 towards toward meeting the graduation standards adopted under section 120B.02 and help
62.16 prepare the pupil for readmission in accordance with section 121A.46, subdivision 5.

62.17 (d) For expulsion and exclusion dismissals and pupil withdrawal agreements as defined
62.18 in section 121A.41, subdivision 13:

62.19 (1) for a pupil who remains enrolled in the district or is awaiting enrollment in a new
62.20 district, a school district's continuing responsibility includes reviewing the pupil's school
62.21 work and grades on a quarterly basis to ensure the pupil is on track for readmission with
62.22 the pupil's peers. School districts must communicate on a regular basis with the pupil's
62.23 parent or guardian to ensure the pupil is completing the work assigned through the alternative
62.24 educational services as defined in section 121A.41, subdivision 11. These services are
62.25 required until a pupil enrolls in another school or returns to the same school.

62.26 (2) a pupil receiving school-based or school-linked mental health services in the district
62.27 under section 245.4889 continues to be eligible for those services until the pupil is enrolled
62.28 in a new district; and

62.29 (3) a school district must provide to the pupil's parent or guardian information on
62.30 accessing mental health services, including any free or sliding fee providers in the
62.31 community. The information must also be posted on the district or charter school website.

~~(b)~~ (e) An area learning center under section 123A.05 may not prohibit an expelled or excluded pupil from enrolling solely because a district expelled or excluded the pupil. The board of the area learning center may use the provisions of the Pupil Fair Dismissal Act to exclude a pupil or to require an admission plan.

~~(e)~~ (f) Each school district shall develop a policy and report it to the commissioner on the appropriate use of peace officers and crisis teams to remove students who have an individualized education program from school grounds.

EFFECTIVE DATE. This section is effective for the 2024-2025 school year and later.

Sec. 34. Minnesota Statutes 2022, section 121A.58, is amended to read:

121A.58 CORPORAL PUNISHMENT; PRONE RESTRAINT; AND CERTAIN PHYSICAL HOLDS.

Subdivision 1. ~~Definition~~ **Definitions.** (a) For the purpose of this section, "corporal punishment" means conduct involving:

(1) hitting or spanking a person with or without an object; or

(2) unreasonable physical force that causes bodily harm or substantial emotional harm.

(b) For the purpose of this section, "prone restraint" means placing a child in a face-down position.

Subd. 2. **Corporal punishment not allowed.** An employee or agent of a district shall not inflict corporal punishment or cause corporal punishment to be inflicted upon a pupil to reform unacceptable conduct or as a penalty for unacceptable conduct.

Subd. 2a. **Prone restraint and certain physical holds not allowed.** (a) An employee or agent of a district, including a school resource officer or police officer contracted with a district, shall not use prone restraint.

(b) An employee or agent of a district, including a school resource officer or police officer contracted with a district, shall not inflict any form of physical holding that restricts or impairs a pupil's ability to breathe; restricts or impairs a pupil's ability to communicate distress; places pressure or weight on a pupil's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen; or results in straddling a pupil's torso.

Subd. 3. **Violation.** Conduct that violates subdivision 2 is not a crime under section 645.241, but may be a crime under chapter 609 if the conduct violates a provision of chapter 609.

64.1 Sec. 35. Minnesota Statutes 2022, section 121A.61, subdivision 1, is amended to read:

64.2 Subdivision 1. **Required policy.** Each school board must adopt a written districtwide
64.3 school discipline policy which includes written rules of conduct for students, minimum
64.4 consequences for violations of the rules, and grounds and procedures for removal of a student
64.5 from class. The policy must contain the discipline complaint procedure that any member
64.6 of the school community may use to file a complaint regarding the application of discipline
64.7 policies and seek corrective action. The policy must be developed in consultation with
64.8 administrators, teachers, employees, pupils, parents, community members, law enforcement
64.9 agencies, county attorney offices, social service agencies, and such other individuals or
64.10 organizations as the board determines appropriate. A school site council may adopt additional
64.11 provisions to the policy subject to the approval of the school board.

64.12 Sec. 36. Minnesota Statutes 2022, section 121A.61, subdivision 3, is amended to read:

64.13 Subd. 3. **Policy components.** The policy must include at least the following components:

64.14 (a) rules governing student conduct and procedures for informing students of the rules;

64.15 (b) the grounds for removal of a student from a class;

64.16 (c) the authority of the classroom teacher to remove students from the classroom pursuant
64.17 to procedures and rules established in the district's policy;

64.18 (d) the procedures for removal of a student from a class by a teacher, school administrator,
64.19 or other school district employee;

64.20 (e) the period of time for which a student may be removed from a class, which may not
64.21 exceed five class periods for a violation of a rule of conduct;

64.22 (f) provisions relating to the responsibility for and custody of a student removed from
64.23 a class;

64.24 (g) the procedures for return of a student to the specified class from which the student
64.25 has been removed;

64.26 (h) the procedures for notifying a student and the student's parents or guardian of
64.27 violations of the rules of conduct and of resulting disciplinary actions;

64.28 (i) any procedures determined appropriate for encouraging early involvement of parents
64.29 or guardians in attempts to improve a student's behavior;

64.30 (j) any procedures determined appropriate for encouraging early detection of behavioral
64.31 problems;

65.1 (k) any procedures determined appropriate for referring a student in need of special
65.2 education services to those services;

65.3 (l) any procedures determined appropriate for ensuring victims of bullying who respond
65.4 with behavior not allowed under the school's behavior policies have access to a remedial
65.5 response, consistent with section 121A.031;

65.6 ~~(h)~~ (m) the procedures for consideration of whether there is a need for a further assessment
65.7 or of whether there is a need for a review of the adequacy of a current individualized
65.8 education program of a student with a disability who is removed from class;

65.9 ~~(m)~~ (n) procedures for detecting and addressing chemical abuse problems of a student
65.10 while on the school premises;

65.11 ~~(n)~~ (o) the minimum consequences for violations of the code of conduct;

65.12 ~~(o)~~ (p) procedures for immediate and appropriate interventions tied to violations of the
65.13 code;

65.14 ~~(p)~~ (q) a provision that states that a teacher, school employee, school bus driver, or other
65.15 agent of a district may use reasonable force in compliance with section 121A.582 and other
65.16 laws;

65.17 ~~(q)~~ (r) an agreement regarding procedures to coordinate crisis services to the extent funds
65.18 are available with the county board responsible for implementing sections 245.487 to
65.19 245.4889 for students with a serious emotional disturbance or other students who have an
65.20 individualized education program whose behavior may be addressed by crisis intervention;
65.21 ~~and~~

65.22 ~~(r)~~ (s) a provision that states a student must be removed from class immediately if the
65.23 student engages in assault or violent behavior. For purposes of this paragraph, "assault" has
65.24 the meaning given it in section 609.02, subdivision 10. The removal shall be for a period
65.25 of time deemed appropriate by the principal, in consultation with the teacher;

65.26 (t) a prohibition on the use of exclusionary practices for early learners as defined in
65.27 section 121A.425; and

65.28 (u) a prohibition on the use of exclusionary practices to address attendance and truancy
65.29 issues.

Sec. 37. Minnesota Statutes 2022, section 121A.61, is amended by adding a subdivision to read:

Subd. 4. **School supports.** (a) A school board is strongly encouraged to adopt a policy that promotes the understanding in school staff that when a student is unable to meet adult expectations it is often because the student lacks the skills to respond to a situation appropriately. A school district must support school staff in using tiered interventions that teach students skills and prioritize relationships between students and teachers.

(b) A school board is strongly encouraged to adopt a policy that discourages teachers and staff from reacting to unwanted student behavior with approaches that take away the student's opportunity to build skills for responding more appropriately.

Sec. 38. Minnesota Statutes 2022, section 121A.61, is amended by adding a subdivision to read:

Subd. 5. **Discipline complaint procedure.** The discipline policy must contain procedures for students, parents and other guardians, and school staff to file a complaint and seek corrective action when the requirements of sections 121A.40 to 121A.61, including the implementation of the local behavior and discipline policies, are not being implemented appropriately or are being discriminately applied. Each district and school policy implemented under this section must, at a minimum:

(1) provide procedures for communicating this policy including the ability for a parent to appeal a decision under section 121A.49 that contains explicit instructions for filing the complaint;

(2) provide an opportunity for involved parties to submit additional information related to the complaint;

(3) provide a procedure to begin to investigate complaints within three school days of receipt, and identify personnel who will manage the investigation and any resulting record and are responsible for keeping and regulating access to any record;

(4) provide procedures for issuing a written determination to the complainant that addresses each allegation and contains findings and conclusions;

(5) if the investigation finds the requirements of sections 121A.40 to 121A.61, including any local policies that were not implemented appropriately, contain procedures that require a corrective action plan to correct a student's record and provide relevant staff with training, coaching, or other accountability practices to ensure appropriate compliance with policies in the future; and

67.1 (6) prohibit reprisals or retaliation against any person who asserts, alleges, or reports a
67.2 complaint, and provide procedures for applying appropriate consequences for a person who
67.3 engages in reprisal or retaliation.

67.4 Sec. 39. [121A.611] RECESS AND OTHER BREAKS.

67.5 (a) "Recess detention" as used in this chapter means excluding or excessively delaying
67.6 a student from participating in a scheduled recess period as a consequence for student
67.7 behavior. Recess detention does not include, among other things, providing alternative
67.8 recess at the student's choice.

67.9 (b) A school district or charter school is encouraged to ensure student access to structured
67.10 breaks from the demands of school and to support teachers, principals, and other school
67.11 staff in their efforts to use evidence-based approaches to reduce exclusionary forms of
67.12 discipline.

67.13 (c) A school district or charter school must not use recess detention unless:

67.14 (1) a student causes or is likely to cause serious physical harm to other students or staff;

67.15 (2) the student's parent or guardian specifically consents to the use of recess detention;

67.16 or

67.17 (3) for students receiving special education services, the student's individualized education
67.18 program team has determined that withholding recess is appropriate based on the
67.19 individualized needs of the student.

67.20 (d) A school district or charter school must not withhold recess from a student based on
67.21 incomplete homework.

67.22 (e) A school district or charter school must require school staff to make a reasonable
67.23 attempt to notify a parent or guardian within 24 hours of using recess detention.

67.24 (f) A school district or charter school must compile information on each recess detention
67.25 at the end of each school year, including the student's age, grade, gender, race or ethnicity,
67.26 and special education status. This information must be available to the public upon request.
67.27 A school district or charter school is encouraged to use the data in professional development
67.28 promoting the use of nonexclusionary discipline.

67.29 (g) A school district or charter school must not withhold or excessively delay a student's
67.30 participation in scheduled mealtimes. This section does not alter a district's or school's
67.31 existing responsibilities under section 124D.111 or other state or federal law.

68.1 Sec. 40. **[121A.642] PARAPROFESSIONAL TRAINING.**

68.2 Subdivision 1. **Training required.** A school district or charter school must provide a
68.3 minimum of eight hours of paid orientation or professional development annually to all
68.4 paraprofessionals, Title I aides, and other instructional support staff. Six of the eight hours
68.5 must be completed before the first instructional day of the school year or within 30 days of
68.6 hire. The orientation or professional development must be relevant to the employee's
68.7 occupation and may include collaboration time with classroom teachers and planning for
68.8 the school year. For paraprofessionals who provide direct support to students, at least 50
68.9 percent of the professional development or orientation must be dedicated to meeting the
68.10 requirements of this section. Professional development for paraprofessionals may also
68.11 address the requirements of section 120B.363, subdivision 3. A school administrator must
68.12 provide an annual certification of compliance with this requirement to the commissioner.

68.13 Subd. 2. **Training aid.** Beginning in fiscal year 2024, each school district, charter school,
68.14 and cooperative organization serving pupils is eligible for paraprofessional training aid.
68.15 Paraprofessional training aid equals \$196 times the number of paraprofessionals, Title I
68.16 aides, and other instructional support staff employed by the school district, charter school,
68.17 or cooperative organization during the previous school year. A school receiving aid under
68.18 this subdivision must reserve paraprofessional training aid and spend it only for the purposes
68.19 of subdivision 1.

68.20 **EFFECTIVE DATE.** This section is effective July 1, 2023.

68.21 Sec. 41. Minnesota Statutes 2022, section 122A.42, is amended to read:

68.22 **122A.42 GENERAL CONTROL OF SCHOOLS.**

68.23 (a) The teacher of record shall have the general control and government of the school
68.24 and classroom. When more than one teacher is employed in any district, one of the teachers
68.25 may be designated by the board as principal and shall have the general control and
68.26 supervision of the schools of the district, subject to the general supervisory control of the
68.27 board and other officers.

68.28 (b) ~~Consistent with paragraph (a),~~ The teacher may remove students from class ~~under~~
68.29 consistent with section 121A.61, subdivision 2, or for violent or disruptive conduct. A
68.30 student who has been removed for violent conduct may only return to the classroom after
68.31 a school administrator has consulted with the teacher on ways to improve student behavior
68.32 and enforce expectation of student conduct, including involving parents and appropriate
68.33 student support personnel.

Sec. 42. Minnesota Statutes 2022, section 124D.03, subdivision 3, is amended to read:

Subd. 3. **Pupil application procedures.** (a) In order that a pupil may attend a school or program in a nonresident district, the pupil's parent or guardian must submit an application to the nonresident district. The pupil's application must identify a reason for enrolling in the nonresident district. The parent or guardian of a pupil must submit a signed application by January 15 for initial enrollment beginning the following school year. The application must be on a form provided by the Department of Education. A particular school or program may be requested by the parent. Once enrolled in a nonresident district, the pupil may remain enrolled and is not required to submit annual or periodic applications. If the student moves to a new resident district, the student retains the seat in the nonresident district, but must submit a new enrollment options form to update the student's information. To return to the resident district or to transfer to a different nonresident district, the parent or guardian of the pupil must provide notice to the resident district or apply to a different nonresident district by January 15 for enrollment beginning the following school year.

(b) A school district may require a nonresident student enrolled in a program under section 125A.13, or in a preschool program, except for a program under section 124D.151 or Laws 2017, First Special Session chapter 5, article 8, section 9, to follow the application procedures under this subdivision to enroll in kindergarten. A district must allow a nonresident student enrolled in a program under section 124D.151 or Laws 2017, First Special Session chapter 5, article 8, section 9, to remain enrolled in the district when the student enters kindergarten without submitting annual or periodic applications, unless the district terminates the student's enrollment under subdivision 12.

Sec. 43. Minnesota Statutes 2022, section 124D.03, subdivision 5, is amended to read:

Subd. 5. **Nonresident district procedures.** A district shall notify the parent or guardian in writing by February 15 or within 90 days for applications submitted after January 15 in the case of achievement and integration district transfers whether the application has been accepted or rejected. If an application is rejected, the district must state in the notification the reason for rejection. The parent or guardian must notify the nonresident district by March 1 or within ~~45~~ ten business days whether the pupil intends to enroll in the nonresident district. Notice of intent to enroll in the nonresident district obligates the pupil to attend the nonresident district during the following school year, unless the boards of the resident and the nonresident districts agree in writing to allow the pupil to transfer back to the resident district. If the pupil's parents or guardians change residence to another district, the student does not lose the seat in the nonresident district but the parent or guardian must complete

an updated enrollment options form. If a parent or guardian does not notify the nonresident district by the January 15 deadline, if it applies, the pupil may not enroll in that nonresident district during the following school year, unless the boards of the resident and nonresident district agree otherwise. The nonresident district must notify the resident district by March 15 or 30 days later of the pupil's intent to enroll in the nonresident district. The same procedures apply to a pupil who applies to transfer from one participating nonresident district to another participating nonresident district.

Sec. 44. Minnesota Statutes 2022, section 124D.09, subdivision 3, is amended to read:

Subd. 3. **Definitions.** For purposes of this section, the following terms have the meanings given to them.

(a) "Eligible institution" means a Minnesota public postsecondary institution, a private, nonprofit two-year trade and technical school granting associate degrees, an opportunities industrialization center accredited by an accreditor recognized by the United States Department of Education, or a private, residential, two-year or four-year, liberal arts, degree-granting college or university located in Minnesota. An eligible institution must not require a faith statement from a secondary student seeking to enroll in a postsecondary course under this section during the application process or base any part of the admission decision on a student's race, creed, ethnicity, disability, gender, or sexual orientation or religious beliefs or affiliations.

(b) "Course" means a course or program.

(c) "Concurrent enrollment" means nonsectarian courses in which an eligible pupil under subdivision 5 or 5b enrolls to earn both secondary and postsecondary credits, are taught by a secondary teacher or a postsecondary faculty member, and are offered at a high school for which the district is eligible to receive concurrent enrollment program aid under section 124D.091.

Sec. 45. Minnesota Statutes 2022, 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. 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

71.1 district, and the commissioner. The notice must indicate the course and hours of enrollment
71.2 of that pupil. If the pupil enrolls in a course for postsecondary credit, the institution must
71.3 notify:

71.4 (1) the pupil about payment in the customary manner used by the institution; and

71.5 (2) the pupil's school as soon as practicable if the pupil withdraws from the course or
71.6 stops attending the course.

71.7 **EFFECTIVE DATE.** This section is effective July 1, 2023.

71.8 Sec. 46. Minnesota Statutes 2022, section 124D.09, subdivision 12, is amended to read:

71.9 Subd. 12. **Credits; grade point average weighting policy.** (a) A pupil must not audit
71.10 a course under this section.

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

71.23 (c) A school board must adopt a policy regarding weighted grade point averages for any
71.24 high school or dual enrollment course. The policy must state whether the district offers
71.25 weighted grades. A school board must annually publish on its website a list of courses for
71.26 which a student may earn a weighted grade.

71.27 (d) The secondary credits granted to a pupil must be counted toward the graduation
71.28 requirements and subject area requirements of the district. Evidence of successful completion
71.29 of each course and secondary credits granted must be included in the pupil's secondary
71.30 school record. A pupil ~~shall~~ must provide the school with a copy of the pupil's ~~grade~~ grades
71.31 in each course taken for secondary credit under this section, including interim or nonfinal
71.32 grades earned during the academic term. Upon the request of a pupil, the pupil's secondary
71.33 school record must also include evidence of successful completion and credits granted for

72.1 a course taken for postsecondary credit. In either case, the record must indicate that the
72.2 credits were earned at a postsecondary institution.

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

72.9 (f) The Board of Trustees of the Minnesota State Colleges and Universities and the
72.10 Board of Regents of the University of Minnesota must, and private nonprofit and proprietary
72.11 postsecondary institutions should, award postsecondary credit for any successfully completed
72.12 courses in a program certified by the National Alliance of Concurrent Enrollment Partnerships
72.13 offered according to an agreement under subdivision 10. Consistent with section 135A.101,
72.14 subdivision 3, all MnSCU institutions must give full credit to a secondary pupil who
72.15 completes for postsecondary credit a postsecondary course or program that is part or all of
72.16 a goal area or a transfer curriculum at a MnSCU institution when the pupil enrolls in a
72.17 MnSCU institution after leaving secondary school. Once one MnSCU institution certifies
72.18 as completed a secondary student's postsecondary course or program that is part or all of a
72.19 goal area or a transfer curriculum, every MnSCU institution must consider the student's
72.20 course or program for that goal area or the transfer curriculum as completed.

72.21 **EFFECTIVE DATE.** This section is effective July 1, 2023.

72.22 Sec. 47. Minnesota Statutes 2022, section 124D.09, subdivision 13, is amended to read:

72.23 Subd. 13. **Financial arrangements.** For a pupil enrolled in a course under this section,
72.24 the department must make payments according to this subdivision for courses that were
72.25 taken for secondary credit.

72.26 The department must not make payments to a school district or postsecondary institution
72.27 for a course taken for postsecondary credit only. The department must not make payments
72.28 to a postsecondary institution for a course from which a student officially withdraws during
72.29 the first ~~14~~ ten business days of the postsecondary institution's quarter or semester or who
72.30 has been absent from the postsecondary institution for the first ~~15 consecutive school~~ ten
72.31 business days of the postsecondary institution's quarter or semester and is not receiving
72.32 instruction in the home or hospital.

72.33 A postsecondary institution shall receive the following:

(1) for an institution granting quarter credit, the reimbursement per credit hour shall be an amount equal to 88 percent of the product of the formula allowance minus \$425, multiplied by 1.2, and divided by 45; or

(2) for an institution granting semester credit, the reimbursement per credit hour shall be an amount equal to 88 percent of the product of the general revenue formula allowance minus \$425, multiplied by 1.2, and divided by 30.

The department must pay to each postsecondary institution 100 percent of the amount in clause (1) or (2) within 45 days of receiving initial enrollment information each quarter or semester. If changes in enrollment occur during a quarter or semester, the change shall be reported by the postsecondary institution at the time the enrollment information for the succeeding quarter or semester is submitted. At any time the department notifies a postsecondary institution that an overpayment has been made, the institution shall promptly remit the amount due.

Sec. 48. **[124D.094] ONLINE INSTRUCTION ACT.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Blended instruction" means a form of digital instruction that occurs when a student learns part time in a supervised physical setting and part time through online instruction under paragraph (f).

(c) "Digital instruction" means instruction facilitated by technology that offers students an element of control over the time, place, path, or pace of learning and includes blended and online instruction.

(d) "Enrolling district" means the school district or charter school in which a student is enrolled under section 120A.22, subdivision 4.

(e) "Online course syllabus" means a written document that identifies the state academic standards taught and assessed in a supplemental online course under paragraph (j); course content outline; required course assessments; instructional methods; communication procedures with students, guardians, and the enrolling district under paragraph (d); and supports available to the student.

(f) "Online instruction" means a form of digital instruction that occurs when a student learns primarily through digital technology away from a supervised physical setting.

(g) "Online instructional site" means a site that offers courses using online instruction under paragraph (f) and may enroll students receiving online instruction under paragraph (f).

(h) "Online teacher" means an employee of the enrolling district under paragraph (d) or the supplemental online course provider under paragraph (k) who holds the appropriate licensure under Minnesota Rules, chapter 8710, and is trained to provide online instruction under paragraph (f).

(i) "Student" means a Minnesota resident enrolled in a school defined under section 120A.22, subdivision 4, in kindergarten through grade 12 up to the age of 21.

(j) "Supplemental online course" means an online learning course taken in place of a course provided by the student's enrolling district under paragraph (d).

(k) "Supplemental online course provider" means a school district, an intermediate school district, an organization of two or more school districts operating under a joint powers agreement, or a charter school located in Minnesota that is authorized by the Department of Education to provide supplemental online courses under paragraph (j).

Subd. 2. **Digital instruction.** (a) An enrolling district may provide digital instruction, including blended instruction and online instruction, to the district's own enrolled students. Enrolling districts may establish agreements to provide digital instruction, including blended instruction and online instruction, to students enrolled in the cooperating schools.

(b) When online instruction is provided, an online teacher as defined under subdivision 1, paragraph (h), shall perform all duties of teacher of record under Minnesota Rules, part 8710.0310. Unless the commissioner grants a waiver, a teacher providing online instruction shall not instruct more than 40 students in any one online learning course or section.

(c) Students receiving online instruction full time shall be reported as enrolled in an online instructional site under subdivision 1, paragraph (g).

(d) Curriculum used for digital instruction shall be aligned with Minnesota's current academic standards and benchmarks.

(e) Digital instruction shall be accessible to students under section 504 of the federal Rehabilitation Act and Title II of the federal Americans with Disabilities Act.

(f) An enrolling district providing digital instruction and a supplemental online course provider shall assist an enrolled student whose family qualifies for the education tax credit under section 290.0674 to acquire computer hardware and educational software so they may participate in digital instruction. Funds provided to a family to support digital instruction

75.1 or supplemental online courses may only be used for qualifying expenses as determined by
75.2 the provider. Nonconsumable materials purchased with public education funds remain the
75.3 property of the provider. Records for any funds provided must be available for review by
75.4 the public or the department.

75.5 (g) An enrolling district providing digital instruction shall establish and document
75.6 procedures for determining attendance for membership and keep accurate records of daily
75.7 attendance under section 120A.21.

75.8 Subd. 3. **Supplemental online courses.** (a) Notwithstanding sections 124D.03 and
75.9 124D.08 and chapter 124E, procedures for applying to take supplemental online courses
75.10 other than those offered by the student's enrolling district are as provided in this subdivision.

75.11 (b) Any kindergarten through grade 12 student may apply to take a supplemental online
75.12 course under subdivision 1, paragraph (j). The student, or the student's parent or guardian
75.13 for a student under age 17, must submit an application for the proposed supplemental online
75.14 course or courses. A student may:

75.15 (1) apply to take an online course from a supplemental online course provider that meets
75.16 or exceeds the academic standards of the course in the enrolling district they are replacing;

75.17 (2) apply to take supplemental online courses for up to 50 percent of the student's
75.18 scheduled course load; and

75.19 (3) apply to take supplemental online courses no later than 15 school days after the
75.20 student's enrolling district's term has begun. An enrolling district may waive the 50 percent
75.21 course enrollment limit or the 15-day time limit.

75.22 (c) A student taking a supplemental online course must have the same access to the
75.23 computer hardware and education software available in a school as all other students in the
75.24 enrolling district.

75.25 (d) A supplemental online course provider must have a current, approved application to
75.26 be listed by the Department of Education as an approved provider. The supplemental online
75.27 course provider must:

75.28 (1) use an application form specified by the Department of Education;

75.29 (2) notify the student, the student's guardian if they are age 17 or younger, and enrolling
75.30 district of the accepted application to take a supplemental online course within ten days of
75.31 receiving a completed application;

(3) notify the enrolling district of the course title, credits to be awarded, and the start date of the online course. A supplemental online course provider must make the online course syllabus available to the enrolling district;

(4) request applicable academic support information for the student, including a copy of the IEP, EL support plan, or 504 plan; and

(5) track student attendance and monitor academic progress and communicate with the student, the student's guardian if they are age 17 or younger, and the enrolling district's designated online learning liaison.

(e) A supplemental online course provider may limit enrollment if the provider's school board or board of directors adopts by resolution specific standards for accepting and rejecting students' applications. The provisions may not discriminate against any protected class or students with disabilities.

(f) A supplemental online course provider may request that the Department of Education review an enrolling district's written decision to not accept a student's supplemental online course application. The student may participate in the supplemental online course while the application is under review. Decisions shall be final and binding for both the enrolling district and the supplemental online course provider.

(g) A supplemental online course provider must participate in continuous improvement cycles with the Department of Education.

Subd. 4. **Enrolling district.** (a) An enrolling district may not restrict or prevent a student from applying to take supplemental online courses.

(b) An enrolling district may request an online course syllabus as defined under subdivision 1, paragraph (e), to review whether the academic standards in the online course meet or exceed the academic standards in the course it would replace at the enrolling district.

(c) Within 15 days after receiving notice of a student applying to take a supplemental online course, the enrolling district must notify the supplemental online course provider whether the student, the student's guardian, and the enrolling district agree that academic standards in the online course meet or exceed the academic standards in the course it would replace at the enrolling district. If the enrolling district does not agree that the academic standards in the online course meet or exceed the academic standards in the course it would replace at the enrolling district, then:

(1) the enrolling district must provide a written explanation of the district's decision to the student, the student's guardian, and the supplemental online course provider; and

77.1 (2) the online provider must provide a response to the enrolling district explaining how
77.2 the course or program meets the graduation requirements of the enrolling district.

77.3 (d) An enrolling district may reduce the course schedule of a student taking supplemental
77.4 online courses in proportion to the number of supplemental online learning courses the
77.5 student takes.

77.6 (e) An enrolling district must appoint an online learning liaison who:

77.7 (1) provides information to students and families about supplemental online courses;

77.8 (2) provides academic support information including IEPs, EL support plans, and 504
77.9 plans to supplemental online providers; and

77.10 (3) monitors attendance and academic progress, and communicates with supplemental
77.11 online learning providers, students, families, and enrolling district staff.

77.12 (f) An enrolling district must continue to provide support services to students taking
77.13 supplemental online courses as they would for any other enrolled student including support
77.14 for English learners, case management of an individualized education program, and meal
77.15 and nutrition services for eligible students.

77.16 (g) An online learning student must receive academic credit for completing the
77.17 requirements of a supplemental online learning course. If a student completes an online
77.18 learning course that meets or exceeds a graduation standard or the grade progression
77.19 requirement at the enrolling district, that standard or requirement is met.

77.20 (h) Secondary credits granted to a supplemental online learning student count toward
77.21 the graduation and credit requirements of the enrolling district. The enrolling district must
77.22 apply the same graduation requirements to all students, including students taking
77.23 supplemental online courses.

77.24 (i) An enrolling district must provide access to extracurricular activities for students
77.25 taking supplemental online courses on the same basis as any other enrolled student.

77.26 Subd. 5. **Reporting.** Courses that include blended instruction and online instruction
77.27 must be reported in the manner determined by the commissioner of education.

77.28 Subd. 6. **Department of Education.** (a) The commissioner must establish quality
77.29 standards to be used for applications and continuous improvement of supplemental online
77.30 course providers, and by enrolling districts using digital instruction.

(b) The commissioner must support the enrolling district's development of high-quality digital instruction and monitor implementation. The department must establish and participate in continuous improvement cycles with supplemental online course providers.

(c) Applications from prospective supplemental online course providers must be reviewed using quality standards and approved or denied within 90 calendar days of receiving a complete application.

(d) The department may collect a fee not to exceed \$250 for reviewing applications by supplemental online course providers or \$50 per supplemental course application review request. Funds generated from application review fees shall be used to support high quality digital instruction.

(e) The department must develop, publish, and maintain a list of supplemental online course providers that the department has reviewed and approved.

(f) The department may review a complaint about an enrolling district providing digital instruction, or a complaint about a supplemental online course provider based on the provider's response to notice of a violation. If the department determines that an enrolling district providing digital instruction or a supplemental online course provider violated a law or rule, the department may:

(1) create a compliance plan for the provider; or

(2) withhold funds from the provider under this section and sections 124E.25 and 127A.42. The department must notify an online learning provider in writing about withholding funds and provide detailed calculations.

(g) An online learning program fee administration account is created in the special revenue fund. Funds retained under paragraph (d) must be deposited in the account. Money in the account is annually appropriated to the commissioner for costs associated with administering and monitoring online and digital learning programs.

Subd. 7. Financial arrangements. (a) For a student enrolled in an online supplemental course, the department must calculate average daily membership and make payments according to this subdivision.

(b) The initial online supplemental average daily membership equals 1/12 for each semester course or a proportionate amount for courses of different lengths. The adjusted online learning average daily membership equals the initial online supplemental average daily membership times .88.

(c) No online supplemental average daily membership shall be generated if the student:

79.1 (1) does not complete the online learning course; or

79.2 (2) is enrolled in an online course provided by the enrolling district.

79.3 (d) Online course average daily membership under this subdivision for a student currently
79.4 enrolled in a Minnesota public school shall be used only for computing average daily
79.5 membership according to section 126C.05, subdivision 19, paragraph (a), clause (2), and
79.6 for computing online course aid according to section 124D.096.

79.7 Sec. 49. Minnesota Statutes 2022, section 124D.128, subdivision 1, is amended to read:

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

79.14 Sec. 50. Minnesota Statutes 2022, section 124D.231, is amended to read:

79.15 **124D.231 FULL-SERVICE COMMUNITY SCHOOLS.**

79.16 Subdivision 1. **Definitions.** For the purposes of this section, the following terms have
79.17 the meanings given them.

79.18 (a) "Community organization" means a nonprofit organization that has been in existence
79.19 for three years or more and serves persons within the community surrounding the covered
79.20 school site on education and other issues.

79.21 (b) "Community school consortium" means a group of schools and community
79.22 organizations that propose to work together to plan and implement community school
79.23 programming.

79.24 (c) "Community school programming" means services, activities, and opportunities
79.25 described under subdivision 2, paragraph ~~(g)~~ (f).

79.26 (d) "Community-wide full-service community school leadership team" means a
79.27 district-level team that is responsible for guiding the vision, policy, resource alignment,
79.28 implementation, oversight, and goal setting for community school programs within the
79.29 district. This team shall include representatives from the district, including teachers, school
79.30 leaders, students, and family members from the eligible schools; community members;
79.31 system-level partners that include representatives from government agencies, relevant

80.1 unions, and nonprofit and other community-based partners; and, if applicable, the full-service
80.2 community school initiative director.

80.3 (e) "Full-service community school initiative director" means a director responsible for
80.4 coordinating districtwide administrative and leadership assistance to community school
80.5 sites and site coordinators, including serving as chairperson for the district's community-wide
80.6 full-service community school leadership team; site coordinator support; data gathering and
80.7 evaluation; administration of partnership and data agreements, contracts, and procurement;
80.8 and grant administration.

80.9 ~~(d)~~ (f) "High-quality child care or early childhood education programming" means
80.10 educational programming for preschool-aged children that is grounded in research, consistent
80.11 with best practices in the field, and provided by licensed teachers.

80.12 ~~(e)~~ (g) "School site" means a school site at which an applicant has proposed or has been
80.13 funded to provide community school programming.

80.14 ~~(f)~~ (h) "Site coordinator" ~~is an individual~~ means a full-time staff member serving one
80.15 eligible school who is responsible for ~~aligning~~ the identification, implementation, and
80.16 coordination of programming with to address the needs of the school community identified
80.17 in the baseline analysis.

80.18 Subd. 2. **Full-service community school program.** (a) The commissioner shall provide
80.19 funding to districts and charter schools with eligible school sites to plan, implement, and
80.20 improve full-service community schools. Eligible school sites must meet one of the following
80.21 criteria:

80.22 (1) the school is on a development plan for continuous improvement under section
80.23 120B.35, subdivision 2; or

80.24 (2) the school is in a district that has an achievement and integration plan approved by
80.25 the commissioner of education under sections 124D.861 and 124D.862.

80.26 (b) ~~An eligible school site may receive up to \$150,000 annually.~~ Districts and charter
80.27 schools may receive up to:

80.28 (1) \$100,000 for each eligible school available for up to one year to fund planning
80.29 activities, including convening a full-service community school leadership team, facilitating
80.30 family and community stakeholder engagement, conducting a baseline analysis, and creating
80.31 a full-service community school plan. At the end of this period, the school must submit a
80.32 full-service community school plan pursuant to paragraphs (d) and (e); and

81.1 (2) \$200,000 annually for each eligible school for up to three years of implementation
81.2 of a full-service community school plan, pursuant to paragraphs (f) and (g). School sites
81.3 receiving funding under this section shall hire or contract with a partner agency to hire a
81.4 site coordinator to coordinate services at each covered school site. Districts or charter schools
81.5 receiving funding under this section for three or more schools shall provide or contract with
81.6 a partner agency to provide a full-service community school initiative director.

81.7 ~~(e) Of grants awarded, implementation funding of up to \$20,000 must be available for~~
81.8 ~~up to one year for planning for school sites. At the end of this period, the school must submit~~
81.9 ~~a full-service community school plan, pursuant to paragraph (g). If the site decides not to~~
81.10 ~~use planning funds, the plan must be submitted with the application.~~

81.11 ~~(d)~~ (c) The commissioner shall consider additional school factors when dispensing funds
81.12 including: schools with significant populations of students receiving free or reduced-price
81.13 lunches; significant homeless and highly mobile rates; ~~and~~ equity among urban, suburban,
81.14 and greater Minnesota schools; and demonstrated success implementing full-service
81.15 community school programming.

81.16 ~~(e)~~ (d) A school site must establish a full-service community school leadership team
81.17 responsible for developing school-specific programming goals, assessing program needs,
81.18 and overseeing the process of implementing expanded programming ~~at each covered site.~~
81.19 The school leadership team shall have ~~between~~ at least 12 ~~to 15~~ members and shall meet
81.20 the following requirements:

81.21 (1) at least 30 percent of the members are parents, guardians, or students and 30 percent
81.22 of the members are teachers at the school site and must include the school principal and
81.23 representatives from partner agencies; and

81.24 (2) the full-service community school leadership team must be responsible for overseeing
81.25 the baseline analyses under paragraph ~~(f)~~ (e) and the creation of a full-service community
81.26 school plan under paragraphs (f) and (g). A full-service community school leadership team
81.27 must meet at least quarterly and have ongoing responsibility for monitoring the development
81.28 and implementation of full-service community school operations and programming at the
81.29 school site and shall issue recommendations to schools on a regular basis and summarized
81.30 in an annual report. These reports shall also be made available to the public at the school
81.31 site and on school and district websites.

81.32 ~~(f)~~ (e) School sites must complete a baseline analysis prior to ~~beginning programming~~
81.33 as the creation of a full-service community school plan. The analysis shall include:

82.1 (1) a baseline analysis of needs at the school site, led by the school leadership team,
82.2 ~~which shall include~~ including the following elements:

82.3 (i) identification of challenges facing the school;

82.4 (ii) analysis of the student body, including:

82.5 (A) number and percentage of students with disabilities and needs of these students;

82.6 (B) number and percentage of students who are English learners and the needs of these
82.7 students;

82.8 (C) number of students who are homeless or highly mobile; ~~and~~

82.9 (D) number and percentage of students receiving free or reduced-price lunch and the
82.10 needs of these students; and

82.11 (E) number and percentage of students by race and ethnicity;

82.12 (iii) analysis of enrollment and retention rates for students with disabilities, English
82.13 learners, homeless and highly mobile students, and students receiving free or reduced-price
82.14 lunch;

82.15 (iv) analysis of suspension and expulsion data, including the justification for such
82.16 disciplinary actions and the degree to which particular populations, including, but not limited
82.17 to, American Indian students and students of color, students with disabilities, students who
82.18 are English learners, and students receiving free or reduced-price lunch are represented
82.19 among students subject to such actions;

82.20 (v) analysis of school achievement data disaggregated by major demographic categories,
82.21 including, but not limited to, race, ethnicity, English learner status, disability status, and
82.22 free or reduced-price lunch status;

82.23 (vi) analysis of current parent engagement strategies and their success; and

82.24 (vii) evaluation of the need for and availability of ~~wraparound services~~ full-service
82.25 community school activities, including, but not limited to:

82.26 ~~(A) mechanisms for meeting students' social, emotional, and physical health needs,~~
82.27 ~~which may include coordination of existing services as well as the development of new~~
82.28 ~~services based on student needs; and~~

82.29 ~~(B) strategies to create a safe and secure school environment and improve school climate~~
82.30 ~~and discipline, such as implementing a system of positive behavioral supports, and taking~~
82.31 ~~additional steps to eliminate bullying;~~

83.1 (A) integrated student supports that address out-of-school barriers to learning through
83.2 partnerships with social and health service agencies and providers, and may include medical,
83.3 dental, vision care, and mental health services or counselors to assist with housing,
83.4 transportation, nutrition, immigration, or criminal justice issues;

83.5 (B) expanded and enriched learning time and opportunities, including before-school,
83.6 after-school, weekend, and summer programs that provide additional academic instruction,
83.7 individualized academic support, enrichment activities, and learning opportunities that
83.8 emphasize real-world learning and community problem solving and may include art, music,
83.9 drama, creative writing, hands-on experience with engineering or science, tutoring and
83.10 homework help, or recreational programs that enhance and are consistent with the school's
83.11 curriculum;

83.12 (C) active family and community engagement that brings students' families and the
83.13 community into the school as partners in education and makes the school a neighborhood
83.14 hub, providing adults with educational opportunities that may include adult English as a
83.15 second language classes, computer skills, art, or other programs that bring community
83.16 members into the school for meetings or events; and

83.17 (D) collaborative leadership and practices that build a culture of professional learning,
83.18 collective trust, and shared responsibility and include a school-based full-service community
83.19 school leadership team, a full-service community school site coordinator, a full-service
83.20 community school initiative director, a community-wide leadership team, other leadership
83.21 or governance teams, teacher learning communities, or other staff to manage the joint work
83.22 of school and community organizations;

83.23 (2) a baseline analysis of community assets and a strategic plan for utilizing and aligning
83.24 identified assets. This analysis should include, but is not limited to, a, including
83.25 documentation of individuals in the community, faith-based organizations, community and
83.26 neighborhood associations, colleges, hospitals, libraries, businesses, and social service
83.27 agencies ~~who~~ that may be able to provide support and resources; and

83.28 (3) a baseline analysis of needs in the community surrounding the school, led by the
83.29 school leadership team, including, ~~but not limited to:~~

83.30 (i) the need for high-quality, full-day child care and early childhood education programs;

83.31 (ii) the need for physical and mental health care services for children and adults; and

83.32 (iii) the need for job training and other adult education programming.

- 84.1 ~~(g)~~ (f) Each school site receiving funding under this section must ~~establish~~ develop a
84.2 full-service community school plan that utilizes and aligns district and community assets
84.3 and establishes services in at least two of the following types of programming:
- 84.4 (1) early childhood:
- 84.5 (i) early childhood education; and
- 84.6 (ii) child care services;
- 84.7 (2) academic:
- 84.8 (i) academic support and enrichment activities, including expanded learning time;
- 84.9 (ii) summer or after-school enrichment and learning experiences;
- 84.10 (iii) job training, internship opportunities, and career counseling services;
- 84.11 (iv) programs that provide assistance to students who have been chronically absent,
84.12 truant, suspended, or expelled; and
- 84.13 (v) specialized instructional support services;
- 84.14 (3) parental involvement:
- 84.15 (i) programs that promote parental involvement and family literacy;
- 84.16 (ii) parent leadership development activities that empower and strengthen families and
84.17 communities, provide volunteer opportunities, or promote inclusion in school-based
84.18 leadership teams; and
- 84.19 (iii) parenting education activities;
- 84.20 (4) mental and physical health:
- 84.21 (i) mentoring and other youth development programs, including peer mentoring and
84.22 conflict mediation;
- 84.23 (ii) juvenile crime prevention and rehabilitation programs;
- 84.24 (iii) home visitation services by teachers and other professionals;
- 84.25 (iv) developmentally appropriate physical education;
- 84.26 (v) nutrition services;
- 84.27 (vi) primary health and dental care; and
- 84.28 (vii) mental health counseling services;
- 84.29 (5) community involvement:

- 85.1 (i) service and service-learning opportunities;
- 85.2 (ii) adult education, including instruction in English as a second language; and
- 85.3 (iii) homeless prevention services;
- 85.4 (6) positive discipline practices; and
- 85.5 (7) other programming designed to meet school and community needs identified in the
- 85.6 baseline analysis and reflected in the full-service community school plan.

85.7 ~~(h)~~ (g) The full-service community school leadership team at each school site must

85.8 develop a full-service community school plan detailing the steps the school leadership team

85.9 will take, including:

- 85.10 (1) timely establishment and consistent operation of the school leadership team;
- 85.11 (2) maintenance of attendance records in all programming components;
- 85.12 (3) maintenance of measurable data showing annual participation and the impact of
- 85.13 programming on the participating children and adults;
- 85.14 (4) documentation of meaningful and sustained collaboration between the school and
- 85.15 community stakeholders, including local governmental units, civic engagement organizations,
- 85.16 businesses, and social service providers;
- 85.17 (5) establishment and maintenance of partnerships with institutions, such as universities,
- 85.18 hospitals, museums, or not-for-profit community organizations to further the development
- 85.19 and implementation of community school programming;
- 85.20 (6) ensuring compliance with the district nondiscrimination policy; and
- 85.21 (7) plan for school leadership team development.

85.22 Subd. 3. **Full-service community school review.** (a) ~~Every three years,~~ A full-service

85.23 community school site must submit to the commissioner, and make available at the school

85.24 site and online, a report describing efforts to integrate community school programming at

85.25 each covered school site and the effect of the transition to a full-service community school

85.26 on participating children and adults. This report shall include, but is not limited to, the

85.27 following:

- 85.28 (1) an assessment of the effectiveness of the school site in development or implementing
- 85.29 the community school plan;

86.1 (2) problems encountered in the design and execution of the community school plan,
86.2 including identification of any federal, state, or local statute or regulation impeding program
86.3 implementation;

86.4 (3) the operation of the school leadership team and its contribution to successful execution
86.5 of the community school plan;

86.6 (4) recommendations for improving delivery of community school programming to
86.7 students and families;

86.8 (5) the number and percentage of students receiving community school programming
86.9 who had not previously been served;

86.10 (6) the number and percentage of nonstudent community members receiving community
86.11 school programming who had not previously been served;

86.12 (7) improvement in retention among students who receive community school
86.13 programming;

86.14 (8) improvement in academic achievement among students who receive community
86.15 school programming;

86.16 (9) changes in student's readiness to enter school, active involvement in learning and in
86.17 their community, physical, social and emotional health, and student's relationship with the
86.18 school and community environment;

86.19 (10) an accounting of anticipated local budget savings, if any, resulting from the
86.20 implementation of the program;

86.21 (11) improvements to the frequency or depth of families' involvement with their children's
86.22 education;

86.23 (12) assessment of community stakeholder satisfaction;

86.24 (13) assessment of institutional partner satisfaction;

86.25 (14) the ability, or anticipated ability, of the school site and partners to continue to
86.26 provide services in the absence of future funding under this section;

86.27 (15) increases in access to services for students and their families; and.

86.28 (16) the degree of increased collaboration among participating agencies and private
86.29 partners.

86.30 (b) Reports submitted under this section shall be evaluated by the commissioner with
86.31 respect to the following criteria:

87.1 (1) the effectiveness of the school or the community school consortium in implementing
87.2 the full-service community school plan, including the degree to which the school site
87.3 navigated difficulties encountered in the design and operation of the full-service community
87.4 school plan, including identification of any federal, state, or local statute or regulation
87.5 impeding program implementation;

87.6 (2) the extent to which the project has produced lessons about ways to improve delivery
87.7 of community school programming to students;

87.8 (3) the degree to which there has been an increase in the number or percentage of students
87.9 and nonstudents receiving community school programming;

87.10 (4) the degree to which there has been an improvement in retention of students and
87.11 improvement in academic achievement among students receiving community school
87.12 programming;

87.13 (5) local budget savings, if any, resulting from the implementation of the program;

87.14 (6) the degree of community stakeholder and institutional partner engagement;

87.15 (7) the ability, or anticipated ability, of the school site and partners to continue to provide
87.16 services in the absence of future funding under this section;

87.17 (8) increases in access to services for students and their families; and

87.18 (9) the degree of increased collaboration among participating agencies and private
87.19 partners.

87.20 Sec. 51. Minnesota Statutes 2022, section 124D.59, subdivision 2a, is amended to read:

87.21 Subd. 2a. **English learner; limited or interrupted formal education.** Consistent with
87.22 subdivision 2, an English learner ~~includes an English learner with an~~ limited or interrupted
87.23 formal education is an English learner under subdivision 2 who meets three of the following
87.24 ~~five requirements:~~

87.25 ~~(1) comes from a home where the language usually spoken is other than English, or~~
87.26 ~~usually speaks a language other than English;~~

87.27 ~~(2) enters school in the United States after grade 6;~~

87.28 ~~(3) has at least two years less schooling than the English learner's peers;~~

87.29 ~~(4) functions at least two years below expected grade level in reading and mathematics;~~
87.30 ~~and~~

88.1 ~~(5) may be preliterate in the English learner's native language.~~ has at least two fewer
88.2 years of schooling than the English learner's peers when entering school in the United States.

88.3 Sec. 52. Minnesota Statutes 2022, section 124D.68, subdivision 2, is amended to read:

88.4 Subd. 2. **Eligible pupils.** (a) A pupil under the age of 21 or who meets the requirements
88.5 of section 120A.20, subdivision 1, paragraph (c), is eligible to participate in the graduation
88.6 incentives program, if the pupil:

88.7 (1) performs substantially below the performance level for pupils of the same age in a
88.8 locally determined achievement test;

88.9 (2) is behind in satisfactorily completing coursework or obtaining credits for graduation;

88.10 (3) is pregnant or is a parent;

88.11 (4) has been assessed as having substance use disorder;

88.12 (5) has been excluded or expelled according to sections 121A.40 to 121A.56;

88.13 (6) has been referred by a school district for enrollment in an eligible program or a
88.14 program pursuant to section 124D.69;

88.15 (7) is a victim of physical or sexual abuse;

88.16 (8) has experienced mental health problems;

88.17 (9) has experienced homelessness sometime within six months before requesting a
88.18 transfer to an eligible program;

88.19 (10) speaks English as a second language or is an English learner;

88.20 (11) has withdrawn from school or has been chronically truant; or

88.21 (12) is being treated in a hospital in the seven-county metropolitan area for cancer or
88.22 other life threatening illness or is the sibling of an eligible pupil who is being currently
88.23 treated, and resides with the pupil's family at least 60 miles beyond the outside boundary
88.24 of the seven-county metropolitan area.

88.25 (b) A pupil ~~otherwise qualifying under paragraph (a) who is at least 21 years of age and~~
88.26 ~~not yet 22 years of age, and is an English learner with an interrupted formal education~~
88.27 ~~according to section 124D.59, subdivision 2a,~~ is eligible to participate in the graduation
88.28 incentives program under section 124D.68 and in concurrent enrollment courses offered
88.29 under section 124D.09, subdivision 10, and is funded in the same manner as other pupils
88.30 under this section: if the pupil otherwise qualifies under paragraph (a), is at least 21 years
88.31 of age and not yet 22 years of age, and:

89.1 (1) is an English learner with a limited or interrupted formal education according to
89.2 section 124D.59, subdivision 2a; or

89.3 (2) meets three of the following four requirements:

89.4 (i) comes from a home where the language usually spoken is other than English, or
89.5 usually speaks a language other than English;

89.6 (ii) enters school in the United States after grade 6;

89.7 (iii) functions at least two years below expected grade level in reading and mathematics;
89.8 and

89.9 (iv) may be preliterate in the English learner's native language.

89.10 Sec. 53. Minnesota Statutes 2022, section 124D.68, subdivision 3, is amended to read:

89.11 Subd. 3. **Eligible programs.** (a) A pupil who is eligible according to subdivision 2 may
89.12 enroll in a state-approved alternative program under sections 123A.05 to 123A.08.

89.13 (b) A pupil who is eligible according to subdivision 2 and who is a high school junior
89.14 or senior may enroll in postsecondary courses under section 124D.09.

89.15 (c) A pupil who is eligible under subdivision 2, may enroll in any public elementary or
89.16 secondary education program.

89.17 (d) A pupil who is eligible under subdivision 2, may enroll in any nonpublic, nonsectarian
89.18 school that has contracted with the serving school district to provide educational services.
89.19 However, notwithstanding other provisions of this section, only a pupil who is eligible under
89.20 subdivision 2, clause (12), may enroll in a contract alternative school that is specifically
89.21 structured to provide educational services to such a pupil.

89.22 (e) A pupil who is between the ages of ~~16~~ 17 and 21 may enroll in any adult basic
89.23 education programs approved under section 124D.52 and operated under the community
89.24 education program contained in section 124D.19.

89.25 Sec. 54. Minnesota Statutes 2022, section 124D.861, subdivision 2, is amended to read:

89.26 Subd. 2. **Plan implementation; components.** (a) The school board of each eligible
89.27 district must formally develop and implement a long-term plan under this section. The plan
89.28 must be incorporated into the district's comprehensive strategic plan under section 120B.11.
89.29 ~~Plan components may include: innovative and integrated prekindergarten through grade 12~~
89.30 ~~learning environments that offer students school enrollment choices; family engagement~~
89.31 ~~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, including teachers and administrators who are members of populations underrepresented among the licensed teachers or administrators in the district or school and who reflect the diversity of students under section 120B.35, subdivision 3, paragraph (b), clause (2), who are enrolled in the district or school; increased programmatic opportunities and effective and more diverse instructors 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.~~

(b) The plan must contain goals for:

(1) reducing the disparities in academic achievement and in equitable access to effective and more diverse teachers 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 diversity and integration in schools and districts.

(c) The plan must include strategies to validate, affirm, embrace, and integrate cultural and community strengths of all students, families, and employees in the district's curriculum as well as learning and work environments. The plan must address issues of institutional racism as defined in section 120B.11, subdivision 1, in schools that create opportunity and achievement gaps for students, families, and staff who are of color or who are American Indian. Examples of institutional racism experienced by students who are of color or who are American Indian include policies and practices that intentionally or unintentionally result in disparate discipline referrals and suspension, inequitable access to advanced coursework, overrepresentation in lower-level coursework, inequitable participation in cocurricular activities, inequitable parent involvement, and lack of equitable access to racially and ethnically diverse teachers who reflect the racial or ethnic diversity of students because it has not been a priority to hire or retain such teachers.

(d) School districts must use local data, to the extent practicable, to develop plan components and strategies. Plans may include:

(1) innovative and integrated prekindergarten through grade 12 learning environments that offer students school enrollment choices;

91.1 (2) family engagement initiatives that involve families in their students' academic life
91.2 and success and improve relations between home and school;

91.3 (3) opportunities for students, families, staff, and community members who are of color
91.4 or American Indian to share their experiences in the school setting with school staff and
91.5 administration and to inform the development of specific proposals for making school
91.6 environments more validating, affirming, embracing, and integrating of their cultural and
91.7 community strengths;

91.8 (4) professional development opportunities for teachers and administrators focused on
91.9 improving the academic achievement of all students, including knowledge, skills, and
91.10 dispositions needed to be antiracist and culturally sustaining as defined in section 120B.11,
91.11 subdivision 1, for serving students who are from racially and ethnically diverse backgrounds;

91.12 (5) recruitment and retention of teachers, administrators, cultural and family liaisons,
91.13 paraprofessionals, and other staff from racial, ethnic, and linguistic backgrounds represented
91.14 in the student population to strengthen relationships with all students, families, and other
91.15 members of the community;

91.16 (6) collection, examination, and evaluation of academic and discipline data for
91.17 institutional racism as defined in section 120B.11, subdivision 1, in structures, policies, and
91.18 practices that result in the education disparities, in order to propose antiracist changes as
91.19 defined in section 120B.11, subdivision 1, that increase access, meaningful participation,
91.20 representation, and positive outcomes for students of color and American Indian students;

91.21 (7) increased programmatic opportunities and effective and more diverse instructors
91.22 focused on rigor and college and career readiness for students who are impacted by racial,
91.23 gender, linguistic, and economic disparities, including students enrolled in area learning
91.24 centers or alternative learning programs under section 123A.05, state-approved alternative
91.25 programs under section 126C.05, subdivision 15, and contract alternative programs under
91.26 section 124D.69, among other underserved students;

91.27 (8) ethnic studies curriculum as defined in section 120B.11, subdivision 1, to provide
91.28 all students with opportunities to learn about their own and others' cultures and historical
91.29 experiences; or

91.30 (9) examination and revision of district curricula in all subjects to be inclusive of diverse
91.31 racial and ethnic groups while meeting state academic standards and being culturally
91.32 sustaining as defined in section 120B.11, subdivision 1, ensuring content being studied
91.33 about any group is accurate and based in knowledge from that group.

(b) (e) Among other requirements, an eligible district must implement effective, research-based interventions that include formative multiple measures of assessment practices and engagement in order to reduce the eliminate academic disparities in student academic performance among the specific categories of students as measured by student progress and growth on state reading and math assessments and for students impacted by racial, gender, linguistic, and economic inequities as aligned with section 120B.11.

(e) (f) Eligible districts must create efficiencies and eliminate 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.

EFFECTIVE DATE. This section is effective for all plans reviewed and updated after the day following final enactment.

Sec. 55. Minnesota Statutes 2022, section 124D.862, subdivision 8, is amended to read:

Subd. 8. **Commissioner authority to withhold revenue.** (a) The commissioner must review the results of each district's integration and achievement 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 guide the district in the development of an~~ 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, until the district's goals are reached, to implement the improvement plan.

Sec. 56. Minnesota Statutes 2022, 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

93.1 extent to which the student can be included in the least restrictive environment, and where
93.2 there are essentially equivalent and effective instruction, related services, or assistive
93.3 technology devices available to meet the student's needs, cost to the district may be among
93.4 the factors considered by the team in choosing how to provide the appropriate services,
93.5 instruction, or devices that are to be made part of the student's individualized education
93.6 program. The individualized education program team shall consider and may authorize
93.7 services covered by medical assistance according to section 256B.0625, subdivision 26.
93.8 Before a school district evaluation team makes a determination of other health disability
93.9 under Minnesota Rules, part 3525.1335, subparts 1 and 2, item A, subitem (1), the evaluation
93.10 team must seek written documentation of the student's medically diagnosed chronic or acute
93.11 health condition signed by a licensed physician or a licensed health care provider acting
93.12 within the scope of the provider's practice. The student's needs and the special education
93.13 instruction and services to be provided must be agreed upon through the development of
93.14 an individualized education program. The program must address the student's need to develop
93.15 skills to live and work as independently as possible within the community. The individualized
93.16 education program team must consider positive behavioral interventions, strategies, and
93.17 supports that address behavior needs for children. During grade 9, the program must address
93.18 the student's needs for transition from secondary services to postsecondary education and
93.19 training, employment, community participation, recreation, and leisure and home living. In
93.20 developing the program, districts must inform parents of the full range of transitional goals
93.21 and related services that should be considered. The program must include a statement of
93.22 the needed transition services, including a statement of the interagency responsibilities or
93.23 linkages or both before secondary services are concluded. If the individualized education
93.24 program meets the plan components in section 120B.125, the individualized education
93.25 program satisfies the requirement and no additional transition plan is needed;

93.26 (2) children with a disability under age five and their families are provided special
93.27 instruction and services appropriate to the child's level of functioning and needs;

93.28 (3) children with a disability and their parents or guardians are guaranteed procedural
93.29 safeguards and the right to participate in decisions involving identification, assessment
93.30 including assistive technology assessment, and educational placement of children with a
93.31 disability;

93.32 (4) eligibility and needs of children with a disability are determined by an initial
93.33 evaluation or reevaluation, which may be completed using existing data under United States
93.34 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 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 beginning at the time of employment, each paraprofessional 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) within five days of beginning to work alone with an individual student with a disability, the assigned paraprofessional must be either given paid time, or time during the school day, to review a student's individualized education program or be briefed on the student's specific needs by appropriate staff;

~~(2)~~ (3) annual training opportunities are 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)~~ (4) 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.

(d) A school district may conduct a functional behavior assessment as defined in Minnesota Rules, part 3525.0210, subpart 22, as a stand-alone evaluation without conducting a comprehensive evaluation of the student in accordance with prior written notice provisions in section 125A.091, subdivision 3a. A parent or guardian may request that a school district conduct a comprehensive evaluation of the parent's or guardian's student.

Sec. 57. Minnesota Statutes 2022, section 179A.03, subdivision 14, is amended to read:

Subd. 14. **Public employee or employee.** (a) "Public employee" or "employee" means any person appointed or employed by a public employer except:

(1) elected public officials;

(2) election officers;

(3) commissioned or enlisted personnel of the Minnesota National Guard;

(4) emergency employees who are employed for emergency work caused by natural disaster;

(5) part-time employees whose service does not exceed the lesser of 14 hours per week or 35 percent of the normal work week in the employee's appropriate unit;

(6) employees whose positions are basically temporary or seasonal in character and: (i) are not for more than 67 working days in any calendar year; ~~or~~ (ii) are not working for a school district or charter school; or (iii) are not for more than 100 working days in any calendar year and the employees are under the age of 22, are full-time students enrolled in a nonprofit or public educational institution prior to being hired by the employer, and have indicated, either in an application for employment or by being enrolled at an educational institution for the next academic year or term, an intention to continue as students during or after their temporary employment;

(7) employees providing services for not more than two consecutive quarters to the Board of Trustees of the Minnesota State Colleges and Universities under the terms of a professional or technical services contract as defined in section 16C.08, subdivision 1;

(8) employees of charitable hospitals as defined by section 179.35, subdivision 3, except that employees of charitable hospitals as defined by section 179.35, subdivision 3, are public employees for purposes of sections 179A.051, 179A.052, and 179A.13;

(9) full-time undergraduate students employed by the school which they attend under a work-study program or in connection with the receipt of financial aid, irrespective of number of hours of service per week;

96.1 (10) an individual who is employed for less than 300 hours in a fiscal year as an instructor
96.2 in an adult vocational education program;

96.3 (11) an individual hired by the Board of Trustees of the Minnesota State Colleges and
96.4 Universities to teach one course for three or fewer credits for one semester in a year;

96.5 (12) with respect to court employees:

96.6 (i) personal secretaries to judges;

96.7 (ii) law clerks;

96.8 (iii) managerial employees;

96.9 (iv) confidential employees; and

96.10 (v) supervisory employees;

96.11 (13) with respect to employees of Hennepin Healthcare System, Inc., managerial,
96.12 supervisory, and confidential employees.

96.13 (b) The following individuals are public employees regardless of the exclusions of
96.14 paragraph (a), clauses (5) and (6):

96.15 (1) an employee hired by a school district or the Board of Trustees of the Minnesota
96.16 State Colleges and Universities except at the university established in the Twin Cities
96.17 metropolitan area under section 136F.10 or for community services or community education
96.18 instruction offered on a noncredit basis: (i) to replace an absent teacher or faculty member
96.19 who is a public employee, where the replacement employee is employed more than 30
96.20 working days as a replacement for that teacher or faculty member; or (ii) to take a teaching
96.21 position created due to increased enrollment, curriculum expansion, courses which are a
96.22 part of the curriculum whether offered annually or not, or other appropriate reasons;

96.23 (2) an employee hired for a position under paragraph (a), clause (6), item (i), if that same
96.24 position has already been filled under paragraph (a), clause (6), item (i), in the same calendar
96.25 year and the cumulative number of days worked in that same position by all employees
96.26 exceeds 67 calendar days in that year. For the purpose of this paragraph, "same position"
96.27 includes a substantially equivalent position if it is not the same position solely due to a
96.28 change in the classification or title of the position; and

96.29 (3) an early childhood family education teacher employed by a school district.

97.1 Sec. 58. **ETHNIC STUDIES WORKING GROUP.**

97.2 Subdivision 1. Working group established. (a) The Ethnic Studies Working Group is
97.3 established to advise the commissioner of education on ethnic studies standards and resources
97.4 necessary to implement ethnic studies requirements under Minnesota Statutes, section
97.5 120B.251. The commissioner must appoint members of the working group by April 1, 2024,
97.6 with input from the Minnesota Ethnic Studies Coalition.

97.7 (b) The Ethnic Studies Working Group must have 25 members with a demonstrated
97.8 commitment to ethnic studies, as follows:

97.9 (1) five community members with a demonstrated commitment to ethnic studies or
97.10 education about Minnesota's racial, ethnic, religious, national origin, gender, sexual
97.11 orientation, or cultural diversity;

97.12 (2) four public school students in grades 9 to 12;

97.13 (3) three parents or guardians of public kindergarten through grade 12 students;

97.14 (4) three Minnesota-based, college-level faculty experts in ethnic studies;

97.15 (5) three ethnic studies high school teachers;

97.16 (6) four teachers with experience teaching ethnic studies to students in kindergarten to
97.17 grade 8; and

97.18 (7) three school board members or school administrators.

97.19 (c) Demographics of the working group must be inclusive and represent the diversity
97.20 of the state, including racial, ethnic, and geographic diversity, and diversity related to gender
97.21 and sexual orientation, immigrant status, disability status, and religious and linguistic
97.22 background.

97.23 Subd. 2. Duties. (a) The working group must review available ethnic studies instructional
97.24 resources in order to:

97.25 (1) develop ethnic studies standards to propose to the commissioner for adoption;

97.26 (2) recommend professional learning requirements for educators and staff to facilitate
97.27 the successful implementation of ethnic studies courses;

97.28 (3) recommend resources and materials school districts and charter schools may use to
97.29 implement ethnic studies standards; and

97.30 (4) identify or develop instructional resources that school districts and charter schools
97.31 may use in accordance with Minnesota Statutes, section 120B.251.

98.1 (b) By October 31, 2024, the working group must provide the ethnic studies standards
98.2 and recommendations to the commissioner of education.

98.3 Subd. 3. **Meetings.** The working group must convene on at least a bimonthly basis and
98.4 must hold the first meeting no later than October 15, 2023.

98.5 Subd. 4. **Administration.** The commissioner must provide meeting space and technical
98.6 assistance for the working group.

98.7 Subd. 5. **Statewide academic standards.** The commissioner must use the expedited
98.8 rulemaking process in Minnesota Statutes, section 14.389, to adopt academic standards for
98.9 ethnic studies developed in accordance with this section, subject to the notice and public
98.10 hearing provisions of Minnesota Statutes, section 14.389, subdivision 5.

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

98.12 Sec. 59. **COMPUTER SCIENCE EDUCATION ADVANCEMENT PROGRAM.**

98.13 Subdivision 1. **Definitions.** (a) "Computer science" means the study of computers and
98.14 algorithmic processes, including their principles, their hardware and software designs, their
98.15 implementation, and their impact on society.

98.16 (b) "Computer science courses and content" means courses at:

98.17 (1) elementary and middle schools that teach computer science as standalone
98.18 implementations or embedded in other subjects; and

98.19 (2) high schools that teach computer science as standalone courses and focus on teaching
98.20 students how to create new technologies.

98.21 (c) "High-quality computer science educator training" means activities that:

98.22 (1) clarify the conceptual foundations of computer science;

98.23 (2) teach research-based practices, including hands-on and inquiry-based learning;

98.24 (3) are primarily intended for existing teachers with or without prior exposure to computer
98.25 science with options for advanced training for teachers; and

98.26 (4) align to existing integrated computer science standards in Minnesota or nationally
98.27 recognized standards, including the Computer Science Teachers' Association's kindergarten
98.28 through grade 12 computer science education standards.

98.29 (d) "High-quality computer science professional learning providers" means institutions
98.30 of higher education, nonprofits, other state-funded entities, or private entities that have

99.1 successfully designed, implemented, and scaled high-quality computer science professional
99.2 learning for teachers as defined in paragraph (c).

99.3 (e) "STEAM" means science, technology, engineering, arts, and mathematics.

99.4 Subd. 2. **Computer science education supervisor.** The Department of Education must
99.5 employ a computer science supervisor dedicated to:

99.6 (1) the implementation of this section and the implementation of the computer science
99.7 education strategic plan developed by the working group under subdivision 3;

99.8 (2) outreach to districts that need additional supports to create or advance their computer
99.9 science programs; and

99.10 (3) supporting districts in using existing and available resources for districts to create
99.11 and advance their computer science programs.

99.12 Subd. 3. **Computer science working group.** (a) The Department of Education shall
99.13 establish a computer science education working group to develop a state strategic plan for
99.14 long-term and sustained growth of computer science education in all kindergarten through
99.15 grade 12 school districts and charter schools. The commissioner of education must appoint
99.16 members of the working group by July 1, 2023.

99.17 (b) Demographics of the working group must be inclusive and represent the diversity
99.18 of the state, including but not limited to racial, ethnic, and geographic diversity, and diversity
99.19 related to gender and sexual orientation.

99.20 (c) Meetings of the advisory committee are subject to the Open Meeting Law under
99.21 Minnesota Statutes, chapter 13D.

99.22 (d) The computer science education advisory committee shall consist of the following
99.23 members:

99.24 (1) the commissioner of education or the commissioner's designee;

99.25 (2) the commissioner of higher education or the commissioner's designee;

99.26 (3) one representative of the Professional Educator Licensing and Standards Board;

99.27 (4) one representative of the Computer Science Teachers Association of Minnesota;

99.28 (5) one representative from the business community employing computer scientists or
99.29 technologists;

99.30 (6) one representative from the Minnesota Technology Association;

- 100.1 (7) one representative from a nonprofit organization working with students and teachers
100.2 in computer science;
- 100.3 (8) one representative from the Minnesota Association of School Administrators;
- 100.4 (9) one representative from Education Minnesota;
- 100.5 (10) one representative from the Minnesota Association of Colleges for Teacher
100.6 Education;
- 100.7 (11) one representative from CSforAll Minnesota;
- 100.8 (12) one licensed library media specialist;
- 100.9 (13) one representative from the Minnesota School Boards Association;
- 100.10 (14) one representative from SciMathMN;
- 100.11 (15) one representative from the Tribal Nations Education Committee;
- 100.12 (16) one high school student enrolled in a school with fewer than 1,000 students and
100.13 one high school student enrolled in a school with more than 1,000 students; and
- 100.14 (17) four computer science teachers that teach at schools of different sizes, including at
100.15 least one teacher of students in kindergarten to grade 5, one teacher of students in grades 6
100.16 to 8, and one teacher of students in grades 9 to 12, and one career and technical education
100.17 teacher.
- 100.18 (e) The computer science education working group shall develop a state strategic plan
100.19 for a statewide computer science education program that includes but is not limited to:
- 100.20 (1) a statement of purpose that describes the objectives or goals the Department of
100.21 Education will accomplish by implementing a computer science education program, the
100.22 strategies by which those goals will be achieved, and a timeline for achieving those goals;
- 100.23 (2) a summary of the current state landscape for kindergarten through grade 12 computer
100.24 science education, including diversity of students taking these courses;
- 100.25 (3) the creation or expansion of flexible options to license computer science teachers,
100.26 which may include approval codes, technical permits, ancillary licenses, and standard
100.27 licenses;
- 100.28 (4) a description of how the state will support the expansion of computer science
100.29 education opportunities in every public school and public charter school in the state within
100.30 five years, with a focus on ensuring equitable access;
- 100.31 (5) identifying high-quality computer science professional learning providers for teachers;

101.1 (6) an ongoing evaluation process that is overseen by the Department of Education;

101.2 (7) proposed rules that incorporate the principles of the state strategic plan into the state's
101.3 public education system as a whole;

101.4 (8) recommendations for long-term expansion and sustainability of computer science
101.5 education, including:

101.6 (i) implementation of a requirement that every kindergarten through grade 12 public
101.7 school and public charter school employs at least one certified or endorsed computer science
101.8 teacher, which may be met through multiple approved processes for certification and
101.9 endorsement, including but not limited to endorsing a certified teacher as determined by
101.10 the Professional Educator Licensing and Standards Board endorsed in another subject area;

101.11 (ii) expansion of a high school credit equivalency for computer science;

101.12 (iii) the development of standalone kindergarten through grade 12 standards for computer
101.13 science; and

101.14 (iv) training preservice teachers in computer science education; and

101.15 (9) a description of existing gaps in computer science education access, participation,
101.16 and success by geography and subgroup of students and a description of how to equitably
101.17 address these gaps.

101.18 (f) By December 31, 2023, the Department of Education shall publish the proposed state
101.19 strategic plan for public feedback.

101.20 (g) By February 28, 2024, the Department of Education shall present the adopted state
101.21 strategic plan described in paragraph (c) to the chairs of the legislative committees with
101.22 jurisdiction over education.

101.23 (h) The commissioner of education, or the commissioner of education's designee, may
101.24 approve updates and changes to the state strategic plan described in paragraph (c) as necessary
101.25 for the successful implementation of kindergarten through grade 12 computer science
101.26 education.

101.27 (i) The Department of Education shall update the legislative committees with jurisdiction
101.28 over education on all changes to the strategic plan described in paragraph (c) approved by
101.29 the commissioner of education's designee since the last presentation to each respective
101.30 entity.

101.31 Subd. 4. **Computer science educator training and capacity building.** (a) The
101.32 Department of Education shall develop and implement, or award grants or subcontract with

102.1 eligible entities, for the development and implementation of high-quality, coordinated
102.2 teacher recruitment and educator training programs for computer science courses and content
102.3 as defined in subdivision 1 and aligned to the state strategic plan as developed under
102.4 subdivision 3.

102.5 (b) For the purposes of this subdivision, eligible entities include:

102.6 (1) a consortium of local educational agencies in the state; and

102.7 (2) high-quality computer science professional learning providers, including institutions
102.8 of higher education in the state that are reasonably accessible geographically to all Minnesota
102.9 educators, nonprofits, other state-funded entities, or private entities working in partnership
102.10 with a consortium of local educational agencies.

102.11 (c) For purposes of this subdivision, eligible uses of funding include:

102.12 (1) high-quality professional learning opportunities for kindergarten through grade 12
102.13 computer science content that:

102.14 (i) are created and delivered in a consistent manner across the state;

102.15 (ii) are made available with no out-of-pocket expenses to educators, including teachers,
102.16 counselors, administrators, and other district employees as approved by the Department of
102.17 Education, schools, and school districts;

102.18 (iii) are made available asynchronously online, in person, and online or hybrid as
102.19 determined appropriate by the Department of Education; and

102.20 (iv) include introductory, intermediate, and advanced trainings aligned to the kindergarten
102.21 through grade 12 academic standards or, as necessary, other standards approved by the
102.22 Department of Education, specified for each of the grade bands kindergarten through grade
102.23 2, grades 3 to 5, grades 6 to 8, and grades 9 to 12;

102.24 (2) professional learning opportunities for educators of students in grades 9 to 12 that
102.25 may include trainings for advanced placement, international baccalaureate, and concurrent
102.26 enrollment credit computer science courses;

102.27 (3) travel expenses for kindergarten through grade 12 computer science teachers:

102.28 (i) for attending training opportunities under clauses (1) and (2); and

102.29 (ii) deemed appropriate and approved by the commissioner of education, or the
102.30 commissioner of education's designee;

- 103.1 (4) any future credentialing for kindergarten through grade 12 computer science teachers,
103.2 including Career and Technical Education and academic endorsements;
- 103.3 (5) supports for kindergarten through grade 12 computer science professional learning,
103.4 including mentoring and coaching;
- 103.5 (6) creation and deployment of resources to promote training opportunities and
103.6 recruitment of kindergarten through grade 12 computer science teachers;
- 103.7 (7) creation or purchase of resources to support implementation approved by the
103.8 commissioner of education, or the commissioner of education's designee;
- 103.9 (8) creation and deployment of resources to promote learning opportunities or recruit
103.10 students to engage in the learning opportunities;
- 103.11 (9) development of teacher credentialing programs;
- 103.12 (10) planning for districts to implement or expand computer science education
103.13 opportunities; and
- 103.14 (11) employment, or grant for employment, of personnel or contractors to oversee the
103.15 statewide initiative, develop programs and trainings, and deliver training opportunities under
103.16 clause (1).
- 103.17 (d) As a condition of receiving any funding through grants or subcontracts, eligible
103.18 entities must submit an application to the Department of Education. The application must,
103.19 at a minimum, address how the entity will:
- 103.20 (1) reach new and existing teachers with little to no computer science background;
- 103.21 (2) attract and support educators from schools that currently do not have established
103.22 computer science education programs;
- 103.23 (3) use research- or evidence-based practices for high-quality professional development;
- 103.24 (4) focus the professional learning on the conceptual foundations of computer science;
- 103.25 (5) reach and support subgroups underrepresented in computer science;
- 103.26 (6) provide teachers with concrete experience through hands-on, inquiry-based practices;
- 103.27 (7) accommodate the particular teacher and student needs in each district and school;
103.28 and
- 103.29 (8) ensure that participating districts begin offering courses or content within the same
103.30 or subsequent school year after the teacher receives the professional learning.

104.1 (e) The Department of Education shall prioritize the following applications:

104.2 (1) consortiums of local educational agencies that are working in partnership with
104.3 providers of high-quality professional learning for kindergarten through grade 12 computer
104.4 science;

104.5 (2) proposals that describe strategies to increase enrollment overall, including but not
104.6 limited to subgroups of students that are traditionally underrepresented in computer science;
104.7 and

104.8 (3) proposals from rural or urban areas with a low penetration of kindergarten through
104.9 grade 12 computer science offerings, including local education consortiums within these
104.10 areas.

104.11 (f) The award recipient shall report, for all funding received under this section annually,
104.12 at a minimum:

104.13 (1) the number of teachers:

104.14 (i) trained within each elementary, middle, and high school; and

104.15 (ii) trained within trainings offered as outlined in paragraph (c), clause (1), item (iv);

104.16 (2) the number of trainings offered in advanced placement, international baccalaureate,
104.17 and concurrent enrollment credit computer science courses; and

104.18 (3) the number of teachers, and percentage of teachers trained, that started implementing
104.19 computer science courses limited to middle and high school implementation.

104.20 (g) The Department of Education shall make these reports public. The publicly released
104.21 data shall not include student-level personally identifiable information.

104.22 Subd. 5. **Teacher preparation.** On and after July 1, 2027, any program of teacher
104.23 preparation leading to professional certification shall include, as part of the curriculum,
104.24 instruction in computer science as applied to student learning and classroom instruction that
104.25 are grade-level and subject-area appropriate.

104.26 Subd. 6. **Computer science education data collection.** (a) The Department of Education
104.27 shall require all high schools to report data and information about computer science course
104.28 offerings and enrollment.

104.29 (b) The Department of Education shall develop a plan for the secure and regular reporting
104.30 of computer science course offerings and enrollment data from schools with kindergarten
104.31 to grade 8 bands within 90 days of enactment of this act.

105.1 (c) Data collected in processes described in paragraphs (a) and (b) should be disaggregated
105.2 by gender, race, ethnicity, free and reduced-price lunch status, Individuals with Disabilities
105.3 Education Act status, 504 status, and English language learner status.

105.4 Subd. 7. **Adoption of rules.** The Department of Education and Professional Educator
105.5 Standards and Licensing Board may adopt rules under this section, including rules for
105.6 flexible options to license computer science teachers, approval codes, technical permits,
105.7 ancillary licenses, and standard licenses.

105.8 Sec. 60. **PILOT PROGRAM TO IMPROVE EDUCATIONAL OUTCOMES AND**
105.9 **ACCOUNTABILITY.**

105.10 Subdivision 1. **Program goal.** (a) A pilot program is established to support Pillsbury
105.11 United Communities in developing a framework to evaluate school performance in improving
105.12 educational outcomes for students. Participation in the pilot program is limited to high
105.13 schools. The framework must:

105.14 (1) establish goals for each participating school based on engagement with students,
105.15 families, and community leaders;

105.16 (2) support schools in continuing improvement efforts; and

105.17 (3) use data to measure performance of students beyond tests scores, graduation rates,
105.18 and the world's best workforce goals.

105.19 (b) The department must support Pillsbury United Communities in implementing the
105.20 framework by reviewing data measuring student outcomes based on the goals established
105.21 for each school, and reporting the results of the pilot program to the legislature in accordance
105.22 with subdivision 3.

105.23 (c) The performance measures under Minnesota Statutes, section 120B.11, subdivision
105.24 1a, do not apply to a school participating in the pilot program. A school participating in the
105.25 pilot must continue to administer the Minnesota Comprehensive Assessments in accordance
105.26 with Minnesota Statutes, section 120B.30.

105.27 (d) School goals established under the framework may include, but are not limited to:

105.28 (1) student attendance or engagement with coursework;

105.29 (2) reading or math growth as measured by a locally adopted assessment;

105.30 (3) participation in college-level coursework or an industry-recognized program;

105.31 (4) student participation in community engagement activities;

106.1 (5) family participation in conferences with teachers; and

106.2 (6) school board completion of training to improve governance.

106.3 Subd. 2. **Performance measures.** For each school in the pilot program, the equity-focused
106.4 framework must:

106.5 (1) measure total enrollment, including the percentage of enrolled students disaggregated
106.6 by characteristics of race and ethnicity, gender, age, economic disadvantage, disability,
106.7 homelessness, home language, number of schools attended, foster-system involvement, or
106.8 other categories required by the department;

106.9 (2) describe basic needs support provided by the school to students, family members,
106.10 and community members;

106.11 (3) measure the number of students who receive support of the following types of
106.12 social-emotional and mental health support: (i) individual meetings with licensed mental
106.13 health professionals; (ii) peer support groups; (iii) referrals to community resources; and
106.14 (iv) other social-emotional and mental health services provided by the school;

106.15 (4) describe flexible, personalized, and innovative instruction provided by the school;

106.16 (5) describe culturally and real-life relevant curriculum provided by the school, including
106.17 students learning about the experiences of People of Color through a contextually accurate
106.18 history of Minnesota's Indigenous people;

106.19 (6) measure the number and percentage of students provided opportunities for student
106.20 identity development, including cultural identity;

106.21 (7) measure the number and percentage of students provided opportunities for student
106.22 career exploration and preparation;

106.23 (8) measure the number and percentage of students participating in at least one
106.24 extracurricular activity;

106.25 (9) measure the number of restorative-justice interventions and the number of referrals,
106.26 suspensions, and expulsions per school;

106.27 (10) describe family engagement practices by the school;

106.28 (11) describe community engagement practices by the school; and

106.29 (12) describe teacher and staff training about antiracism, anti-bias, or equity, and the
106.30 average weekly time provided for teacher and staff collaboration.

107.1 Subd. 3. **Report.** (a) By September 1, 2025, Pillsbury United Communities must report
107.2 to the Department of Education data on school and student performance measurements
107.3 based on the goals established for each participating school. The report must identify the
107.4 percentage of each goal that each school attained.

107.5 (b) By December 15, 2025, the Department of Education must review the data and report
107.6 to the legislative committees with jurisdiction over kindergarten through grade 12 education
107.7 on the effectiveness of the framework in measuring growth by identifying school actions
107.8 to implement the framework, how well the school implemented the framework, and how
107.9 students were affected by the school's implementation of the framework.

107.10 **EFFECTIVE DATE.** This section is effective July 1, 2023.

107.11 Sec. 61. **WORKING GROUP ON EDUCATION ON THE HOLOCAUST,**
107.12 **GENOCIDE OF INDIGENOUS PEOPLES, AND OTHER GENOCIDES.**

107.13 Subdivision 1. **Working group established.** (a) The Working Group on Education on
107.14 the Holocaust, Genocide of Indigenous Peoples, and Other Genocides is established to
107.15 advise the commissioner of education and develop resources necessary to implement
107.16 requirements for education on the Holocaust, genocide of Indigenous Peoples, and other
107.17 genocides under Minnesota Statutes, section 120B.252. The commissioner must appoint
107.18 members of the working group by April 1, 2024, based on the guidance and recommendations
107.19 from the cochairs of the working group.

107.20 (b) The Working Group on Education on the Holocaust, Genocide of Indigenous Peoples,
107.21 and Other Genocides must have a minimum of 12 members, but no more than 21 members,
107.22 consisting of the following members:

107.23 (1) at least one representative, who shall cochair the working group, from the Center for
107.24 Holocaust and Genocide Studies;

107.25 (2) at least one representative, who shall cochair the working group, with expertise in
107.26 training middle and high school teachers in Holocaust and other genocide education;

107.27 (3) at least one representative from the Tribal Nations Education Committee;

107.28 (4) at least one representative from a Minnesota college or university with academic
107.29 expertise in the genocide of Indigenous Peoples in Minnesota or in the Americas and
107.30 throughout the world;

108.1 (5) at least one additional representative from a Minnesota college or university other
108.2 than the Center for Holocaust and Genocide Studies with academic expertise in the Holocaust
108.3 and genocide studies;

108.4 (6) at least one representative from a Minnesota teacher licensure program with expertise
108.5 in the Holocaust, genocide of Indigenous Peoples, and other genocide studies;

108.6 (7) at least three representatives from Minnesota-based nonprofit organizations,
108.7 community groups, sovereign nations, or institutions of higher education whose missions
108.8 include educating about and honoring the victims and survivors of the displacement and
108.9 genocide of Indigenous Peoples in the Americas and throughout the world; Black genocide
108.10 in the United States and the Americas; the genocide in German Southwest Africa; Armenian
108.11 genocide; the genocide of the Ukrainian people from 1932 to 1933, also known as the
108.12 Holodomor; the Holocaust, including non-Jewish victims of Nazi persecution and genocide;
108.13 Cambodian genocide; Guatemalan genocide; Rwandan genocide; genocide in the former
108.14 Yugoslavia; genocide in Darfur; Rohingya genocide; and other historical and contemporary
108.15 cases of genocide;

108.16 (8) at least one public middle or high school social studies teacher with experience
108.17 teaching the Holocaust, genocide of Indigenous Peoples, or other genocides in the classroom;

108.18 (9) at least one public middle or high school English language arts teacher with experience
108.19 teaching the Holocaust, genocide of Indigenous Peoples, or other genocides in the classroom;
108.20 and

108.21 (10) at least one public middle or high school student with a demonstrated interest in
108.22 learning about the Holocaust, genocide of Indigenous Peoples, or other genocides.

108.23 (c) At the discretion of the commissioner and in consultation with the working group
108.24 cochairs, the working group may include additional experts in the fields of Holocaust and
108.25 genocide studies, genocide of Indigenous Peoples or other genocides, Minnesota history,
108.26 social studies education, or English language arts education, and community members with
108.27 a particular interest in education on the Holocaust, genocide of Indigenous Peoples, and
108.28 other genocides.

108.29 Subd. 2. **Working group duties.** (a) The working group must:

108.30 (1) advise the commissioner during the development of the social studies glossary
108.31 regarding the definitions of "Holocaust," "genocide," and "incidents of mass violence";

109.1 (2) identify professional learning opportunities for teachers and public school district
109.2 staff, including opportunities for continuing education to facilitate implementation of
109.3 education requirements under Minnesota Statutes, section 120B.252;

109.4 (3) identify training materials, strategies, skills, content, and resources for teachers and
109.5 public school district staff to successfully implement the education requirements under
109.6 Minnesota Statutes, section 120B.252;

109.7 (4) develop model lesson plans that teachers and public school district staff may use to
109.8 successfully implement the education requirements under Minnesota Statutes, section
109.9 120B.252;

109.10 (5) create a work plan that outlines the timeline to fulfill the duties of the working group
109.11 under this subdivision;

109.12 (6) provide to the commissioner of education a list of recommended professional learning
109.13 opportunities, resources, strategies, skills, content, model lesson plans, and other materials
109.14 developed under this subdivision by May 1, 2025;

109.15 (7) coordinate with the commissioner to update the material and resources. The
109.16 commissioner must make all reasonable efforts to make the recommended materials publicly
109.17 available on the department's website by September 1, 2025, and in coordination with the
109.18 working group, must update the materials and resources; and

109.19 (8) by November 15, 2025, submit to the chairs and ranking minority members of the
109.20 committees of the senate and the house of representatives with primary jurisdiction over
109.21 kindergarten through grade 12 education policy and finance a report containing a list of
109.22 resources and materials provided to the commissioner of education for the commissioner
109.23 to make available to public school districts implementing requirements for education on
109.24 the Holocaust, genocide of Indigenous Peoples, and other genocides.

109.25 (b) The working group may:

109.26 (1) conduct a survey of the current state of education on the Holocaust, genocide of
109.27 Indigenous Peoples, and other genocides in Minnesota public school districts with a focus
109.28 on teacher preparedness, access and utilization of resources, and additional surveys of the
109.29 state of education on the Holocaust, genocide of Indigenous Peoples, and other genocides
109.30 following the conclusion of the 2024-2025 school year;

109.31 (2) carry out any other tasks that it considers pertinent to support the ability of teachers
109.32 and public school district staff to facilitate the successful implementation of education
109.33 requirements under Minnesota Statutes, section 120B.252; and

(3) apply for and accept grants and receive gifts, donations, and other financial support from private sources for the purposes of carrying out its work under this section.

Subd. 3. **Working group meetings.** The working group must convene on at least a bimonthly basis and must hold the first meeting no later than September 1, 2024.

Subd. 4. **Administration.** The commissioner must provide meeting space and technical assistance for the working group.

Subd. 5. **Expiration.** This section expires November 15, 2025, or the date upon which the working group report required under subdivision 2 is submitted to the legislature, whichever is later.

EFFECTIVE DATE. This section is effective July 1, 2023.

Sec. 62. **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. **Achievement and integration aid.** (a) For achievement and integration aid under Minnesota Statutes, section 124D.862:

\$ 83,330,000 2024

\$ 84,512,000 2025

(b) The 2024 appropriation includes \$8,172,000 for 2023 and \$75,158,000 for 2024.

(c) The 2025 appropriation includes \$8,350,000 for 2024 and \$76,162,000 for 2025.

Subd. 3. **Alternative programs.** For a grant to the Minnesota Association of Alternative Programs STARS (Success, Teamwork, Achievement, Recognition, and Self-Esteem) program to help students in alternative programs develop employment, academic, and social skills and support student participation in trainings and conferences:

\$ 50,000 2024

Subd. 4. **BARR Center.** (a) For grants to the Building Assets, Reducing Risks (BARR) Center, to deliver an evidence-based, research-validated program to schools:

\$ 5,000,000 2024

(b) Consistent with Minnesota Statutes, section 127A.20, the BARR Center must apply for the grants in the form and manner specified by the commissioner of education. The BARR Center must deliver an evidence-based, research-validated program that provides

111.1 school coaching support, professional development, and curriculum and resources over a
111.2 three-year period to each qualifying school site.

111.3 (c) The BARR Center must select at least 18 schools to participate in the program. The
111.4 schools must be geographically balanced among urban, suburban, and rural schools, and
111.5 serve high concentrations of students in poverty or high concentrations of underrepresented
111.6 students, including students who are from Black, Indigenous, and People of Color
111.7 communities.

111.8 (d) The grants to the BARR Center must be directed toward:

111.9 (1) improving student social and emotional skills and engagement in school;

111.10 (2) increasing opportunity and academic achievement for students of color and those
111.11 experiencing poverty;

111.12 (3) improving teacher satisfaction and effectiveness; and

111.13 (4) increasing the number of students who earn a high school diploma.

111.14 (e) This is a onetime appropriation and is available until June 30, 2026.

111.15 Subd. 5. **Charter school building lease aid.** (a) For building lease aid under Minnesota
111.16 Statutes, section 124E.22:

111.17 \$ 94,320,000 2024

111.18 \$ 98,764,000 2025

111.19 (b) The 2024 appropriation includes \$9,047,000 for 2023 and \$85,273,000 for 2024.

111.20 (c) The 2025 appropriation includes \$9,474,000 for 2024 and \$89,290,000 for 2025.

111.21 Subd. 6. **College entrance examination reimbursement.** (a) To reimburse districts for
111.22 the costs of college entrance examination fees for students who are eligible for free or
111.23 reduced-price meals who take the ACT or SAT test under Minnesota Statutes, section
111.24 120B.30, subdivision 1, paragraph (e):

111.25 \$ 1,011,000 2024

111.26 \$ 1,011,000 2025

111.27 (b) Any balance in the first year does not cancel but is available in the second year.

111.28 Subd. 7. **COMPASS and MTSS.** (a) To support the development and implementation
111.29 of the MTSS framework and the Collaborative Minnesota Partnerships to Advance Student
111.30 Success (COMPASS) school improvement model:

112.1 \$ 18,250,000 2024

112.2 \$ 18,250,000 2025

112.3 (b) Of this amount, \$7,000,000 in fiscal year 2024 and \$7,000,000 in fiscal year 2025
112.4 are to support implementation of MTSS and COMPASS. Funds must be used to support
112.5 increased capacity at the Department of Education and the Minnesota Service Cooperatives
112.6 for implementation supports.

112.7 (c) Of this amount, \$5,000,000 each year is reserved for grants to school districts, charter
112.8 schools, and cooperative units as defined in Minnesota Statutes, section 123A.24, subdivision
112.9 2, for implementation of MTSS, including: hiring local MTSS coordinators; deferring costs
112.10 for personnel to participate in cohort activities and professional learning; and piloting a
112.11 Department of Education One Plan, the consolidation of multiple reporting structures to
112.12 streamline various applications, reports, and submissions by school districts and charter
112.13 schools. Up to five percent of this amount is available for program and grant administration.

112.14 (d) Of this amount, \$5,250,000 each year must be used to develop a regional network
112.15 focusing on mathematics to provide dedicated mathematics trainers and coaches to train
112.16 regional support staff from the Minnesota Service Cooperatives to support school leaders
112.17 and teachers to implement evidence-based instructional strategies in mathematics. Funds
112.18 may also be used to host an annual Mathematics Standards-Based Instructional Institute.

112.19 (e) Of this amount, \$1,000,000 each year is for the University of Minnesota Center for
112.20 Applied Research and Educational Improvement to support implementation and evaluation
112.21 of the MTSS framework.

112.22 (f) Support for school districts, charter schools, and cooperative units under this
112.23 subdivision may include but is not limited to:

112.24 (1) partnering with the Minnesota Service Cooperatives to support districts in
112.25 implementing COMPASS to support schools in the areas of literacy, math, social-emotional
112.26 learning, and mental health using the MTSS framework;

112.27 (2) providing support to districts and charter schools identified under Minnesota Statutes,
112.28 section 120B.11;

112.29 (3) providing support to districts and charter schools in streamlining various applications,
112.30 reports, and submissions to the Department of Education through One Plan;

112.31 (4) providing training, guidance, and implementation resources for MTSS, including a
112.32 universal screening process approved by the Department of Education to identify students

113.1 who may be at risk of experiencing academic, behavioral, and social-emotional development
113.2 difficulties;

113.3 (5) providing guidance to convene school-based teams to analyze data provided by
113.4 screenings and resources for related identification, instruction, and intervention methods;

113.5 (6) dyslexia screening and intervention that are evidence-based;

113.6 (7) requiring school districts and charter schools to provide parents of students identified
113.7 in screenings with notice of screening findings and related support information;

113.8 (8) requiring districts and charter schools to provide at-risk students with interventions
113.9 and to monitor the effectiveness of these interventions and student progress; and

113.10 (9) developing and annually reporting findings regarding the implementation of MTSS.

113.11 (g) This is a onetime appropriation.

113.12 (h) Up to five percent of the funds identified for grants is available for grant
113.13 administration costs.

113.14 (i) Any balance in the first year does not cancel but is available in the second year.

113.15 Subd. 8. **Computer science education advancement.** (a) For computer science
113.16 advancement:

113.17 \$ 500,000 2024

113.18 \$ 500,000 2025

113.19 (b) Of this amount, \$150,000 is for the computer science supervisor.

113.20 (c) Eligible uses of the appropriation include expenses related to the implementation of
113.21 article 2, section 58, and expenses related to the development, advancement, and promotion
113.22 of kindergarten through grade 12 computer science education.

113.23 (c) Any balance in the first year does not cancel and is available in the second year.

113.24 Subd. 9. **Computer science STEAM grants.** (a) For grants to STEAM-focused programs
113.25 that work directly with students providing additional STEAM education through after-school
113.26 programming or new in-school programs:

113.27 \$ 500,000 2024

113.28 \$ 500,000 2025

113.29 (b) Eligible grant recipients are schools and school districts or nonprofits that are currently
113.30 offering computer science courses or STEAM-focused programming for kindergarten
113.31 through grade 12 students in after-school programs. Preference must be given to programs

114.1 serving high free and reduced-priced lunch populations, students from Tribal Nations, or
114.2 programs in schools or districts receiving sparsity revenue under Minnesota Statutes, section
114.3 126C.10.

114.4 (c) Grant awards to nonprofits must not exceed \$50,000 per recipient.

114.5 (d) At the conclusion of the grant, recipients must submit to the commissioner of
114.6 education student enrollment data disaggregated by gender, race, ethnicity, free and
114.7 reduced-price lunch status, Individuals with Disabilities Education Act status, 504 status,
114.8 and English language learner status.

114.9 (e) Any balance in the first year does not cancel and is available in the second year.

114.10 Subd. 10. **Concurrent enrollment aid.** (a) For concurrent enrollment aid under
114.11 Minnesota Statutes, section 124D.091:

114.12 \$ 4,000,000 2024

114.13 \$ 4,000,000 2025

114.14 (b) If the appropriation is insufficient, the commissioner must proportionately reduce
114.15 the aid payment to each school district.

114.16 (c) Any balance in the first year does not cancel but is available in the second year.

114.17 Subd. 11. **Early childhood literacy programs.** (a) For early childhood literacy programs
114.18 under Minnesota Statutes, section 119A.50, subdivision 3:

114.19 \$ 7,950,000 2024

114.20 \$ 7,950,000 2025

114.21 (b) Up to \$7,950,000 each year is for leveraging federal and private funding to support
114.22 AmeriCorps members serving in the Minnesota reading corps program established by
114.23 ServeMinnesota, including costs associated with training and teaching early literacy skills
114.24 to children ages three through grade 3 and evaluating the impact of the program under
114.25 Minnesota Statutes, sections 124D.38, subdivision 2, and 124D.42, subdivision 6.

114.26 (c) Any balance in the first year does not cancel but is available in the second year.

114.27 Subd. 12. **Educational outcomes and accountability pilot program.** (a) For a grant
114.28 to Pillsbury United Communities to implement a framework to improve educational outcomes
114.29 and accountability in accordance with article 2, section 59:

114.30 \$ 90,000 2024

114.31 \$ 90,000 2025

(b) The department may retain up to five percent of the appropriation to administer the grant and report on the program in accordance with article 2, section 59, subdivision 3.

(c) This is a onetime appropriation.

(d) The appropriation is available until June 30, 2026.

Subd. 13. **Ethnic studies community consultation.** To consult with community members throughout Minnesota on the development of ethnic studies curricula, resources, and implementation support:

\$ 150,000 2024

\$ 150,000 2025

Subd. 14. **Ethnic studies school grants.** (a) For competitive grants to school districts and charter schools to develop, evaluate, and implement ethnic studies courses:

\$ 700,000 2024

\$ 700,000 2025

(b) The commissioner must consult with the Ethnic Studies Working Group to develop criteria for the grants.

Subd. 15. **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:

\$ 4,500,000 2024

\$ 4,500,000 2025

(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 International Baccalaureate Minnesota, 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

116.1 international baccalaureate summer training program or workshop shall be the same. The
116.2 commissioner shall determine the payment process and the amount of the subsidy.

116.3 (d) The commissioner shall pay all examination fees for all students of low-income
116.4 families under Minnesota Statutes, section 120B.13, subdivision 3, and to the extent of
116.5 available appropriations, shall also pay examination fees for students sitting for an advanced
116.6 placement examination, international baccalaureate examination, or both.

116.7 (e) Any balance in the first year does not cancel but is available in the second year.

116.8 Subd. 16. **Full-service community schools.** (a) For grants to plan or expand the
116.9 full-service community schools program under Minnesota Statutes, section 124D.231:

116.10 \$ 11,208,000 2024

116.11 \$ 11,208,000 2025

116.12 (b) Of this amount, priority must be given to programs in the following order:

116.13 (1) current grant recipients issued under Minnesota Statutes, section 124D.231;

116.14 (2) schools identified as low-performing under the federal Every Student Succeeds Act;
116.15 and

116.16 (3) any other applicants.

116.17 (c) Up to two percent of the appropriation is available for grant administration.

116.18 (d) The base for fiscal year 2026 is \$8,154,000 and the base for fiscal year 2027 and
116.19 later is \$8,155,000.

116.20 Subd. 17. **Girls Taking Action.** (a) For a grant to the Girls Taking Action program to
116.21 enable Girls Taking Action to continue to provide and expand metropolitan-area school and
116.22 community-based programs that encourage and support low-income girls of color:

116.23 \$ 1,500,000 2024

116.24 (b) Of the appropriated funds, \$1,000,000 must be used to sustain 16 current Girls Taking
116.25 Action program sites, and to expand an additional four sites in inner-ring suburban
116.26 communities with growing ethnic diversity among students.

116.27 (c) Of the appropriated funds, \$500,000 must be used to sustain three community-based
116.28 Girls Taking Action programs for Asian, East African, and Latina girls in Hennepin, Ramsey,
116.29 and Dakota Counties, and to expand an additional two community-based programs in these
116.30 counties to reach Native American and African American girls.

117.1 (d) Girls Taking Action programs supported by these funds must include programs
117.2 focused on:

117.3 (1) increasing academic performance, high school graduation rates, and enrollment in
117.4 postsecondary education for girls faced with social, demographic, racial, and economic
117.5 barriers and challenges;

117.6 (2) increasing mentoring opportunities, literacy, career development, positive community
117.7 engagement, and the number of qualified female employees of color in the workforce
117.8 pipeline, particularly in science, technology, engineering, and mathematics fields;

117.9 (3) providing coaching, mentoring, health and wellness counseling, resources to girls
117.10 whose experience with sexual assault has negatively impacted their academics and behavior,
117.11 and culturally sensitive therapy resources and counseling services to sexual assault victims;
117.12 and

117.13 (4) increasing financial literacy and knowledge of options for financing college or
117.14 postsecondary education.

117.15 (e) This is a onetime appropriation. Any balance in the first year does not cancel but is
117.16 available in the second year.

117.17 Subd. 18. **Grants to increase science, technology, engineering, and math course**
117.18 **offerings.** (a) For grants to schools to encourage low-income and other underserved students
117.19 to participate in advanced placement and international baccalaureate programs according
117.20 to Minnesota Statutes, section 120B.132:

117.21 \$ 250,000 2024

117.22 \$ 250,000 2025

117.23 (b) To the extent practicable, the commissioner must distribute grant funds equitably
117.24 among geographic areas in the state, including schools located in greater Minnesota and in
117.25 the seven-county metropolitan area.

117.26 (c) Any balance in the first year does not cancel but is available in the second year.

117.27 Subd. 19. **Implementation of education on the Holocaust, genocide of Indigenous**
117.28 **Peoples, and other genocides.** For implementation of requirements for education on the
117.29 Holocaust, genocide of Indigenous Peoples, and other genocides under Minnesota Statutes,
117.30 section 120B.252:

117.31 \$ 75,000 2024

117.32 \$ 75,000 2025

Subd. 20. **Interdistrict desegregation or integration transportation grants.** For interdistrict desegregation or integration transportation grants under Minnesota Statutes, section 124D.87:

\$ 14,992,000 2024

\$ 16,609,000 2025

Subd. 21. **Literacy incentive aid.** (a) For literacy incentive aid under Minnesota Statutes, section 124D.98:

\$ 42,234,000 2024

\$ 42,502,000 2025

(b) The 2024 appropriation includes \$4,606,000 for 2023 and \$37,628,000 for 2024.

(c) The 2025 appropriation includes \$4,180,000 for 2024 and \$38,322,000 for 2025.

Subd. 22. **Minnesota Alliance of Boys and Girls Clubs.** (a) For a grant to the Minnesota Alliance of Boys and Girls Clubs to support the establishment and expansion of Boys and Girls Clubs in Minnesota beyond existing service areas to support after-school and summer programming that address learning loss:

\$ 1,250,000 2024

\$ 1,250,000 2025

(b) The grant recipient must take into consideration multiple factors, including need, feasibility, and community engagement when determining where to establish and expand Boys and Girls Clubs programming. Need may be analyzed using available data from the department. Feasibility must be determined by proximity to supporting organizations, staffing capabilities, and access to adequate facilities. The grant recipient must take into consideration community engagement and interest in programming as important elements for the desired sustainability of programming beyond the project's funding period.

(c) To receive a grant under this section, the Minnesota Alliance of Boys and Girls Clubs must receive a 25 percent match from nonstate funds.

(d) This is a onetime appropriation.

Subd. 23. **Minnesota Center for the Book programming.** For grants to the entity designated by the Library of Congress as the Minnesota Center for the Book to provide statewide programming related to the Minnesota Book Awards and for additional programming throughout the state related to the Center for the Book designation:

119.1 \$ 200,000 2024

119.2 \$ 200,000 2025

119.3 Subd. 24. **Minnesota Independence College and Community.** (a) For transfer to the
119.4 Office of Higher Education for grants to Minnesota Independence College and Community
119.5 for tuition reduction and institutional support:

119.6 \$ 625,000 2024

119.7 \$ 625,000 2025

119.8 (b) Any balance in the first year does not cancel but is available in the second year.

119.9 Subd. 25. **Minnesota math corps.** (a) For the Minnesota math corps program under
119.10 Minnesota Statutes, section 124D.42, subdivision 9:

119.11 \$ 1,000,000 2024

119.12 \$ 1,000,000 2025

119.13 (b) Any balance in the first year does not cancel but is available in the second year.

119.14 Subd. 26. **Minnesota Principals Academy.** (a) For grants to the University of Minnesota
119.15 College of Education and Human Development for the operation of the Minnesota Principals
119.16 Academy:

119.17 \$ 200,000 2024

119.18 \$ 200,000 2025

119.19 (b) Of these amounts, \$50,000 must be used to pay the costs of attendance for principals
119.20 and school leaders from schools identified for intervention under the state's accountability
119.21 system as implemented to comply with the federal Every Student Succeeds Act. To the
119.22 extent funds are available, the Department of Education is encouraged to use up to \$200,000
119.23 of federal Title II funds to support additional participation in the Principals Academy by
119.24 principals and school leaders from schools identified for intervention under the state's
119.25 accountability system as implemented to comply with the federal Every Student Succeeds
119.26 Act.

119.27 (c) Any balance in the first year does not cancel but is available in the second year.

119.28 Subd. 27. **Museums and education centers.** (a) For grants to museums and education
119.29 centers:

119.30 \$ 460,000 2024

119.31 \$ 460,000 2025

119.32 (b) \$269,000 each year is for the Minnesota Children's Museum.

120.1 (c) \$50,000 each year is for the Minnesota Children's Museum, Rochester.

120.2 (d) \$50,000 each year is for the Duluth Children's Museum.

120.3 (e) \$41,000 each year is for the Minnesota Academy of Science.

120.4 (f) \$50,000 each year is for the Headwaters Science Center.

120.5 (g) A recipient of a grant under this subdivision must use the funds to encourage and
120.6 increase access for historically underserved communities.

120.7 (h) Any balance in the first year does not cancel but is available in the second year.

120.8 Subd. 28. **Nonexclusionary discipline.** (a) For grants to school districts and charter
120.9 schools to provide training for school staff on nonexclusionary disciplinary practices:

120.10 \$ 1,750,000 2024

120.11 \$ 1,750,000 2025

120.12 (b) Grants are to develop training and to work with schools to train staff on
120.13 nonexclusionary disciplinary practices that maintain the respect, trust, and attention of
120.14 students and help keep students in classrooms. These funds may also be used for grant
120.15 administration.

120.16 (c) Eligible grantees include school districts, charter schools, intermediate school districts,
120.17 and cooperative units as defined in section 123A.24, subdivision 2.

120.18 (d) Up to five percent of the appropriation is available for grant administration.

120.19 Subd. 29. **P-TECH schools.** (a) For P-TECH support grants under Minnesota Statutes,
120.20 section 124D.093, subdivision 5:

120.21 \$ 791,000 2024

120.22 \$ 791,000 2025

120.23 (b) The amounts in this subdivision are for grants, including to a public-private
120.24 partnership that includes Independent School District No. 535, Rochester.

120.25 (c) Any balance in the first year does not cancel but is available in the second year.

120.26 Subd. 30. **Paraprofessional training.** (a) For compensation associated with paid
120.27 orientation and professional development for paraprofessionals under Minnesota Statutes,
120.28 section 121A.642:

120.29 \$ 7,836,000 2024

120.30 \$ 8,033,000 2025

120.31 (b) The base for fiscal year 2026 is \$8,233,000 and for fiscal year 2027 is \$8,439,000.

121.1 Subd. 31. **Recovery program grants.** (a) For recovery program grants under Minnesota
121.2 Statutes, section 124D.695:

121.3 \$ 750,000 2024

121.4 \$ 750,000 2025

121.5 (b) Any balance in the first year does not cancel but is available in the second year.

121.6 Subd. 32. **Sanneh Foundation.** (a) For grants to the Sanneh Foundation for purposes
121.7 of subdivision 3:

121.8 \$ 1,500,000 2024

121.9 \$ 1,500,000 2025

121.10 (b) Any balance in the first year does not cancel but is available in the second year.

121.11 Subd. 33. **ServeMinnesota program.** (a) For funding ServeMinnesota programs under
121.12 Minnesota Statutes, sections 124D.37 to 124D.45:

121.13 \$ 900,000 2024

121.14 \$ 900,000 2025

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

121.18 (c) Any balance in the first year does not cancel but is available in the second year.

121.19 Subd. 34. **Starbase MN.** (a) For a grant to Starbase MN for a rigorous science,
121.20 technology, engineering, and math program providing students in grades 4 through 6 with
121.21 a multisensory learning experience and a hands-on curriculum in an aerospace environment
121.22 using state-of-the-art technology:

121.23 \$ 500,000 2024

121.24 \$ 500,000 2025

121.25 (b) Any balance in the first year does not cancel but is available in the second year.

121.26 Subd. 35. **Statewide testing and reporting system.** (a) For the statewide testing and
121.27 reporting system under Minnesota Statutes, section 120B.30:

121.28 \$ 10,892,000 2024

121.29 \$ 10,892,000 2025

121.30 (b) Any balance in the first year does not cancel but is available in the second year.

121.31 Subd. 36. **Student organizations.** (a) For student organizations:

122.1 \$ 1,084,000 2024

122.2 \$ 1,084,000 2025

122.3 (b) \$68,000 each year is for student organizations serving health occupations (HOSA).

122.4 (c) \$100,000 each year is for student organizations serving trade and industry occupations

122.5 (Skills USA, secondary and postsecondary).

122.6 (d) \$122,000 each year is for student organizations serving business occupations (BPA,

122.7 secondary and postsecondary).

122.8 (e) \$322,000 each year is for student organizations serving agriculture occupations (FFA,

122.9 PAS).

122.10 (f) \$185,000 each year is for student organizations serving family and consumer science

122.11 occupations (FCCLA). Notwithstanding Minnesota Rules, part 3505.1000, subparts 28 and

122.12 31, the student organizations serving FCCLA shall continue to serve students younger than

122.13 grade 9.

122.14 (g) \$202,000 each year is for student organizations serving marketing occupations (DECA

122.15 and DECA collegiate).

122.16 (h) \$85,000 each year is for the Minnesota Foundation for Student Organizations. Of

122.17 this amount, \$30,000 each year must be used for direct support of underserved and special

122.18 student populations.

122.19 (i) Any balance in the first year does not cancel but is available in the second year.

122.20 Sec. 63. **REVISOR INSTRUCTION.**

122.21 The revisor of statutes shall renumber each section of Minnesota Statutes listed in column

122.22 A with the number listed in column B. The revisor shall also make necessary cross-reference

122.23 changes consistent with the renumbering. The revisor shall also make any technical language

122.24 and other changes necessitated by the renumbering and cross-reference changes in this act.

122.25 Column A

Column B

122.26 General Requirements Statewide Assessments

122.27 120B.30, subdivision 1a, paragraph (h) 120B.30, subdivision 1

122.28 120B.30, subdivision 1, paragraph (q) 120B.30, subdivision 2

122.29 120B.30, subdivision 1a, paragraph (g) 120B.30, subdivision 3

122.30 120B.30, subdivision 1b 120B.30, subdivision 4

122.31 120B.30, subdivision 1, paragraph (n) 120B.30, subdivision 5, paragraph (a)

122.32 120B.30, subdivision 1, paragraph (a) 120B.30, subdivision 5, paragraph (b)

123.1	<u>120B.30, subdivision 1a, paragraph (e)</u>	<u>120B.30, subdivision 6, paragraph (a)</u>
123.2	<u>120B.30, subdivision 2, paragraph (a)</u>	<u>120B.30, subdivision 6, paragraph (b)</u>
123.3	<u>120B.30, subdivision 2, paragraph (b),</u>	<u>120B.30, subdivision 6, paragraph (c)</u>
123.4	<u>clauses (1) and (2)</u>	
123.5	<u>120B.30, subdivision 2</u>	<u>120B.30, subdivision 6, paragraph (d)</u>
123.6	<u>120B.30, subdivision 4</u>	<u>120B.30, subdivision 7</u>
123.7	<u>120B.30, subdivision 5</u>	<u>120B.30, subdivision 8</u>
123.8	<u>120B.30, subdivision 6</u>	<u>120B.30, subdivision 9</u>
123.9	<u>120B.30, subdivision 1, paragraph (e)</u>	<u>120B.30, subdivision 10</u>
123.10	<u>General Requirements Test Design</u>	
123.11	<u>120B.30, subdivision 1a, paragraph (a),</u>	<u>120B.301, subdivision 1</u>
123.12	<u>clauses (1) to (5)</u>	
123.13	<u>120B.30, subdivision 1, paragraph (a)</u>	<u>120B.301, subdivision 2</u>
123.14	<u>120B.30, subdivision 1, paragraph (b)</u>	<u>120B.301, subdivision 3, paragraph (a)</u>
123.15	<u>120B.30, subdivision 1, paragraph (n)</u>	<u>120B.301, subdivision 3, paragraph (b)</u>
123.16	<u>120B.30, subdivision 1a, paragraph (b)</u>	<u>120B.301, subdivision 3, paragraph (c)</u>
123.17	<u>120B.30, subdivision 1a, paragraph (c),</u>	<u>120B.301, subdivision 3, paragraph (d)</u>
123.18	<u>clauses (1) and (2)</u>	
123.19	<u>Assessment Graduation Requirements</u>	
123.20	<u>120B.30, subdivision 1, paragraph (c),</u>	<u>120B.304, subdivision 1</u>
123.21	<u>clauses (1) and (2)</u>	
123.22	<u>120B.30, subdivision 1, paragraph (d)</u>	<u>120B.304, subdivision 2</u>
123.23	<u>120B.30, subdivision 1, paragraph (i)</u>	<u>120B.304, subdivision 3</u>
123.24	<u>Assessment Reporting Requirements</u>	
123.25	<u>120B.30, subdivision 1a, paragraph (f),</u>	<u>120B.305, subdivision 1</u>
123.26	<u>clauses (1) to (3)</u>	
123.27	<u>120B.30, subdivision 1a, paragraph (d),</u>	<u>120B.305, subdivision 2, paragraph (a)</u>
123.28	<u>clauses (1) to (4)</u>	
123.29	<u>120B.30, subdivision 1, paragraph (m)</u>	<u>120B.305, subdivision 2, paragraph (b)</u>
123.30	<u>120B.30, subdivision 1, paragraph (n)</u>	<u>120B.305, subdivision 2, paragraph (c)</u>
123.31	<u>120B.30, subdivision 1, paragraph (o),</u>	<u>120B.305, subdivision 3, paragraph (a)</u>
123.32	<u>clauses (1) to (4)</u>	
123.33	<u>120B.30, subdivision 3</u>	<u>120B.305, subdivision 3, paragraph (b)</u>
123.34	<u>District Assessment Requirements</u>	
123.35	<u>120B.301, paragraphs (a) to (c)</u>	<u>120B.306, subdivision 1</u>
123.36	<u>120B.304, paragraphs (a) and (b)</u>	<u>120B.306, subdivision 2</u>
123.37	<u>College and Career Readiness</u>	
123.38	<u>120B.30, subdivision 1, paragraph (p)</u>	<u>120B.307, subdivision 1</u>
123.39	<u>120B.30, subdivision 1, paragraph (d)</u>	<u>120B.307, subdivision 2</u>
123.40	<u>120B.30, subdivision 1, paragraph (f)</u>	<u>120B.307, subdivision 3</u>

124.1	<u>120B.30, subdivision 1, paragraph (g)</u>	<u>120B.307, subdivision 4, paragraph (a)</u>
124.2	<u>120B.30, subdivision 1, paragraph (h)</u>	<u>120B.307, subdivision 4, paragraph (b)</u>
124.3	<u>120B.30, subdivision 1, paragraph (j)</u>	<u>120B.307, subdivision 4, paragraph (c)</u>
124.4	<u>120B.30, subdivision 1, paragraph (k)</u>	<u>120B.307, subdivision 4, paragraph (d)</u>
124.5	<u>120B.30, subdivision 1, paragraph (l)</u>	<u>120B.307, subdivision 4, paragraph (e)</u>

124.6 Sec. 64. **REPEALER.**

124.7 Minnesota Statutes 2022, sections 120B.35, subdivision 5; and 124D.095, subdivisions
124.8 1, 2, 3, 4, 5, 6, 7, and 8, are repealed.

124.9 **ARTICLE 3**

124.10 **READ ACT**

124.11 Section 1. Minnesota Statutes 2022, section 120B.11, subdivision 1, is amended to read:

124.12 Subdivision 1. **Definitions.** For the purposes of this section and section 120B.10, the
124.13 following terms have the meanings given them.

124.14 (a) "Instruction" means methods of providing learning experiences that enable a student
124.15 to meet state and district academic standards and graduation requirements including applied
124.16 and experiential learning.

124.17 (b) "Curriculum" means district or school adopted programs and written plans for
124.18 providing students with learning experiences that lead to expected knowledge and skills
124.19 and career and college readiness.

124.20 (c) "World's best workforce" means striving to: meet school readiness goals; ~~have all~~
124.21 ~~third-grade students achieve grade-level literacy;~~ close the academic achievement gap among
124.22 all racial and ethnic groups of students and between students living in poverty and students
124.23 not living in poverty; have all students attain career and college readiness before graduating
124.24 from high school; and have all students graduate from high school.

124.25 (d) "Experiential learning" means learning for students that includes career exploration
124.26 through a specific class or course or through work-based experiences such as job shadowing,
124.27 mentoring, entrepreneurship, service learning, volunteering, internships, other cooperative
124.28 work experience, youth apprenticeship, or employment.

125.1 Sec. 2. Minnesota Statutes 2022, section 120B.11, subdivision 2, is amended to read:

125.2 Subd. 2. **Adopting plans and budgets.** (a) A school board, at a public meeting, shall
125.3 adopt a comprehensive, long-term strategic plan to support and improve teaching and
125.4 learning that is aligned with creating the world's best workforce and includes:

125.5 (1) clearly defined district and school site goals and benchmarks for instruction and
125.6 student achievement for all student subgroups identified in section 120B.35, subdivision 3,
125.7 paragraph (b), clause (2);

125.8 (2) a process to assess and evaluate each student's progress toward meeting state and
125.9 local academic standards, assess and identify students to participate in gifted and talented
125.10 programs and accelerate their instruction, and adopt early-admission procedures consistent
125.11 with section 120B.15, and identifying the strengths and weaknesses of instruction in pursuit
125.12 of student and school success and curriculum affecting students' progress and growth toward
125.13 career and college readiness and leading to the world's best workforce;

125.14 (3) a system to periodically review and evaluate the effectiveness of all instruction and
125.15 curriculum, taking into account strategies and best practices, student outcomes, school
125.16 principal evaluations under section 123B.147, subdivision 3, students' access to effective
125.17 teachers who are members of populations underrepresented among the licensed teachers in
125.18 the district or school and who reflect the diversity of enrolled students under section 120B.35,
125.19 subdivision 3, paragraph (b), clause (2), and teacher evaluations under section 122A.40,
125.20 subdivision 8, or 122A.41, subdivision 5;

125.21 (4) strategies for improving instruction, curriculum, and student achievement, including
125.22 the English and, where practicable, the native language development and the academic
125.23 achievement of English learners;

125.24 (5) a process to examine the equitable distribution of teachers and strategies to ensure
125.25 low-income and minority children are not taught at higher rates than other children by
125.26 inexperienced, ineffective, or out-of-field teachers;

125.27 (6) education effectiveness practices that integrate high-quality instruction, rigorous
125.28 curriculum, technology, and a collaborative professional culture that develops and supports
125.29 teacher quality, performance, and effectiveness; and

125.30 (7) an annual budget for continuing to implement the district plan.

125.31 (b) A school district is not required to include information regarding literacy in a plan
125.32 or report required under this section, except with regard to the academic achievement of
125.33 English learners.

126.1 Sec. 3. [120B.1119] TITLE; THE READ ACT.

126.2 Sections 120B.12 to 120B.124 may be cited as the "Reading to Ensure Academic
126.3 Development Act," or the "Read Act."

126.4 Sec. 4. Minnesota Statutes 2022, section 120B.12, is amended to read:

126.5 ~~120B.12 READING PROFICIENTLY NO LATER THAN THE END OF GRADE~~
126.6 ~~3~~ READ ACT GOAL AND INTERVENTIONS.

126.7 Subdivision 1. **Literacy goal.** (a) The legislature seeks to have every child reading at
126.8 or above grade level no later than the end of grade 3, every year, beginning in kindergarten,
126.9 including English multilingual learners, and that teachers provide comprehensive,
126.10 scientifically based and students receiving special education services. By the 2026-2027
126.11 school year, school leaders and educators must provide evidence-based reading instruction
126.12 consistent with section 122A.06, subdivision 4 through a focus on student mastery of the
126.13 foundational reading skills of phonemic awareness, phonics, and fluency, as well as the
126.14 development of oral language, vocabulary, and reading comprehension skills. Students must
126.15 receive evidence-based instruction that is proven to effectively teach children to read,
126.16 consistent with sections 120B.12 to 120B.124.

126.17 (b) To meet this goal, each district must provide teachers and instructional support staff
126.18 with responsibility for teaching reading with training on evidence-based reading instruction
126.19 that is approved by the Department of Education. By July 1, 2025, a district must provide
126.20 the training to intervention teachers working with students in kindergarten through grade
126.21 12, special education teachers, curriculum directors, instructional support staff who provide
126.22 reading instruction, employees who select literacy instructional materials for a district, and
126.23 all classroom teachers of students in kindergarten through grade 3 and children in
126.24 prekindergarten programs. All teachers and instructional staff required to receive training
126.25 under the Read Act must complete the training no later than July 1, 2027. The commissioner
126.26 may grant a district an extension to the deadlines in this paragraph.

126.27 (c) Districts are strongly encouraged to adopt a MTSS framework. The framework should
126.28 include a process for monitoring student progress, evaluating program fidelity, and analyzing
126.29 student outcomes and needs in order to design and implement ongoing evidenced-based
126.30 instruction and interventions.

126.31 Subd. 2. **Identification; report.** (a) Each school district must identify before the end of
126.32 Twice per year, each school district must screen every student enrolled in kindergarten,
126.33 grade 1, and grade 2 all students who are not reading at grade level, and grade 3 using a

127.1 screening tool approved by the Department of Education. Students identified as not reading
127.2 at grade level by the end of enrolled in kindergarten, grade 1, and grade 2, and grade 3,
127.3 including multilingual learners and students receiving special education services, must be
127.4 universally screened, in a locally determined manner, for mastery of foundational reading
127.5 skills, including phonemic awareness, phonics, decoding, fluency, oral language, and for
127.6 characteristics of dyslexia as measured by a screening tool approved by the Department of
127.7 Education. The screening for characteristics of dyslexia may be integrated with universal
127.8 screening for mastery of foundational skills and oral language. A district must submit data
127.9 on student performance in kindergarten, grade 1, grade 2, and grade 3 on foundational
127.10 reading skills, including phonemic awareness, phonics, decoding, fluency, and oral language
127.11 to the Department of Education in the annual local literacy plan.

127.12 (b) Students in ~~grade 3 or higher who demonstrate a reading difficulty to a classroom~~
127.13 ~~teacher~~ grades 4 and above, including multilingual learners and students receiving special
127.14 education services, who do not demonstrate mastery of foundational reading skills, including
127.15 phonemic awareness, phonics, decoding, fluency, and oral language, must be screened, in
127.16 a locally determined manner, using a screening tool approved by the Department of Education
127.17 for characteristics of dyslexia, unless a different reason for the reading difficulty has been
127.18 identified, and must continue to receive evidence-based instruction, interventions, and
127.19 progress monitoring until the students achieve grade-level proficiency. A parent, in
127.20 consultation with two fellow literacy teachers, may opt a student out of the literacy screener
127.21 if the parent believes that continuing to screen would not be beneficial to the student. In
127.22 such limited cases, the student must continue to receive progress monitoring and literacy
127.23 interventions.

127.24 (c) Reading ~~assessments~~ screeners in English, and in the predominant languages of
127.25 district students where practicable, must identify and evaluate students' areas of academic
127.26 need related to literacy. The district also must monitor the progress and provide reading
127.27 instruction appropriate to the specific needs of ~~English~~ multilingual learners. The district
127.28 must use a locally adopted, developmentally appropriate, and culturally responsive ~~assessment~~
127.29 screener and annually report summary ~~assessment~~ screener results to the commissioner by
127.30 ~~July 1~~ June 15 in the form and manner determined by the commissioner.

127.31 (d) The district also must ~~annually report to the commissioner by July 1~~ include in its
127.32 literacy plan under subdivision 4a, a summary of the district's efforts to screen and, identify,
127.33 and provide interventions to students who demonstrate characteristics of dyslexia ~~using as~~
127.34 measured by a screening tools such as those recommended by the department's dyslexia
127.35 ~~specialist~~ tool approved by the Department of Education. Districts are strongly encouraged

128.1 to use the MTSS framework. With respect to students screened or identified under paragraph
128.2 (a), the report must include:

128.3 (1) a summary of the district's efforts to screen for dyslexia;

128.4 (2) the number of students universally screened for that reporting year; ~~and~~

128.5 (3) the number of students demonstrating characteristics of dyslexia for that year; and

128.6 ~~(e) A student~~ (4) an explanation of how students identified under this subdivision ~~must~~
128.7 ~~be~~ are provided with alternate instruction and interventions under section 125A.56,
128.8 subdivision 1.

128.9 Subd. 2a. **Parent notification and involvement.** Schools, at least annually, must give
128.10 the parent of each student who is not reading at or above grade level timely information
128.11 about:

128.12 (1) the student's reading proficiency as measured by a ~~locally adopted assessment~~ screeener
128.13 approved by the Department of Education;

128.14 (2) reading-related services currently being provided to the student and the student's
128.15 progress; and

128.16 (3) strategies for parents to use at home in helping their student succeed in becoming
128.17 grade-level proficient in reading in English and in their native language.

128.18 A district may not use this section to deny a student's right to a special education
128.19 evaluation.

128.20 Subd. 3. **Intervention.** (a) For each student identified under subdivision 2, the district
128.21 shall provide reading intervention to accelerate student growth and reach the goal of reading
128.22 at or above grade level by the end of the current grade and school year. A district is
128.23 encouraged to provide reading intervention through a MTSS framework. If a student does
128.24 not read at or above grade level by the end of ~~grade 3~~ the current school year, the district
128.25 must continue to provide reading intervention until the student reads at grade level. District
128.26 intervention methods shall encourage family engagement and, where possible, collaboration
128.27 with appropriate school and community programs. ~~Intervention methods that specialize in~~
128.28 evidence-based instructional practices and measure mastery of foundational reading skills,
128.29 including phonemic awareness, phonics, decoding, fluency, and oral language. By July 1,
128.30 2025, Tier 2 and Tier 3 intervention programs must be taught by an intervention teacher or
128.31 special education teacher who has successfully completed training in evidence-based reading
128.32 instruction approved by the Department of Education. Intervention may include, but are is
128.33 not limited to, requiring student attendance in summer school, intensified reading instruction

129.1 that may require that the student be removed from the regular classroom for part of the
129.2 school day, extended-day programs, or programs that strengthen students' cultural
129.3 connections.

129.4 (b) ~~A school district or charter school is strongly encouraged to~~ must provide a personal
129.5 learning plan for a student who is unable to demonstrate grade-level proficiency, as measured
129.6 by the statewide reading assessment in grade 3 or a screener identified by the Department
129.7 of Education under section 120B.123. The district or charter school must determine the
129.8 format of the personal learning plan in collaboration with the student's educators and other
129.9 appropriate professionals. The school must develop the learning plan in consultation with
129.10 the student's parent or guardian. The personal learning plan must include targeted instruction
129.11 that is evidence-based and ongoing progress monitoring, and address knowledge gaps and
129.12 skill deficiencies through strategies such as specific exercises and practices during and
129.13 outside of the regular school day, group interventions, periodic assessments or screeners,
129.14 and reasonable timelines. The personal learning plan may include grade retention, if it is in
129.15 the student's best interest; a student may not be retained solely due to delays in literacy or
129.16 not demonstrating grade-level proficiency. A school must maintain and regularly update
129.17 and modify the personal learning plan until the student reads at grade level. This paragraph
129.18 does not apply to a student under an individualized education program.

129.19 Subd. 4. **Staff development.** (a) A district must provide training on evidence-based
129.20 reading instruction to teachers and instructional staff in accordance with subdivision 1,
129.21 paragraph (b). The training must include teaching in the areas of phonemic awareness,
129.22 phonics, vocabulary development, reading fluency, reading comprehension, and culturally
129.23 and linguistically responsive pedagogy.

129.24 (b) Each district shall use the data under subdivision 2 to identify the staff development
129.25 needs so that:

129.26 (1) elementary teachers are able to implement ~~comprehensive, scientifically based reading~~
129.27 ~~and oral language~~ explicit, systematic, evidence-based instruction on foundational reading
129.28 skills in the five reading areas of phonemic awareness, phonics, fluency, vocabulary, and
129.29 comprehension as defined in section ~~122A.06, subdivision 4,~~ 120B.121 and other
129.30 literacy-related areas including writing until the student achieves grade-level reading and
129.31 writing proficiency;

129.32 (2) elementary teachers have sufficient training to provide ~~comprehensive, scientifically~~
129.33 ~~based reading~~ students with evidence-based reading and oral language instruction that meets

130.1 students' developmental, linguistic, and literacy needs using the intervention methods or
130.2 programs selected by the district for the identified students;

130.3 (3) licensed teachers employed by the district have regular opportunities to improve
130.4 reading and writing instruction;

130.5 (4) licensed teachers recognize students' diverse needs in cross-cultural settings and are
130.6 able to serve the oral language and linguistic needs of students who are ~~English~~ multilingual
130.7 learners by maximizing strengths in their native languages in order to cultivate students'
130.8 English language development, including oral academic language development, and build
130.9 academic literacy; and

130.10 (5) licensed teachers are well trained in culturally responsive pedagogy that enables
130.11 students to master content, develop skills to access content, and build relationships.

130.12 (c) A district must provide staff in early childhood programs sufficient training to provide
130.13 children in early childhood programs with explicit, systematic instruction in phonological
130.14 and phonemic awareness; oral language, including listening comprehension; vocabulary;
130.15 and letter-sound correspondence.

130.16 Subd. 4a. **Local literacy plan.** (a) Consistent with this section, a school district must
130.17 adopt a local literacy plan to have every child ~~reading at or above grade level no later than~~
130.18 ~~the end of grade 3~~, including ~~English learners~~ multilingual learners and students receiving
130.19 special education services, demonstrate mastery of foundational literacy skills and read
130.20 proficiently, at or above grade level, at every grade. The plan must be updated by June 15
130.21 each year. The plan must be consistent with ~~section 122A.06, subdivision 4~~ the Read Act,
130.22 and include the following:

130.23 (1) a process to assess students' foundational reading skills, oral language, and level of
130.24 reading proficiency and data to support the effectiveness of an assessment used to screen
130.25 ~~and identify a student's level of reading proficiency~~ the screeners used, by school site and
130.26 grade level, under section 120B.123;

130.27 (2) a process to notify and involve parents;

130.28 (3) a description of how schools in the district will determine the ~~proper~~ targeted reading
130.29 instruction that is evidence-based and includes an intervention strategy for a student and
130.30 the process for intensifying or modifying the reading strategy in order to obtain measurable
130.31 reading progress;

131.1 (4) evidence-based intervention methods for students who are not reading at or above
131.2 grade level and progress monitoring to provide information on the effectiveness of the
131.3 intervention; ~~and~~

131.4 (5) identification of staff development needs, including a program to meet those needs;

131.5 (6) the literacy, intervention, and special education literacy curricula used by school site
131.6 and grade level;

131.7 (7) a statement of whether the district has adopted a MTSS framework;

131.8 (8) student data using the measures of foundational literacy skills and mastery identified
131.9 by the Department of Education; and

131.10 (9) a summary of the district's efforts to screen, identify, and provide interventions to
131.11 students who demonstrate characteristics of dyslexia, in accordance with subdivision 2.

131.12 (b) The district must post its literacy plan on the official school district website and
131.13 submit it to the commissioner of education using the template developed by the commissioner
131.14 of education once it is available.

131.15 (c) By March 1, 2024, the commissioner of education must develop a streamlined template
131.16 for local literacy plans that meets the requirements of this subdivision and requires all
131.17 reading instruction and teacher training in reading instruction to be evidence-based. The
131.18 template must require a district to report information using the student categories required
131.19 in the commissioner's report under paragraph (d). The template must focus district resources
131.20 on improving students' foundational reading skills while reducing paperwork requirements
131.21 for teachers.

131.22 (d) By December 1, 2025, the commissioner of education must submit a report to the
131.23 legislative committees with jurisdiction over prekindergarten through grade 12 education
131.24 summarizing the local literacy plans submitted to the commissioner. The summary must
131.25 include the following information:

131.26 (1) the number of teachers and other staff that have completed training approved by the
131.27 Department of Education;

131.28 (2) by school site and grade, the screeners used at the beginning and end of the school
131.29 year and the reading curriculum used; and

131.30 (3) by school site and grade, using the measurements of foundational literacy skills and
131.31 mastery identified by the department, both aggregated data and disaggregated data using
131.32 the student categories under section 120B.35, subdivision 3, paragraph (a), clause (2).

Subd. 5. ~~Commissioner~~ Approved screeners. The commissioner ~~shall~~ must recommend to districts multiple ~~assessment~~ screening tools to assist districts and teachers with identifying students under subdivision 2 and to assess students' reading proficiency. The commissioner must identify screeners that may be used for both purposes. ~~The commissioner shall also make available examples of nationally recognized and research-based instructional methods or programs to districts to provide comprehensive, scientifically-based reading instruction and intervention under this section.~~

EFFECTIVE DATE. This section is effective July 1, 2023.

Sec. 5. [120B.121] READ ACT DEFINITIONS.

Subdivision 1. Read Act. For purposes of sections 120B.12 to 120B.124, the following terms have the meanings given.

Subd. 2. CAREI. "CAREI" means the Center for Applied Research and Educational Improvement at the University of Minnesota.

Subd. 3. District. "District" means a school district, charter school, or cooperative unit as defined in section 123A.24, subdivision 2.

Subd. 4. Evidence-based. "Evidence-based" means the instruction or item described is based on reliable, trustworthy, and valid evidence and has demonstrated a record of success in increasing students' reading competency in the areas of phonological and phonemic awareness, phonics, vocabulary development, reading fluency, and reading comprehension. Evidence-based literacy instruction is explicit, systematic, and includes phonological and phonemic awareness, phonics and decoding, spelling, fluency, vocabulary, oral language, and comprehension that can be differentiated to meet the needs of individual students. Evidence-based instruction does not include the three-cueing system, as defined in subdivision 16.

Subd. 5. Fluency. "Fluency" means the ability of students to read text accurately, automatically, and with proper expression.

Subd. 6. Foundational reading skills. "Foundational reading skills" includes phonological and phonemic awareness, phonics and decoding, and fluency. Foundational reading skills appropriate to each grade level must be mastered in kindergarten, grade 1, grade 2, and grade 3. Struggling readers in grades 4 and above who do not demonstrate mastery of grade-level foundational reading skills must continue to receive explicit, systematic instruction to reach mastery.

133.1 Subd. 7. **Literacy specialist.** "Literacy specialist" means a person licensed by the
133.2 Professional Educator Licensing and Standards Board as a teacher of reading, a special
133.3 education teacher, or a kindergarten through grade 6 teacher, who has completed professional
133.4 development approved by the Department of Education in structured literacy.

133.5 Subd. 8. **Literacy lead.** "Literacy lead" means a literacy specialist with expertise in
133.6 working with educators as adult learners. A district literacy lead must support the district's
133.7 implementation of the Read Act; provide school-based coaching; support the implementation
133.8 of structured literacy, interventions, curriculum delivery, and teacher training; assist with
133.9 the development of personal learning plans; and train paraprofessionals and other support
133.10 staff to support classroom literacy instruction. A literacy lead may be employed by one
133.11 district, jointly by two or more districts, or may provide services to districts through a
133.12 partnership with the regional service cooperatives or another district.

133.13 Subd. 9. **MTSS.** "Multitiered system of support" or "MTSS" means a systemic, continuous
133.14 improvement framework for ensuring positive social, emotional, behavioral, developmental,
133.15 and academic outcomes for every student. The MTSS framework provides access to layered
133.16 tiers of culturally and linguistically responsive, evidence-based practices and relies on the
133.17 understanding and belief that every student can learn and thrive. Through a MTSS at the
133.18 core (Tier 1), supplemental (Tier 2), and intensive (Tier 3) levels, educators provide high
133.19 quality, evidence-based instruction and intervention that is matched to a student's needs;
133.20 progress is monitored to inform instruction and set goals and data is used for educational
133.21 decision making.

133.22 Subd. 10. **Oral language.** "Oral language," also called "spoken language," includes
133.23 speaking and listening, and consists of five components: phonology, morphology, syntax,
133.24 semantics, and pragmatics.

133.25 Subd. 11. **Phonemic awareness.** "Phonemic awareness" means the ability to notice,
133.26 think about, and manipulate individual sounds in spoken syllables and words.

133.27 Subd. 12. **Phonics instruction.** "Phonics instruction" means the explicit, systematic,
133.28 and direct instruction of the relationships between letters and the sounds they represent and
133.29 the application of this knowledge in reading and spelling.

133.30 Subd. 13. **Progress monitoring.** "Progress monitoring" means using data collected to
133.31 inform whether interventions are working. Progress monitoring involves ongoing monitoring
133.32 of progress that quantifies rates of improvement and informs instructional practice and the
133.33 development of individualized programs using state-approved screening that is reliable and
133.34 valid for the intended purpose.

134.1 Subd. 14. **Reading comprehension.** "Reading comprehension" means a function of
134.2 word recognition skills and language comprehension skills. It is an active process that
134.3 requires intentional thinking during which meaning is constructed through interactions
134.4 between the text and reader. Comprehension skills are taught explicitly by demonstrating,
134.5 explaining, modeling, and implementing specific cognitive strategies to help beginning
134.6 readers derive meaning through intentional, problem-solving thinking processes.

134.7 Subd. 15. **Structured literacy.** "Structured literacy" means an approach to reading
134.8 instruction in which teachers carefully structure important literacy skills, concepts, and the
134.9 sequence of instruction to facilitate children's literacy learning and progress. Structured
134.10 literacy is characterized by the provision of systematic, explicit, sequential, and diagnostic
134.11 instruction in phonemic awareness, phonics, fluency, vocabulary and oral language
134.12 development, and reading comprehension.

134.13 Subd. 16. **Three-cueing system.** "Three-cueing system," also known as "meaning
134.14 structure visual (MSV)," means a method that teaches students to use meaning, structure
134.15 and syntax, and visual cues when attempting to read an unknown word.

134.16 Subd. 17. **Vocabulary development.** "Vocabulary development" means the process of
134.17 acquiring new words. A robust vocabulary improves all areas of communication, including
134.18 listening, speaking, reading, and writing. Vocabulary growth is directly related to school
134.19 achievement and is a strong predictor for reading success.

134.20 Sec. 6. Minnesota Statutes 2022, section 120B.122, subdivision 1, is amended to read:

134.21 Subdivision 1. **Purpose.** The department must employ a dyslexia specialist to provide
134.22 technical assistance for dyslexia and related disorders and to serve as the primary source of
134.23 information and support for schools in addressing the needs of students with dyslexia and
134.24 related disorders. The dyslexia specialist shall also act to increase professional awareness
134.25 and instructional competencies to meet the educational needs of students with dyslexia or
134.26 identified with risk characteristics associated with dyslexia and shall develop implementation
134.27 guidance and make recommendations to the commissioner consistent with ~~section 122A.06,~~
134.28 ~~subdivision 4~~ sections 120B.12 to 120B.124, to be used to assist general education teachers
134.29 and special education teachers to recognize educational needs and to improve literacy
134.30 outcomes for students with dyslexia or identified with risk characteristics associated with
134.31 dyslexia, including recommendations related to increasing the availability of online and
134.32 asynchronous professional development programs and materials.

Sec. 7. **[120B.123] READ ACT IMPLEMENTATION.**

Subdivision 1. Screeners. A district must administer a reading screener to students in kindergarten through grade 3 within the first six weeks of the school year, and again within the last six weeks of the school year. The screener must be one of the screening tools approved by the Department of Education. A district must identify the screeners it uses in the district's annual literacy plan.

Subd. 2. Progress monitoring. For a student not reading at grade level, a district must develop an intervention plan that meets the requirements of section 120B.12, subdivision 3. A district may use screening tools to monitor students' progress.

Subd. 3. Curriculum. A district is encouraged to use evidence-based curriculum at each grade level that is designed to ensure student mastery of phonemic awareness, phonics, vocabulary development, reading fluency, and reading comprehension.

Subd. 4. MTSS Framework. A district is encouraged to use a data-based decision-making process within the MTSS framework to determine the evidence-based core reading instruction and Tier 2 or Tier 3 intervention required to meet a student's identified needs.

Subd. 5. Professional development. A district must provide training from a menu of approved evidence-based training programs to all reading intervention teachers, literacy specialists, and other teachers and staff identified in section 120B.12, subdivision 1, paragraph (b), by July 1, 2025; and by June 15, 2026, to other teachers in the district, prioritizing teachers who work with students with disabilities, English learners, and students who qualify for the graduation incentives program under section 124D.68. The commissioner of education may grant a district an extension to the deadlines in this subdivision.

Subd. 6. Literacy lead. (a) By August 30, 2025, a district must employ or contract with a literacy lead, or be actively supporting a designated literacy specialist through the process of becoming a literacy lead. A board may satisfy the requirements of this subdivision by contracting with another school board or cooperative unit under section 123A.24 for the services of a literacy lead by August 30, 2025.

(b) A district literacy lead must collaborate with district administrators and staff to support the district's implementation of requirements under the Read Act.

Subd. 7. Department of Education. (a) By July 1, 2023, the department must make available to districts a list of approved evidence-based screeners in accordance with section 120B.12. A district must use an approved screener to assess students' mastery of foundational reading skills in accordance with section 120B.12.

(b) The Department of Education must partner with CAREI as required under section 120B.124 to approve professional development programs, subject to final determination by the department. After the implementation partnership under section 120B.124 ends, the department must continue to regularly provide districts with information about professional development opportunities available throughout the state on reading instruction that is evidence-based.

(c) The department must identify training required for a literacy specialist position under this section.

(d) The department must employ a literacy specialist to provide support to districts implementing the Read Act and coordinate duties assigned to the department under the Read Act. The literacy specialist must work on state efforts to improve literacy tracking and implementation.

(e) The department must develop a template for a local literacy plan in accordance with section 120B.12, subdivision 4a.

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

Sec. 8. **[120B.124] READ ACT IMPLEMENTATION PARTNERSHIP.**

Subdivision 1. **Resources.** The Department of Education must partner with CAREI for two years beginning June 1, 2023, until August 30, 2025, to support implementation of the Read Act. The department and CAREI must jointly:

(1) identify at least five literacy curricula and supporting materials that are evidence-based or focused on structured literacy by January 1, 2024, and post a list of the curricula on the department website. The list must include curricula that use culturally and linguistically responsive materials that reflect diverse populations and, to the extent practicable, curricula that reflect the experiences of students from diverse backgrounds, including multilingual learners, biliterate students, and students who are Black, Indigenous, and People of Color. A district is not required to use an approved curriculum, unless the curriculum was purchased with state grant funds that require a curriculum to be selected from a list of approved curricula;

(2) identify at least three professional development programs that focus on the five pillars of literacy and the components of structured literacy by July 15, 2023, subject to final approval by the department. The department must post a list of the programs on the department website. The programs may include a program offered by CAREI. The requirements of section 16C.08 do not apply to the selection of a provider under this section;

137.1 (3) identify evidence-based literacy intervention materials for students in kindergarten
137.2 through grade 12;

137.3 (4) develop an evidence-based literacy lead training program that trains literacy specialists
137.4 throughout Minnesota to support schools' efforts in screening, measuring growth, monitoring
137.5 progress, and implementing interventions in accordance with subdivision 1;

137.6 (5) identify measures of foundational literacy skills and mastery that a district must
137.7 report on a local literacy plan;

137.8 (6) provide guidance to districts about best practices in literacy instruction, and practices
137.9 that are not evidence-based;

137.10 (7) develop MTSS model plans that districts may adopt to support efforts to screen,
137.11 identify, intervene, and monitor the progress of students not reading at grade level; and

137.12 (8) ensure that teacher professional development options and MTSS framework trainings
137.13 are geographically equitable by supporting trainings through the regional service
137.14 cooperatives.

137.15 Subd. 2. **Reconsideration.** The department and CAREI must provide districts an
137.16 opportunity to request that the department and CAREI add to the list of curricula or
137.17 professional development programs a specific curriculum or professional development
137.18 program. The department must publish the request for reconsideration procedure on the
137.19 department website. A request for reconsideration must demonstrate that the curriculum or
137.20 professional development program meets the requirements of the Read Act, is
137.21 evidence-based, and has structured literacy components; or that the screener accurately
137.22 measures literacy growth, monitors progress, and accurately assesses effective reading,
137.23 including phonemic awareness, phonics, fluency, vocabulary, and comprehension. The
137.24 department and CAREI must review the request for reconsideration and approve or deny
137.25 the request within 60 days.

137.26 Subd. 3. **Support.** The department and CAREI must support district efforts to implement
137.27 the Read Act by:

137.28 (1) issuing guidance for teachers on implementing curriculum that is evidence-based,
137.29 or focused on structured literacy;

137.30 (2) providing teachers accessible options for evidence-based professional development
137.31 focused on structured literacy;

137.32 (3) providing districts with guidance on adopting MTSS; and

(4) providing districts with literacy implementation guidance and support.

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

Sec. 9. Minnesota Statutes 2022, section 122A.092, subdivision 5, is amended to read:

Subd. 5. Reading strategies. (a) A teacher preparation provider approved by the Professional Educator Licensing and Standards Board to prepare persons for classroom teacher licensure must include in its teacher preparation programs ~~research-based~~ evidence-based best practices in reading, consistent with ~~section 122A.06, subdivision 4~~ sections 120B.12 to 120B.124, that enable the licensure candidate to teach reading in the candidate's content areas. Teacher candidates must be instructed in using students' native languages as a resource in creating effective differentiated instructional strategies for English learners developing literacy skills. A teacher preparation provider also must prepare early childhood and elementary teacher candidates for Tier 3 and Tier 4 teaching licenses under sections 122A.183 and 122A.184, respectively, for the portion of the examination under section 122A.185, subdivision 1, paragraph (c), covering assessment of reading instruction.

(b) Board-approved teacher preparation programs for teachers of elementary education must require instruction in applying comprehensive, scientifically based or evidence-based, and structured reading instruction programs that:

(1) teach students to read using foundational knowledge, practices, and strategies consistent with ~~section 122A.06, subdivision 4~~ sections 120B.12 to 120B.124, so that all students achieve continuous progress in reading; and

(2) teach specialized instruction in reading strategies, interventions, and remediations that enable students of all ages and proficiency levels to become proficient readers.

(c) Board-approved teacher preparation programs for teachers of elementary education, early childhood education, special education, and reading intervention must include instruction on dyslexia, as defined in section 125A.01, subdivision 2. Teacher preparation programs may consult with the Department of Education, including the dyslexia specialist under section 120B.122, to develop instruction under this paragraph. Instruction on dyslexia must be modeled on practice standards of the International Dyslexia Association, and must address:

(1) the nature and symptoms of dyslexia;

(2) resources available for students who show characteristics of dyslexia;

(3) evidence-based instructional strategies for students who show characteristics of dyslexia, including the structured literacy approach; and

(4) outcomes of intervention and lack of intervention for students who show characteristics of dyslexia.

(d) Nothing in this section limits the authority of a school district to select a school's reading program or curriculum.

Sec. 10. Minnesota Statutes 2022, section 122A.185, subdivision 1, is amended to read:

Subdivision 1. **Tests.** (a) The Professional Educator Licensing and Standards Board must adopt rules requiring a candidate to demonstrate a passing score on a board-adopted examination of skills in reading, writing, and mathematics before being granted a Tier 4 teaching license under section 122A.184 to provide direct instruction to pupils in elementary, secondary, or special education programs. Candidates may obtain a Tier 1, Tier 2, or Tier 3 license to provide direct instruction to pupils in elementary, secondary, or special education programs if candidates meet the other requirements in section 122A.181, 122A.182, or 122A.183, respectively.

(b) The board must adopt rules requiring candidates for Tier 3 and Tier 4 licenses to pass an examination of general pedagogical knowledge and examinations of licensure field specific content. The content examination requirement does not apply if no relevant content exam exists.

(c) Candidates for initial Tier 3 and Tier 4 licenses to teach elementary students must pass test items assessing the candidates' knowledge, skill, and ability in ~~comprehensive, scientifically based reading~~ evidence-based literacy instruction under ~~section 122A.06, subdivision 4~~ sections 120B.12 to 120B.124, knowledge and understanding of the foundations of reading development, development of reading comprehension and reading assessment and instruction, and the ability to integrate that knowledge and understanding into instruction strategies under ~~section 122A.06, subdivision 4~~ sections 120B.12 to 120B.124.

(d) The requirement to pass a board-adopted reading, writing, and mathematics skills examination 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.

140.1 Sec. 11. Minnesota Statutes 2022, section 122A.187, subdivision 5, is amended to read:

140.2 Subd. 5. **Reading preparation.** The Professional Educator Licensing and Standards
140.3 Board must adopt rules that require all licensed teachers who are renewing a Tier 3 or Tier
140.4 4 teaching license under sections 122A.183 and 122A.184, respectively, to include in the
140.5 renewal requirements further reading preparation, consistent with ~~section 122A.06,~~
140.6 ~~subdivision 4~~ sections 120B.12 to 120B.124. The rules do not take effect until they are
140.7 approved by law. Teachers who do not provide direct instruction including, at least,
140.8 counselors, school psychologists, school nurses, school social workers, audiovisual directors
140.9 and coordinators, and recreation personnel are exempt from this section.

140.10 Sec. 12. Minnesota Statutes 2022, section 124D.42, subdivision 8, is amended to read:

140.11 Subd. 8. **Minnesota reading corps program.** (a) A Minnesota reading corps program
140.12 is established to provide ServeMinnesota AmeriCorps members with a data-based
140.13 problem-solving model of literacy instruction to use in helping to train local Head Start
140.14 program providers, other prekindergarten program providers, and staff in schools with
140.15 students in kindergarten through grade 3 to evaluate and teach early literacy skills, including
140.16 ~~comprehensive, scientifically based reading~~ evidence-based literacy instruction under ~~section~~
140.17 ~~122A.06, subdivision 4~~ sections 120B.12 to 120B.124, to children age 3 to grade 3.

140.18 (b) Literacy programs under this subdivision must comply with the provisions governing
140.19 literacy program goals and data use under section 119A.50, subdivision 3, paragraph (b).

140.20 (c) The commission must submit a biennial report to the committees of the legislature
140.21 with jurisdiction over kindergarten through grade 12 education that records and evaluates
140.22 program data to determine the efficacy of the programs under this subdivision.

140.23 Sec. 13. Minnesota Statutes 2022, section 124D.98, is amended by adding a subdivision
140.24 to read:

140.25 Subd. 5. **Literacy incentive aid uses.** A school district must use its literacy incentive
140.26 aid to support implementation of evidence-based reading instruction. The following are
140.27 eligible uses of literacy incentive aid:

140.28 (1) training for kindergarten through grade 3 teachers, early childhood educators, special
140.29 education teachers, reading intervention teachers working with students in kindergarten
140.30 through grade 12, curriculum directors, and instructional support staff that provide reading
140.31 instruction, on using evidence-based screening and progress monitoring tools;

141.1 (2) evidence-based training using a training program approved by the Department of
141.2 Education;

141.3 (3) employing or contracting with a literacy lead, as defined in section 120B.121; and

141.4 (4) materials, training, and ongoing coaching to ensure reading interventions under
141.5 section 125A.56, subdivision 1, are evidence-based.

141.6 **EFFECTIVE DATE.** This section is effective July 1, 2023.

141.7 Sec. 14. **APPROPRIATIONS; READ ACT.**

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

141.11 Subd. 2. **CAREI.** (a) To contract with the Center for Applied Research and Educational
141.12 Improvement at the University of Minnesota for the Read Act implementation partnership
141.13 under section 120B.124:

141.14 \$ 4,200,000 2024

141.15 \$ 0 2025

141.16 (b) This appropriation is available until June 30, 2026.

141.17 (c) The base for fiscal year 2026 and later is \$0.

141.18 Subd. 3. **Read Act curriculum and intervention materials reimbursement.** (a) To
141.19 reimburse school districts, charter schools, and cooperatives for evidence-based literacy
141.20 supports for children in prekindergarten through grade 12 based on structured literacy:

141.21 \$ 40,000,000 2024

141.22 (b) The commissioner must use this appropriation to reimburse school districts, charter
141.23 schools, and cooperatives for approved evidence-based, structured literacy curriculum and
141.24 supporting materials, and intervention materials purchased after July 1, 2021. An applicant
141.25 must apply for the reimbursement in the form and manner determined by the commissioner.

141.26 (c) The commissioner must report to the legislative committees with jurisdiction over
141.27 kindergarten through grade 12 education the districts and charter schools that receive literacy
141.28 grants and the amounts of each grant, by January 15, 2025, according to Minnesota Statutes,
141.29 section 3.195.

141.30 (d) A school district or charter school is encouraged to purchase curriculum and
141.31 instructional materials that are culturally responsive and reflect diverse populations.

142.1 (e) Of this amount, up to \$250,000 is available for grant administration.

142.2 (f) This appropriation is available until June 30, 2028.

142.3 **Subd. 4. Read Act professional development.** (a) For evidence-based training on
142.4 structured literacy for teachers working in school districts, charter schools, and cooperatives:

142.5 \$ 27,450,000 2024

142.6 \$ 0 2025

142.7 (b) Of this amount, \$18,000,000 is to fund the development of regional literacy networks.
142.8 The regional literacy networks must focus on the implementation of comprehensive literacy
142.9 reform efforts based on structured literacy. A Minnesota service cooperative must add a
142.10 literacy director position and establish a team of trained literacy coaches to facilitate
142.11 evidence-based training opportunities and ongoing supports to school districts and charter
142.12 schools in each of their regions.

142.13 (c) Of this amount, \$9,200,000 is for one or more contracts to develop statewide training
142.14 based in structured literacy to be offered free to school districts and charter schools and
142.15 facilitated by the regional literacy networks and Minnesota Service Cooperatives.

142.16 (d) Of this amount, \$250,000 is for administration.

142.17 (e) If funds remain unspent on July 1, 2026, the commissioner must expand eligibility
142.18 for approved training to include principals and other district, charter school, or cooperative
142.19 administrators.

142.20 (f) The commissioner must report to the legislative committees with jurisdiction over
142.21 kindergarten through grade 12 education the number of teachers from each district who
142.22 received approved training using funds under this subdivision, and the amounts awarded to
142.23 districts, charter schools, or cooperatives under paragraph (c).

142.24 (g) This appropriation is available until June 30, 2028.

142.25 (h) The base for fiscal year 2026 and later is \$3,000,000 for the regional literacy networks
142.26 and staff at the Department of Education to provide ongoing support to school districts,
142.27 charter schools, and cooperatives implementing evidence-based literacy instruction.

142.28 **Subd. 5. Read Act teacher training supplemental funds.** (a) For supplemental teacher
142.29 training funds:

142.30 \$ 1,000,000 2024

142.31 \$ 0 2025

143.1 (b) The commissioner must allocate to each school district, charter school, and cooperative
143.2 unit \$1.15 per enrolled student based on the fall 2022 student count.

143.3 (c) Any balance in the first year does not cancel but is available in the second year.

143.4 (d) One hundred percent of the aid for fiscal year 2024 must be paid in fiscal year 2024.

143.5 Subd. 6. **Department literacy specialist.** (a) For a full-time literacy specialist at the
143.6 Department of Education:

143.7 \$ \$250,000 2024

143.8 \$ \$250,000 2025

143.9 (b) The base for fiscal year 2026 and later is \$250,000.

143.10 Sec. 15. **REPEALER.**

143.11 Minnesota Statutes 2022, section 122A.06, subdivision 4, is repealed.

143.12 **ARTICLE 4**

143.13 **AMERICAN INDIAN EDUCATION**

143.14 Section 1. Minnesota Statutes 2022, section 13.32, subdivision 3, is amended to read:

143.15 Subd. 3. **Private data; when disclosure is permitted.** Except as provided in subdivision
143.16 5, educational data is private data on individuals and shall not be disclosed except as follows:

143.17 (a) pursuant to section 13.05;

143.18 (b) pursuant to a valid court order;

143.19 (c) pursuant to a statute specifically authorizing access to the private data;

143.20 (d) to disclose information in health, including mental health, and safety emergencies
143.21 pursuant to the provisions of United States Code, title 20, section 1232g(b)(1)(I), and Code
143.22 of Federal Regulations, title 34, section 99.36;

143.23 (e) pursuant to the provisions of United States Code, title 20, sections 1232g(b)(1),
143.24 (b)(4)(A), (b)(4)(B), (b)(1)(B), (b)(3), (b)(6), (b)(7), and (i), and Code of Federal Regulations,
143.25 title 34, sections 99.31, 99.32, 99.33, 99.34, 99.35, and 99.39;

143.26 (f) to appropriate health authorities to the extent necessary to administer immunization
143.27 programs and for bona fide epidemiologic investigations which the commissioner of health
143.28 determines are necessary to prevent disease or disability to individuals in the public
143.29 educational agency or institution in which the investigation is being conducted;

144.1 (g) when disclosure is required for institutions that participate in a program under title
144.2 IV of the Higher Education Act, United States Code, title 20, section 1092;

144.3 (h) to the appropriate school district officials to the extent necessary under subdivision
144.4 6, annually to indicate the extent and content of remedial instruction, including the results
144.5 of assessment testing and academic performance at a postsecondary institution during the
144.6 previous academic year by a student who graduated from a Minnesota school district within
144.7 two years before receiving the remedial instruction;

144.8 (i) to appropriate authorities as provided in United States Code, title 20, section
144.9 1232g(b)(1)(E)(ii), if the data concern the juvenile justice system and the ability of the
144.10 system to effectively serve, prior to adjudication, the student whose records are released;
144.11 provided that the authorities to whom the data are released submit a written request for the
144.12 data that certifies that the data will not be disclosed to any other person except as authorized
144.13 by law without the written consent of the parent of the student and the request and a record
144.14 of the release are maintained in the student's file;

144.15 (j) to volunteers who are determined to have a legitimate educational interest in the data
144.16 and who are conducting activities and events sponsored by or endorsed by the educational
144.17 agency or institution for students or former students;

144.18 (k) to provide student recruiting information, from educational data held by colleges
144.19 and universities, as required by and subject to Code of Federal Regulations, title 32, section
144.20 216;

144.21 (l) to the juvenile justice system if information about the behavior of a student who poses
144.22 a risk of harm is reasonably necessary to protect the health or safety of the student or other
144.23 individuals;

144.24 (m) with respect to Social Security numbers of students in the adult basic education
144.25 system, to Minnesota State Colleges and Universities and the Department of Employment
144.26 and Economic Development for the purpose and in the manner described in section 124D.52,
144.27 subdivision 7;

144.28 (n) to the commissioner of education for purposes of an assessment or investigation of
144.29 a report of alleged maltreatment of a student as mandated by chapter 260E. Upon request
144.30 by the commissioner of education, data that are relevant to a report of maltreatment and are
144.31 from charter school and school district investigations of alleged maltreatment of a student
144.32 must be disclosed to the commissioner, including, but not limited to, the following:

144.33 (1) information regarding the student alleged to have been maltreated;

(2) information regarding student and employee witnesses;

(3) information regarding the alleged perpetrator; and

(4) what corrective or protective action was taken, if any, by the school facility in response to a report of maltreatment by an employee or agent of the school or school district;

(o) when the disclosure is of the final results of a disciplinary proceeding on a charge of a crime of violence or nonforcible sex offense to the extent authorized under United States Code, title 20, section 1232g(b)(6)(A) and (B), and Code of Federal Regulations, title 34, sections 99.31(a)(13) and (14);

(p) when the disclosure is information provided to the institution under United States Code, title 42, section 14071, concerning registered sex offenders to the extent authorized under United States Code, title 20, section 1232g(b)(7); ~~or~~

(q) when the disclosure is to a parent of a student at an institution of postsecondary education regarding the student's violation of any federal, state, or local law or of any rule or policy of the institution, governing the use or possession of alcohol or of a controlled substance, to the extent authorized under United States Code, title 20, section 1232g(i), and Code of Federal Regulations, title 34, section 99.31(a)(15), and provided the institution has an information release form signed by the student authorizing disclosure to a parent. The institution must notify parents and students about the purpose and availability of the information release forms. At a minimum, the institution must distribute the information release forms at parent and student orientation meetings; or

(r) with Tribal Nations about Tribally enrolled or descendant students to the extent necessary for the Tribal Nation and school district or charter school to support the educational attainment of the student.

Sec. 2. Minnesota Statutes 2022, section 120A.42, is amended to read:

120A.42 CONDUCT OF SCHOOL ON CERTAIN HOLIDAYS.

(a) The governing body of any district may contract with any of the teachers of the district for the conduct of schools, and may conduct schools, on either, or any, of the following holidays, provided that a clause to this effect is inserted in the teacher's contract: Martin Luther King's birthday, Lincoln's and Washington's birthdays, ~~Columbus Day~~, Indigenous Peoples Day, and Veterans' Day. On Martin Luther King's birthday, Washington's birthday, Lincoln's birthday, and Veterans' Day at least one hour of the school program must be devoted to a patriotic observance of the day. On Indigenous Peoples Day, at least one hour of the school program must be devoted to observance of the day. As part of its

146.1 observance of Indigenous Peoples Day, a district may provide professional development to
146.2 teachers and staff, or instruction to students, on the following topics:

146.3 (1) the history of treaties between the United States and Indigenous peoples;

146.4 (2) the history of federal boarding schools for Indigenous children;

146.5 (3) Indigenous languages;

146.6 (4) Indigenous traditional medicines and cultural or spiritual practices;

146.7 (5) the sovereignty of Tribal nations;

146.8 (6) the contributions of Indigenous people to American culture, literature, and society;

146.9 and

146.10 (7) current issues affecting Indigenous communities.

146.11 (b) A district may conduct a school program to honor Constitution Day and Citizenship
146.12 Day by providing opportunities for students to learn about the principles of American
146.13 democracy, the American system of government, American citizens' rights and
146.14 responsibilities, American history, and American geography, symbols, and holidays. Among
146.15 other activities under this paragraph, districts may administer to students the test questions
146.16 United States Citizenship and Immigration Services officers pose to applicants for
146.17 naturalization.

146.18 Sec. 3. Minnesota Statutes 2022, section 120B.021, subdivision 2, is amended to read:

146.19 Subd. 2. **Standards development.** (a) The commissioner must consider advice from at
146.20 least the following stakeholders in developing statewide rigorous core academic standards
146.21 in language arts, mathematics, science, social studies, including history, geography,
146.22 economics, government and citizenship, and the arts:

146.23 (1) parents of school-age children and members of the public throughout the state;

146.24 (2) teachers throughout the state currently licensed and providing instruction in language
146.25 arts, mathematics, science, social studies, or the arts and licensed elementary and secondary
146.26 school principals throughout the state currently administering a school site;

146.27 (3) currently serving members of local school boards and charter school boards throughout
146.28 the state;

146.29 (4) faculty teaching core subjects at postsecondary institutions in Minnesota; ~~and~~

146.30 (5) representatives of the Minnesota business community; and

147.1 (6) representatives from the Tribal Nations Education Committee and Minnesota's Tribal
147.2 Nations and communities, including both Anishinaabe and Dakota.

147.3 (b) Academic standards must:

147.4 (1) be clear, concise, objective, measurable, and grade-level appropriate;

147.5 (2) not require a specific teaching methodology or curriculum; and

147.6 (3) be consistent with the Constitutions of the United States and the state of Minnesota.

147.7 Sec. 4. Minnesota Statutes 2022, section 120B.021, subdivision 4, as amended by Laws
147.8 2023, chapter 17, section 1, is amended to read:

147.9 Subd. 4. **Revisions and reviews required.** (a) The commissioner of education must
147.10 ~~revise and appropriately embed technology and information literacy standards consistent~~
147.11 ~~with recommendations from school media specialists into~~ the state's academic standards
147.12 and graduation requirements and implement a ten-year cycle to review and, consistent with
147.13 the review, revise state academic standards and related benchmarks, consistent with this
147.14 subdivision. During each ten-year review and revision cycle, the commissioner also must
147.15 examine the alignment of each required academic standard and related benchmark with the
147.16 knowledge and skills students need for career and college readiness and advanced work in
147.17 the particular subject area. The commissioner must include the contributions of Minnesota
147.18 American Indian Tribes and communities, including urban Indigenous communities, as
147.19 related to the academic standards during the review and revision of the required academic
147.20 standards. The commissioner must embed Indigenous education for all students consistent
147.21 with recommendations from Minnesota's Tribal Nations and urban Indigenous communities
147.22 regarding the contributions of Minnesota American Indian Tribes and communities into the
147.23 state's academic standards during the review and revision of the required academic standards.
147.24 The recommendations to embed Indigenous education for all students includes but is not
147.25 limited to American Indian experiences in Minnesota, including Tribal histories, Indigenous
147.26 languages, sovereignty issues, cultures, treaty rights, governments, socioeconomic
147.27 experiences, contemporary issues, and current events.

147.28 (b) The commissioner must ensure that the statewide mathematics assessments
147.29 administered to students in grades 3 through 8 and 11 are aligned with the state academic
147.30 standards in mathematics, consistent with section 120B.30, subdivision 1, paragraph (b).
147.31 The commissioner must implement a review of the academic standards and related
147.32 benchmarks in mathematics beginning in the 2021-2022 school year and every ten years
147.33 thereafter.

(c) The commissioner must implement a review of the academic standards and related benchmarks in arts beginning in the 2017-2018 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 2018-2019 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 2019-2020 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 2020-2021 school year and every ten years thereafter.

(g) The commissioner must implement a review of the academic standards and related benchmarks in physical education beginning in the 2026-2027 school year and every ten years thereafter.

(h) 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.

(i) The commissioner of education must embed technology and information literacy standards consistent with recommendations from school media specialists into the state's academic standards and graduation requirements.

(j) The commissioner of education must embed ethnic studies as related to the academic standards during the review and revision of the required academic standards.

Sec. 5. Minnesota Statutes 2022, section 120B.021, is amended by adding a subdivision to read:

Subd. 5. **Indigenous education for all students.** To support implementation of Indigenous education for all students, the commissioner must:

(1) provide historically accurate, Tribally endorsed, culturally relevant, community-based, contemporary, and developmentally appropriate resources. Resources to implement standards must include professional development and must demonstrate an awareness and

149.1 understanding of the importance of accurate, high-quality materials about the histories,
149.2 languages, cultures, and governments of local Tribes;

149.3 (2) provide resources to support all students learning about the histories, languages,
149.4 cultures, governments, and experiences of their American Indian peers and neighbors.
149.5 Resources to implement standards across content areas must be developed to authentically
149.6 engage all students and support successful learning; and

149.7 (3) conduct a needs assessment by December 31, 2023. The needs assessment must fully
149.8 inform the development of future resources for Indigenous education for all students by
149.9 using information from Minnesota's American Indian Tribes and communities, including
149.10 urban Indigenous communities, Minnesota's Tribal Nations Education Committee, schools
149.11 and districts, students, and educational organizations. The commissioner must submit a
149.12 report on the findings and recommendations from the needs assessment to the chairs and
149.13 ranking minority members of legislative committees with jurisdiction over education; to
149.14 the American Indian Tribes and communities in Minnesota, including urban Indigenous
149.15 communities; and to all schools and districts in the state by February 1, 2024.

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

149.17 Sec. 6. **[121A.041] AMERICAN INDIAN MASCOTS PROHIBITED.**

149.18 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
149.19 the meanings given.

149.20 (b) "American Indian" means an individual who is:

149.21 (1) a member of an Indian Tribe or band, as membership is defined by the Tribe or band,
149.22 including:

149.23 (i) any Tribe or band terminated since 1940; and

149.24 (ii) any Tribe or band recognized by the state in which the Tribe or band resides;

149.25 (2) a descendant, in the first or second degree, of an individual described in clause (1);

149.26 (3) considered by the Secretary of the Interior to be an Indian for any purpose;

149.27 (4) an Eskimo, Aleut, or other Alaska Native; or

149.28 (5) a member of an organized Indian group that received a grant under the Indian

149.29 Education Act of 1988 as in effect the day preceding October 20, 1994.

149.30 (c) "District" means a district under section 120A.05, subdivision 8.

150.1 (d) "Mascot" means any human, nonhuman animal, or object used to represent a school
150.2 and its population.

150.3 (e) "Public school" or "school" means a public school under section 120A.05, subdivisions
150.4 9, 11, 13, and 17, and a charter school under chapter 124E.

150.5 Subd. 2. **Prohibition on American Indian mascots.** (a) A public school may not have
150.6 or adopt a name, symbol, or image that depicts or refers to an American Indian Tribe,
150.7 individual, custom, or tradition to be used as a mascot, nickname, logo, letterhead, or team
150.8 name of the district or school within the district.

150.9 (b) A public school may seek an exemption to paragraph (a) by submitting a request in
150.10 writing to all eleven federally recognized Tribal Nations in Minnesota and to the Tribal
150.11 Nations Education Committee. The exemption is denied if any of the eleven Tribal Nations
150.12 or the Tribal Nations Education Committee opposes the exemption. A public school whose
150.13 exemption is denied must comply with paragraph (a) by September 1 of the following
150.14 calendar year after which the exemption request was made.

150.15 **EFFECTIVE DATE.** This section is effective June 30, 2024.

150.16 Sec. 7. Minnesota Statutes 2022, section 122A.63, is amended by adding a subdivision to
150.17 read:

150.18 Subd. 10. **Minnesota Indian teacher training program account.** (a) An account is
150.19 established in the special revenue fund known as the "Minnesota Indian teacher training
150.20 program account."

150.21 (b) Funds appropriated for the Minnesota Indian teacher training program under this
150.22 section must be transferred to the Minnesota Indian teacher training program account in the
150.23 special revenue fund.

150.24 (c) Money in the account is annually appropriated to the commissioner for the Minnesota
150.25 Indian teacher training program under this section. Any returned funds are available to be
150.26 regranted. Grant recipients may apply to use grant money over a period of up to 60 months.

150.27 (d) Up to \$75,000 annually is appropriated to the commissioner for costs associated with
150.28 administering and monitoring the program under this section.

151.1 Sec. 8. Minnesota Statutes 2022, section 124D.73, is amended by adding a subdivision to
151.2 read:

151.3 Subd. 5. **American Indian student.** "American Indian student" means a student who
151.4 identifies as American Indian or Alaska Native, as defined by the state on October 1 of the
151.5 previous school year.

151.6 Sec. 9. Minnesota Statutes 2022, section 124D.74, subdivision 1, is amended to read:

151.7 Subdivision 1. **Program described.** American Indian education programs are programs
151.8 in public elementary and secondary schools, nonsectarian nonpublic, community, Tribal,
151.9 charter, or alternative schools enrolling American Indian children designed to:

151.10 (1) support postsecondary preparation for American Indian pupils;

151.11 (2) support the academic achievement of American Indian ~~students~~ pupils;

151.12 (3) make the curriculum relevant to the needs, interests, and cultural heritage of American
151.13 Indian pupils;

151.14 (4) provide positive reinforcement of the self-image of American Indian pupils;

151.15 (5) develop intercultural awareness among pupils, parents, and staff; and

151.16 (6) supplement, not supplant, state and federal educational and cocurricular programs.

151.17 Program services designed to increase completion and graduation rates of American Indian
151.18 students must emphasize academic achievement, retention, and attendance; development
151.19 of support services for staff, including in-service training and technical assistance in methods
151.20 of teaching American Indian pupils; research projects, including innovative teaching
151.21 approaches and evaluation of methods of relating to American Indian pupils; provision of
151.22 career counseling to American Indian pupils; modification of curriculum, instructional
151.23 methods, and administrative procedures to meet the needs of American Indian pupils; and
151.24 ~~supplemental~~ instruction in American Indian language, literature, history, and culture.

151.25 Districts offering programs may make contracts for the provision of program services by
151.26 establishing cooperative liaisons with Tribal programs and American Indian social service
151.27 agencies. These programs may also be provided as components of early childhood and
151.28 family education programs.

151.29 Sec. 10. Minnesota Statutes 2022, section 124D.74, subdivision 3, is amended to read:

151.30 Subd. 3. **Enrollment of other children; shared time enrollment.** To the extent it is
151.31 economically feasible, a district or participating school may make provision for the voluntary

152.1 enrollment of non-American Indian children in the instructional components of an American
152.2 Indian education program in order that they may acquire an understanding of the cultural
152.3 heritage of the American Indian children for whom that particular program is designed.
152.4 However, in determining eligibility to participate in a program, priority must be given to
152.5 American Indian children. American Indian children ~~and other children~~ enrolled in an
152.6 existing nonpublic school system may be enrolled on a shared time basis in American Indian
152.7 education programs.

152.8 Sec. 11. Minnesota Statutes 2022, section 124D.74, subdivision 4, is amended to read:

152.9 Subd. 4. **Location of programs.** American Indian education programs must be located
152.10 in facilities educational settings in which regular classes in a variety of subjects are offered
152.11 on a daily basis. Programs may operate on an extended day or extended year basis, including
152.12 school districts, charter schools, and Tribal contract schools that offer virtual learning
152.13 environments.

152.14 Sec. 12. Minnesota Statutes 2022, section 124D.74, is amended by adding a subdivision
152.15 to read:

152.16 Subd. 7. **American Indian culture and language classes.** A district or participating
152.17 school that conducts American Indian education programs under sections 124D.71 to
152.18 124D.82 must provide American Indian culture and language classes if: (1) at least five
152.19 percent of enrolled students meet the definition of American Indian students; or (2) 100 or
152.20 more enrolled students meet the definition of American Indian students.

152.21 Sec. 13. Minnesota Statutes 2022, section 124D.76, is amended to read:

152.22 ~~124D.76 COMMUNITY COORDINATORS, INDIAN HOME/SCHOOL LIAISONS~~
152.23 ~~AMERICAN INDIAN EDUCATION PROGRAM COORDINATORS,~~
152.24 ~~PARAPROFESSIONALS.~~

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

152.29 Any district or participating school ~~which~~ that conducts American Indian education
152.30 programs pursuant to sections 124D.71 to 124D.82 must employ one or more full-time or
152.31 part-time ~~community coordinators or Indian home/school liaisons if there are~~ dedicated
152.32 American Indian education program coordinators in a district with 100 or more

153.1 ~~state-identified~~ American Indian students enrolled in the district. ~~Community coordinators~~
153.2 ~~shall~~ A dedicated American Indian education program coordinator must promote
153.3 communication, understanding, and cooperation between the schools and the community
153.4 and ~~shall~~ must visit the homes of children who are to be enrolled in an American Indian
153.5 education program in order to convey information about the program.

153.6 Sec. 14. Minnesota Statutes 2022, section 124D.78, is amended to read:

153.7 **124D.78 PARENT AND COMMUNITY PARTICIPATION.**

153.8 Subdivision 1. **Parent committee.** ~~School boards and American Indian schools~~ School
153.9 districts, charter schools, Tribal contract schools, and the respective school boards must
153.10 provide for the maximum involvement of parents of American Indian children enrolled in
153.11 American Indian education programs, programs for elementary and secondary grades,
153.12 special education programs, and support services. Accordingly, ~~the board of a school district~~
153.13 school districts, charter schools, and Tribal contract schools in which there are ten or more
153.14 state-identified American Indian students enrolled ~~and each American Indian school~~ must
153.15 establish an American Indian ~~education~~ Parent Advisory Committee. If a committee whose
153.16 membership consists of a majority of parents of American Indian children has been or is
153.17 established according to federal, Tribal, or other state law, that committee may serve as the
153.18 committee required by this section and is subject to, at least, the requirements of this
153.19 subdivision and subdivision 2.

153.20 The American Indian ~~education~~ Parent Advisory Committee must develop its
153.21 recommendations in consultation with the curriculum advisory committee required by
153.22 section 120B.11, subdivision 3. This committee must afford parents the necessary information
153.23 and the opportunity effectively to express their views concerning all aspects of American
153.24 Indian education and the educational needs of the American Indian children enrolled in the
153.25 school or program. ~~The school board or American Indian school~~ School districts, charter
153.26 schools, and Tribal contract schools must ensure that programs are planned, operated, and
153.27 evaluated with the involvement of and in consultation with parents of the American Indian
153.28 students served by the programs.

153.29 Subd. 2. ~~Resolution of concurrence~~ Annual compliance. Prior to March 1, the school
153.30 ~~board or American Indian school~~ must submit to the department a copy of a resolution
153.31 ~~adopted by the American Indian education parent advisory committee. The copy must be~~
153.32 ~~signed by the chair of the committee and must state whether the committee concurs with~~
153.33 ~~the educational programs for American Indian students offered by the school board or~~
153.34 ~~American Indian school. If the committee does not concur with the educational programs,~~

154.1 ~~the reasons for nonconcurrence and recommendations shall be submitted directly to the~~
154.2 ~~school board with the resolution. By resolution, the board must respond in writing within~~
154.3 ~~60 days, in cases of nonconcurrence, to each recommendation made by the committee and~~
154.4 ~~state its reasons for not implementing the recommendations.~~ American Indian Parent
154.5 Advisory Committee must meet to discuss whether or not they concur with the educational
154.6 offerings that have been extended by the district to American Indian students. If the
154.7 committee finds that the district, charter school, Tribal contract school, and the school board
154.8 have been meeting the needs of American Indian students, they issue a vote and resolution
154.9 of concurrence. If they find that the needs of American Indian students are not being met,
154.10 they issue a vote and resolution of nonconcurrence. The vote and resolution must be presented
154.11 to the school board by one or more members of the American Indian Parent Advisory
154.12 Committee. The vote is formally reflected on documentation provided by the Department
154.13 of Education and must be submitted annually on March 1.

154.14 If the vote is one of nonconcurrence, the committee must provide written
154.15 recommendations for improvement to the school board at the time of the presentation. In
154.16 the case of nonconcurrence, the school board is given 60 days in which to respond, in writing,
154.17 to the committee's recommendations. The board response must be signed by the entire
154.18 school board and submitted to both the American Indian Parent Advisory Committee and
154.19 to the Department of Education. The resolution must be accompanied by Parent Advisory
154.20 Committee meeting minutes that show they have been appraised by the district on the goals
154.21 of the Indian Education Program Plan and the measurement of progress toward those goals.

154.22 Subd. 3. **Membership.** The American Indian ~~education~~ Parent Advisory Committee
154.23 must be composed of parents or guardians of American Indian children eligible to be enrolled
154.24 in American Indian education programs; American Indian secondary students ~~eligible to~~
154.25 ~~be served;~~ American Indian family members of students eligible to be enrolled in American
154.26 Indian education programs; American Indian language and culture education teachers and
154.27 paraprofessionals; American Indian teachers; American Indian district employees; American
154.28 Indian counselors; adult American Indian people enrolled in educational programs; and
154.29 ~~representatives from community groups. A~~ American Indian community members. The
154.30 majority of each committee must be the parents or guardians of the American Indian children
154.31 enrolled or eligible to be enrolled in the programs. ~~The number of parents of American~~
154.32 ~~Indian and non-American Indian children shall reflect approximately the proportion of~~
154.33 ~~children of those groups enrolled in the programs.~~

154.34 Subd. 4. **Alternate committee.** If the organizational membership or the board of directors
154.35 ~~of an American Indian school~~ a Tribal contract school consists of parents of children attending

155.1 the school, that membership or board may serve also as the American Indian ~~education~~
155.2 Parent Advisory Committee.

155.3 Subd. 5. **State-identified American Indian.** For the purposes of sections 124D.71 to
155.4 124D.82, the number of students who identify as American Indian or Alaska Native, as
155.5 defined by the state of Minnesota on October 1 of the previous school year, will be used to
155.6 determine the state-identified American Indian student counts for school districts, charter
155.7 schools, and Tribal contract schools for the subsequent school year.

155.8 Sec. 15. Minnesota Statutes 2022, section 124D.79, subdivision 2, is amended to read:

155.9 Subd. 2. **Technical assistance.** The commissioner shall provide technical assistance to
155.10 districts, schools and postsecondary institutions for preservice and in-service training for
155.11 teachers, American Indian education teachers and paraprofessionals specifically designed
155.12 to implement culturally responsive teaching methods, culturally based curriculum
155.13 development, testing and testing mechanisms, ~~and~~ the development of materials for American
155.14 Indian education programs, and the annual report of American Indian student data using
155.15 the state count.

155.16 Sec. 16. Minnesota Statutes 2022, section 124D.791, subdivision 4, is amended to read:

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

155.18 (1) ~~serve as the liaison for the department~~ work collaboratively and in conjunction with
155.19 the Tribal Liaison, the Tribal Nations Education Committee, the 11 Tribal communities
155.20 nations in Minnesota, the Minnesota Chippewa Tribe, and the Minnesota Indian Affairs
155.21 Council;

155.22 (2) evaluate the state of American Indian education in Minnesota;

155.23 (3) engage the Tribal bodies, community groups, parents of children eligible to be served
155.24 by American Indian education programs, American Indian administrators and teachers,
155.25 persons experienced in the training of teachers for American Indian education programs,
155.26 the Tribally controlled schools, and other persons knowledgeable in the field of American
155.27 Indian education and seek their advice on policies that can improve the quality of American
155.28 Indian education;

155.29 (4) advise the commissioner on American Indian education issues, including:

155.30 (i) issues facing American Indian students;

155.31 (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 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. 17. [124D.792] GRADUATION CEREMONIES; TRIBAL REGALIA AND OBJECTS OF CULTURAL SIGNIFICANCE.

A school district or charter school must not prohibit an American Indian student from wearing American Indian regalia, Tribal regalia, or objects of cultural significance at a graduation ceremony.

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

Sec. 18. Minnesota Statutes 2022, section 124D.81, is amended to read:

124D.81 AMERICAN INDIAN EDUCATION AID.

Subdivision 1. **Procedures.** A school district, charter school, cooperative unit as defined in section 123A.24, subdivision 2, or American Indian-controlled Tribal contract or grant

school enrolling at least 20 American Indian students identified by the state count on October 1 of the previous school year ~~and operating an American Indian education program according to section 124D.74~~ is eligible for American Indian education aid if it meets the requirements of this section. Programs may provide for contracts for the provision of program components by nonsectarian nonpublic, community, Tribal, charter, or alternative schools. The commissioner shall prescribe the form and manner of application for aids, and no aid shall be made for a program not complying with the requirements of sections 124D.71 to 124D.82.

Subd. 2. **Plans.** To ~~qualify for~~ receive aid, an eligible district, charter school, cooperative unit as defined in section 123A.24, subdivision 2, or Tribal contract school must develop and submit a plan for approval by the Indian education director that shall:

(a) Identify the measures to be used to meet the requirements of sections 124D.71 to 124D.82;

(b) Identify the activities, methods and programs to meet the identified educational needs of the children to be enrolled in the program;

(c) Describe how district goals and objectives as well as the objectives of sections 124D.71 to 124D.82 are to be achieved;

(d) Demonstrate that required and elective courses as structured do not have a discriminatory effect within the meaning of section 124D.74, subdivision 5;

(e) Describe how each school program will be organized, staffed, coordinated, and monitored; and

(f) Project expenditures for programs under sections 124D.71 to 124D.82.

Subd. 2a. **American Indian education aid.** (a) The American Indian education aid for an eligible district, cooperative unit, or Tribal contract school equals the greater of (1) the sum of ~~\$20,000~~ \$40,000 plus the product of ~~\$358~~ \$500 times the difference between the number of American Indian students enrolled on October 1 of the previous school year and 20; or (2) if the district or school received a grant under this section for fiscal year 2015, the amount of the grant for fiscal year 2015.

(b) Notwithstanding paragraph (a), the American Indian education aid must not exceed the district, cooperative unit, or Tribal contract school's actual expenditure according to the approved plan under subdivision 2, except as provided in subdivision 2b.

Subd. 2b. **Carry forward of funds.** If a school district or Tribal contract school does not expend the full amount of its aid described in its plan and received under this section in the designated fiscal year, the school district or Tribal contract school may carry forward

158.1 the remaining funds to the following fiscal year and is not subject to an aid reduction only
158.2 if:

158.3 (1) the district is otherwise adhering to the plan developed under subdivision 2;

158.4 (2) the American Indian education parent advisory committee for that school has approved
158.5 the carry forward; and

158.6 (3) the school district reports the reason for the carry forward and describes the district's
158.7 intended actions to ensure the funds are expended in the following fiscal year. The district
158.8 must report this information to the Department of Education in the form and manner and
158.9 according to the timelines specified by the commissioner.

158.10 Subd. 3. **Additional requirements.** Each district or cooperative unit receiving aid under
158.11 this section must each year conduct a count of American Indian children in the schools of
158.12 the district; test for achievement; identify the extent of other educational needs of the children
158.13 to be enrolled in the American Indian education program; and classify the American Indian
158.14 children by grade, level of educational attainment, age and achievement. Participating
158.15 schools must maintain records concerning the needs and achievements of American Indian
158.16 children served.

158.17 Subd. 4. **Nondiscrimination; testing.** In accordance with recognized professional
158.18 standards, all testing and evaluation materials and procedures utilized for the identification,
158.19 testing, assessment, and classification of American Indian children must be selected and
158.20 administered so as not to be racially or culturally discriminatory and must be valid for the
158.21 purpose of identifying, testing, assessing, and classifying American Indian children.

158.22 Subd. 5. **Records.** Participating schools ~~and~~ districts, and cooperative units must keep
158.23 records and afford access to them as the commissioner finds necessary to ensure that
158.24 American Indian education programs are implemented in conformity with sections 124D.71
158.25 to 124D.82. Each school district, cooperative unit, or participating school must keep accurate,
158.26 detailed, and separate revenue and expenditure accounts for ~~pilot~~ American Indian education
158.27 programs funded under this section.

158.28 Subd. 6. **Money from other sources.** A district, cooperative unit, or participating school
158.29 providing American Indian education programs shall be eligible to receive moneys for these
158.30 programs from other government agencies and from private sources when the moneys are
158.31 available.

158.32 Subd. 7. **Exceptions.** Nothing in sections 124D.71 to 124D.82 shall be construed as
158.33 prohibiting a district, cooperative unit, or school from implementing an American Indian

159.1 education program which is not in compliance with sections 124D.71 to 124D.82 if the
159.2 proposal and plan for that program is not funded pursuant to this section.

159.3 **EFFECTIVE DATE.** This section is effective the day following final enactment for
159.4 aid for fiscal year 2024 and later.

159.5 Sec. 19. Minnesota Statutes 2022, section 126C.05, subdivision 19, is amended to read:

159.6 Subd. 19. **Online learning students.** (a) The average daily membership for a public
159.7 school pupil or a pupil enrolled in a school authorized to receive Tribal contract or grant
159.8 aid under section 124D.83 generating online learning average daily membership according
159.9 to section 124D.095, subdivision 8, paragraph (b), equals the sum of: (1) the ratio of the
159.10 sum of the number of instructional hours the pupil is enrolled in a regular classroom setting
159.11 at the enrolling school to the actual number of instructional hours in the school year at the
159.12 enrolling school, plus (2) .12 times the initial online learning average daily membership
159.13 according to section 124D.095, subdivision 8, paragraph (b).

159.14 (b) When the sum of the average daily membership under paragraph (a) and the adjusted
159.15 online learning average daily membership under section 124D.095, subdivision 8, paragraph
159.16 (b), exceeds the maximum allowed for the student under subdivision 8 or 15, as applicable,
159.17 the average daily membership under paragraph (a) shall be reduced by the excess over the
159.18 maximum, but shall not be reduced below .12. The adjusted online learning average daily
159.19 membership according to section 124D.095, subdivision 8, paragraph (b), shall be reduced
159.20 by any remaining excess over the maximum.

159.21 Sec. 20. Minnesota Statutes 2022, section 144.4165, is amended to read:

159.22 **144.4165 TOBACCO PRODUCTS PROHIBITED IN PUBLIC SCHOOLS.**

159.23 (a) No person shall at any time smoke, chew, or otherwise ingest tobacco, or carry or
159.24 use an activated electronic delivery device as defined in section 609.685, subdivision 1, in
159.25 a public school, as defined in section 120A.05, subdivisions 9, 11, and 13, or in a charter
159.26 school governed by chapter 124E. This prohibition extends to all facilities, whether owned,
159.27 rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or
159.28 controls.

159.29 (b) Nothing in this section shall prohibit the lighting of tobacco by an adult as a part of
159.30 a traditional Indian spiritual or cultural ceremony. An American Indian student may carry
159.31 a medicine pouch containing loose tobacco intended as observance of traditional spiritual

or cultural practices. For purposes of this section, an Indian is a person who is a member of an Indian Tribe as defined in section 260.755, subdivision 12.

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. American Indian education aid. (a) For American Indian education aid under Minnesota Statutes, section 124D.81, subdivision 2a:

\$	<u>17,949,000</u>	<u>.....</u>	<u>2024</u>

\$	<u>19,266,000</u>	<u>.....</u>	<u>2025</u>

(b) The 2024 appropriation includes \$1,159,000 for 2023 and \$16,790,000 for 2024.

(c) The 2025 appropriation includes \$1,865,000 for 2024 and \$17,401,000 for 2025.

Subd. 3. Minnesota Indian teacher training program grants. (a) For joint grants to assist people who are American Indian to become teachers under Minnesota Statutes, section 122A.63:

\$	<u>2,210,000</u>	<u>.....</u>	<u>2024</u>

\$	<u>600,000</u>	<u>.....</u>	<u>2025</u>

(b) This appropriation is subject to the requirements under Minnesota Statutes, section 122A.63, subdivision 10.

Subd. 4. Native language revitalization grants to schools. (a) For grants to school districts and charter schools to offer language instruction in Dakota and Anishinaabe languages or another language indigenous to the United States or Canada:

\$	<u>7,500,000</u>	<u>.....</u>	<u>2024</u>

\$	<u>7,500,000</u>	<u>.....</u>	<u>2025</u>

(b) Grant amounts are to be determined based upon the number of schools within a district implementing language courses. Eligible expenses include costs for teachers, program supplies, and curricular resources.

(c) Up to five percent of the grant amount is available for grant administration and monitoring.

161.1 (d) Up to \$300,000 each year is for administrative and programmatic capacity at the
161.2 Department of Education.

161.3 (e) Any balance in the first year does not cancel but is available in the second year.

161.4 Subd. 5. Tribal contract school aid. (a) For Tribal contract school aid under Minnesota
161.5 Statutes, section 124D.83:

161.6 \$ 2,585,000 2024

161.7 \$ 2,804,000 2025

161.8 (b) The 2024 appropriation includes \$255,000 for 2023 and \$2,330,000 for 2024.

161.9 (c) The 2025 appropriation includes \$258,000 for 2024 and \$2,546,000 for 2025.

161.10 **ARTICLE 5**

161.11 **TEACHERS**

161.12 Section 1. Minnesota Statutes 2022, section 120A.414, subdivision 2, is amended to read:

161.13 Subd. 2. **Plan.** A school board, including the board of a charter school, may adopt an
161.14 e-learning day plan after ~~consulting~~ meeting and negotiating with the exclusive representative
161.15 of the teachers. ~~A~~ If a charter school's teachers are not represented by an exclusive
161.16 representative, the charter school may adopt an e-learning day plan after consulting with
161.17 its teachers. The plan must include accommodations for students without Internet access at
161.18 home and for digital device access for families without the technology or an insufficient
161.19 amount of technology for the number of children in the household. A school's e-learning
161.20 day plan must provide accessible options for students with disabilities under chapter 125A.

161.21 Sec. 2. **[120B.101] CURRICULUM.**

161.22 No school district or charter school may discriminate against or discipline a teacher or
161.23 principal on the basis of incorporating into curriculum contributions of persons in a federally
161.24 protected class or state protected class, when the contribution is in alignment with standards
161.25 and benchmarks adopted under sections 120B.021 and 120B.023.

161.26 Sec. 3. **[120B.117] INCREASING PERCENTAGE OF TEACHERS OF COLOR**
161.27 **AND AMERICAN INDIAN TEACHERS IN MINNESOTA.**

161.28 Subdivision 1. Purpose. This section sets short-term and long-term attainment goals for
161.29 increasing the percentage of teachers of color and who are American Indian teachers in
161.30 Minnesota and for ensuring all students have equitable access to effective and racially and
161.31 ethnically diverse teachers who reflect the diversity of students. The goals and report required

162.1 under this section are important for meeting attainment goals for the world's best workforce
162.2 under section 120B.11, achievement and integration under section 124D.861, and higher
162.3 education attainment under section 135A.012, all of which have been established to close
162.4 persistent opportunity and achievement gaps that limit students' success in school and life
162.5 and impede the state's economic growth.

162.6 Subd. 2. **Equitable access to racially and ethnically diverse teachers.** The percentage
162.7 of teachers in Minnesota who are of color or who are American Indian should increase at
162.8 least two percentage points per year to have a teaching workforce that more closely reflects
162.9 the state's increasingly diverse student population and to ensure all students have equitable
162.10 access to effective and diverse teachers by 2040.

162.11 Subd. 3. **Rights not created.** The attainment goal in this section is not to the exclusion
162.12 of any other goals and does not confer a right or create a claim for any person.

162.13 Subd. 4. **Reporting.** Beginning in 2024 and every even-numbered year thereafter, the
162.14 Professional Educator Licensing and Standards Board must collaborate with the Department
162.15 of Education and the Office of Higher Education to publish a summary report of each of
162.16 the programs they administer and any other programs receiving state appropriations that
162.17 have or include an explicit purpose of increasing the racial and ethnic diversity of the state's
162.18 teacher workforce to more closely reflect the diversity of students. The report must include
162.19 programs under sections 122A.59, 122A.63, 122A.635, 122A.70, 122A.73, 124D.09,
162.20 124D.861, 136A.1274, 136A.1276, and 136A.1791, along with any other programs or
162.21 initiatives that receive state appropriations to address the shortage of teachers of color and
162.22 American Indian teachers. The board must, in coordination with the Office of Higher
162.23 Education and Department of Education, provide policy and funding recommendations
162.24 related to state-funded programs to increase the recruitment, preparation, licensing, hiring,
162.25 and retention of racially and ethnically diverse teachers and the state's progress toward
162.26 meeting or exceeding the goals of this section. The report must include recommendations
162.27 for state policy and funding needed to achieve the goals of this section, plans for sharing
162.28 the report and activities of grant recipients, and opportunities among grant recipients of
162.29 various programs to share effective practices with each other. The 2024 report must include
162.30 a recommendation of whether a state advisory council should be established to address the
162.31 shortage of racially and ethnically diverse teachers and what the composition and charge
162.32 of such an advisory council would be if established. The board must consult with the Indian
162.33 Affairs Council and other ethnic councils along with other community partners, including
162.34 students of color and American Indian students, in developing the report. By November 3
162.35 of each odd-numbered year, the board must submit the report to the chairs and ranking

163.1 minority members of the legislative committees with jurisdiction over education and higher
163.2 education policy and finance. The report must be available to the public on the board's
163.3 website.

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

163.5 Sec. 4. **[122A.04] LICENSE REQUIRED.**

163.6 Pursuant to section 120A.22, subdivision 10, a teacher must hold a field license or a
163.7 permission aligned to the content area and scope of the teacher's assignment to provide
163.8 instruction in a public school, including a charter school.

163.9 Sec. 5. Minnesota Statutes 2022, section 122A.06, subdivision 1, is amended to read:

163.10 Subdivision 1. **Scope.** For the purpose of sections ~~122A.05~~ 122A.04 to 122A.093, and
163.11 122A.15 to 122A.33, the terms defined in this section have the meanings given them, unless
163.12 another meaning is clearly indicated.

163.13 Sec. 6. Minnesota Statutes 2022, section 122A.06, subdivision 2, is amended to read:

163.14 Subd. 2. **Teacher.** "Teacher" means a classroom teacher or other similar professional
163.15 employee required by law to hold a license from the Professional Educator Licensing and
163.16 Standards Board.

163.17 Sec. 7. Minnesota Statutes 2022, section 122A.06, subdivision 5, is amended to read:

163.18 Subd. 5. **Field.** A "field," "licensure area," or "subject area" means the content area in
163.19 which a teacher may become licensed to teach.

163.20 Sec. 8. Minnesota Statutes 2022, section 122A.06, subdivision 6, is amended to read:

163.21 Subd. 6. **Shortage area.** "Shortage area" means:

163.22 (1) licensure fields and economic development regions reported by the ~~commissioner~~
163.23 ~~of education~~ Office of Higher Education or the Professional Educator Licensing and
163.24 Standards Board as experiencing a teacher shortage; and

163.25 (2) economic development regions where ~~there is a shortage of licensed teachers who~~
163.26 ~~reflect the racial or ethnic diversity of students in the region.~~ the aggregate percentage of
163.27 Indigenous teachers and teachers of color in the region is lower than the aggregate percentage
163.28 of kindergarten through grade 12 Indigenous students and students of color in that region.

164.1 Only individuals who close the gap between these percentages qualify as filling a shortage
164.2 by this definition.

164.3 Sec. 9. Minnesota Statutes 2022, section 122A.06, subdivision 7, is amended to read:

164.4 Subd. 7. **Teacher preparation program.** "Teacher preparation program" means a
164.5 program approved by the Professional Educator Licensing and Standards Board for the
164.6 purpose of preparing individuals for a specific teacher licensure field in Minnesota. ~~Teacher~~
164.7 ~~preparation programs include traditional programs delivered by postsecondary institutions,~~
164.8 ~~alternative teacher preparation programs, and nonconventional teacher preparation programs.~~

164.9 Sec. 10. Minnesota Statutes 2022, section 122A.06, subdivision 8, is amended to read:

164.10 Subd. 8. **Teacher preparation program provider.** "Teacher preparation program
164.11 provider" or "unit" means an entity that has primary responsibility for overseeing and
164.12 delivering a teacher preparation program. Teacher preparation program providers include
164.13 institutes of higher education, school districts, charter schools, or nonprofit corporations
164.14 organized under chapter 317A.

164.15 Sec. 11. Minnesota Statutes 2022, section 122A.06, is amended by adding a subdivision
164.16 to read:

164.17 Subd. 9. **District.** "District" means a school district or charter school.

164.18 Sec. 12. Minnesota Statutes 2022, section 122A.06, is amended by adding a subdivision
164.19 to read:

164.20 Subd. 10. **Transfer pathway.** "Transfer pathway" means an established pathway to
164.21 licensure between a two-year college or Tribal college, and a board-approved teacher
164.22 preparation provider.

164.23 Sec. 13. Minnesota Statutes 2022, section 122A.09, subdivision 4, is amended to read:

164.24 Subd. 4. **Licensing and approval.** (a) The Professional Educator Licensing and Standards
164.25 Board must license teachers, as defined in section 122A.15, subdivision 1, except for
164.26 supervisory personnel, as defined in section 122A.15, subdivision 2. The board must not
164.27 delegate its authority to make all licensing decisions with respect to ~~eandidates~~ applicants
164.28 for teacher licensure. The board must evaluate ~~eandidates~~ applicants for compliance with
164.29 statutory or rule requirements for licensure and develop licensure verification requirements.

165.1 (b) The Professional Educator Licensing and Standards Board must approve teacher
165.2 preparation providers seeking to prepare applicants for teacher licensure in Minnesota.

165.3 Sec. 14. Minnesota Statutes 2022, section 122A.09, subdivision 6, is amended to read:

165.4 Subd. 6. **Register of persons licensed.** ~~The executive director of the Professional~~
165.5 Educator Licensing and Standards Board must keep a record of the proceedings of and a
165.6 register of all persons licensed pursuant to the provisions of this chapter. The register must
165.7 show the name, ~~address,~~ licenses and permissions held, including renewals, and license
165.8 ~~number and the renewal of the license. The board must on July 1, of each year or as soon~~
165.9 ~~thereafter as is practicable, compile a list of such duly licensed teachers. A copy of the~~
165.10 ~~register~~ This list must be available during business hours at the office of the board to any
165.11 ~~interested person~~ on the board's website.

165.12 Sec. 15. Minnesota Statutes 2022, section 122A.09, subdivision 9, is amended to read:

165.13 Subd. 9. **Professional Educator Licensing and Standards Board must adopt rules.** (a)
165.14 The Professional Educator Licensing and Standards Board must adopt rules subject to the
165.15 provisions of chapter 14 to implement sections 120B.363, 122A.05 to 122A.09, 122A.092,
165.16 122A.16, 122A.17, 122A.18, 122A.181, 122A.182, 122A.183, 122A.184, 122A.185,
165.17 122A.187, 122A.188, 122A.19, 122A.20, 122A.21, 122A.23, 122A.26, 122A.28, and
165.18 122A.29, and 124D.72.

165.19 (b) The board must adopt rules relating to fields of licensure and grade levels that a
165.20 licensed teacher may teach, including a process for granting permission to a licensed teacher
165.21 to teach in a field that is different from the teacher's field of licensure without change to the
165.22 teacher's license tier level.

165.23 ~~(c) The board must adopt rules relating to the grade levels that a licensed teacher may~~
165.24 ~~teach.~~

165.25 ~~(d)~~ (c) If a rule adopted by the board is in conflict with a session law or statute, the law
165.26 or statute prevails. Terms adopted in rule must be clearly defined and must not be construed
165.27 to conflict with terms adopted in statute or session law.

165.28 ~~(e)~~ (d) The board must include a description of a proposed rule's probable effect on
165.29 teacher supply and demand in the board's statement of need and reasonableness under section
165.30 14.131.

165.31 ~~(f)~~ (e) The board must adopt rules only under the specific statutory authority.

166.1 Sec. 16. Minnesota Statutes 2022, section 122A.09, subdivision 10, is amended to read:

166.2 Subd. 10. **Permissions.** (a) Notwithstanding subdivision 9 and sections 14.055 and
166.3 14.056, the Professional Educator Licensing and Standards Board may grant waivers to its
166.4 rules upon application by a school district or a charter school for purposes of implementing
166.5 experimental programs in learning or management.

166.6 (b) To enable a school district or a charter school to meet the needs of students enrolled
166.7 in an alternative education program and to enable licensed teachers instructing those students
166.8 to satisfy content area licensure requirements, the Professional Educator Licensing and
166.9 Standards Board ~~annually~~ may permit a licensed teacher teaching in an alternative education
166.10 program to instruct students in a content area for which the teacher is not licensed, consistent
166.11 with paragraph (a).

166.12 (c) A special education license permission issued by the Professional Educator Licensing
166.13 and Standards Board for a primary employer's low-incidence region is valid in all
166.14 low-incidence regions.

166.15 (d) ~~A candidate~~ An applicant that has obtained career and technical education certification
166.16 may apply for a Tier 1 license under section 122A.181. Consistent with section 136F.361,
166.17 the Professional Educator Licensing and Standards Board must strongly encourage approved
166.18 ~~college or university-based~~ teacher preparation programs throughout Minnesota to develop
166.19 alternative pathways for certifying and licensing high school career and technical education
166.20 instructors and teachers, allowing such ~~candidates~~ applicants to meet certification and
166.21 licensure standards that demonstrate their content knowledge, classroom experience, and
166.22 pedagogical practices and their qualifications based on a combination of occupational testing,
166.23 professional certification or licensure, and long-standing work experience.

166.24 Sec. 17. Minnesota Statutes 2022, section 122A.091, subdivision 1, is amended to read:

166.25 Subdivision 1. **Teacher and administrator preparation and performance data;**
166.26 **report.** (a) The Professional Educator Licensing and Standards Board and the Board of
166.27 School Administrators, in cooperation with ~~board-adopted~~ board-approved teacher or
166.28 administrator preparation programs, annually must collect and report summary data on
166.29 teacher and administrator preparation and performance outcomes, consistent with this
166.30 subdivision. The Professional Educator Licensing and Standards Board and the Board of
166.31 School Administrators annually by ~~June~~ July 1 must update and post the reported summary
166.32 preparation and performance data on teachers and administrators from the preceding school
166.33 years on a ~~website hosted jointly by the boards~~ their respective websites.

167.1 (b) Publicly reported summary data on teacher preparation ~~programs~~ providers must
167.2 include:

167.3 ~~(1) student entrance requirements for each Professional Educator Licensing and Standards~~
167.4 ~~Board-approved program, including grade point average for enrolling students in the~~
167.5 ~~preceding year;~~

167.6 ~~(2) the average board-adopted skills examination or ACT or SAT scores of students~~
167.7 ~~entering the program in the preceding year;~~

167.8 ~~(3) (1) summary data on faculty teacher educator qualifications, including at least the~~
167.9 ~~content areas of faculty undergraduate and graduate degrees and their years of experience~~
167.10 ~~either as kindergarten birth through grade 12 classroom teachers or school administrators;~~

167.11 ~~(4) the average time resident and nonresident program graduates in the preceding year~~
167.12 ~~needed to complete the program;~~

167.13 (2) the current number and percentage of enrolled candidates who entered the program
167.14 through a transfer pathway disaggregated by race, except when disaggregation would not
167.15 yield statistically reliable results or would reveal personally identifiable information about
167.16 an individual;

167.17 ~~(5) (3) the current number and percentage of students~~ program completers by program
167.18 ~~who graduated, received a standard Minnesota teaching license, and Tier 3 or Tier 4 license~~
167.19 disaggregated by race, except when disaggregation would not yield statistically reliable
167.20 results or would reveal personally identifiable information about an individual;

167.21 (4) the current number and percentage of program completers who entered the program
167.22 through a transfer pathway and received a Tier 3 or Tier 4 license disaggregated by race,
167.23 except when disaggregation would not yield statistically reliable results or would reveal
167.24 personally identifiable information about an individual;

167.25 (5) the current number and percentage of program completers who were hired to teach
167.26 full time in their licensure field in a Minnesota district or school in the preceding year
167.27 disaggregated by race, except when disaggregation would not yield statistically reliable
167.28 results or would reveal personally identifiable information about an individual;

167.29 ~~(6) the number of content area credits and other credits by undergraduate program that~~
167.30 ~~students in the preceding school year needed to complete to graduate~~ the current number
167.31 and percentage of program completers who entered the program through a transfer pathway
167.32 and who were hired to teach full time in their licensure field in a Minnesota district or school
167.33 in the preceding year disaggregated by race, except when disaggregation would not yield

168.1 statistically reliable results or would reveal personally identifiable information about an
168.2 individual;

168.3 ~~(7) students' pass rates on skills and subject matter exams required for graduation in~~
168.4 ~~each program and licensure area in the preceding school year;~~

168.5 ~~(8) (7) board-adopted survey results measuring student and graduate satisfaction with~~
168.6 ~~the program~~ initial licensure program quality and structure in the preceding school year
168.7 disaggregated by race, except when disaggregation would not yield statistically reliable
168.8 results or would reveal personally identifiable information about an individual;

168.9 ~~(9) a standard measure of the satisfaction of~~ (8) board-adopted survey results from school
168.10 ~~principals or supervising teachers with the student teachers assigned to a school or supervising~~
168.11 ~~teacher~~ supervisors on initial licensure program quality and structure; and

168.12 ~~(10) information under subdivision 3, paragraphs (a) and (b)~~ (9) the number and
168.13 percentage of program completers who met or exceeded the state threshold score on the
168.14 board-adopted teacher performance assessment.

168.15 Program reporting must be consistent with subdivision 2.

168.16 (c) Publicly reported summary data on administrator preparation programs approved by
168.17 the Board of School Administrators must include:

168.18 (1) summary data on faculty qualifications, including at least the content areas of faculty
168.19 undergraduate and graduate degrees and the years of experience either as kindergarten
168.20 through grade 12 classroom teachers or school administrators;

168.21 (2) the average time program graduates in the preceding year needed to complete the
168.22 program;

168.23 (3) the current number and percentage of students who graduated, received a standard
168.24 Minnesota administrator license, and were employed as an administrator in a Minnesota
168.25 school district or school in the preceding year disaggregated by race, except when
168.26 disaggregation would not yield statistically reliable results or would reveal personally
168.27 identifiable information about an individual;

168.28 (4) the number of credits by graduate program that students in the preceding school year
168.29 needed to complete to graduate;

168.30 (5) survey results measuring student, graduate, and employer satisfaction with the
168.31 program in the preceding school year disaggregated by race, except when disaggregation

169.1 would not yield statistically reliable results or would reveal personally identifiable
169.2 information about an individual; and

169.3 (6) information under subdivision 3, paragraphs (c) and (d).

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

169.5 Sec. 18. Minnesota Statutes 2022, section 122A.091, subdivision 2, is amended to read:

169.6 Subd. 2. **Teacher preparation program reporting.** (a) By December 31, 2018, and
169.7 annually thereafter, the Professional Educator Licensing and Standards Board shall report
169.8 and publish on its website the cumulative summary results of at least three consecutive
169.9 years of data reported to the board under subdivision 1, paragraph (b). Where the data are
169.10 sufficient to yield statistically reliable information and the results would not reveal personally
169.11 identifiable information about an individual teacher, the board shall report the data by teacher
169.12 preparation program.

169.13 ~~(b) The Professional Educator Licensing and Standards Board must report annually to~~
169.14 ~~the chairs and ranking minority members of the legislative committees with jurisdiction~~
169.15 ~~over kindergarten through grade 12 education, the following information:~~

169.16 ~~(1) the total number of teacher candidates during the most recent school year taking a~~
169.17 ~~board-adopted skills examination;~~

169.18 ~~(2) the number who achieve a qualifying score on the examination;~~

169.19 ~~(3) the number who do not achieve a qualifying score on the examination; and~~

169.20 ~~(4) the candidates who have not passed a content or pedagogy exam.~~

169.21 ~~The information reported under this paragraph must be disaggregated by categories of race,~~
169.22 ~~ethnicity, and eligibility for financial aid. The report must be submitted in accordance with~~
169.23 ~~section 3.195.~~

169.24 Sec. 19. Minnesota Statutes 2022, section 122A.15, subdivision 1, is amended to read:

169.25 Subdivision 1. **Teachers.** The term "teachers" for the purpose of licensure, means all
169.26 persons employed in a public school or education district or by a service cooperative as
169.27 members of the instructional, supervisory, and support staff including superintendents,
169.28 principals, supervisors, secondary vocational and other classroom teachers, librarians, school
169.29 counselors, school psychologists, school nurses, school social workers, audio-visual directors
169.30 and coordinators, recreation personnel, media generalists, media supervisors, and speech

170.1 ~~therapists~~ school speech-language pathologists. This definition does not apply to sections
170.2 122A.05 to 122A.093.

170.3 Sec. 20. Minnesota Statutes 2022, section 122A.18, subdivision 1, is amended to read:

170.4 Subdivision 1. **Authority to license.** (a) The Professional Educator Licensing and
170.5 Standards Board must issue the following teacher licenses to ~~candidates~~ applicants who
170.6 meet the qualifications prescribed by this chapter:

170.7 (1) Tier 1 license under section 122A.181;

170.8 (2) Tier 2 license under section 122A.182;

170.9 (3) Tier 3 license under section 122A.183; and

170.10 (4) Tier 4 license under section 122A.184.

170.11 (b) The Board of School Administrators must license supervisory personnel as defined
170.12 in section 122A.15, subdivision 2, except for athletic coaches.

170.13 (c) The Professional Educator Licensing and Standards Board and the Department of
170.14 Education must enter into a data sharing agreement to share:

170.15 (1) educational data at the E-12 level for the limited purpose of program approval and
170.16 improvement for teacher education programs. The program approval process must include
170.17 targeted redesign of teacher preparation programs to address identified E-12 student areas
170.18 of concern; and

170.19 (2) data in the staff automated reporting system for the limited purpose of managing and
170.20 processing funding to school districts and other entities.

170.21 (d) The Board of School Administrators and the Department of Education must enter
170.22 into a data sharing agreement to share educational data at the E-12 level for the limited
170.23 purpose of program approval and improvement for education administration programs. The
170.24 program approval process must include targeted redesign of education administration
170.25 preparation programs to address identified E-12 student areas of concern.

170.26 (e) For purposes of the data sharing agreements under paragraphs (c) and (d), the
170.27 Professional Educator Licensing and Standards Board, Board of School Administrators,
170.28 and Department of Education may share private data, as defined in section 13.02, subdivision
170.29 12, on teachers and school administrators. The data sharing agreements must not include
170.30 educational data, as defined in section 13.32, subdivision 1, but may include summary data,
170.31 as defined in section 13.02, subdivision 19, derived from educational data.

171.1 Sec. 21. Minnesota Statutes 2022, section 122A.18, subdivision 2, is amended to read:

171.2 Subd. 2. **Support personnel qualifications.** The Professional Educator Licensing and
171.3 Standards Board must issue licenses and credentials under its jurisdiction to persons the
171.4 board finds to be qualified and competent for support personnel positions in accordance
171.5 with section ~~120B.36~~ 120B.363.

171.6 Sec. 22. Minnesota Statutes 2022, section 122A.18, subdivision 10, is amended to read:

171.7 Subd. 10. **Licensure via portfolio.** (a) The Professional Educator Licensing and Standards
171.8 Board must adopt rules establishing a process for an eligible ~~candidate~~ applicant to obtain
171.9 ~~any teacher~~ an initial Tier 3 license under subdivision 1, or to add a licensure field, to a Tier
171.10 3 or Tier 4 license via portfolio. The portfolio licensure application process must be consistent
171.11 with the requirements in this subdivision.

171.12 (b) ~~A candidate~~ An applicant for a an initial Tier 3 license via portfolio must submit to
171.13 the board one portfolio demonstrating pedagogical competence and one portfolio
171.14 demonstrating content competence.

171.15 (c) ~~A candidate~~ An applicant seeking to add a licensure field via portfolio must submit
171.16 to the board one portfolio demonstrating content competence for each licensure field the
171.17 candidate seeks to add.

171.18 (d) The board must notify a ~~candidate~~ an applicant who submits a portfolio under
171.19 paragraph (b) or (c) within 90 calendar days after the portfolio is received whether or not
171.20 the portfolio is approved. If the portfolio is not approved, the board must ~~immediately~~ inform
171.21 the ~~candidate~~ applicant how to revise the portfolio to successfully demonstrate the requisite
171.22 competence. The ~~candidate~~ applicant may resubmit a revised portfolio at any time and the
171.23 board must approve or disapprove the revised portfolio within 60 calendar days of receiving
171.24 it.

171.25 (e) ~~A candidate~~ An applicant must pay a fee for a portfolio in accordance with section
171.26 122A.21, subdivision 4.

171.27 Sec. 23. Minnesota Statutes 2022, section 122A.18, is amended by adding a subdivision
171.28 to read:

171.29 Subd. 11. **Staff Automated Reporting.** The Professional Educator Licensing and
171.30 Standards Board shall collect data on educators' employment and assignments from all
171.31 school districts and charter schools. The report may include data on educators' demographics
171.32 and licensure.

172.1 Sec. 24. Minnesota Statutes 2022, section 122A.181, subdivision 1, is amended to read:

172.2 Subdivision 1. **Application requirements.** The Professional Educator Licensing and
172.3 Standards Board must approve ~~a request from a district or charter school to issue a Tier 1~~
172.4 ~~license in a specified content area to a candidate~~ an application for a Tier 1 license in a
172.5 specified content area if:

172.6 (1) the application has been submitted jointly by the applicant and the district;

172.7 (2) the application has been paid for by the district or the applicant;

172.8 ~~(1)~~ (3) the ~~candidate~~ applicant meets the professional requirement in subdivision 2;

172.9 ~~(2)~~ (4) the district or charter school affirms that the ~~candidate~~ applicant has the necessary
172.10 skills and knowledge to teach in the specified content area; ~~and~~

172.11 ~~(3)~~ (5) the district or charter school demonstrates that:

172.12 ~~(i)~~ a criminal background check under section 122A.18, subdivision 8, has been completed
172.13 on the ~~candidate~~ applicant; and

172.14 ~~(ii)~~ (6) the district or charter school has posted the teacher position but was unable to
172.15 hire an acceptable teacher with a Tier 2, 3, or 4 license for the position.

172.16 Sec. 25. Minnesota Statutes 2022, section 122A.181, subdivision 2, is amended to read:

172.17 Subd. 2. **Professional requirements.** (a) ~~A candidate~~ An applicant for a Tier 1 license
172.18 must have a bachelor's degree to teach a class or course outside a career and technical
172.19 education or career pathways course of study.

172.20 (b) ~~A candidate~~ An applicant for a Tier 1 license must have one of the following
172.21 credentials in a relevant content area to teach a class in a career and technical education or
172.22 career pathways course of study:

172.23 (1) an associate's degree;

172.24 (2) a professional certification; or

172.25 (3) five years of relevant work experience.

172.26 Sec. 26. Minnesota Statutes 2022, section 122A.181, is amended by adding a subdivision
172.27 to read:

172.28 Subd. 2a. **Exemptions from a bachelor's degree.** (a) The following applicants for a
172.29 Tier 1 license are exempt from the requirement to hold a bachelor's degree in subdivision
172.30 2:

173.1 (1) an applicant for a Tier 1 license to teach career and technical education or career
173.2 pathways courses of study if the applicant has:

173.3 (i) an associate's degree;

173.4 (ii) a professional certification; or

173.5 (iii) five years of relevant work experience;

173.6 (2) an applicant for a Tier 1 license to teach world languages and culture pursuant to
173.7 Minnesota Rules, part 8710.4950, if the applicant is a native speaker of the language; and

173.8 (3) an applicant for a Tier 1 license in the performing or visual arts pursuant to Minnesota
173.9 Rules, parts 8710.4300, dance and theatre; 8710.4310, dance; 8710.4320, theatre; 8710.4650,
173.10 vocal music and instrumental music; and 8710.4900, visual arts, if the applicant has at least
173.11 five years of relevant work experience.

173.12 (b) The Professional Educator Licensing and Standards Board must adopt rules regarding
173.13 the qualifications and determinations for applicants exempt from paragraph (a).

173.14 Sec. 27. Minnesota Statutes 2022, section 122A.181, subdivision 3, is amended to read:

173.15 Subd. 3. **Term of license and renewal.** (a) The Professional Educator Licensing and
173.16 Standards Board must issue an initial Tier 1 license for a term of one year. A Tier 1 license
173.17 may be renewed subject to paragraphs (b) and (c). ~~The board may submit written comments~~
173.18 ~~to the district or charter school that requested the renewal regarding the candidate.~~

173.19 (b) The Professional Educator Licensing and Standards Board must renew a Tier 1
173.20 license if:

173.21 (1) the district or charter school requesting the renewal demonstrates that it has posted
173.22 the teacher position but was unable to hire an acceptable teacher with a Tier 2, 3, or 4 license
173.23 for the position;

173.24 (2) the teacher holding the Tier 1 license took a content examination in accordance with
173.25 section 122A.185 and submitted the examination results to the teacher's employing district
173.26 or charter school within one year of the board approving the request for the initial Tier 1
173.27 license;

173.28 (3) the teacher holding the Tier 1 license participated in cultural competency training
173.29 consistent with section 120B.30, subdivision 1, paragraph (q), within one year of the board
173.30 approving the request for the initial Tier 1 license; and

174.1 (4) the teacher holding the Tier 1 license met the mental illness training renewal
174.2 requirement under section 122A.187, subdivision 6.

174.3 The requirement in clause (2) does not apply to a teacher that teaches a class in a career and
174.4 technical education or career pathways course of study.

174.5 (c) A Tier 1 license must not be renewed more than three times, unless the requesting
174.6 district or charter school can show good cause for additional renewals. A Tier 1 license
174.7 issued to teach (1) a class or course in a career and technical education or career pathway
174.8 course of study or (2) in a shortage area, as defined in section 122A.06, subdivision 6, may
174.9 be renewed without limitation.

174.10 Sec. 28. Minnesota Statutes 2022, section 122A.181, subdivision 4, is amended to read:

174.11 Subd. 4. **Application.** The Professional Educator Licensing and Standards Board must
174.12 accept and review applications for a Tier 1 teaching license beginning July 1 of the school
174.13 year for which the license is requested ~~and must issue or deny the Tier 1 teaching license~~
174.14 ~~within 30 days of receiving the completed application;~~ at the board's discretion, the board
174.15 may begin to accept and review applications before July 1.

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

174.17 Sec. 29. Minnesota Statutes 2022, section 122A.181, subdivision 5, is amended to read:

174.18 Subd. 5. **Limitations on license.** (a) A Tier 1 license is limited to the content matter
174.19 indicated on the application for the initial Tier 1 license under subdivision 1, clause (2), and
174.20 limited to the district or charter school that requested the initial Tier 1 license.

174.21 (b) A Tier 1 license does not bring an individual within the definition of a teacher for
174.22 purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1, clause (a).

174.23 ~~(c) A Tier 1 license does not bring an individual within the definition of a teacher under~~
174.24 ~~section 179A.03, subdivision 18.~~

174.25 Sec. 30. Minnesota Statutes 2022, section 122A.182, subdivision 1, is amended to read:

174.26 Subdivision 1. **Requirements.** ~~(a)~~ The Professional Educator Licensing and Standards
174.27 Board must approve ~~a request from a district or charter school to issue~~ an application for a
174.28 Tier 2 license in a specified content area ~~to a candidate~~ if:

174.29 ~~(1) the candidate meets the educational or professional requirements in paragraph (b)~~
174.30 ~~or (c);~~

- 175.1 ~~(2) the candidate:~~
- 175.2 ~~(i) has completed the coursework required under subdivision 2;~~
- 175.3 ~~(ii) is enrolled in a Minnesota-approved teacher preparation program; or~~
- 175.4 ~~(iii) has a master's degree in the specified content area; and~~
- 175.5 ~~(3) the district or charter school demonstrates that a criminal background check under~~
- 175.6 ~~section 122A.18, subdivision 8, has been completed on the candidate.~~
- 175.7 ~~(b) A candidate for a Tier 2 license must have a bachelor's degree to teach a class outside~~
- 175.8 ~~a career and technical education or career pathways course of study.~~
- 175.9 ~~(c) A candidate for a Tier 2 license must have one of the following credentials in a~~
- 175.10 ~~relevant content area to teach a class or course in a career and technical education or career~~
- 175.11 ~~pathways course of study:~~
- 175.12 ~~(1) an associate's degree;~~
- 175.13 ~~(2) a professional certification; or~~
- 175.14 ~~(3) five years of relevant work experience.~~
- 175.15 (1) the application has been submitted jointly by the applicant and the district;
- 175.16 (2) the application has been paid for by the district or the applicant;
- 175.17 (3) the applicant holds a bachelor's degree, unless specifically exempt by statute or rule;
- 175.18 (4) the district demonstrates that a criminal background check under section 122A.18,
- 175.19 subdivision 8, has been completed for the applicant; and
- 175.20 (5) the applicant:
- 175.21 (i) has completed a state-approved teacher preparation program;
- 175.22 (ii) is enrolled in a Minnesota-approved teacher preparation program; or
- 175.23 (iii) has a master's degree in the specified content area.

175.24 Sec. 31. Minnesota Statutes 2022, section 122A.182, is amended by adding a subdivision

175.25 to read:

175.26 Subd. 2a. Exemptions from a bachelor's degree. (a) The following applicants for a

175.27 Tier 2 license are exempt from the requirement to hold a bachelor's degree in subdivision

175.28 1:

176.1 (1) an applicant for a Tier 2 license to teach career and technical education or career
176.2 pathways courses of study when the applicant has:

176.3 (i) an associate's degree;

176.4 (ii) a professional certification; or

176.5 (iii) five years of relevant work experience;

176.6 (2) an applicant for a Tier 2 license to teach world languages and culture pursuant to
176.7 Minnesota Rules, part 8710.4950, when the applicant is a native speaker of the language;
176.8 and

176.9 (3) an applicant for a Tier 2 license in the performing or visual arts pursuant to Minnesota
176.10 Rules, parts 8710.4300, dance and theatre; 8710.4310, dance; 8710.4320, theatre; 8710.4650,
176.11 vocal music and instrumental music; and 8710.4900, visual arts, when the applicant has at
176.12 least five years of relevant work experience.

176.13 (b) The Professional Educator Licensing and Standards Board must adopt rules regarding
176.14 the qualifications and determinations for applicants exempt from the requirement to hold a
176.15 bachelor's degree in subdivision 1.

176.16 Sec. 32. Minnesota Statutes 2022, section 122A.182, is amended by adding a subdivision
176.17 to read:

176.18 Subd. 2b. **Temporary eligibility for renewal.** For the 2023-2024, 2024-2025, and
176.19 2025-2026 school years only, the Professional Educator Licensing and Standards Board
176.20 must approve an application to renew a Tier 2 license for an applicant that met the Tier 2
176.21 requirements in effect at the time the first Tier 2 license was issued. Nothing in this
176.22 subdivision modifies the renewal requirements in subdivision 3.

176.23 Sec. 33. Minnesota Statutes 2022, section 122A.182, subdivision 4, is amended to read:

176.24 Subd. 4. **Application.** The Professional Educator Licensing and Standards Board must
176.25 accept applications for a Tier 2 teaching license beginning July 1 of the school year for
176.26 which the license is requested ~~and must issue or deny the Tier 2 teaching license within 30~~
176.27 ~~days of receiving the completed application.~~ At the board's discretion, the board may begin
176.28 to accept and review applications before July 1.

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

177.1 Sec. 34. Minnesota Statutes 2022, section 122A.183, subdivision 1, is amended to read:

177.2 Subdivision 1. **Requirements.** (a) The Professional Educator Licensing and Standards
177.3 Board must issue a Tier 3 license to ~~a candidate~~ an applicant who provides information
177.4 sufficient to demonstrate all of the following:

177.5 ~~(1) the candidate meets the educational or professional requirements in paragraphs (b)~~
177.6 ~~and (c);~~

177.7 ~~(2) (1) the candidate~~ applicant has obtained a passing score on the required licensure
177.8 exams under section 122A.185; and

177.9 ~~(2) the applicant holds a bachelor's degree, unless specifically exempt by statute or rule;~~
177.10 and

177.11 ~~(3) the candidate~~ applicant has completed the coursework required under subdivision 2.

177.12 ~~(b) A candidate for a Tier 3 license must have a bachelor's degree to teach a class or~~
177.13 ~~course outside a career and technical education or career pathways course of study.~~

177.14 ~~(c) A candidate for a Tier 3 license must have one of the following credentials in a~~
177.15 ~~relevant content area to teach a class or course in a career and technical education or career~~
177.16 ~~pathways course of study:~~

177.17 ~~(1) an associate's degree;~~

177.18 ~~(2) a professional certification; or~~

177.19 ~~(3) five years of relevant work experience.~~

177.20 ~~In consultation with the governor's Workforce Development Board established under section~~
177.21 ~~116L.665, the board must establish a list of qualifying certifications, and may add additional~~
177.22 ~~professional certifications in consultation with school administrators, teachers, and other~~
177.23 ~~stakeholders.~~

177.24 (b) The board must issue a Tier 3 license to an applicant who has completed student
177.25 teaching comparable to the student teaching expectations in Minnesota, and has completed
177.26 either: a teacher preparation program from a culturally specific Minority Serving Institution
177.27 in the United States, such as Historically Black Colleges and Universities, Tribal Colleges
177.28 and Universities, or Hispanic-Serving Institutions, including those in Puerto Rico; or a
177.29 university teacher preparation program in another country, and has taught at least two years.
177.30 An applicant who qualifies for a Tier 3 license under this paragraph is not required to obtain
177.31 a passing score on licensure exams under section 122A.185.

178.1 Sec. 35. Minnesota Statutes 2022, section 122A.183, subdivision 2, is amended to read:

178.2 Subd. 2. **Coursework.** ~~A candidate~~ An applicant for a Tier 3 license must meet the
178.3 coursework requirement by demonstrating one of the following:

178.4 (1) completion of a Minnesota-approved teacher preparation program;

178.5 (2) completion of a state-approved teacher preparation program that includes field-specific
178.6 student teaching equivalent to field-specific student teaching in Minnesota-approved teacher
178.7 preparation programs. The field-specific student teaching requirement does not apply to a
178.8 ~~candidate~~ an applicant that has two years of field-specific teaching experience;

178.9 (3) submission of a content-specific licensure portfolio; or

178.10 (4) a professional teaching license from another state, evidence that the ~~candidate's~~
178.11 applicant's license is in good standing, and two years of field-specific teaching experience;
178.12 or.

178.13 ~~(5) three years of teaching experience under a Tier 2 license and evidence of summative~~
178.14 ~~teacher evaluations that did not result in placing or otherwise keeping the teacher on an~~
178.15 ~~improvement process pursuant to section 122A.40, subdivision 8, or section 122A.41,~~
178.16 ~~subdivision 5.~~

178.17 Sec. 36. Minnesota Statutes 2022, section 122A.183, is amended by adding a subdivision
178.18 to read:

178.19 Subd. 2a. **Exemptions from a bachelor's degree.** (a) The following applicants for a
178.20 Tier 3 license are exempt from the requirement to hold a bachelor's degree in subdivision
178.21 1:

178.22 (1) an applicant for a Tier 3 license to teach career and technical education or career
178.23 pathways courses of study when the applicant has:

178.24 (i) an associate's degree;

178.25 (ii) a professional certification; or

178.26 (iii) five years of relevant work experience;

178.27 (2) an applicant for a Tier 3 license to teach world languages and culture pursuant to
178.28 Minnesota Rules, part 8710.4950, when the applicant is a native speaker of the language;
178.29 and

178.30 (3) an applicant for a Tier 3 license in the performing or visual arts pursuant to Minnesota
178.31 Rules, parts 8710.4300, dance and theatre; 8710.4310, dance; 8710.4320, theatre; 8710.4650,

179.1 vocal music and instrumental music; and 8710.4900, visual arts, when the applicant has at
179.2 least five years of relevant work experience.

179.3 (b) The Professional Educator Licensing and Standards Board must adopt rules regarding
179.4 the qualifications and determinations for applicants exempt from the requirement to hold a
179.5 bachelor's degree in subdivision 1.

179.6 Sec. 37. Minnesota Statutes 2022, section 122A.183, is amended by adding a subdivision
179.7 to read:

179.8 Subd. 2b. **Temporary eligibility.** A candidate for a Tier 3 license may meet the
179.9 coursework requirement under subdivision 2 if the candidate demonstrates three years of
179.10 teaching experience under a Tier 2 license and evidence of summative teacher evaluations
179.11 that did not result in placing or otherwise keeping the teacher on an improvement process
179.12 pursuant to section 122A.40, subdivision 8, or section 122A.41, subdivision 5. This
179.13 subdivision expires on December 31, 2026.

179.14 Sec. 38. Minnesota Statutes 2022, section 122A.184, subdivision 1, is amended to read:

179.15 Subdivision 1. **Requirements.** The Professional Educator Licensing and Standards
179.16 Board must issue a Tier 4 license to ~~a candidate~~ an applicant who provides information
179.17 sufficient to demonstrate all of the following:

179.18 (1) the ~~candidate~~ applicant meets all requirements for a Tier 3 license under section
179.19 122A.183, and has completed a teacher preparation program under section 122A.183,
179.20 subdivision 2, clause (1) or (2);

179.21 (2) the ~~candidate~~ applicant has at least three years of field-specific teaching experience
179.22 ~~in Minnesota~~ as a teacher of record;

179.23 (3) the ~~candidate~~ applicant has obtained a passing score on all required licensure exams
179.24 under section 122A.185; and

179.25 ~~(4) the candidate's most recent summative teacher evaluation did not result in placing~~
179.26 ~~or otherwise keeping the teacher in an improvement process pursuant to section 122A.40,~~
179.27 ~~subdivision 8, or 122A.41, subdivision 5.~~

179.28 (4) if the applicant previously held a Tier 3 license under section 122A.183, the applicant
179.29 has completed the renewal requirements in section 122A.187.

180.1 Sec. 39. Minnesota Statutes 2022, section 122A.185, subdivision 1, is amended to read:

180.2 Subdivision 1. **Tests.** ~~(a) The Professional Educator Licensing and Standards Board~~
180.3 ~~must adopt rules requiring a candidate to demonstrate a passing score on a board-adopted~~
180.4 ~~examination of skills in reading, writing, and mathematics before being granted a Tier 4~~
180.5 ~~teaching license under section 122A.184 to provide direct instruction to pupils in elementary,~~
180.6 ~~secondary, or special education programs. Candidates may obtain a Tier 1, Tier 2, or Tier~~
180.7 ~~3 license to provide direct instruction to pupils in elementary, secondary, or special education~~
180.8 ~~programs if candidates meet the other requirements in section 122A.181, 122A.182, or~~
180.9 ~~122A.183, respectively.~~

180.10 ~~(b)~~ (a) The board must adopt rules requiring ~~candidates~~ applicants for Tier 3 and Tier 4
180.11 licenses to pass an examination or performance assessment of general pedagogical knowledge
180.12 and examinations of licensure field specific content. An applicant is exempt from the
180.13 examination requirements if the applicant completed:

180.14 (1) a board-approved teacher preparation program;

180.15 (2) licensure via portfolio pursuant to section 122A.18, subdivision 10, and the portfolio
180.16 has been approved; or

180.17 (3) a state-approved teacher preparation program in another state and passed licensure
180.18 examinations in that state, if applicable. The content examination requirement does not
180.19 apply if no relevant content exam exists.

180.20 ~~(c) Candidates for initial Tier 3 and Tier 4 licenses to teach elementary students must~~
180.21 ~~pass test items assessing the candidates' knowledge, skill, and ability in comprehensive,~~
180.22 ~~scientifically based reading instruction under section 122A.06, subdivision 4, knowledge~~
180.23 ~~and understanding of the foundations of reading development, development of reading~~
180.24 ~~comprehension and reading assessment and instruction, and the ability to integrate that~~
180.25 ~~knowledge and understanding into instruction strategies under section 122A.06, subdivision~~
180.26 ~~4.~~

180.27 (d) The requirement to pass a board-adopted reading, writing, and mathematics skills
180.28 examination does not apply to nonnative English speakers, as verified by qualified Minnesota
180.29 school district personnel or Minnesota higher education faculty, who, after meeting the
180.30 content and pedagogy requirements under this subdivision, apply for a teaching license to
180.31 provide direct instruction in their native language or world language instruction under section
180.32 120B.022, subdivision 1.

(b) All testing centers in the state must provide monthly opportunities for untimed content and pedagogy examinations. These opportunities must be advertised on the test registration website. The board must require the exam vendor to provide other equitable opportunities to pass exams, including: (1) waiving testing fees for test takers who qualify for federal grants; (2) providing free, multiple, full-length practice tests for each exam and free, comprehensive study guides on the test registration website; (3) making content and pedagogy exams available in languages other than English for teachers seeking licensure to teach in language immersion programs; and (4) providing free, detailed exam results analysis by test objective to assist applicants who do not pass an exam in identifying areas for improvement. Any applicant who has not passed a required exam after two attempts must be allowed to retake the exam, including new versions of the exam, without being charged an additional fee.

Sec. 40. Minnesota Statutes 2022, section 122A.185, subdivision 4, is amended to read:

~~Subd. 4. **Remedial assistance.** (a) A board-approved teacher preparation program must 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 a board-adopted skills examination, including those for whom English is a second language. The teacher preparation programs must make available assistance in the specific academic areas of candidates' deficiency.~~

~~(b) 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 a board-adopted skills examination, and who received a Tier 1, Tier 2, or Tier 3 license under section 122A.181, 122A.182, or 122A.183, respectively, to teach in Minnesota.~~

Sec. 41. Minnesota Statutes 2022, section 122A.187, subdivision 1, is amended to read:

Subdivision 1. **License form requirements.** Each license issued under this chapter must bear the date of issue and the name of the state-approved teacher training provider or alternative teaching program, as applicable. Licenses must expire and be renewed according to rules adopted by the Professional Educator Licensing and Standards Board or the Board of School Administrators. ~~The rules adopted by the Professional Educator Licensing and Standards Board for renewing a Tier 3 or Tier 4 license under sections 122A.183 and 122A.184, respectively, must include showing satisfactory evidence of successful teaching~~

182.1 ~~or administrative experience for at least one school year during the period covered by the~~
182.2 ~~license in grades or subjects for which the license is valid or completing such additional~~
182.3 ~~preparation as required under this section, or as the Professional Educator Licensing and~~
182.4 ~~Standards Board prescribes. The Board of School Administrators shall establish requirements~~
182.5 ~~for renewing the licenses of supervisory personnel except athletic coaches. The Professional~~
182.6 ~~Educator Licensing and Standards Board shall establish requirements for renewing the~~
182.7 ~~licenses of athletic coaches.~~

182.8 Sec. 42. Minnesota Statutes 2022, section 122A.187, is amended by adding a subdivision
182.9 to read:

182.10 Subd. 7. **American Indian history and culture.** The Professional Educator Licensing
182.11 and Standards Board must adopt rules that require all licensed teachers renewing their license
182.12 under sections 122A.181 to 122A.184 to include in the renewal requirements professional
182.13 development in the cultural heritage and contemporary contributions of American Indians,
182.14 with particular emphasis on Minnesota Tribal Nations.

182.15 Sec. 43. Minnesota Statutes 2022, section 122A.19, subdivision 4, is amended to read:

182.16 Subd. 4. **Teacher preparation programs.** (a) For the purpose of licensing bilingual
182.17 and English as a second language teachers, the board may approve teacher preparation
182.18 programs at colleges or universities designed for their training.

182.19 (b) Programs that prepare English as a second language teachers must provide instruction
182.20 in implementing research-based practices designed specifically for English learners. The
182.21 programs must focus on developing English learners' academic language proficiency in
182.22 English, including oral academic language, giving English learners meaningful access to
182.23 the full school curriculum, developing culturally relevant teaching practices appropriate for
182.24 immigrant students, and providing more intensive instruction and resources to English
182.25 learners with lower levels of academic English proficiency and varied needs, consistent
182.26 with section 124D.59, subdivisions 2 and 2a.

182.27 Sec. 44. Minnesota Statutes 2022, section 122A.26, subdivision 2, is amended to read:

182.28 Subd. 2. **Exceptions.** (a) A person who teaches in a community education program
182.29 ~~which~~ that qualifies for aid pursuant to section 124D.52 shall continue to meet licensure
182.30 requirements as a teacher. A person who teaches in an early childhood and family education
182.31 program ~~which~~ that is offered through a community education program and ~~which~~ that
182.32 qualifies for community education aid pursuant to section 124D.20 or early childhood and

183.1 family education aid pursuant to section 124D.135 shall continue to meet licensure
183.2 requirements as a teacher. A person who teaches in a community education course ~~which~~
183.3 that is offered for credit for graduation to persons under 18 years of age shall continue to
183.4 meet licensure requirements as a teacher.

183.5 (b) A person who teaches a driver training course ~~which~~ that is offered through a
183.6 community education program to persons under 18 years of age shall be licensed by the
183.7 Professional Educator Licensing and Standards Board or be subject to section 171.35. A
183.8 license ~~which~~ that is required for an instructor in a community education program pursuant
183.9 to this ~~subdivision~~ paragraph shall not be construed to bring an individual within the
183.10 definition of a teacher for purposes of section 122A.40, subdivision 1, or 122A.41,
183.11 subdivision 1, ~~elause~~ paragraph (a).

183.12 **EFFECTIVE DATE.** This section is effective for the 2023-2024 school year and later.

183.13 Sec. 45. Minnesota Statutes 2022, section 122A.40, subdivision 3, is amended to read:

183.14 Subd. 3. **Hiring, dismissing.** (a) School boards must hire or dismiss teachers at duly
183.15 called meetings. Where a husband and wife, brother and sister, or two brothers or sisters,
183.16 constitute a quorum, no contract employing a teacher shall be made or authorized except
183.17 upon the unanimous vote of the full board. A teacher related by blood or marriage, within
183.18 the fourth degree, computed by the civil law, to a board member shall not be employed
183.19 except by a unanimous vote of the full board. The initial employment of the teacher in the
183.20 district must be by written contract, signed by the teacher and by the chair and clerk. All
183.21 subsequent employment of the teacher in the district must be by written contract, signed by
183.22 the teacher and by the chair and clerk, except where there is a master agreement covering
183.23 the employment of the teacher. Contracts for teaching or supervision of teaching can be
183.24 made only with qualified teachers. A teacher shall not be required to reside within the
183.25 employing district as a condition to teaching employment or continued teaching employment.

183.26 (b) A school district must annually report to the Professional Educator Licensing and
183.27 Standards Board: (1) all new teacher hires and terminations, including layoffs, by race and
183.28 ethnicity; and (2) the reasons for all teacher resignations and requested leaves of absence.
183.29 The report must not include data that would personally identify individuals.

183.30 Sec. 46. Minnesota Statutes 2022, section 122A.40, subdivision 5, is amended to read:

183.31 Subd. 5. **Probationary period.** (a) The first three consecutive years of a teacher's first
183.32 teaching experience in Minnesota in a single district ~~is~~ are deemed to be a probationary
183.33 period of employment, and, the probationary period in each district in which the teacher is

184.1 thereafter employed shall be one year. The school board must adopt a plan for written
184.2 evaluation of teachers during the probationary period that is consistent with subdivision 8.
184.3 Evaluation must occur at least three times periodically throughout each school year for a
184.4 teacher performing services during that school year; the first evaluation must occur within
184.5 the first 90 days of teaching service. Days devoted to parent-teacher conferences, teachers'
184.6 workshops, and other staff development opportunities and days on which a teacher is absent
184.7 from school must not be included in determining the number of school days on which a
184.8 teacher performs services. Except as otherwise provided in paragraph (b), during the
184.9 probationary period any annual contract with any teacher may or may not be renewed as
184.10 the school board shall see fit. However, the board must give any such teacher whose contract
184.11 it declines to renew for the following school year written notice to that effect before July
184.12 1. If the teacher requests reasons for any nonrenewal of a teaching contract, the board must
184.13 give the teacher its reason in writing, including a statement that appropriate supervision
184.14 was furnished describing the nature and the extent of such supervision furnished the teacher
184.15 during the employment by the board, within ten days after receiving such request. The
184.16 school board may, after a hearing held upon due notice, discharge a teacher during the
184.17 probationary period for cause, effective immediately, under section 122A.44.

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

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

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

184.31 (e) A probationary teacher must complete at least ~~120~~ 90 days of teaching service each
184.32 year during the probationary period. Days devoted to parent-teacher conferences, teachers'
184.33 workshops, and other staff development opportunities and days on which a teacher is absent
184.34 from school do not count as days of teaching service under this paragraph.

(f) Notwithstanding any law to the contrary, a teacher who has taught for three consecutive years in a single school district or charter school in Minnesota or another state must serve a probationary period of no longer than one year in a Minnesota school district.

EFFECTIVE DATE. This section is effective for collective bargaining agreements effective July 1, 2023, and thereafter.

Sec. 47. Minnesota Statutes 2022, 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, improve student learning and success, and provide all enrolled students in a district or school with improved and equitable access to more effective and diverse teachers, 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~~ (3) must include a rubric of performance standards for teacher practice that: (i) is based on professional teaching standards established in rule; (ii) includes culturally responsive methodologies; and (iii) provides common descriptions of effectiveness using at least three levels of performance;

(4) must coordinate staff development activities under sections 122A.60 and 122A.61 with this evaluation process and teachers' evaluation outcomes;

186.1 (5) may provide time during the school day and school year for peer coaching and teacher
186.2 collaboration;

186.3 (6) may include job-embedded learning opportunities such as professional learning
186.4 communities;

186.5 (7) may include mentoring and induction programs for teachers, including teachers who
186.6 are members of populations underrepresented among the licensed teachers in the district or
186.7 school and who reflect the diversity of students under section 120B.35, subdivision 3,
186.8 paragraph (b), clause (2), who are enrolled in the district or school;

186.9 (8) must include an option for teachers to develop and present a portfolio demonstrating
186.10 evidence of reflection and professional growth, consistent with section 122A.187, subdivision
186.11 3, and include teachers' own performance assessment based on student work samples and
186.12 examples of teachers' work, which may include video among other activities for the
186.13 summative evaluation;

186.14 (9) must use data from valid and reliable assessments aligned to state and local academic
186.15 standards and must use state and local measures of student growth and literacy that may
186.16 include value-added models or student learning goals to determine 35 percent of teacher
186.17 evaluation results;

186.18 (10) must use longitudinal data on student engagement and connection, and other student
186.19 outcome measures explicitly aligned with the elements of curriculum for which teachers
186.20 are responsible, including academic literacy, oral academic language, and achievement of
186.21 content areas of English learners;

186.22 (11) must require qualified and trained evaluators such as school administrators to
186.23 perform summative evaluations and ensure school districts and charter schools provide for
186.24 effective evaluator training specific to teacher development and evaluation;

186.25 (12) must give teachers not meeting professional teaching standards under clauses (3)
186.26 through (11) support to improve through a teacher improvement process that includes
186.27 established goals and timelines; and

186.28 (13) must discipline a teacher for not making adequate progress in the teacher
186.29 improvement process under clause (12) that may include a last chance warning, termination,
186.30 discharge, nonrenewal, transfer to a different position, a leave of absence, or other discipline
186.31 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 Professional Educator Licensing and Standards Board, 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 or approve the placement of a student in the classroom of a teacher who is in the improvement process referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the prior year, that student was in the classroom of a teacher who received discipline pursuant to paragraph (b), clause (13), 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 or approve the placement of a student in the classroom of a teacher who is in the improvement process referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the prior year, that student was in the classroom of a teacher who received discipline pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that subject area and grade.

All data created and used under this paragraph retains its classification under chapter 13.

EFFECTIVE DATE. This section is effective July 1, 2025.

188.1 Sec. 48. Minnesota Statutes 2022, section 122A.41, subdivision 2, is amended to read:

188.2 Subd. 2. **Probationary period; discharge or demotion.** (a) ~~All teachers in the public~~
188.3 ~~schools in cities of the first class during the first three years of consecutive employment~~
188.4 ~~shall be deemed to be in a probationary period of employment during which period any~~
188.5 ~~annual contract with any teacher may, or may not, be renewed as the school board, after~~
188.6 ~~consulting with the peer review committee charged with evaluating the probationary teachers~~
188.7 ~~under subdivision 3, shall see fit. The first three consecutive years of a teacher's first teaching~~
188.8 experience in Minnesota in a single district are deemed to be a probationary period of
188.9 employment, and the probationary period in each district in which the teacher is thereafter
188.10 employed shall be one year. The school site management team or the school board if there
188.11 is no school site management team, shall adopt a plan for a written evaluation of teachers
188.12 during the probationary period according to subdivisions 3 and 5. Evaluation by the peer
188.13 review committee charged with evaluating probationary teachers under subdivision 3 shall
188.14 occur at least three times periodically throughout each school year for a teacher performing
188.15 services during that school year; the first evaluation must occur within the first 90 days of
188.16 teaching service. Days devoted to parent-teacher conferences, teachers' workshops, and
188.17 other staff development opportunities and days on which a teacher is absent from school
188.18 shall not be included in determining the number of school days on which a teacher performs
188.19 services. The school board may, during such probationary period, discharge or demote a
188.20 teacher for any of the causes as specified in this code. A written statement of the cause of
188.21 such discharge or demotion shall be given to the teacher by the school board at least 30
188.22 days before such removal or demotion shall become effective, and the teacher so notified
188.23 shall have no right of appeal therefrom.

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

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

188.34 (d) A probationary teacher must complete at least ~~120~~ 90 days of teaching service each
188.35 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.

(e) Notwithstanding any law to the contrary, a teacher who has taught for three consecutive years in a single school district or charter school in Minnesota or another state must serve a probationary period of no longer than one year in a Minnesota school district.

EFFECTIVE DATE. This section is effective for collective bargaining agreements effective July 1, 2023, and thereafter.

Sec. 49. Minnesota Statutes 2022, 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, and provide all enrolled students in a district or school with improved and equitable access to more effective and diverse teachers, 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~~ include a rubric of performance standards for teacher practice that: (i) is based on professional teaching standards established in rule; (ii) includes culturally responsive methodologies; and (iii) provides common descriptions of effectiveness using at least three levels of performance;

190.1 (4) must coordinate staff development activities under sections 122A.60 and 122A.61
190.2 with this evaluation process and teachers' evaluation outcomes;

190.3 (5) may provide time during the school day and school year for peer coaching and teacher
190.4 collaboration;

190.5 (6) may include job-embedded learning opportunities such as professional learning
190.6 communities;

190.7 (7) may include mentoring and induction programs for teachers, including teachers who
190.8 are members of populations underrepresented among the licensed teachers in the district or
190.9 school and who reflect the diversity of students under section 120B.35, subdivision 3,
190.10 paragraph (b), clause (2), who are enrolled in the district or school;

190.11 (8) must include an option for teachers to develop and present a portfolio demonstrating
190.12 evidence of reflection and professional growth, consistent with section 122A.187, subdivision
190.13 3, and include teachers' own performance assessment based on student work samples and
190.14 examples of teachers' work, which may include video among other activities for the
190.15 summative evaluation;

190.16 (9) must use data from valid and reliable assessments aligned to state and local academic
190.17 standards and must use state and local measures of student growth and literacy that may
190.18 include value-added models or student learning goals to determine 35 percent of teacher
190.19 evaluation results;

190.20 (10) must use longitudinal data on student engagement and connection and other student
190.21 outcome measures explicitly aligned with the elements of curriculum for which teachers
190.22 are responsible, including academic literacy, oral academic language, and achievement of
190.23 English learners;

190.24 (11) must require qualified and trained evaluators such as school administrators to
190.25 perform summative evaluations and ensure school districts and charter schools provide for
190.26 effective evaluator training specific to teacher development and evaluation;

190.27 (12) must give teachers not meeting professional teaching standards under clauses (3)
190.28 through (11) support to improve through a teacher improvement process that includes
190.29 established goals and timelines; and

190.30 (13) must discipline a teacher for not making adequate progress in the teacher
190.31 improvement process under clause (12) that may include a last chance warning, termination,
190.32 discharge, nonrenewal, transfer to a different position, a leave of absence, or other discipline
190.33 a school administrator determines is appropriate.

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

191.4 (c) The department, in consultation with parents who may represent parent organizations
191.5 and teacher and administrator representatives appointed by their respective organizations,
191.6 representing the Professional Educator Licensing and Standards Board, the Minnesota
191.7 Association of School Administrators, the Minnesota School Boards Association, the
191.8 Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and
191.9 representatives of the Minnesota Assessment Group, the Minnesota Business Partnership,
191.10 the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with
191.11 research expertise in teacher evaluation, must create and publish a teacher evaluation process
191.12 that complies with the requirements in paragraph (b) and applies to all teachers under this
191.13 section and section 122A.40 for whom no agreement exists under paragraph (a) for an annual
191.14 teacher evaluation and peer review process. The teacher evaluation process created under
191.15 this subdivision does not create additional due process rights for probationary teachers under
191.16 subdivision 2.

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

191.18 (1) for students in kindergarten through grade 4, a school administrator must not place
191.19 or approve the placement of a student in the classroom of a teacher who is in the improvement
191.20 process referenced in paragraph (b), clause (12), or has not had a summative evaluation if,
191.21 in the prior year, that student was in the classroom of a teacher who received discipline
191.22 pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that
191.23 grade; and

191.24 (2) for students in grades 5 through 12, a school administrator must not place or approve
191.25 the placement of a student in the classroom of a teacher who is in the improvement process
191.26 referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the
191.27 prior year, that student was in the classroom of a teacher who received discipline pursuant
191.28 to paragraph (b), clause (13), unless no other teacher at the school teaches that subject area
191.29 and grade.

191.30 All data created and used under this paragraph retains its classification under chapter 13.

191.31 **EFFECTIVE DATE.** This section is effective July 1, 2025.

192.1 Sec. 50. Minnesota Statutes 2022, section 122A.41, is amended by adding a subdivision
192.2 to read:

192.3 Subd. 16. **Reporting of hires and terminations.** A school district must annually report
192.4 to the Professional Educator Licensing and Standards Board: (1) all new teacher hires and
192.5 terminations, including layoffs, by race and ethnicity; and (2) the reasons for all teacher
192.6 resignations and requested leaves of absence. The report must not include data that would
192.7 personally identify individuals.

192.8 Sec. 51. Minnesota Statutes 2022, section 122A.415, subdivision 4, is amended to read:

192.9 Subd. 4. **Basic alternative teacher compensation aid.** (a) The basic alternative teacher
192.10 compensation aid for a school with a plan approved under section 122A.414, subdivision
192.11 2b, equals 65 percent of the alternative teacher compensation revenue under subdivision 1.
192.12 The basic alternative teacher compensation aid for a charter school with a plan approved
192.13 under section 122A.414, subdivisions 2a and 2b, equals \$260 times the number of pupils
192.14 enrolled in the school on October 1 of the previous year, or on October 1 of the current year
192.15 for a charter school in the first year of operation, times the ratio of the sum of the alternative
192.16 teacher compensation aid and alternative teacher compensation levy for all participating
192.17 school districts to the maximum alternative teacher compensation revenue for those districts
192.18 under subdivision 1.

192.19 (b) Notwithstanding paragraph (a) and subdivision 1, the state total basic alternative
192.20 teacher compensation aid entitlement must not exceed ~~\$75,840,000 for fiscal year 2016 and~~
192.21 ~~\$88,118,000 for fiscal year 2017~~ 2023; \$88,461,000 for fiscal year 2024; \$88,461,000 for
192.22 fiscal year 2025; \$89,570,000 for fiscal year 2026; and \$89,689,000 for fiscal year 2027
192.23 and later. The commissioner must limit the amount of alternative teacher compensation aid
192.24 approved under this section so as not to exceed these limits by not approving new participants
192.25 or by prorating the aid among participating districts, intermediate school districts, school
192.26 sites, and charter schools. The commissioner may also reallocate a portion of the allowable
192.27 aid for the biennium from the second year to the first year to meet the needs of approved
192.28 participants.

192.29 (c) Basic alternative teacher compensation aid for an intermediate district or other
192.30 cooperative unit equals \$3,000 times the number of licensed teachers employed by the
192.31 intermediate district or cooperative unit on October 1 of the previous school year.

- 193.1 Sec. 52. [122A.441] SHORT-CALL SUBSTITUTE TEACHER PILOT PROGRAM.
- 193.2 (a) A school district or charter school and applicant may jointly request the Professional
- 193.3 Educator Licensing and Standards Board approve an application for a short-call substitute
- 193.4 teaching license. The application information must sufficiently demonstrate the following:
- 193.5 (1) the applicant:
- 193.6 (i) holds a minimum of an associate's degree or equivalent and has or will receive
- 193.7 substitute training from the school district or charter school; or
- 193.8 (ii) holds a minimum of a high school diploma or equivalent and has been employed as
- 193.9 an education support personnel or paraprofessional within the district or charter school for
- 193.10 at least one academic year; and
- 193.11 (2) the school district or charter school has requested a background check in accordance
- 193.12 with section 123B.03.
- 193.13 (b) The Professional Educator Licensing and Standards Board may issue a temporary
- 193.14 teaching license pending a background check under section 122A.18, subdivision 8, and
- 193.15 may immediately suspend or revoke the license upon receiving background check
- 193.16 information. An applicant submitting an application for a short-call substitute teaching
- 193.17 license in accordance with section 122A.18, subdivision 7a, paragraph (a), must not be
- 193.18 required to complete a joint application with a district and must not be issued a license
- 193.19 pending a background check under section 122A.18, subdivision 8.
- 193.20 (c) The board may prioritize short-call substitute teaching license applications to expedite
- 193.21 the review process.
- 193.22 (d) A school district or charter school must provide a substitute teacher who receives a
- 193.23 substitute teaching license through the pilot program with substitute teacher training. The
- 193.24 board may remove a school district or charter school from the pilot program for failure to
- 193.25 provide the required training.
- 193.26 (e) A school district or charter school must not require an employee to apply for a
- 193.27 substitute teaching license, or retaliate against an employee that does not apply for a substitute
- 193.28 teaching license under the pilot program.
- 193.29 (f) A school district or charter school must compensate an employee working as a
- 193.30 short-call substitute teacher under the pilot program with the greater of \$200 per day or the
- 193.31 employee's regular rate of pay.

194.1 **EFFECTIVE DATE.** This section is effective for the 2023-2024 and 2024-2025 school
194.2 years only.

194.3 Sec. 53. Minnesota Statutes 2022, section 122A.59, is amended to read:

194.4 **122A.59 COME TEACH IN MINNESOTA HIRING BONUSES.**

194.5 Subdivision 1. **Purpose.** This section establishes a program to support districts and
194.6 schools recruiting and offering hiring bonuses for ~~licensed~~ teachers who are American
194.7 Indian or a person of color from another state or country in order to meet staffing needs in
194.8 shortage areas in ~~economic development regions in~~ Minnesota.

194.9 Subd. 2. **Eligibility.** A district or school must verify that the hiring bonus is given to
194.10 ~~teachers licensed in~~ persons from another state or country who:

194.11 (1) immediately qualify for a Tier ~~3 or Tier 4~~ 2 or higher Minnesota license;

194.12 (2) have moved to ~~the economic development region in~~ Minnesota ~~where they were~~
194.13 ~~hired~~; and

194.14 (3) belong to a racial or ethnic group that is underrepresented among teachers compared
194.15 to students in the district or school under section 120B.35, subdivision 3, paragraph (b),
194.16 clause (2).

194.17 Subd. 3. **Bonus amount.** A district or school may offer a ~~signing~~ hiring and retention
194.18 bonus of a minimum of ~~\$2,500~~ \$4,000 and a maximum of ~~\$5,000~~ \$8,000 to a teacher who
194.19 meets the eligibility requirements. A teacher who meets the eligibility requirements and
194.20 meets a licensure shortage area in the economic development region of the state where the
194.21 school is located may be offered a ~~signing~~ hiring bonus of a minimum of ~~\$4,000~~ \$5,000
194.22 and a maximum of ~~\$8,000~~ \$10,000. A teacher must be paid half of the bonus when starting
194.23 employment and half after completing four years of service in the hiring district or school
194.24 if the teacher has demonstrated teaching effectiveness and is not on a professional
194.25 improvement plan under section 122A.40, subdivision 8, paragraph (b), clause (12) or (13),
194.26 or section 122A.41, subdivision 5, paragraph (b), clause (12) or (13), or is not being
194.27 considered for termination for a reason listed in section 122A.40, subdivision 9, including
194.28 a teacher hired by a school district located in a city of the first class. A teacher who does
194.29 not complete their first school year upon receiving a hiring bonus must repay the hiring
194.30 bonus. A teacher must have a Tier 3 or Tier 4 Minnesota teaching license to qualify for the
194.31 second half of the bonus. A district must prorate the second half of the bonus if the eligible
194.32 teacher is nonrenewed due to reasons not having to do with teaching effectiveness or
194.33 misconduct.

Subd. 4. **Administration.** (a) The commissioner must establish a process for districts or schools to seek reimbursement for hiring bonuses given to teachers in shortage areas moving to and working in Minnesota schools experiencing specific shortages. The commissioner must provide guidance for districts to seek repayment of a hiring bonus from a teacher who does not complete the first year of employment. The department may conduct a pilot program with a small number of teachers during the 2022-2023 biennium to establish feasibility. The department must submit a report by December 1, 2022, to the chairs and ranking minority members of the legislative committees with jurisdiction over kindergarten through grade 12 education detailing the effectiveness of the program and recommendations for improvement in future years.

(b) The commissioner may award participating districts and schools additional funds to administer the program, including out-of-state recruiting efforts and retention activities.
The commissioner may allow participating districts and schools to reserve up to five percent of Come Teach in Minnesota funding to administer the program, including for out-of-state recruiting efforts and retention activities.

Subd. 5. **Come Teach in Minnesota Hiring Bonus program account.** (a) An account is established in the special revenue fund known as the "Come Teach in Minnesota Hiring Bonus program account."

(b) Funds appropriated for the Come Teach in Minnesota Hiring Bonus program under this section must be transferred to the Come Teach in Minnesota Hiring Bonus program account in the special revenue fund.

(c) Money in the account is annually appropriated to the commissioner for hiring bonuses under this section. Any returned funds are available to be regranted.

(d) Up to \$35,000 annually is appropriated to the commissioner for costs associated with developing and administering the program under this section.

EFFECTIVE DATE. The amendment to subdivision 2 is effective retroactively from July 1, 2022. The amendments to subdivisions 1, 3, and 4 are effective the day following final enactment.

Sec. 54. **[122A.631] SUPPORTING HERITAGE LANGUAGE AND CULTURE TEACHERS.**

Subdivision 1. **Purpose.** The purpose of this section is to increase the number of heritage language and culture teachers in Minnesota.

196.1 Subd. 2. **Definitions.** "Heritage language and culture teachers" means teachers with a
196.2 connection to a community's language and culture who use this connection to support
196.3 students as they learn academic content or the language and culture of that particular
196.4 community.

196.5 Subd. 3. **Eligibility.** Applicants for the heritage language and culture licensure pathway
196.6 program must:

196.7 (1) hold a current license issued by the Professional Educator Licensing and Standards
196.8 Board or meet the criteria for licensure in 122A.181; and

196.9 (2) seek initial, dual, or additional licensure in a heritage language.

196.10 Subd. 4. **Heritage language and culture teacher licensure pathway program.** (a) The
196.11 Professional Educator Licensing and Standards Board shall develop a program to support
196.12 initial and additional licensure for heritage language and culture teachers. The program
196.13 must include:

196.14 (1) a yearlong mentorship program;

196.15 (2) monthly meetings where applicants receive guidance on completing the portfolio
196.16 process from a portfolio liaison, dedicated specifically to facilitating this program;

196.17 (3) a stipend to cover substitute teachers when meetings take place during the school
196.18 day;

196.19 (4) a waiver for all portfolio and licensure testing fees; and

196.20 (5) a portfolio review committee created by the board.

196.21 (b) For applicants seeking an initial license in a world language and culture, the applicant
196.22 must demonstrate meeting the standards of effective practice in Minnesota Rules, part
196.23 8710.2000 and content-specific pedagogical standards in Minnesota Rules, part 8710.4950,
196.24 through the portfolio process.

196.25 (c) For applicants seeking a dual license, the applicant must demonstrate meeting the
196.26 standards of effective practice in Minnesota Rules, part 8710.2000, content-specific
196.27 pedagogical standards in Minnesota Rules, part 8710.4950, and all standards for the chosen
196.28 dual license through the portfolio process.

196.29 (d) For applicants seeking an additional license in a world language and culture, the
196.30 applicant must demonstrate meeting the content-specific pedagogical standards in Minnesota
196.31 Rules, part 8710.4950.

197.1 Subd. 5. **Heritage language and culture educators seeking a world language**

197.2 **license.** Heritage language and culture teachers seeking a world language and culture license
197.3 pursuant to Minnesota Rules, part 8710.4950, who demonstrate proficiency through one of
197.4 the following may use this proficiency to evidence meeting the required content-specific
197.5 world language and culture standards, which do not include content-specific pedagogical
197.6 standards, for licensure in their heritage language:

197.7 (1) passing a board-adopted assessment;

197.8 (2) holding a certificate to serve as a translator or interpreter; or

197.9 (3) completing an undergraduate or postbaccalaureate degree from an accredited
197.10 university where the majority of coursework was taught via the non-English instructional
197.11 language.

197.12 Sec. 55. Minnesota Statutes 2022, section 122A.635, is amended to read:

197.13 **122A.635 COLLABORATIVE URBAN AND GREATER MINNESOTA**
197.14 **EDUCATORS OF COLOR GRANT PROGRAM.**

197.15 Subdivision 1. **Establishment.** The Professional Educator Licensing and Standards
197.16 Board must award competitive grants to increase the number of teacher candidates who are
197.17 of color or who are American Indian, complete teacher preparation programs, and meet the
197.18 requirements for a Tier 3 license under section 122A.183. Eligibility for a grant under this
197.19 section is limited to public or private higher education institutions that offer a teacher
197.20 preparation program approved by the Professional Educator Licensing and Standards Board.

197.21 Subd. 2. **Competitive grants.** (a) The Professional Educator Licensing and Standards
197.22 Board must award competitive grants to a variety of higher education institution types under
197.23 this section. The board must require an applicant institution to submit a plan describing how
197.24 it would use grant funds to increase the number of teachers who are of color or who are
197.25 American Indian, and must award grants based on the following criteria, listed in descending
197.26 order of priority:

197.27 ~~(1) the number of teacher candidates being supported in the program who are of color~~
197.28 ~~or who are American Indian;~~

197.29 ~~(2)~~ (1) program outcomes, including graduation or program completion rates; and
197.30 licensure recommendation rates; and placement rates for candidates who are of color or
197.31 who are American Indian compared to all candidates enrolled in a teacher preparation
197.32 program at the institution and, for each outcome measure, the number of ~~those~~ teacher
197.33 candidates who are of color or who are American Indian; and

198.1 ~~(3) the percent of racially and ethnically diverse teacher candidates enrolled in the~~
198.2 ~~institution compared to:~~

198.3 ~~(i) the total percent of students of color and American Indian students enrolled at the~~
198.4 ~~institution, regardless of major; and~~

198.5 ~~(ii) the percent of underrepresented racially and ethnically diverse teachers in the~~
198.6 ~~economic development region of the state where the institution is located and where a~~
198.7 ~~shortage of diverse teachers exists, as reported under section 122A.091, subdivision 5.~~

198.8 (2) the extent to which an institution's plan is clear in describing how the institution
198.9 would use grant funds for implementing explicit research-based practices to provide
198.10 programmatic support to teacher candidates who are of color or who are American Indian.
198.11 Plans for grant funds may include:

198.12 (i) recruiting more racially and ethnically diverse candidates for admission to teacher
198.13 preparation programs;

198.14 (ii) providing differentiated advising, mentoring, or other supportive community-building
198.15 activities in addition to what the institution provides to all candidates enrolled in the
198.16 institution;

198.17 (iii) providing academic tutoring or support to help teacher candidates pass required
198.18 assessments; and

198.19 (iv) providing for program staffing expenses;

198.20 (3) an institution's plan to provide direct financial assistance as scholarships or stipends
198.21 within the allowable dollar range determined by the board under subdivision 3, paragraph
198.22 (b), to teacher candidates who are of color or who are American Indian;

198.23 ~~(b) The board must give priority in awarding grants under this section to institutions that~~
198.24 ~~received grants under Laws 2017, First Special Session chapter 5, article 2, section 57,~~
198.25 ~~subdivision 27, and have demonstrated continuing success at recruiting, retaining, graduating,~~
198.26 ~~and inducting (4) whether the institution has previously received a competitive grant under~~
198.27 ~~this section and has demonstrated positive outcomes from the use of grant funds for efforts~~
198.28 ~~helping teacher candidates who are of color or who are American Indian; to enroll in and~~
198.29 ~~successfully complete teacher preparation programs and be recommended for licensure;~~

198.30 (5) geographic diversity among the institutions. In order to expand the number of grant
198.31 recipients throughout the state, whenever there is at least a 20 percent increase in the base
198.32 appropriation for this grant program, the board must prioritize awarding grants to institutions
198.33 outside of the Twin Cities metropolitan area. If the board awards a competitive grant based

199.1 on the criteria in paragraph (a) to a program that has not previously received funding, the
199.2 board must thereafter give priority to the program equivalent to other programs ~~given priority~~
199.3 ~~under this paragraph.~~ that have received grants and demonstrated positive outcomes; and

199.4 (6) the percentage of racially and ethnically diverse teacher candidates enrolled in the
199.5 institution compared to:

199.6 (i) the aggregate percentage of students of color and American Indian students enrolled
199.7 in the institution, regardless of major; and

199.8 (ii) the percentage of underrepresented racially and ethnically diverse teachers in the
199.9 economic development region of the state where the institution is located and where a
199.10 shortage of diverse teachers exists, as reported under section 122A.091, subdivision 5.

199.11 (b) The board must not penalize an applicant institution in the grant review process for
199.12 using grant funds only to provide direct financial support to teacher candidates if that is the
199.13 institution's priority and the institution uses other resources to provide programmatic support
199.14 to candidates.

199.15 (c) The board must determine award amounts for development, maintenance and, or
199.16 expansion of programs based only on the degree to which applicants meet the criteria in
199.17 this subdivision, the number of candidates who are of color or who are American Indian
199.18 supported by an applicant program, ~~sustaining support for those candidates,~~ and funds
199.19 available.

199.20 (d) The board must determine grant awards in part by multiplying the number of teacher
199.21 candidates to be provided direct financial assistance by the average amount the institution
199.22 proposes per candidate that is within the allowable dollar range. After assessing an
199.23 institution's adherence to grant criteria and funds available, the board may grant an institution
199.24 a lower average amount per candidate and the institution may decide to award less per
199.25 candidate or provide financial assistance to fewer candidates within the allowable range.
199.26 Additionally, an institution may use up to 25 percent of the awarded grant funds to provide
199.27 programmatic support as described in paragraph (a), clause (3). If the board does not award
199.28 an applicant institution's full request, the board must allow the institution to modify how it
199.29 uses grant funds to maximize program outcomes consistent with the requirements of this
199.30 section.

199.31 **Subd. 3. Grant program administration.** (a) The Professional Educator Licensing and
199.32 Standards Board may enter into an interagency agreement with the Office of Higher
199.33 Education. The agreement may include a transfer of funds to the Office of Higher Education
199.34 to help establish and administer the competitive grant process. The board must award grants

200.1 to institutions located in various economic development regions throughout the state, but
200.2 must not predetermine the number of institutions to be awarded grants under this section
200.3 or set a limit for the amount that any one institution may receive as part of the competitive
200.4 grant application process.

200.5 (b) The board must establish a standard allowable dollar range for the amount of direct
200.6 financial assistance an applicant institution may provide to each candidate. To determine
200.7 the range, the board may collect de-identified data from institutions that received a grant
200.8 during the previous grant period and calculate the average scholarship amount awarded to
200.9 all candidates across all institutions using the most recent fiscal year data available. The
200.10 calculation may be used to determine a scholarship range that is no more than 25 percent
200.11 of this amount and no less than half the average of this amount. The purpose of direct
200.12 financial assistance is to assist candidates matriculating through completing licensure
200.13 programs if they demonstrate financial need after considering other grants and scholarships
200.14 provided.

200.15 (c) All grants must be awarded by August 15 of the fiscal year in which the grants are
200.16 to be used ~~except that, for initial competitive grants awarded for fiscal year 2020, grants~~
200.17 ~~must be awarded by September 15.~~ An institution that receives a grant under this section
200.18 may use the grant funds over a two- to four-year period to sustain support for teacher
200.19 candidates at any stage from recruitment and program admission to graduation and licensure
200.20 application.

200.21 Subd. 4. **Report.** (a) By ~~January~~ August 15 of each year, an institution awarded a grant
200.22 under this section must prepare for the ~~legislature and the board~~ a detailed report regarding
200.23 the expenditure of grant funds, including the amounts used to recruit, retain, and ~~induct~~
200.24 support teacher candidates of color or who are American Indian teacher candidates to
200.25 complete programs and be recommended for licensure. The report must include:

200.26 (1) the total number of teacher candidates of color, disaggregated by race or ethnic group,
200.27 who and American Indian teacher candidates who:

200.28 (i) are enrolled in the institution;

200.29 (ii) are supported by grant funds with direct financial assistance during the academic
200.30 reporting year;

200.31 (iii) are supported with other programmatic supports;

200.32 (iv) are recruited to the institution, are and newly admitted to the a licensure program,
200.33 are enrolled in the;

201.1 (v) are enrolled in a licensure program;

201.2 (vi) have completed a licensure program,~~have completed student teaching, have~~
201.3 ~~graduated, are licensed, and are newly employed as Minnesota teachers in their licensure~~
201.4 ~~field. A grant recipient must report; and~~

201.5 (vii) were recommended for licensure in the field for which they were prepared;

201.6 (2) the total number of teacher candidates of color or who are American Indian teacher
201.7 candidates at each stage from recruitment program admission to licensed teaching licensure
201.8 recommendation as a percentage of total all candidates seeking the same licensure at the
201.9 institution; and

201.10 (3) a brief narrative describing the successes and challenges of efforts proposed in the
201.11 grant application to support candidates with grant funds, and lessons learned for future
201.12 efforts.

201.13 (b) By November 1 of each year, the board must post a report on its website summarizing
201.14 the activities and outcomes of grant recipients and results that promote sharing of effective
201.15 practices and lessons learned among grant recipients.

201.16 Sec. 56. Minnesota Statutes 2022, section 122A.69, is amended to read:

201.17 **122A.69 PRACTICE OR STUDENT TEACHERS.**

201.18 The Professional Educator Licensing and Standards Board may, by agreements with
201.19 teacher preparation institutions, arrange for classroom experience in the district for practice
201.20 or student teachers ~~who have completed at least two years of~~ in an approved teacher
201.21 preparation program. Such practice and student teachers must be appropriately supervised
201.22 by a fully qualified teacher under rules adopted by the board. A practice or student teacher
201.23 must be placed with a cooperating licensed teacher who has at least three years of teaching
201.24 experience and is not in the improvement process under section 122A.40, subdivision 8,
201.25 paragraph (b), clause (12), or 122A.41, subdivision 5, paragraph (b), clause (12). Practice
201.26 and student teachers are employees of the school district in which they are rendering services
201.27 for purposes of workers' compensation; liability insurance, if provided for other district
201.28 employees under section 123B.23; and legal counsel under section 123B.25.

202.1 Sec. 57. Minnesota Statutes 2022, section 122A.70, is amended to read:

202.2 **122A.70 TEACHER MENTORSHIP AND RETENTION OF EFFECTIVE**
202.3 **TEACHERS.**

202.4 Subdivision 1. **Teacher mentoring, induction, and retention programs.** (a) School
202.5 districts must develop teacher mentoring programs for teachers new to the profession or
202.6 district, including teaching residents, teachers of color, teachers who are American Indian,
202.7 teachers in license shortage areas, teachers with special needs, or experienced teachers in
202.8 need of peer coaching.

202.9 (b) Teacher mentoring programs must be included in or aligned with districts' teacher
202.10 evaluation and peer review processes under sections 122A.40, subdivision 8, and 122A.41,
202.11 subdivision 5. A district may use staff development revenue under section 122A.61, special
202.12 grant programs established by the legislature, or another funding source to pay a stipend to
202.13 a mentor who may be a current or former teacher who has taught at least three years and is
202.14 not on an improvement plan. ~~Other initiatives using such funds or funds available under~~
202.15 ~~sections 124D.861 and 124D.862 may include:~~

202.16 ~~(1) additional stipends as incentives to mentors of color or who are American Indian;~~

202.17 ~~(2) financial supports for professional learning community affinity groups across schools~~
202.18 ~~within and between districts for teachers from underrepresented racial and ethnic groups to~~
202.19 ~~come together throughout the school year. For purposes of this section, "affinity groups"~~
202.20 ~~are groups of educators who share a common racial or ethnic identity in society as persons~~
202.21 ~~of color or who are American Indian;~~

202.22 ~~(3) programs for induction aligned with the district or school mentorship program during~~
202.23 ~~the first three years of teaching, especially for teachers from underrepresented racial and~~
202.24 ~~ethnic groups; or~~

202.25 ~~(4) grants supporting licensed and nonlicensed educator participation in professional~~
202.26 ~~development, such as workshops and graduate courses, related to increasing student~~
202.27 ~~achievement for students of color and American Indian students in order to close opportunity~~
202.28 ~~and achievement gaps.~~

202.29 ~~(c) A school or district that receives a grant must negotiate additional retention strategies~~
202.30 ~~or protection from unrequested leave of absences in the beginning years of employment for~~
202.31 ~~teachers of color and teachers who are American Indian. Retention strategies may include~~
202.32 ~~providing financial incentives for teachers of color and teachers who are American Indian~~
202.33 ~~to work in the school or district for at least five years and placing American Indian educators~~

203.1 ~~at sites with other American Indian educators and educators of color at sites with other~~
203.2 ~~educators of color to reduce isolation and increase opportunity for collegial support.~~

203.3 Subd. 2. **Board grants.** The Professional Educator Licensing and Standards Board must
203.4 make grant application forms available to sites interested in developing, sustaining, or
203.5 expanding a mentorship program. A school district; ~~a~~ or group of school districts; ~~a coalition~~
203.6 ~~of districts, teachers, and teacher education institutions; or,~~ a school or coalition of schools,
203.7 or a coalition of teachers, ~~or nonlicensed educators~~ may apply for a program grant. A higher
203.8 education institution or nonprofit organization may partner with a grant applicant but is not
203.9 eligible as a sole applicant for grant funds. The Professional Educator Licensing and
203.10 Standards Board, in consultation with the teacher mentoring task force, must approve or
203.11 disapprove the applications. To the extent possible, the approved applications must reflect
203.12 effective mentoring, professional development, and retention components, and be
203.13 geographically distributed throughout the state. The Professional Educator Licensing and
203.14 Standards Board must encourage the selected sites to consider the use of its assessment
203.15 procedures.

203.16 Subd. 2a. **Funded work.** (a) Grant funds may be used for the following:

203.17 (1) additional stipends as incentives to mentors who are of color or who are American
203.18 Indian;

203.19 (2) financial supports for professional learning community affinity groups across schools
203.20 within and between districts for educators from underrepresented racial and ethnic groups
203.21 to come together throughout the school year. For purposes of this section, "affinity groups"
203.22 means groups of licensed and nonlicensed educators who share a common racial or ethnic
203.23 identity in society as persons who are of color or who are American Indian;

203.24 (3) programs for induction aligned with the district or school mentorship program during
203.25 the first three years of teaching, especially for teachers from underrepresented racial and
203.26 ethnic groups;

203.27 (4) professional development focused on ways to close opportunity and achievement
203.28 gaps for students of color and American Indian students; or

203.29 (5) for teachers of color and American Indian teachers, graduate courses toward a first
203.30 master's degree in a field related to their licensure or toward an additional license.

203.31 (b) A charter school or district that receives a grant must negotiate additional retention
203.32 strategies or protection from unrequested leaves of absence in the beginning years of
203.33 employment for teachers who are of color or who are American Indian. Retention strategies

204.1 may include providing financial incentives for teachers of color and teachers who are
204.2 American Indian to work in the school or district for at least five years and placing American
204.3 Indian educators at sites with other American Indian educators and educators of color at
204.4 sites with other educators of color to reduce isolation and increase opportunity for collegial
204.5 support.

204.6 Subd. 3. **Criteria for selection.** (a) At a minimum, applicants for grants under subdivision
204.7 2 must express commitment to:

204.8 (1) allow staff participation;

204.9 (2) assess skills of both beginning and mentor teachers;

204.10 (3) provide appropriate in-service to needs identified in the assessment;

204.11 (4) provide leadership to the effort;

204.12 (5) cooperate with higher education institutions or teacher educators;

204.13 (6) provide facilities and other resources;

204.14 (7) share findings, materials, and techniques with other school districts; and

204.15 (8) retain teachers of color and teachers who are American Indian.

204.16 (b) The Professional Educator Licensing and Standards Board must give priority to
204.17 applications to fund programs to induct, mentor, and retain Tier 2 or Tier 3 teachers who
204.18 are of color or who are American Indian, and Tier 2 or Tier 3 teachers in licensure shortage
204.19 areas within the applicant's economic development region.

204.20 Subd. 4. **Additional funding.** Grant applicants must seek additional funding and
204.21 assistance from sources such as school districts, postsecondary institutions, foundations,
204.22 and the private sector.

204.23 Subd. 5. **Program implementation.** A grant recipient may use grant funds on
204.24 implementing activities over a period of time up to 24 months. New and expanding
204.25 mentorship sites that receive a board grant under subdivision 2 to design, develop, implement,
204.26 and evaluate their program must participate in activities that support program development
204.27 and implementation.

204.28 Subd. 5a. **Grant program administration.** The Professional Educator Licensing and
204.29 Standards Board may enter into an interagency agreement with the Office of Higher
204.30 Education or the Department of Education. The agreement may include a transfer of funds
204.31 to the Office of Higher Education or the Department of Education to help administer the
204.32 competitive grant process.

Subd. 6. **Report.** By ~~June~~ September 30 of each year after receiving a grant, recipients must submit a report to the Professional Educator Licensing and Standards Board on program efforts that describes mentoring and induction activities and assesses the impact of these programs on teacher effectiveness and retention. The board must publish a summary report for the public and submit the report to the committees of the legislature with jurisdiction over kindergarten through grade 12 education policy and finance in accordance with section 3.302 by November 30 of each year.

EFFECTIVE DATE. This section is effective July 1, 2023.

Sec. 58. Minnesota Statutes 2022, section 122A.73, subdivision 2, is amended to read:

Subd. 2. **Grow Your Own district programs.** (a) A school district, charter school, or cooperative unit under section 123A.24, subdivision 2, may apply for a grant for a Professional Educator Licensing and Standards Board-approved teacher preparation program to establish a Grow Your Own pathway for adults to obtain their first professional teaching license. Grantees must partner with a Professional Educator Licensing and Standards Board-approved teacher preparation program. Partnerships may also include institutions that have an articulated transfer pathway with a board-approved teacher preparation program. The grant recipient must use at least 80 percent of grant funds to provide tuition scholarships or stipends to enable school district employees or community members affiliated with a school district, who are of color or American Indian and who seek a teaching license, to participate in the teacher preparation program. Grant funds may also be used to pay for teacher licensure exams and licensure fees.

(b) A district using grant funds under this subdivision to provide financial support to teacher candidates may require a commitment as determined by the district to teach in the district for a reasonable amount of time that does not exceed five years.

EFFECTIVE DATE. This section is effective July 1, 2024.

Sec. 59. Minnesota Statutes 2022, section 122A.73, subdivision 3, is amended to read:

Subd. 3. **Grants for programs serving secondary school students.** (a) In addition to grants for developing and offering dual-credit postsecondary course options in schools for "Introduction to Teaching" or "Introduction to Education" courses under section 124D.09, subdivision 10, a school district or charter school may apply for grants under this section to offer other innovative programs that encourage secondary school students, especially students of color and American Indian students, to pursue teaching. A school district, charter school, or a cooperative unit under section 123A.24, subdivision 2, may apply for grants to

206.1 develop innovative Grow Your Own programs that encourage secondary school students,
206.2 especially students of color and American Indian students, to pursue teaching. To be eligible
206.3 for a grant under this subdivision, ~~a school district or charter school~~ an applicant must ensure
206.4 that the aggregate percentage of secondary school students of color and American Indian
206.5 students participating in the program is equal to or greater than the aggregate percentage of
206.6 students of color and American Indian students in the school district ~~or~~, charter school, or
206.7 cooperative unit.

206.8 (b) A grant recipient must use grant funds awarded under this subdivision for:

206.9 (1) supporting future teacher clubs or service-learning opportunities that provide middle
206.10 and high school students with experiential learning that supports the success of younger
206.11 students or peers and increases students' interest in pursuing a teaching career;

206.12 (2) developing and offering postsecondary enrollment options courses for "Introduction
206.13 to Teaching" or "Introduction to Education" consistent with section 124D.09, subdivision
206.14 10, that would meet degree requirements for teacher licensure;

206.15 ~~(2)~~ (3) providing direct support, including wrap-around services, for students who are
206.16 of color or American Indian to enroll and be successful in postsecondary enrollment options
206.17 courses under section 124D.09 that would meet degree requirements for teacher licensure;
206.18 or

206.19 ~~(3)~~ (4) offering scholarships to graduating high school students who are of color or
206.20 American Indian to enroll in board-approved undergraduate teacher preparation programs
206.21 at a college or university in Minnesota.

206.22 (c) The maximum grant award under this subdivision is \$500,000. The commissioner
206.23 may consider the number of participants a grant recipient intends to support when determining
206.24 a grant amount.

206.25 **EFFECTIVE DATE.** This section is effective July 1, 2024.

206.26 Sec. 60. Minnesota Statutes 2022, section 122A.73, subdivision 5, is amended to read:

206.27 Subd. 5. **Grow Your Own program account.** (a) An account is established in the special
206.28 revenue fund known as the "Grow Your Own program account."

206.29 (b) Funds appropriated for the Grow Your Own program under this section must be
206.30 transferred to the Grow Your Own program account in the special revenue fund.

(c) Money in the account is annually appropriated to the commissioner for the Grow Your Own program under this section. Any returned funds are available to be regranted. Grant recipients may apply to use grant money over a period of up to 60 months.

(d) Up to ~~\$100,000~~ \$175,000 annually is appropriated to the commissioner for costs associated with administering and monitoring the program under this section.

Sec. 61. **[122A.731] SPECIAL EDUCATION TEACHER PIPELINE PROGRAM.**

Subdivision 1. Grant program established. The commissioner of education must administer a grant program to develop a pipeline of trained, licensed Tier 3 or Tier 4 special education teachers. A school district, charter school, or cooperative unit under section 123A.24, subdivision 2, may apply for a grant under this section. An applicant must partner with a board-approved teacher preparation program.

Subd. 2. Grant uses. (a) A grant recipient must use grant funds to support participants who are employed by the grant recipient as either a paraprofessional or other unlicensed staff, or a teacher with a Tier 1 or Tier 2 license, and demonstrate a willingness to be a special education teacher after completing the program.

(b) A grant recipient may use grant funds for:

(1) tuition assistance or stipends for participants;

(2) supports for participants, including mentoring, licensure test preparation, and technology support; or

(3) participant recruitment.

Subd. 3. Grant procedure. (a) Applicants must apply for a grant under this section in the form and manner specified by the commissioner.

(b) In awarding grants, the commissioner must prioritize funding for training to allow participants holding a Tier 1 or Tier 2 special education license to obtain a Tier 3 special education license.

(c) To the extent that there are sufficient applications, the commissioner must, to the extent practicable, award an equal number of grants between applicants in greater Minnesota and applicants in the metropolitan area.

Subd. 4. Report. Within one year of receiving grant funds, and for each year that a recipient receives grant funds, a grant recipient must report to the commissioner in the form and manner determined by the commissioner the number of participants in the program and

208.1 how grant funds were used. The commissioner must publish an annual report that identifies
208.2 the grant recipients and summarizes how grant funds are used.

208.3 Subd. 5. **Special education teacher pipeline program account.** (a) An account is
208.4 established in the special revenue fund known as the special education teacher pipeline
208.5 program account.

208.6 (b) Funds appropriated for the special education teacher pipeline program under this
208.7 section must be transferred to the special educator teacher pipeline program account in the
208.8 special revenue fund.

208.9 (c) Money in the account is annually appropriated to the commissioner for the special
208.10 education teacher pipeline program under this section. Any returned funds are available to
208.11 be regranted. Grant recipients may apply to use grant money over a period of up to 60
208.12 months.

208.13 (d) Up to \$175,000 annually is appropriated to the commissioner for costs associated
208.14 with administering and monitoring the program under this section.

208.15 **EFFECTIVE DATE.** This section is effective July 1, 2023.

208.16 Sec. 62. Minnesota Statutes 2022, section 123B.147, subdivision 3, is amended to read:

208.17 Subd. 3. **Duties; evaluation.** (a) The principal shall provide administrative, supervisory,
208.18 and instructional leadership services, under the supervision of the superintendent of schools
208.19 of the district and according to the policies, rules, and regulations of the school board, for
208.20 the planning, management, operation, and evaluation of the education program of the building
208.21 or buildings to which the principal is assigned.

208.22 (b) To enhance a principal's culturally responsive leadership skills and support and
208.23 improve teaching practices, school performance, and student achievement for diverse student
208.24 populations, including at-risk students, children with disabilities, English learners, and gifted
208.25 students, among others, a district must develop and implement a performance-based system
208.26 for annually evaluating school principals assigned to supervise a school building within the
208.27 district. The evaluation must be designed to improve teaching and learning by supporting
208.28 the principal in shaping the school's professional environment and developing teacher
208.29 quality, performance, and effectiveness. The annual evaluation must:

208.30 (1) support and improve a principal's instructional leadership, organizational management,
208.31 and professional development, and strengthen the principal's capacity in the areas of
208.32 instruction, supervision, evaluation, and teacher development;

209.1 (2) support and improve a principal's culturally responsive leadership practices that
209.2 create inclusive and respectful teaching and learning environments for all students, families,
209.3 and employees;

209.4 ~~(2)~~ (3) include formative and summative evaluations based on multiple measures of
209.5 student progress toward career and college readiness;

209.6 ~~(3)~~ (4) be consistent with a principal's job description, a district's long-term plans and
209.7 goals, and the principal's own professional multiyear growth plans and goals, all of which
209.8 must support the principal's leadership behaviors and practices, rigorous curriculum, school
209.9 performance, and high-quality instruction;

209.10 ~~(4)~~ (5) include on-the-job observations and previous evaluations;

209.11 ~~(5)~~ (6) allow surveys to help identify a principal's effectiveness, leadership skills and
209.12 processes, and strengths and weaknesses in exercising leadership in pursuit of school success;

209.13 ~~(6)~~ (7) use longitudinal data on student academic growth as 35 percent of the evaluation
209.14 and incorporate district achievement goals and targets;

209.15 ~~(7)~~ (8) be linked to professional development that emphasizes improved teaching and
209.16 learning, curriculum and instruction, student learning, culturally responsive leadership
209.17 practices, and a collaborative professional culture; and

209.18 ~~(8)~~ (9) for principals not meeting standards of professional practice or other criteria
209.19 under this subdivision, implement a plan to improve the principal's performance and specify
209.20 the procedure and consequence if the principal's performance is not improved.

209.21 The provisions of this paragraph are intended to provide districts with sufficient flexibility
209.22 to accommodate district needs and goals related to developing, supporting, and evaluating
209.23 principals.

209.24 **EFFECTIVE DATE.** This section is effective July 1, 2024.

209.25 Sec. 63. **[124D.901] STUDENT SUPPORT PERSONNEL AID.**

209.26 Subdivision 1. Definitions. For the purposes of this section, the following terms have
209.27 the meanings given:

209.28 (1) "new position" means a student support services personnel full-time or part-time
209.29 position not under contract by a school district, charter school, or cooperative unit at the
209.30 start of the 2022-2023 school year;

210.1 (2) "part-time position" means a student support services personnel position less than
210.2 1.0 full-time equivalent at the start of the 2022-2023 school year;

210.3 (3) "American Rescue Plan Act" means the federal American Rescue Plan Act of 2021,
210.4 Public Law 117-2, that awarded funds; and

210.5 (4) "student support services personnel" means an individual licensed to serve as a school
210.6 counselor, school psychologist, school social worker, school nurse, or chemical dependency
210.7 counselor in Minnesota.

210.8 Subd. 2. **Purpose.** The purpose of student support personnel aid is to:

210.9 (1) address shortages of student support services personnel within Minnesota schools;

210.10 (2) decrease caseloads for existing student support services personnel to ensure effective
210.11 services;

210.12 (3) ensure that students receive effective student support services and integrated and
210.13 comprehensive services to improve prekindergarten through grade 12 academic, physical,
210.14 social, and emotional outcomes supporting career and college readiness and effective school
210.15 mental health services;

210.16 (4) ensure that student support services personnel serve within the scope and practice
210.17 of their training and licensure;

210.18 (5) fully integrate learning supports, instruction, assessment, data-based decision making,
210.19 and family and community engagement within a comprehensive approach that facilitates
210.20 interdisciplinary collaboration; and

210.21 (6) improve student health, school safety, and school climate to support academic success
210.22 and career and college readiness.

210.23 Subd. 3. **Aid eligibility and application.** A school district, charter school, intermediate
210.24 school district, or other cooperative unit is eligible to apply for student support personnel
210.25 aid under this section. The commissioner must prescribe the form and manner of the
210.26 application, which must include a plan describing how the aid will be used, including the
210.27 current roster of licensed student support personnel.

210.28 Subd. 4. **Student support personnel aid.** (a) The initial student support personnel aid
210.29 for a school district equals the greater of the student support personnel allowance times the
210.30 adjusted pupil units at the district for the current fiscal year or \$50,000. The initial student
210.31 support personnel aid for a charter school equals the student support personnel allowance
210.32 times the adjusted pupil units at the charter school for the current fiscal year.

211.1 (b) The cooperative student support personnel aid for a school district that is a member
211.2 of an intermediate school district or other cooperative unit that enrolls students equals the
211.3 cooperative student support allowance times the adjusted pupil units at the district for the
211.4 current fiscal year. If a district is a member of more than one cooperative unit that enrolls
211.5 students, the revenue must be allocated among the cooperative units.

211.6 (c) The student support personnel allowance equals \$25.23 for fiscal year 2024, \$50.66
211.7 for fiscal year 2025, and \$76.32 for fiscal year 2026 and later.

211.8 (d) The cooperative student support allowance equals \$1.51 for fiscal year 2024, \$3.04
211.9 for fiscal year 2025, and \$4.58 for fiscal year 2026 and later.

211.10 (e) Notwithstanding paragraphs (a) and (b), the student support personnel aid must not
211.11 exceed the district's, charter school's, or cooperative unit's actual expenditure according to
211.12 the approved plan under subdivision 3.

211.13 Subd. 5. **Allowed uses; match requirements.** (a) Aid under this section must be used
211.14 to hire new positions for student support services personnel or increase a current position
211.15 that is less than 1.0 full-time equivalent to a greater number of service hours or make
211.16 permanent a position hired using onetime resources awarded through the federal Coronavirus
211.17 Aid Relief and Economic Security Act, the federal Consolidated Appropriations Act, the
211.18 federal Division M-Coronavirus Response and Relief Supplemental Appropriations Act, or
211.19 the federal American Rescue Plan Act, or to maintain a position that would otherwise be
211.20 eliminated.

211.21 (b) Cooperative student support personnel aid must be transferred to the intermediate
211.22 district or other cooperative unit of which the district is a member and used to hire new
211.23 positions for student support services personnel or increase a current position that is less
211.24 than 1.0 full-time equivalent to a greater number of service hours or make permanent a
211.25 position hired using onetime resources awarded through the American Rescue Plan Act at
211.26 the intermediate district or cooperative unit.

211.27 (c) If a school district, charter school, or cooperative unit does not receive at least two
211.28 applications and is not able to hire a new full-time equivalent position with student support
211.29 personnel aid, the aid may be used for contracted services from individuals licensed to serve
211.30 as a school counselor, school psychologist, school social worker, school nurse, or chemical
211.31 dependency counselor in Minnesota.

211.32 Subd. 6. **Report required.** By February 1 following any fiscal year in which student
211.33 support personnel aid was received, a school district, charter school, or cooperative unit

212.1 must submit a written report to the commissioner indicating how the new position affected
212.2 two or more of the following measures:

212.3 (1) school climate;

212.4 (2) student health;

212.5 (3) attendance rates;

212.6 (4) academic achievement;

212.7 (5) career and college readiness; and

212.8 (6) postsecondary completion rates.

212.9 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

212.10 Sec. 64. Minnesota Statutes 2022, section 179A.03, subdivision 18, is amended to read:

212.11 Subd. 18. **Teacher.** "Teacher" means any public employee other than a superintendent
212.12 or assistant superintendent, principal, assistant principal, or a supervisory or confidential
212.13 employee, employed by a school district:

212.14 (1) in a position for which the person must be licensed by the Professional Educator
212.15 Licensing and Standards Board or the commissioner of education; ~~or~~

212.16 (2) in a position as a physical therapist, occupational therapist, art therapist, music
212.17 therapist, or audiologist; or

212.18 (3) in a position creating and delivering instruction to children in a prekindergarten or
212.19 early learning program, except that an employee in a bargaining unit certified before January
212.20 1, 2023, may remain in a bargaining unit that does not include teachers unless an exclusive
212.21 representative files a petition for a unit clarification or to transfer exclusive representative
212.22 status.

212.23 **EFFECTIVE DATE.** This section is effective July 1, 2023.

212.24 Sec. 65. Minnesota Statutes 2022, section 179A.03, subdivision 19, is amended to read:

212.25 Subd. 19. **Terms and conditions of employment.** "Terms and conditions of employment"
212.26 means the hours of employment, the compensation therefor including fringe benefits except
212.27 retirement contributions or benefits other than employer payment of, or contributions to,
212.28 premiums for group insurance coverage of retired employees or severance pay, and the
212.29 employer's personnel policies affecting the working conditions of the employees. In the
212.30 case of professional employees the term does not mean educational policies of a school

213.1 district. "Terms and conditions of employment" is subject to section 179A.07. In the case
213.2 of school employees, "terms and conditions of employment" includes class sizes, student
213.3 testing, and student-to-personnel ratios.

213.4 Sec. 66. **APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

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

213.8 Subd. 2. **Agricultural educator grants.** (a) For agricultural educator grants under Laws
213.9 2017, First Special Session chapter 5, article 2, section 51:

213.10 \$ 250,000 2024

213.11 \$ 250,000 2025

213.12 (b) Any balance in the first year does not cancel but is available in the second year.

213.13 Subd. 3. **Alternative teacher compensation aid.** (a) For alternative teacher compensation
213.14 aid under Minnesota Statutes, section 122A.415, subdivision 4:

213.15 \$ 88,666,000 2024

213.16 \$ 89,321,000 2025

213.17 (b) The 2024 appropriation includes \$8,824,000 for fiscal year 2023 and \$79,842,000
213.18 for fiscal year 2024.

213.19 (c) The 2025 appropriation includes \$8,871,000 for fiscal year 2024 and \$80,450,000
213.20 for fiscal year 2025.

213.21 Subd. 4. **Black Men Teach Twin Cities.** (a) For a grant to Black Men Teach Twin Cities
213.22 for the purposes listed in paragraph (c):

213.23 \$ 500,000 2024

213.24 \$ 500,000 2025

213.25 (b) Black Men Teach Twin Cities must use the grant to establish partnerships with school
213.26 district elementary schools and elementary charter schools with a goal of increasing the
213.27 number of black male teachers to 20 percent of the teachers at each school site. To the extent
213.28 possible, Black Men Teach Twin Cities must include sites in greater Minnesota, suburban
213.29 areas, and urban settings.

213.30 (c) The grant money may be used for:

213.31 (1) scholarships for aspiring teachers;

214.1 (2) student teacher stipends;

214.2 (3) mentoring activities;

214.3 (4) professional development, with an emphasis on early literacy training, including best
214.4 practices associated with the science of reading; and

214.5 (5) stipends for housing to allow a teacher to live closer to the teacher's school.

214.6 (d) Black Men Teach Twin Cities must provide a detailed report to the chairs and ranking
214.7 minority members of the legislative committees with jurisdiction over kindergarten through
214.8 grade 12 education and higher education by January 15 of each year following the year of
214.9 the grant describing how the grant funds were used. The report must describe the progress
214.10 made toward the goal of increasing the number of Black male teachers at each school site,
214.11 identify the strategies used to recruit Black teachers, and describe barriers Black men face
214.12 in the teaching profession. The report must be filed in accordance with Minnesota Statutes,
214.13 section 3.195.

214.14 Subd. 5. **Come Teach in Minnesota hiring bonuses.** (a) For the Come Teach in
214.15 Minnesota hiring bonuses pilot program under Minnesota Statutes, section 122A.59:

214.16 \$ 0 2024

214.17 \$ 200,000 2025

214.18 (b) Up to \$30,000 of the appropriation amount is available to administer and improve
214.19 the program.

214.20 Subd. 6. **Concurrent enrollment teacher training program.** (a) For the concurrent
214.21 enrollment teacher partnership under Minnesota Statutes, section 122A.76:

214.22 \$ 375,000 2024

214.23 \$ 375,000 2025

214.24 (b) Any balance in the first year does not cancel but is available in the second year.

214.25 Subd. 7. **Expanded concurrent enrollment grants.** (a) For grants to institutions offering
214.26 "Introduction to Teaching" or "Introduction to Education" courses under Minnesota Statutes,
214.27 section 124D.09, subdivision 10, paragraph (b):

214.28 \$ 500,000 2024

214.29 \$ 500,000 2025

214.30 (b) Up to five percent of the grant amount is available for grant administration and
214.31 monitoring.

214.32 (c) Any balance in the first year does not cancel but is available in the second year.

Subd. 8. **Grow Your Own pathways to teacher licensure grants.** (a) For grants to develop, continue, or expand Grow Your Own new teacher programs under Minnesota Statutes, section 122A.73, to develop a teaching workforce that more closely reflects the state's increasingly diverse student population and ensure all students have equitable access to effective and diverse teachers:

\$ 23,500,000 2024

\$ 23,500,000 2025

(b) Up to \$175,000 of the appropriation is available to administer the grant program.

Subd. 9. **Special education teacher pipeline.** (a) For grants to develop special education teacher pipelines across Minnesota under Minnesota Statutes, section 122A.731:

\$ 10,000,000 2024

\$ 10,000,000 2025

(b) Up to \$175,000 of the appropriation is available to administer the grant program.

(c) Any balance in the first year does not cancel but is available in the following fiscal year.

Subd. 10. **Student support personnel aid.** (a) For aid to support schools in addressing students' social, emotional, and physical health under Minnesota Statutes, section 124D.901:

\$ 25,000,000 2024

\$ 50,000,000 2025

(b) This appropriation is 100 percent payable in the current year.

(c) The base for fiscal year 2026 and later is \$75,000,000.

Subd. 11. **Student support personnel workforce pipeline.** (a) For a grant program to develop a student support personnel workforce pipeline focused on increasing school psychologists, school nurses, school counselors, and school social workers of color and Indigenous providers, professional respecialization, recruitment, and retention:

\$ 5,000,000 2024

\$ 5,000,000 2025

(b) Of the amount in paragraph (a), \$150,000 is for providing support to school nurses across the state.

(c) To the extent practicable, the pipeline grants must be used to support equal numbers of students pursuing careers as school psychologists, school nurses, school counselors, and school social workers.

216.1 (d) For grants awarded under this subdivision to school psychologists, the following
216.2 terms have the meanings given:

216.3 (1) "eligible designated trainee" means an individual enrolled in a NASP-approved or
216.4 APA-accredited school psychology program granting educational specialist certificates or
216.5 doctoral degrees in school psychology;

216.6 (2) "practica" means an educational experience administered and evaluated by the
216.7 graduate training program, with university and site supervision by appropriately credentialed
216.8 school psychologists, to develop trainees' competencies to provide school psychological
216.9 services based on the graduate program's goals and competencies relative to accreditation
216.10 and licensure requirements; and

216.11 (3) "eligible employment" means a paid position within a school or local education
216.12 agency directly related to the training program providing direct or indirect school psychology
216.13 services. Direct services include assessment, intervention, prevention, or consultation services
216.14 to students or their family members and educational staff. Indirect services include
216.15 supervision, research and evaluation, administration, program development, technical
216.16 assistance, or professional learning to support direct services.

216.17 (e) Grants awarded to school psychologists must be used for:

216.18 (1) the provision of paid, supervised, and educationally meaningful practica in a public
216.19 school setting for an eligible designated trainee enrolled in a qualifying program within the
216.20 grantee's institution;

216.21 (2) to support student recruitment and retention to enroll and hire an eligible designated
216.22 trainee for paid practica in public school settings; and

216.23 (3) oversight of trainee practica and professional development by the qualifying institution
216.24 to ensure the qualifications and conduct by an eligible designated trainee meet requirements
216.25 set forth by the state and accrediting agencies.

216.26 (f) Upon successful completion of the graduate training program, grants awarded to
216.27 school psychologists must maintain eligible employment within Minnesota for a minimum
216.28 period of one-year full-time equivalent for each academic year of paid traineeship under
216.29 the grant program.

216.30 (g) Up to \$150,000 of the appropriation is available for grant administration.

216.31 Subd. 12. **Teacher residency program.** (a) For the teacher residency program under
216.32 Minnesota Statutes, section 122A.68, subdivision 3:

217.1 \$ 3,000,000 2024

217.2 \$ 3,000,000 2025

217.3 (b) Up to three percent of the appropriation is available for grant administration.

217.4 (c) Any balance does not cancel but is available in the following fiscal year.

217.5 Sec. 67. **APPROPRIATIONS; PROFESSIONAL EDUCATOR LICENSING AND**
217.6 **STANDARDS BOARD.**

217.7 Subdivision 1. Professional Educator Licensing and Standards Board. The sums
217.8 indicated in this section are appropriated from the general fund to the Professional Educator
217.9 Licensing and Standards Board for the fiscal years designated.

217.10 Subd. 2. Alternative pathways support position. To fund a new position at the
217.11 Professional Educator Licensing and Standards Board to support candidates through
217.12 alternative pathway programs, including the licensure via portfolio process and to support
217.13 districts, charter schools, and educational cooperatives to become alternative preparation
217.14 providers:

217.15 \$ 150,000 2024

217.16 \$ 150,000 2025

217.17 Subd. 3. Collaborative urban and greater Minnesota educators of color grants. (a)
217.18 For collaborative urban and greater Minnesota educators of color competitive grants under
217.19 Minnesota Statutes, section 122A.635:

217.20 \$ 6,000,000 2024

217.21 \$ 6,000,000 2025

217.22 (b) The board may retain up to \$100,000 of the appropriation amount to monitor and
217.23 administer the grant program.

217.24 (c) Any balance does not cancel but is available in the following fiscal year.

217.25 (d) The base appropriation for fiscal year 2026 and later is \$6,000,000.

217.26 Subd. 4. Heritage language and culture teachers. To support an additional licensure
217.27 pathway program for heritage language and culture teachers under Minnesota Statutes,
217.28 section 122A.631, including funding for a portfolio liaison and funding for substitute teachers
217.29 on meeting days, portfolio fees, licensure fees, and licensure exam fees for 50 program
217.30 participants:

217.31 \$ 208,000 2024

217.32 \$ 208,000 2025

Subd. 5. **Licensure via portfolio online platform.** To complete the licensure via portfolio online platform to streamline the portfolio submission and review process:

\$ 150,000 2024

\$ 150,000 2025

Subd. 6. **Mentoring, induction, and retention incentive program grants for teachers of color.** (a) To develop and expand mentoring, induction, and retention programs designed for teachers of color or American Indian teachers under Minnesota Statutes, section 122A.70:

\$ 3,500,000 2024

\$ 3,500,000 2025

(b) Any balance does not cancel but is available in the following fiscal year.

(c) The base for grants under Minnesota Statutes, section 122A.70, for fiscal year 2026 and later is \$4,500,000, of which at least \$3,500,000 each fiscal year is for grants to develop and expand mentoring, induction, and retention programs designed for teachers of color or American Indian teachers.

(d) The board may retain up to three percent of the appropriation amount to monitor and administer the grant program.

Subd. 7. **Removing barriers to licensure.** (a) For rulemaking and technology changes related to tiered licensure changes:

\$ 77,000 2024

(b) This is a onetime appropriation.

Subd. 8. **Reports on increasing percentage of teachers of color and American Indian teachers.** (a) For a half-time equivalent employee to complete reports on state-funded programs to increase the percentage of teachers of color and American Indian teachers in Minnesota schools in accordance with Minnesota Statutes, section 120B.117, and process reports under Minnesota Statutes, sections 122A.40, subdivision 3, and 122A.41, subdivision 16:

\$ 60,000 2024

\$ 60,000 2025

(b) The base for fiscal year 2026 and later is \$60,000.

Subd. 9. **Teacher recruitment marketing campaign.** (a) To develop two contracts to develop and implement an outreach and marketing campaign under this subdivision:

219.1 \$ 500,000 2024

219.2 \$ 500,000 2025

219.3 (b) The Professional Educator Licensing and Standards Board must issue a request for
219.4 proposals to develop and implement an outreach and marketing campaign to elevate the
219.5 profession and recruit teachers, especially teachers of color and American Indian teachers.
219.6 Outreach efforts should include and support current and former Teacher of the Year finalists
219.7 interested in being recruitment fellows to encourage prospective educators throughout the
219.8 state. The board may renew a grant contract with a prior recipient if it determines sufficient
219.9 deliverables were achieved and the plans of the firm or organization are more promising
219.10 than proposals from other entities.

219.11 (c) The outreach and marketing campaign must focus on increasing interest in teaching
219.12 in Minnesota public schools for the following individuals:

219.13 (1) high school and college students of color or American Indian students who have not
219.14 chosen a career path; or

219.15 (2) adults from racial or ethnic groups underrepresented in the teacher workforce who
219.16 may be seeking to change careers.

219.17 (d) The board must award two \$250,000 grants each year to firms or organizations that
219.18 demonstrate capacity to reach wide and varied audiences of prospective teachers based on
219.19 a work plan with quarterly deliverables. Preferences should be given to firms or organizations
219.20 that are led by people of color and that have people of color working on the campaign with
219.21 a proven record of success. The grant recipients must recognize current pathways or programs
219.22 to become a teacher and must partner with educators, schools, institutions, and racially
219.23 diverse communities. The grant recipients are encouraged to provide in-kind contributions
219.24 or seek funds from nonstate sources to supplement the grant award.

219.25 (e) The board may use no more than three percent of the appropriation amount to
219.26 administer the program under this subdivision, and may have an interagency agreement
219.27 with the Department of Education including transfer of funds to help administer the program.

219.28 (f) Any balance in the first year does not cancel but is available in the second year.

219.29 Sec. 68. **REVISOR INSTRUCTION.**

219.30 The revisor of statutes shall replace the terms "candidate" or "candidates" with "applicant"
219.31 or "applicants" wherever they appear in Minnesota Statutes, sections 122A.09, 122A.18,
219.32 122A.181, 122A.182, 122A.183, 122A.184, 122A.185, 122A.188, 122A.21, and 122A.28.

220.1 Sec. 69. **REPEALER.**

220.2 (a) Minnesota Statutes 2022, sections 122A.07, subdivision 2a; 122A.091, subdivisions
220.3 3 and 6; and 122A.18, subdivision 7c, are repealed.

220.4 (b) Minnesota Rules, part 8710.0500, subparts 8 and 11, are repealed.

220.5 (c) Minnesota Statutes 2022, section 122A.182, subdivision 2, is repealed.

220.6 **EFFECTIVE DATE.** Paragraph (c) is effective July 1, 2024.

220.7 **ARTICLE 6**

220.8 **CHARTER SCHOOLS**

220.9 Section 1. Minnesota Statutes 2022, section 124E.02, is amended to read:

220.10 **124E.02 DEFINITIONS.**

220.11 (a) For purposes of this chapter, the terms defined in this section have the meanings
220.12 given them.

220.13 (b) "Affidavit" means a written statement the authorizer submits to the commissioner
220.14 for approval to establish a charter school under section 124E.06, subdivision 4, attesting to
220.15 its review and approval process before chartering a school.

220.16 (c) "Affiliate" means a person that directly or indirectly, through one or more
220.17 intermediaries, controls, is controlled by, or is under common control with another person.

220.18 (d) "Control" means the ability to affect the management, operations, or policy actions
220.19 or decisions of a person, whether by owning voting securities, by contract, or otherwise.

220.20 (e) "Immediate family" means an individual whose relationship by blood, marriage,
220.21 adoption, or partnership is no more remote than first cousin.

220.22 (f) "Market need and demand study" means a study that includes the following for the
220.23 proposed locations of the school or additional site:

220.24 (1) current and projected demographic information of student populations in the
220.25 geographic area;

220.26 (2) current student enrollment patterns in the geographic area;

220.27 (3) information on existing schools and types of educational programs currently available;

220.28 (4) documentation of the plan to do outreach to diverse and underrepresented populations;

220.29 (5) information on the availability of properly zoned and classified facilities; and

221.1 (6) quantification of existing demand for the new school or site expansion.

221.2 ~~(f)~~ (g) "Person" means an individual or entity of any kind.

221.3 ~~(g)~~ (h) "Related party" means an affiliate or immediate relative of the other interested
221.4 party, an affiliate of an immediate relative who is the other interested party, or an immediate
221.5 relative of an affiliate who is the other interested party.

221.6 ~~(h)~~ (i) For purposes of this chapter, the terms defined in section 120A.05 have the same
221.7 meanings.

221.8 Sec. 2. Minnesota Statutes 2022, section 124E.03, subdivision 2, is amended to read:

221.9 Subd. 2. **Certain federal, state, and local requirements.** (a) A charter school shall
221.10 meet all federal, state, and local health and safety requirements applicable to school districts.

221.11 (b) A school must comply with statewide accountability requirements governing standards
221.12 and assessments in chapter 120B.

221.13 (c) A charter school must comply with the Minnesota Public School Fee Law, sections
221.14 123B.34 to 123B.39.

221.15 (d) A charter school is a district for the purposes of tort liability under chapter 466.

221.16 (e) A charter school must comply with the Pledge of Allegiance requirement under
221.17 section 121A.11, subdivision 3.

221.18 (f) A charter school and charter school board of directors must comply with chapter 181
221.19 governing requirements for employment.

221.20 (g) A charter school must comply with continuing truant notification under section
221.21 260A.03.

221.22 (h) A charter school must develop and implement a teacher evaluation and peer review
221.23 process under section 122A.40, subdivision 8, paragraph (b), clauses (2) to (13), and place
221.24 students in classrooms in accordance with section 122A.40, subdivision 8, paragraph (d).
221.25 The teacher evaluation process in this paragraph does not create any additional employment
221.26 rights for teachers.

221.27 (i) A charter school must adopt a policy, plan, budget, and process, consistent with
221.28 section 120B.11, to review curriculum, instruction, and student achievement and strive for
221.29 the world's best workforce.

221.30 (j) A charter school is subject to and must comply with the Pupil Fair Dismissal Act,
221.31 sections 121A.40 to 121A.56 and 121A.575.

222.1 Sec. 3. Minnesota Statutes 2022, section 124E.03, is amended by adding a subdivision to
222.2 read:

222.3 Subd. 9. **English learners.** A charter school is subject to and must comply with the
222.4 Education for English Learners Act under sections 124D.58 to 124D.64 as though the charter
222.5 school were a district.

222.6 Sec. 4. Minnesota Statutes 2022, section 124E.05, subdivision 4, is amended to read:

222.7 Subd. 4. **Application content.** (a) To be approved as an authorizer, an applicant must
222.8 include in its application to the commissioner at least the following:

222.9 (1) how the organization carries out its mission by chartering schools;

222.10 (2) a description of the capacity of the organization to serve as an authorizer, including
222.11 the positions allocated to authorizing duties, the qualifications for those positions, the
222.12 full-time equivalencies of those positions, and the financial resources available to fund the
222.13 positions;

222.14 (3) the application and review process the authorizer uses to decide whether to grant
222.15 charters;

222.16 (4) the type of contract it arranges with the schools it charters to meet the provisions of
222.17 section 124E.10;

222.18 (5) the process for overseeing the school, consistent with clause (4), to ensure that the
222.19 schools chartered comply with applicable law and rules and the contract;

222.20 (6) the criteria and process the authorizer uses to approve applications adding grades or
222.21 sites under section 124E.06, subdivision 5;

222.22 (7) the process for renewing or terminating the school's charter based on evidence
222.23 showing the academic, organizational, and financial competency of the school, including
222.24 its success in increasing student achievement and meeting the goals of the charter school
222.25 agreement; and

222.26 (8) an assurance specifying that the organization is committed to serving as an authorizer
222.27 ~~for the full five-year term~~ until the commissioner terminates the organization's ability to
222.28 authorize charter schools under subdivision 6 or the organization formally withdraws as an
222.29 approved authorizer under subdivision 7.

222.30 (b) Notwithstanding paragraph (a), an authorizer that is a school district may satisfy the
222.31 requirements of paragraph (a), clauses (1) and (2), and any requirement governing a conflict
222.32 of interest between an authorizer and its charter schools or ongoing evaluation or continuing

223.1 education of an administrator or other professional support staff by submitting to the
223.2 commissioner a written promise to comply with the requirements.

223.3 Sec. 5. Minnesota Statutes 2022, section 124E.05, subdivision 7, is amended to read:

223.4 Subd. 7. **Withdrawal.** If the governing board of an approved authorizer votes to withdraw
223.5 as an approved authorizer for a reason unrelated to any cause under ~~section 124E.10,~~
223.6 ~~subdivision 4~~ subdivision 6, the authorizer must notify all its chartered schools and the
223.7 commissioner in writing by March 1 of its intent to withdraw as an authorizer on June 30
223.8 in the next calendar year, ~~regardless of when the authorizer's five-year term of approval~~
223.9 ~~ends~~. Upon notification of the schools and commissioner, the authorizer must provide a
223.10 letter to the school for distribution to families of students enrolled in the school that explains
223.11 the decision to withdraw as an authorizer. The commissioner may approve the transfer of
223.12 a charter school to a new authorizer under section 124E.10, subdivision 5.

223.13 Sec. 6. Minnesota Statutes 2022, section 124E.06, subdivision 1, is amended to read:

223.14 Subdivision 1. **Individuals eligible to organize.** (a) An authorizer, after receiving an
223.15 application from a charter school developer, may charter either a licensed teacher under
223.16 section 122A.18, subdivision 1, or a group of individuals that includes one or more licensed
223.17 teachers under section 122A.18, subdivision 1, to operate a school subject to the
223.18 commissioner's approval of the authorizer's affidavit under subdivision 4.

223.19 (b) "Application" under this section means the charter school business plan a charter
223.20 school developer submits to an authorizer for approval to establish a charter school. This
223.21 application must include:

223.22 (1) the school developer's:

223.23 (i) mission statement;

223.24 (ii) school purposes;

223.25 (iii) program design;

223.26 (iv) financial plan;

223.27 (v) governance and management structure; ~~and~~

223.28 (vi) background and experience; and

223.29 (vii) market need and demand study; and

223.30 (2) any other information the authorizer requests; ~~and~~.

224.1 ~~(3) a "statement of assurances" of legal compliance prescribed by the commissioner.~~

224.2 (c) An authorizer shall not approve an application submitted by a charter school developer
224.3 under paragraph (a) if the application does not comply with subdivision 3, paragraph (e),
224.4 and section 124E.01, subdivision 1. The commissioner shall not approve an affidavit
224.5 submitted by an authorizer under subdivision 4 if the affidavit does not comply with
224.6 subdivision 3, paragraph (e), and section 124E.01, subdivision 1.

224.7 Sec. 7. Minnesota Statutes 2022, section 124E.06, subdivision 4, is amended to read:

224.8 Subd. 4. **Authorizer's affidavit; approval process.** (a) Before an operator may establish
224.9 and operate a school, the authorizer must file an affidavit with the commissioner stating its
224.10 intent to charter a school. An authorizer must file a separate affidavit for each school it
224.11 intends to charter. An authorizer must file an affidavit at least 14 months before July 1 of
224.12 the year the new charter school plans to serve students. The affidavit must state:

224.13 (1) the terms and conditions under which the authorizer would charter a school, including
224.14 a market need and demand study; and

224.15 (2) how the authorizer intends to oversee:

224.16 (i) the fiscal and student performance of the charter school; and

224.17 (ii) compliance with the terms of the written contract between the authorizer and the
224.18 charter school board of directors under section 124E.10, subdivision 1.

224.19 (b) The commissioner must approve or disapprove the authorizer's affidavit within 60
224.20 business days of receiving the affidavit. If the commissioner disapproves the affidavit, the
224.21 commissioner shall notify the authorizer of the deficiencies in the affidavit and the authorizer
224.22 then has 20 business days to address the deficiencies. The commissioner must notify the
224.23 authorizer of the commissioner's final approval or final disapproval within 15 business days
224.24 after receiving the authorizer's response to the deficiencies in the affidavit. If the authorizer
224.25 does not address deficiencies to the commissioner's satisfaction, the commissioner's
224.26 disapproval is final. An authorizer who fails to obtain the commissioner's approval is
224.27 precluded from chartering the school that is the subject of this affidavit.

224.28 Sec. 8. Minnesota Statutes 2022, section 124E.06, subdivision 5, is amended to read:

224.29 Subd. 5. **Adding grades or sites.** (a) A charter school may apply to the authorizer to
224.30 amend the school charter to add grades or primary enrollment sites beyond those defined
224.31 in the original affidavit approved by the commissioner. After approving the school's
224.32 application, the authorizer shall submit a supplemental affidavit in the form and manner

225.1 prescribed by the commissioner. The authorizer must file a supplemental affidavit to the
225.2 commissioner by October 1 to be eligible to add grades or sites in the next school year. The
225.3 supplemental affidavit must document to the authorizer's satisfaction:

225.4 (1) the need for the additional grades or sites with supporting long-range enrollment
225.5 projections;

225.6 (2) a longitudinal record of student academic performance and growth on statewide
225.7 assessments under chapter 120B or on other academic assessments that measure longitudinal
225.8 student performance and growth approved by the charter school's board of directors and
225.9 agreed upon with the authorizer;

225.10 (3) a history of sound school finances and a plan to add grades or sites that sustains the
225.11 school's finances; ~~and~~

225.12 (4) board capacity to administer and manage the additional grades or sites; and

225.13 (5) for site expansion, a market need and demand study.

225.14 (b) The commissioner shall have 30 business days to review and comment on the
225.15 supplemental affidavit. The commissioner shall notify the authorizer in writing of any
225.16 deficiencies in the supplemental affidavit and the authorizer then has 20 business days to
225.17 address any deficiencies in the supplemental affidavit to the commissioner's satisfaction.
225.18 The commissioner must notify the authorizer of final approval or final disapproval within
225.19 15 business days after receiving the authorizer's response to the deficiencies in the affidavit.
225.20 The school may not add grades or sites until the commissioner has approved the supplemental
225.21 affidavit. The commissioner's approval or disapproval of a supplemental affidavit is final.

225.22 Sec. 9. Minnesota Statutes 2022, section 124E.10, subdivision 1, is amended to read:

225.23 Subdivision 1. **Contents.** (a) To authorize a charter school, the authorizer and the charter
225.24 school board of directors must sign a written contract within 45 business days of the
225.25 commissioner's approval of the authorizer's affidavit. The authorizer shall submit a copy of
225.26 the charter contract to the commissioner within ten business days after the contract is signed
225.27 by the contracting parties. The contract must include at least the following:

225.28 (1) a declaration that the charter school will carry out the primary purpose in section
225.29 124E.01, subdivision 1, and indicate how the school will report its implementation of the
225.30 primary purpose to its authorizer;

- 226.1 (2) a declaration of the additional purpose or purposes in section 124E.01, subdivision
226.2 1, that the school intends to carry out and indicate how the school will report its
226.3 implementation of those purposes to its authorizer;
- 226.4 (3) a description of the school program and the specific academic and nonacademic
226.5 outcomes that pupils must achieve;
- 226.6 (4) a statement of the school's admission policies and procedures;
- 226.7 (5) a school governance, management, and administration plan;
- 226.8 (6) signed agreements from charter school board members to comply with the federal
226.9 and state laws governing organizational, programmatic, and financial requirements applicable
226.10 to charter schools;
- 226.11 (7) the criteria, processes, and procedures the authorizer will use to monitor and evaluate
226.12 the fiscal, operational, and academic performance, consistent with subdivision 3, paragraphs
226.13 (a) and (b);
- 226.14 (8) for contract renewal, the formal written performance evaluation that is a prerequisite
226.15 for reviewing a charter contract under subdivision 3;
- 226.16 (9) types and amounts of insurance liability coverage the charter school must obtain,
226.17 consistent with section 124E.03, subdivision 2, paragraph (d);
- 226.18 (10) consistent with section 124E.09, paragraph (d), a provision to indemnify and hold
226.19 harmless from any suit, claim, or liability arising from any charter school operation:
- 226.20 (i) the authorizer and its officers, agents, and employees; and
- 226.21 (ii) notwithstanding section 3.736, the commissioner and department officers, agents,
226.22 and employees;
- 226.23 (11) the term of the contract, which, for an initial contract, may be up to five years plus
226.24 a preoperational planning period, or for a renewed contract or a contract with a new authorizer
226.25 after a transfer of authorizers, may be up to five years, if warranted by the school's academic,
226.26 financial, and operational performance;
- 226.27 (12) how the charter school board of directors or the charter school operators will provide
226.28 special instruction and services for children with a disability under sections 125A.03 to
226.29 125A.24, and 125A.65, and a description of the financial parameters within which the charter
226.30 school will provide the special instruction and services to children with a disability;

227.1 (13) the specific conditions for contract renewal that identify the performance of all
227.2 students under the primary purpose of section 124E.01, subdivision 1, as the most important
227.3 factor in determining whether to renew the contract; and

227.4 (14) the additional purposes under section 124E.01, subdivision 1, and related
227.5 performance obligations under clause (7) contained in the charter contract as additional
227.6 factors in determining whether to renew the contract.

227.7 (b) In addition to the requirements of paragraph (a), the charter contract must contain
227.8 the plan for an orderly closing of the school under chapter 317A, that establishes the
227.9 responsibilities of the school board of directors and the authorizer, whether the closure is a
227.10 termination for cause, a voluntary termination, or a nonrenewal of the contract. The plan
227.11 must establish who is responsible for:

227.12 (1) notifying the commissioner, school district in which the charter school is located,
227.13 and parents of enrolled students about the closure;

227.14 (2) providing parents of enrolled students information and assistance to enable the student
227.15 to re-enroll in another school;

227.16 (3) transferring student records under section 124E.03, subdivision 5, paragraph (b), to
227.17 the student's resident school district; and

227.18 (4) closing financial operations.

227.19 (c) A charter school must design its programs to at least meet the outcomes adopted by
227.20 the commissioner for public school students, including world's best workforce goals under
227.21 section 120B.11, subdivision 1. In the absence of the commissioner's requirements governing
227.22 state standards and benchmarks, the school must meet the outcomes contained in the contract
227.23 with the authorizer. The achievement levels of the outcomes contained in the contract may
227.24 exceed the achievement levels of any outcomes adopted by the commissioner for public
227.25 school students.

227.26 Sec. 10. Minnesota Statutes 2022, section 124E.11, is amended to read:

227.27 **124E.11 ADMISSION REQUIREMENTS AND ENROLLMENT.**

227.28 (a) A charter school, including its preschool or prekindergarten program established
227.29 under section 124E.06, subdivision 3, paragraph (b), may limit admission to:

227.30 (1) pupils within an age group or grade level;

227.31 (2) pupils who are eligible to participate in the graduation incentives program under
227.32 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, including its preschool or prekindergarten program established under section 124E.06, subdivision 3, paragraph (b), ~~shall~~ must 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 website, a lottery policy and process that it must use when accepting pupils by lot.

(c) Admission to a charter school must be free to any eligible pupil who resides within the state. A charter school must give enrollment preference to a Minnesota resident pupil over pupils that do not reside in Minnesota. A charter school must require a pupil who does not reside in Minnesota to annually apply to enroll in accordance with paragraphs (a) to (f). A charter school ~~shall~~ must 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. ~~A charter school may give enrollment preference to children currently enrolled in the school's free preschool or prekindergarten program under section 124E.06, subdivision 3, paragraph (b), who are eligible to enroll in kindergarten in the next school year.~~

(d) A person ~~shall~~ may 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 website 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)~~ paragraphs (d) and (i), a charter school, including its preschool or prekindergarten program established under section 124E.06, subdivision 3, paragraph (b), 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 section.

(f) The charter school ~~shall~~ must 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.

(g) Once a student who resides in Minnesota is enrolled in the school in kindergarten through grade 12, or in the school's free preschool or prekindergarten program under section 124E.06, subdivision 3, paragraph (b), while generating pupil units, 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.

(h) 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).

(i) A charter school serving at least 90 percent of enrolled students who are eligible for special education services and have a primary disability of deaf, hard-of-hearing, or deafblind may give enrollment preference to students who are eligible for special education services and have a primary disability of deaf, hard-of-hearing, or deafblind. The charter school may not limit admission based on the student's eligibility for additional special education services.

Sec. 11. Minnesota Statutes 2022, section 124E.12, subdivision 1, is amended to read:

Subdivision 1. **Teachers.** A charter school, excluding its preschool or prekindergarten program established under section 124E.06, subdivision 3, must employ or contract with necessary teachers, as defined by section ~~122A.15, subdivision 1,~~ 122A.06, subdivision 2, or contract with a cooperative formed under chapter 308A to provide necessary teachers, who hold valid licenses to perform the particular service for which they are employed in the school. A charter school's preschool or prekindergarten program must employ or contract with teachers knowledgeable in early childhood curriculum content, assessment, native and English language programs, and instruction established under section 124E.06, subdivision 3. The commissioner may reduce the charter school's state aid under section 127A.43 if the school employs a teacher who is not appropriately licensed or approved by the Professional Educator Licensing and Standards Board. The school may employ necessary employees who are not required to hold teaching licenses to perform duties other than teaching and may contract for other services. The school may discharge teachers and nonlicensed employees. The charter school board is subject to section 181.932 governing whistle-blowers.

230.1 When offering employment to a prospective employee, a charter school must give that
230.2 employee a written description of the terms and conditions of employment and the school's
230.3 personnel policies.

230.4 Sec. 12. Minnesota Statutes 2022, section 124E.13, subdivision 1, is amended to read:

230.5 Subdivision 1. **Leased space.** A charter school may lease space from: an independent
230.6 or special school board; other public organization; private, nonprofit, nonsectarian
230.7 organization; private property owner; or a sectarian organization if the leased space is
230.8 constructed as a school facility. In all cases, the eligible lessor must also be the building
230.9 owner. The commissioner must review and approve or disapprove leases in a timely manner
230.10 to determine eligibility for lease aid under section 124E.22.

230.11 Sec. 13. Minnesota Statutes 2022, section 124E.13, subdivision 3, is amended to read:

230.12 Subd. 3. **Affiliated nonprofit building corporation.** (a) An affiliated nonprofit building
230.13 corporation may purchase, expand, or renovate an existing facility to serve as a school or
230.14 may construct a new school facility. A One charter school may organize an affiliated
230.15 nonprofit building corporation that serves only that charter school if the charter school:

230.16 (1) has operated for at least six consecutive years;

230.17 (2) as of June 30, has a net positive unreserved general fund balance in the preceding
230.18 three fiscal years;

230.19 (3) has long-range strategic and financial plans that include enrollment projections for
230.20 at least five years;

230.21 (4) completes a feasibility study of facility options that outlines the benefits and costs
230.22 of each option; and

230.23 (5) has a plan that describes project parameters and budget.

230.24 (b) An affiliated nonprofit building corporation under this subdivision must:

230.25 (1) be incorporated under section 317A;

230.26 (2) comply with applicable Internal Revenue Service regulations, including regulations
230.27 for "supporting organizations" as defined by the Internal Revenue Service;

230.28 (3) post on the school website the name, mailing address, bylaws, minutes of board
230.29 meetings, and names of the current board of directors of the affiliated nonprofit building
230.30 corporation;

231.1 (4) submit to the commissioner a copy of its annual audit by December 31 of each year;
231.2 and

231.3 (5) comply with government data practices law under chapter 13.

231.4 (c) An affiliated nonprofit building corporation must not serve as the leasing agent for
231.5 property or facilities it does not own. A charter school that leases a facility from an affiliated
231.6 nonprofit building corporation that does not own the leased facility is ineligible to receive
231.7 charter school lease aid. The state is immune from liability resulting from a contract between
231.8 a charter school and an affiliated nonprofit building corporation.

231.9 (d) The board of directors of the charter school must ensure the affiliated nonprofit
231.10 building corporation complies with all applicable legal requirements. The charter school's
231.11 authorizer must oversee the efforts of the board of directors of the charter school to ensure
231.12 legal compliance of the affiliated building corporation. A school's board of directors that
231.13 fails to ensure the affiliated nonprofit building corporation's compliance violates its
231.14 responsibilities and an authorizer must consider that failure when evaluating the charter
231.15 school.

231.16 Sec. 14. Minnesota Statutes 2022, section 124E.25, subdivision 1a, is amended to read:

231.17 Subd. 1a. **School closures; payments.** (a) Notwithstanding subdivision 1 and section
231.18 127A.45, for a charter school ceasing operation on or before June 30, for the payment periods
231.19 occurring after the school ceases serving students, the commissioner shall withhold the
231.20 estimated state aid owed the school. The charter school board of directors and authorizer
231.21 must submit to the commissioner a closure plan under chapter ~~308A~~ or 317A, and financial
231.22 information about the school's liabilities and assets. After receiving the closure plan, financial
231.23 information, an audit of pupil counts, and documented lease expenditures from the charter
231.24 school and monitoring special education expenditures, the commissioner may release cash
231.25 withheld and may continue regular payments up to the current year payment percentages
231.26 if further amounts are owed. If, based on audits and monitoring, the school received state
231.27 aid in excess of the amount owed, the commissioner shall retain aid withheld sufficient to
231.28 eliminate the aid overpayment.

231.29 (b) For a charter school ceasing operations before or at the end of a school year,
231.30 notwithstanding section 127A.45, subdivision 3, the commissioner may make preliminary
231.31 final payments after the school submits the closure plan, an audit of pupil counts, documented
231.32 lease expenditures, and Uniform Financial Accounting and Reporting Standards (UFARS)
231.33 financial data and the commissioner monitors special education expenditures for the final

232.1 year of operation. The commissioner may make the final payment after receiving audited
232.2 financial statements under section 123B.77, subdivision 3.

232.3 (c) Notwithstanding sections 317A.701 to 317A.791, after closing a charter school and
232.4 satisfying creditors, remaining cash and investment balances shall be returned by the
232.5 commissioner to the state general fund.

232.6 ARTICLE 7

232.7 SPECIAL EDUCATION

232.8 Section 1. Minnesota Statutes 2022, section 120A.20, subdivision 1, is amended to read:

232.9 Subdivision 1. **Age limitations; pupils.** (a) All schools supported in whole or in part
232.10 by state funds are public schools. Admission to a public school is free to any person who:
232.11 (1) resides within the district that operates the school; (2) is under 21 years of age or who
232.12 meets the requirements of paragraph (c); and (3) satisfies the minimum age requirements
232.13 imposed by this section. Notwithstanding the provisions of any law to the contrary, the
232.14 conduct of all students under 21 years of age attending a public secondary school is governed
232.15 by a single set of reasonable rules and regulations promulgated by the school board.

232.16 (b) A person shall not be admitted to a public school (1) as a kindergarten pupil, unless
232.17 the pupil is at least five years of age on September 1 of the calendar year in which the school
232.18 year for which the pupil seeks admission commences; or (2) as a 1st grade student, unless
232.19 the pupil is at least six years of age on September 1 of the calendar year in which the school
232.20 year for which the pupil seeks admission commences or has completed kindergarten; except
232.21 that any school board may establish a policy for admission of selected pupils at an earlier
232.22 age under section 124D.02.

232.23 (c) A pupil who becomes age 21 after enrollment is eligible for continued free public
232.24 school enrollment until at least one of the following occurs: (1) the first September 1 after
232.25 the pupil's 21st birthday; (2) the pupil's completion of the graduation requirements; (3) the
232.26 pupil's withdrawal with no subsequent enrollment within 21 calendar days; ~~or~~ (4) the end
232.27 of the school year; or (5) in the case of a student with a disability as defined under section
232.28 125A.02, the pupil's 22nd birthday.

232.29 Sec. 2. Minnesota Statutes 2022, section 121A.41, subdivision 7, is amended to read:

232.30 Subd. 7. **Pupil.** (a) "Pupil" means any student:

232.31 (1) without a disability under 21 years of age; or

(2) with a disability under ~~21~~ 22 years old who has not received a regular high school diploma ~~or for a child with a disability who becomes 21 years old during the school year but has not received a regular high school diploma, until the end of that school year;~~ and

(3) who remains eligible to attend a public elementary or secondary school.

(b) A "student with a disability" or a "pupil with a disability" has the same meaning as a "child with a disability" under section 125A.02.

Sec. 3. Minnesota Statutes 2022, 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~~ or 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; or

(2) hold a certified deaf interpreter certification issued by RID.

(b) New graduates of an interpreter/transliterator program affiliated with an accredited education institution or certified deaf interpreters who hold a certification issued by RID 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 of 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,

234.1 in consultation with the Commission of the Deaf, DeafBlind and Hard of Hearing, must
234.2 grant the person a time-limited extension of the provisional certificate based on the following
234.3 documentation:

234.4 (1) letters of support from the person's mentor, a parent of a pupil the person serves, the
234.5 special education director of the district in which the person is employed, and a representative
234.6 from the regional service center of the deaf and hard-of-hearing;

234.7 (2) records of the person's formal education, training, experience, and progress on the
234.8 person's education plan; and

234.9 (3) an explanation of why the extension is needed.

234.10 As a condition of receiving the extension, the person must comply with a plan and the
234.11 accompanying ~~time line~~ timeline for meeting the requirements of this subdivision. A
234.12 committee composed of the deaf and hard-of-hearing state specialist, a representative of
234.13 the Minnesota Association of Deaf Citizens, a representative of the Minnesota Registry of
234.14 Interpreters ~~of~~ for the Deaf, and other appropriate ~~persons~~ committee members selected by
234.15 the commissioner must develop the plan and ~~time line~~ timeline for the person receiving the
234.16 extension.

234.17 (e) A school district may employ only an interpreter/transliterators who has been certified
234.18 under paragraph (a) or (b), or for whom a time-limited extension has been granted under
234.19 paragraph (d).

234.20 (f) An interpreter who meets the requirements of paragraph (a) is "essential personnel"
234.21 as defined in section 125A.76, subdivision 1.

234.22 Sec. 4. Minnesota Statutes 2022, section 122A.50, is amended to read:

234.23 **122A.50 PREPARATION TIME.**

234.24 Subdivision 1. Preparation time. Beginning with agreements effective July 1, 1995,
234.25 and thereafter, all collective bargaining agreements for teachers provided for under chapter
234.26 179A, must include provisions for preparation time or a provision indicating that the parties
234.27 to the agreement chose not to include preparation time in the contract.

234.28 If the parties cannot agree on preparation time the following provision shall apply and
234.29 be incorporated as part of the agreement: "Within the student day for every 25 minutes of
234.30 classroom instructional time, a minimum of five additional minutes of preparation time
234.31 shall be provided to each licensed teacher. Preparation time shall be provided in one or two

235.1 uninterrupted blocks during the student day. Exceptions to this may be made by mutual
235.2 agreement between the district and the exclusive representative of the teachers."

235.3 Subd. 2. Due process forms and procedure time. (a) Beginning with the 2023-2024
235.4 school year, a school district must use the revenue under this subdivision to provide time
235.5 for teachers to complete due process forms and procedures in accordance with the plan
235.6 developed under paragraph (c). This time is in addition to the preparation time under
235.7 subdivision 1. For purposes of this subdivision, "school district" includes a charter school.

235.8 (b) For fiscal year 2024, the due process revenue for a school district is equal to \$29
235.9 times the adjusted pupil units for the current fiscal year. For fiscal year 2024, the due process
235.10 revenue for a school district that is a member of an intermediate school district or other
235.11 cooperative unit that enrolls students is equal to \$8.25 times the adjusted pupil units for the
235.12 current fiscal year. For fiscal year 2025 and later, the due process revenue for a school
235.13 district equals \$16.25 times the adjusted pupil units for the current fiscal year. For fiscal
235.14 year 2025 and later, the due process revenue for a school district that is a member of an
235.15 intermediate school district or other cooperative unit that enrolls students equals \$3.25 times
235.16 the adjusted pupil units for the current fiscal year. If a district is a member of more than one
235.17 cooperative unit that enrolls students, the revenue must be allocated among the cooperative
235.18 units.

235.19 (c) A district must meet and negotiate an agreement with the exclusive representative
235.20 of teachers in the district containing a plan to use the revenue authorized under this
235.21 subdivision. The plan must provide teachers that provide direct services to students with
235.22 individualized education programs or individualized family services plans time to complete
235.23 due process forms and procedures. Examples of allowed uses for the revenue include:

235.24 (1) 43.75 hours of paid time for each teacher providing direct special education services,
235.25 with the time paid at a rate proportional to the teacher's annual salary, in addition to the
235.26 wages provided under applicable collective bargaining agreements and memoranda between
235.27 the school board and exclusive representative of teachers;

235.28 (2) the costs of necessary substitute teachers;

235.29 (3) innovative flexible learning days or weeks that provide teachers time during the
235.30 regularly scheduled duty day to complete forms and procedures; and

235.31 (4) due process clerks or other staff dedicated to assisting teachers with due process
235.32 forms and procedures.

(d) If the district and exclusive representative cannot reach agreement on a plan to use the revenue, the agreement must require the revenue to be used for the use identified in paragraph (c), clause (1). The parties may agree to reduce the number of paid hours if they agree on another use for the revenue, including another use identified in paragraph (c).

(e) Notwithstanding paragraphs (c) and (d), a charter school without an exclusive representative for its teachers may adopt a due process plan after consulting with its special education teachers. Due process aid received under this section by a charter school subject to this paragraph must be used only for the purposes of the charter school's due process plan.

(f) For fiscal years 2025 and later, the commissioner must proportionately reduce the school district and cooperative units per pupil allowances in paragraph (b) to account for the additional expenditures in the special education formula.

Sec. 5. Minnesota Statutes 2022, section 123B.92, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** For purposes of this section and section 125A.76, the terms defined in this subdivision have the meanings given to them.

(a) "Actual expenditure per pupil transported in the regular and excess transportation categories" means the quotient obtained by dividing:

(1) the sum of:

(i) all expenditures for transportation in the regular category, as defined in paragraph (b), clause (1), and the excess category, as defined in paragraph (b), clause (2), plus

(ii) an amount equal to one year's depreciation on the district's school bus fleet and mobile units computed on a straight line basis at the rate of 15 percent per year for districts operating a program under section 124D.128 for grades 1 to 12 for all students in the district and 12-1/2 percent per year for other districts of the cost of the fleet, plus

(iii) an amount equal to one year's depreciation on the district's type III vehicles, as defined in section 169.011, subdivision 71, which must be used a majority of the time for pupil transportation purposes, computed on a straight line basis at the rate of 20 percent per year of the cost of the type three school buses by:

(2) the number of pupils eligible for transportation in the regular category, as defined in paragraph (b), clause (1), and the excess category, as defined in paragraph (b), clause (2).

237.1 (b) "Transportation category" means a category of transportation service provided to
237.2 pupils as follows:

237.3 (1) Regular transportation is:

237.4 (i) transportation to and from school during the regular school year for resident elementary
237.5 pupils residing one mile or more from the public or nonpublic school they attend, and
237.6 resident secondary pupils residing two miles or more from the public or nonpublic school
237.7 they attend, excluding desegregation transportation and noon kindergarten transportation;
237.8 but with respect to transportation of pupils to and from nonpublic schools, only to the extent
237.9 permitted by sections 123B.84 to 123B.87;

237.10 (ii) transportation of resident pupils to and from language immersion programs;

237.11 (iii) transportation of a pupil who is a custodial parent and that pupil's child between the
237.12 pupil's home and the child care provider and between the provider and the school, if the
237.13 home and provider are within the attendance area of the school;

237.14 (iv) transportation to and from or board and lodging in another district, of resident pupils
237.15 of a district without a secondary school;

237.16 (v) transportation to and from school during the regular school year required under
237.17 subdivision 3 for nonresident elementary pupils when the distance from the attendance area
237.18 border to the public school is one mile or more, and for nonresident secondary pupils when
237.19 the distance from the attendance area border to the public school is two miles or more,
237.20 excluding desegregation transportation and noon kindergarten transportation; and

237.21 (vi) transportation of pregnant or parenting pupils to and from a program that was
237.22 established on or before January 1, 2018, or that is in operation on or after July 1, 2021,
237.23 that provides:

237.24 (A) academic instruction;

237.25 (B) at least four hours per week of parenting instruction; and

237.26 (C) high-quality child care on site during the education day with the capacity to serve
237.27 all children of enrolled pupils.

237.28 For the purposes of this paragraph, a district may designate a licensed day care facility,
237.29 school day care facility, respite care facility, the residence of a relative, or the residence of
237.30 a person or other location chosen by the pupil's parent or guardian, or an after-school program
237.31 for children operated by a political subdivision of the state, as the home of a pupil for part

238.1 or all of the day, if requested by the pupil's parent or guardian, and if that facility, residence,
238.2 or program is within the attendance area of the school the pupil attends.

238.3 (2) Excess transportation is:

238.4 (i) transportation to and from school during the regular school year for resident secondary
238.5 pupils residing at least one mile but less than two miles from the public or nonpublic school
238.6 they attend, and transportation to and from school for resident pupils residing less than one
238.7 mile from school who are transported because of full-service school zones, extraordinary
238.8 traffic, drug, or crime hazards; and

238.9 (ii) transportation to and from school during the regular school year required under
238.10 subdivision 3 for nonresident secondary pupils when the distance from the attendance area
238.11 border to the school is at least one mile but less than two miles from the public school they
238.12 attend, and for nonresident pupils when the distance from the attendance area border to the
238.13 school is less than one mile from the school and who are transported because of full-service
238.14 school zones, extraordinary traffic, drug, or crime hazards.

238.15 (3) Desegregation transportation is transportation within and outside of the district during
238.16 the regular school year of pupils to and from schools located outside their normal attendance
238.17 areas under a plan for desegregation mandated by the commissioner or under court order.

238.18 (4) "Transportation services for pupils with disabilities" is:

238.19 (i) transportation of pupils with disabilities who cannot be transported on a regular school
238.20 bus between home or a respite care facility and school;

238.21 (ii) necessary transportation of pupils with disabilities from home or from school to
238.22 other buildings, including centers such as developmental achievement centers, hospitals,
238.23 and treatment centers where special instruction or services required by sections 125A.03 to
238.24 125A.24, 125A.26 to 125A.48, and 125A.65 are provided, within or outside the district
238.25 where services are provided;

238.26 (iii) necessary transportation for resident pupils with disabilities required by sections
238.27 125A.12, and 125A.26 to 125A.48;

238.28 (iv) board and lodging for pupils with disabilities in a district maintaining special classes;

238.29 (v) transportation from one educational facility to another within the district for resident
238.30 pupils enrolled on a shared-time basis in educational programs, and necessary transportation
238.31 required by sections 125A.18, and 125A.26 to 125A.48, for resident pupils with disabilities
238.32 who are provided special instruction and services on a shared-time basis or if resident pupils
238.33 are not transported, the costs of necessary travel between public and private schools or

239.1 neutral instructional sites by essential personnel employed by the district's program for
239.2 children with a disability;

239.3 (vi) transportation for resident pupils with disabilities to and from board and lodging
239.4 facilities when the pupil is boarded and lodged for educational purposes;

239.5 (vii) transportation of pupils for a curricular field trip activity on a school bus equipped
239.6 with a power lift when the power lift is required by a student's disability or section 504 plan;
239.7 and

239.8 (viii) services described in clauses (i) to (vii), when provided for pupils with disabilities
239.9 in conjunction with a summer instructional program that relates to the pupil's individualized
239.10 education program or in conjunction with a learning year program established under section
239.11 124D.128.

239.12 For purposes of computing special education initial aid under section 125A.76, the cost
239.13 of providing transportation for children with disabilities includes (A) the additional cost of
239.14 transporting a student in a shelter care facility as defined in section 260C.007, subdivision
239.15 30, a student placed in a family foster home as defined in section 260C.007, subdivision
239.16 16b, a homeless student in another district to the school of origin, or a formerly homeless
239.17 student from a permanent home in another district to the school of origin but only through
239.18 the end of the academic year; and (B) depreciation on district-owned school buses purchased
239.19 after July 1, 2005, and used primarily for transportation of pupils with disabilities, calculated
239.20 according to paragraph (a), clauses (ii) and (iii). Depreciation costs included in the disabled
239.21 transportation category must be excluded in calculating the actual expenditure per pupil
239.22 transported in the regular and excess transportation categories according to paragraph (a).
239.23 For purposes of subitem (A), a school district may transport a child who does not have a
239.24 school of origin to the same school attended by that child's sibling, if the siblings are homeless
239.25 or in a shelter care facility.

239.26 (5) "Nonpublic nonregular transportation" is:

239.27 (i) transportation from one educational facility to another within the district for resident
239.28 pupils enrolled on a shared-time basis in educational programs, excluding transportation
239.29 for nonpublic pupils with disabilities under clause (4);

239.30 (ii) transportation within district boundaries between a nonpublic school and a public
239.31 school or a neutral site for nonpublic school pupils who are provided pupil support services
239.32 pursuant to section 123B.44; and

240.1 (iii) late transportation home from school or between schools within a district for
240.2 nonpublic school pupils involved in after-school activities.

240.3 (c) "Mobile unit" means a vehicle or trailer designed to provide facilities for educational
240.4 programs and services, including diagnostic testing, guidance and counseling services, and
240.5 health services. A mobile unit located off nonpublic school premises is a neutral site as
240.6 defined in section 123B.41, subdivision 13.

240.7 Sec. 6. Minnesota Statutes 2022, section 124D.128, subdivision 2, is amended to read:

240.8 Subd. 2. **Commissioner designation.** (a) A state-approved alternative program designated
240.9 by the state must be a site. A state-approved alternative program must provide services to
240.10 students who meet the criteria in section 124D.68 and who are enrolled in:

240.11 (1) a district that is served by the state-approved alternative program; or

240.12 (2) a charter school located within the geographic boundaries of a district that is served
240.13 by the state-approved alternative program.

240.14 (b) To be designated, a state-approved alternative program must demonstrate to the
240.15 commissioner that it will:

240.16 (1) provide a program of instruction that permits pupils to receive instruction throughout
240.17 the entire year; and

240.18 (2) develop and maintain a separate record system that, for purposes of section 126C.05,
240.19 permits identification of membership attributable to pupils participating in the program.
240.20 The record system and identification must ensure that the program will not have the effect
240.21 of increasing the total average daily membership attributable to an individual pupil as a
240.22 result of a learning year program. The record system must include the date the pupil originally
240.23 enrolled in a learning year program, the pupil's grade level, the date of each grade promotion,
240.24 the average daily membership generated in each grade level, the number of credits or
240.25 standards earned, and the number needed to graduate.

240.26 (c) A student who has not completed a school district's graduation requirements may
240.27 continue to enroll in courses the student must complete in order to graduate until the student
240.28 satisfies the district's graduation requirements or the student is 21 years old, whichever
240.29 comes first. A student with a disability as set forth in section 125A.02 may continue to
240.30 enroll in courses until the student graduates with a regular high school diploma or the student
240.31 is 22 years old, whichever comes first.

241.1 Sec. 7. Minnesota Statutes 2022, section 124D.68, subdivision 2, is amended to read:

241.2 Subd. 2. **Eligible pupils.** (a) A pupil under the age of 21 or who meets the requirements
241.3 of section 120A.20, subdivision 1, paragraph (c), is eligible to participate in the graduation
241.4 incentives program, if the pupil:

241.5 (1) performs substantially below the performance level for pupils of the same age in a
241.6 locally determined achievement test;

241.7 (2) is behind in satisfactorily completing coursework or obtaining credits for graduation;

241.8 (3) is pregnant or is a parent;

241.9 (4) has been assessed as having substance use disorder;

241.10 (5) has been excluded or expelled according to sections 121A.40 to 121A.56;

241.11 (6) has been referred by a school district for enrollment in an eligible program or a
241.12 program pursuant to section 124D.69;

241.13 (7) is a victim of physical or sexual abuse;

241.14 (8) has experienced mental health problems;

241.15 (9) has experienced homelessness sometime within six months before requesting a
241.16 transfer to an eligible program;

241.17 (10) speaks English as a second language or is an English learner;

241.18 (11) has withdrawn from school or has been chronically truant; or

241.19 (12) is being treated in a hospital in the seven-county metropolitan area for cancer or
241.20 other life threatening illness or is the sibling of an eligible pupil who is being currently
241.21 treated, and resides with the pupil's family at least 60 miles beyond the outside boundary
241.22 of the seven-county metropolitan area.

241.23 (b) A pupil otherwise qualifying under paragraph (a) who is at least 21 years of age and
241.24 not yet 22 years of age, and is an English learner with an interrupted formal education
241.25 according to section 124D.59, subdivision 2a, or is a pupil with a disability as set forth in
241.26 section 125A.02, is eligible to participate in the graduation incentives program under section
241.27 124D.68 and in concurrent enrollment courses offered under section 124D.09, subdivision
241.28 10, and is funded in the same manner as other pupils under this section.

242.1 Sec. 8. Minnesota Statutes 2022, section 125A.03, is amended to read:

242.2 **125A.03 SPECIAL INSTRUCTION FOR CHILDREN WITH A DISABILITY.**

242.3 (a) As defined in paragraph (b), every district must provide special instruction and
242.4 services, either within the district or in another district, for all children with a disability,
242.5 including providing required services under Code of Federal Regulations, title 34, section
242.6 300.121, paragraph (d), to those children suspended or expelled from school for more than
242.7 ten school days in that school year, who are residents of the district and who are disabled
242.8 as set forth in section 125A.02. For purposes of state and federal special education laws,
242.9 the phrase "special instruction and services" in the state Education Code means a free and
242.10 appropriate public education provided to an eligible child with disabilities. "Free appropriate
242.11 public education" means special education and related services that:

242.12 (1) are provided at public expense, under public supervision and direction, and without
242.13 charge;

242.14 (2) meet the standards of the state, including the requirements of the Individuals with
242.15 Disabilities Education Act, Part B or C;

242.16 (3) include an appropriate preschool, elementary school, or secondary school education;
242.17 and

242.18 (4) are provided to children ages three through 21 in conformity with an individualized
242.19 education program that meets the requirements of the Individuals with Disabilities Education
242.20 Act, subpart A, sections 300.320 to 300.324, and provided to infants and toddlers in
242.21 conformity with an individualized family service plan that meets the requirements of the
242.22 Individuals with Disabilities Education Act, subpart A, sections 303.300 to 303.346.

242.23 (b) Notwithstanding any age limits in laws to the contrary, special instruction and services
242.24 must be provided from birth ~~until July 1 after the child with a disability becomes 21 years~~
242.25 ~~old~~ until the child with a disability becomes 22 years old but shall not extend beyond
242.26 secondary school or its equivalent, except as provided in section 124D.68, subdivision 2.
242.27 Local health, education, and social service agencies must refer children under age five who
242.28 are known to need or suspected of needing special instruction and services to the school
242.29 district. Districts with less than the minimum number of eligible children with a disability
242.30 as determined by the commissioner must cooperate with other districts to maintain a full
242.31 range of programs for education and services for children with a disability. This section
242.32 does not alter the compulsory attendance requirements of section 120A.22.

243.1 (c) At the board's discretion, a school district that participates in a reciprocity agreement
243.2 with a neighboring state under section 124D.041 may enroll and provide special instruction
243.3 and services to a child from an adjoining state whose family resides at a Minnesota address
243.4 as assigned by the United States Postal Service if the district has completed child
243.5 identification procedures for that child to determine the child's eligibility for special education
243.6 services, and the child has received developmental screening under sections 121A.16 to
243.7 121A.19.

243.8 Sec. 9. Minnesota Statutes 2022, section 125A.0942, is amended to read:

243.9 **125A.0942 STANDARDS FOR RESTRICTIVE PROCEDURES.**

243.10 Subdivision 1. **Restrictive procedures plan.** (a) Schools that intend to use restrictive
243.11 procedures shall maintain and make publicly accessible in an electronic format on a school
243.12 or district website or make a paper copy available upon request describing a restrictive
243.13 procedures plan for children with disabilities that at least:

243.14 (1) lists the restrictive procedures the school intends to use;

243.15 (2) describes how the school will implement a range of positive behavior strategies and
243.16 provide links to mental health services;

243.17 (3) describes how the school will provide training on de-escalation techniques, consistent
243.18 with section 122A.187, subdivision 4;

243.19 (4) describes how the school will monitor and review the use of restrictive procedures,
243.20 including:

243.21 (i) conducting post-use debriefings, consistent with subdivision 3, paragraph (a), clause
243.22 (5); and

243.23 (ii) convening an oversight committee to undertake a quarterly review of the use of
243.24 restrictive procedures based on patterns or problems indicated by similarities in the time of
243.25 day, day of the week, duration of the use of a procedure, the individuals involved, or other
243.26 factors associated with the use of restrictive procedures; the number of times a restrictive
243.27 procedure is used schoolwide and for individual children; the number and types of injuries,
243.28 if any, resulting from the use of restrictive procedures; whether restrictive procedures are
243.29 used in nonemergency situations; the need for additional staff training; and proposed actions
243.30 to minimize the use of restrictive procedures; any disproportionate use of restrictive
243.31 procedures based on race, gender, or disability status; the role of the school resource officer
243.32 or police in emergencies and the use of restrictive procedures; and documentation to

244.1 determine if the standards for using restrictive procedures as described in sections 125A.0941
244.2 and 125A.0942 are met; and

244.3 (5) includes a written description and documentation of the training staff completed
244.4 under subdivision 5.

244.5 (b) Schools annually must publicly identify oversight committee members who must at
244.6 least include:

244.7 (1) a mental health professional, school psychologist, or school social worker;

244.8 (2) an expert in positive behavior strategies;

244.9 (3) a special education administrator; and

244.10 (4) a general education administrator.

244.11 Subd. 2. **Restrictive procedures.** (a) Restrictive procedures may be used only by a
244.12 licensed special education teacher, school social worker, school psychologist, behavior
244.13 analyst certified by the National Behavior Analyst Certification Board, a person with a
244.14 master's degree in behavior analysis, other licensed education professional, paraprofessional
244.15 under section 120B.363, or mental health professional under section 245.4871, subdivision
244.16 27, who has completed the training program under subdivision 5.

244.17 (b) A school shall make reasonable efforts to notify the parent on the same day a
244.18 restrictive procedure is used on the child, or if the school is unable to provide same-day
244.19 notice, notice is sent within two days by written or electronic means or as otherwise indicated
244.20 by the child's parent under paragraph (f).

244.21 (c) The district must hold a meeting of the individualized education program or
244.22 individualized family service plan team, conduct or review a functional behavioral analysis,
244.23 review data, consider developing additional or revised positive behavioral interventions and
244.24 supports, consider actions to reduce the use of restrictive procedures, and modify the
244.25 individualized education program, individualized family service plan, or behavior intervention
244.26 plan as appropriate. The district must hold the meeting: within ten calendar days after district
244.27 staff use restrictive procedures on two separate school days within 30 calendar days or a
244.28 pattern of use emerges and the child's individualized education program, individualized
244.29 family service plan, or behavior intervention plan does not provide for using restrictive
244.30 procedures in an emergency; or at the request of a parent or the district after restrictive
244.31 procedures are used. The district must review use of restrictive procedures at a child's annual
244.32 individualized education program or individualized family service plan meeting when the

245.1 child's individualized education program or individualized family service plan provides for
245.2 using restrictive procedures in an emergency.

245.3 (d) If the individualized education program or individualized family service plan team
245.4 under paragraph (c) determines that existing interventions and supports are ineffective in
245.5 reducing the use of restrictive procedures or the district uses restrictive procedures on a
245.6 child on ten or more school days during the same school year, the team, as appropriate,
245.7 either must consult with other professionals working with the child; consult with experts in
245.8 behavior analysis, mental health, communication, or autism; consult with culturally competent
245.9 professionals; review existing evaluations, resources, and successful strategies; or consider
245.10 whether to reevaluate the child.

245.11 (e) At the individualized education program or individualized family service plan meeting
245.12 under paragraph (c), the team must review any known medical or psychological limitations,
245.13 including any medical information the parent provides voluntarily, that contraindicate the
245.14 use of a restrictive procedure, consider whether to prohibit that restrictive procedure, and
245.15 document any prohibition in the individualized education program, individualized family
245.16 service plan, or behavior intervention plan.

245.17 (f) An individualized education program or individualized family service plan team may
245.18 plan for using restrictive procedures and may include these procedures in a child's
245.19 individualized education program, individualized family service plan, or behavior intervention
245.20 plan; however, the restrictive procedures may be used only in response to behavior that
245.21 constitutes an emergency, consistent with this section. The individualized education program,
245.22 individualized family service plan, or behavior intervention plan shall indicate how the
245.23 parent wants to be notified when a restrictive procedure is used.

245.24 Subd. 3. **Physical holding or seclusion.** (a) Physical holding or seclusion may be used
245.25 only in an emergency. A school that uses physical holding or seclusion shall meet the
245.26 following requirements:

245.27 (1) physical holding or seclusion is the least intrusive intervention that effectively
245.28 responds to the emergency;

245.29 (2) physical holding or seclusion is not used to discipline a noncompliant child;

245.30 (3) physical holding or seclusion ends when the threat of harm ends and the staff
245.31 determines the child can safely return to the classroom or activity;

245.32 (4) staff directly observes the child while physical holding or seclusion is being used;

246.1 (5) each time physical holding or seclusion is used, the staff person who implements or
246.2 oversees the physical holding or seclusion documents, as soon as possible after the incident
246.3 concludes, the following information:

246.4 (i) a description of the incident that led to the physical holding or seclusion;

246.5 (ii) why a less restrictive measure failed or was determined by staff to be inappropriate
246.6 or impractical;

246.7 (iii) the time the physical holding or seclusion began and the time the child was released;
246.8 ~~and~~

246.9 (iv) a brief record of the child's behavioral and physical status; and

246.10 (v) a brief description of the post-use debriefing that occurred as a result of the use of
246.11 the physical hold or seclusion;

246.12 (6) the room used for seclusion must:

246.13 (i) be at least six feet by five feet;

246.14 (ii) be well lit, well ventilated, adequately heated, and clean;

246.15 (iii) have a window that allows staff to directly observe a child in seclusion;

246.16 (iv) have tamperproof fixtures, electrical switches located immediately outside the door,
246.17 and secure ceilings;

246.18 (v) have doors that open out and are unlocked, locked with keyless locks that have
246.19 immediate release mechanisms, or locked with locks that have immediate release mechanisms
246.20 connected with a fire and emergency system; and

246.21 (vi) not contain objects that a child may use to injure the child or others; and

246.22 (7) before using a room for seclusion, a school must:

246.23 (i) receive written notice from local authorities that the room and the locking mechanisms
246.24 comply with applicable building, fire, and safety codes; and

246.25 (ii) register the room with the commissioner, who may view that room.

246.26 (b) By February 1, 2015, and annually thereafter, stakeholders may, as necessary,
246.27 recommend to the commissioner specific and measurable implementation and outcome
246.28 goals for reducing the use of restrictive procedures and the commissioner must submit to
246.29 the legislature a report on districts' progress in reducing the use of restrictive procedures
246.30 that recommends how to further reduce these procedures and eliminate the use of seclusion.
246.31 The statewide plan includes the following components: measurable goals; the resources,

247.1 training, technical assistance, mental health services, and collaborative efforts needed to
247.2 significantly reduce districts' use of seclusion; and recommendations to clarify and improve
247.3 the law governing districts' use of restrictive procedures. The commissioner must consult
247.4 with interested stakeholders when preparing the report, including representatives of advocacy
247.5 organizations, special education directors, teachers, paraprofessionals, intermediate school
247.6 districts, school boards, day treatment providers, county social services, state human services
247.7 department staff, mental health professionals, and autism experts. Beginning with the
247.8 2016-2017 school year, in a form and manner determined by the commissioner, districts
247.9 must report data quarterly to the department by January 15, April 15, July 15, and October
247.10 15 about individual students who have been secluded. By July 15 each year, districts must
247.11 report summary data on their use of restrictive procedures to the department for the prior
247.12 school year, July 1 through June 30, in a form and manner determined by the commissioner.
247.13 The summary data must include information about the use of restrictive procedures, including
247.14 use of reasonable force under section 121A.582.

247.15 Subd. 4. **Prohibitions.** The following actions or procedures are prohibited:

247.16 (1) engaging in conduct prohibited under section 121A.58;

247.17 (2) requiring a child to assume and maintain a specified physical position, activity, or
247.18 posture that induces physical pain;

247.19 (3) totally or partially restricting a child's senses as punishment;

247.20 (4) presenting an intense sound, light, or other sensory stimuli using smell, taste,
247.21 substance, or spray as punishment;

247.22 (5) denying or restricting a child's access to equipment and devices such as walkers,
247.23 wheelchairs, hearing aids, and communication boards that facilitate the child's functioning,
247.24 except when temporarily removing the equipment or device is needed to prevent injury to
247.25 the child or others or serious damage to the equipment or device, in which case the equipment
247.26 or device shall be returned to the child as soon as possible;

247.27 (6) interacting with a child in a manner that constitutes sexual abuse, neglect, or physical
247.28 abuse under chapter 260E;

247.29 (7) withholding regularly scheduled meals or water;

247.30 (8) denying access to bathroom facilities;

247.31 (9) physical holding that restricts or impairs a child's ability to breathe, restricts or impairs
247.32 a child's ability to communicate distress, places pressure or weight on a child's head, throat,

248.1 neck, chest, lungs, sternum, diaphragm, back, or abdomen, or results in straddling a child's
248.2 torso; ~~and~~

248.3 (10) prone restraint; and

248.4 (11) the use of seclusion on children from birth through grade 3 by December 31, 2024.

248.5 Subd. 5. **Training for staff.** (a) To meet the requirements of subdivision 1, staff who
248.6 use restrictive procedures, including paraprofessionals, shall complete training in the
248.7 following skills and knowledge areas:

248.8 (1) positive behavioral interventions;

248.9 (2) communicative intent of behaviors;

248.10 (3) relationship building;

248.11 (4) alternatives to restrictive procedures, including techniques to identify events and
248.12 environmental factors that may escalate behavior;

248.13 (5) de-escalation methods;

248.14 (6) standards for using restrictive procedures only in an emergency;

248.15 (7) obtaining emergency medical assistance;

248.16 (8) the physiological and psychological impact of physical holding and seclusion;

248.17 (9) monitoring and responding to a child's physical signs of distress when physical
248.18 holding is being used;

248.19 (10) recognizing the symptoms of and interventions that may cause positional asphyxia
248.20 when physical holding is used;

248.21 (11) district policies and procedures for timely reporting and documenting each incident
248.22 involving use of a restricted procedure; and

248.23 (12) schoolwide programs on positive behavior strategies.

248.24 (b) The commissioner, after consulting with the commissioner of human services, must
248.25 develop and maintain a list of training programs that satisfy the requirements of paragraph

248.26 (a). The commissioner also must develop and maintain a list of experts to help individualized
248.27 education program or individualized family service plan teams reduce the use of restrictive
248.28 procedures. The district shall maintain records of staff who have been trained and the
248.29 organization or professional that conducted the training. The district may collaborate with
248.30 children's community mental health providers to coordinate trainings.

Subd. 6. **Behavior supports; reasonable force.** (a) School districts are encouraged to establish effective schoolwide systems of positive behavior interventions and supports.

(b) Nothing in this section or section 125A.0941 precludes the use of reasonable force under sections 121A.582; 609.06, subdivision 1; and 609.379. ~~For the 2014-2015 school year and later, districts must collect and submit to the commissioner summary data, consistent with subdivision 3, paragraph (b), on district use of reasonable force that is consistent with the definition of physical holding or seclusion for a child with a disability under this section.~~ Any reasonable force used under sections 121A.582; 609.06, subdivision 1; and 609.379 which intends to hold a child immobile or limit a child's movement where body contact is the only source of physical restraint or confines a child alone in a room from which egress is barred shall be reported to the Department of Education as a restrictive procedure, including physical holding or seclusion used by an unauthorized or untrained staff person.

(c) By February 1, 2024, the commissioner, in cooperation with stakeholders, must make recommendations to the legislature for urgently ending seclusion in Minnesota schools. The commissioner must consult with interested stakeholders, including parents of students who have been secluded or restrained; advocacy organizations; legal services providers; special education directors; teachers; paraprofessionals; intermediate school districts and cooperative units as defined under section 123A.24, subdivision 2; school boards; day treatment providers; county social services; state human services department staff; mental health professionals; autism experts; and representatives of groups disproportionately affected by restrictive procedures, including People of Color and people with disabilities. The recommendations must include specific dates for ending seclusion by grade or facility. The recommendations must identify existing resources and the new resources necessary for staff capacity, staff training, children's supports, child mental health services, and schoolwide collaborative efforts.

Sec. 10. Minnesota Statutes 2022, section 125A.13, is amended to read:

125A.13 SCHOOL OF PARENTS' CHOICE.

(a) Nothing in this chapter must be construed as preventing parents of a child with a disability from sending the child to a school of their choice, if they so elect, subject to admission standards and policies adopted according to sections 125A.62 to 125A.64 and 125A.66 to 125A.73, and all other provisions of chapters 120A to 129C.

(b) The parent of a student with a disability not yet enrolled in kindergarten and not open enrolled in a nonresident district may ~~request that the resident district enter into a tuition~~

250.1 ~~agreement with~~ elect, in the same manner as the parent of a resident student with a disability,
250.2 a school in the nonresident district if:

250.3 ~~(1) where~~ the child is enrolled in a Head Start program or a licensed child care setting
250.4 in the nonresident district; ~~and,~~ provided

250.5 ~~(2)~~ the child can be served in the same setting as other children in the nonresident district
250.6 with the same level of disability.

250.7 Sec. 11. Minnesota Statutes 2022, section 125A.15, is amended to read:

250.8 **125A.15 PLACEMENT IN ANOTHER DISTRICT; RESPONSIBILITY.**

250.9 The responsibility for special instruction and services for a child with a disability
250.10 temporarily placed in another district for care and treatment shall be determined in the
250.11 following manner:

250.12 (a) The district of residence of a child shall be the district in which the child's parent
250.13 resides, if living, or the child's guardian. If there is a dispute between school districts
250.14 regarding residency, the district of residence is the district designated by the commissioner.

250.15 (b) If a district other than the resident district places a pupil for care and treatment, the
250.16 district placing the pupil must notify and give the resident district an opportunity to participate
250.17 in the placement decision. When an immediate emergency placement of a pupil is necessary
250.18 and time constraints foreclose a resident district from participating in the emergency
250.19 placement decision, the district in which the pupil is temporarily placed must notify the
250.20 resident district of the emergency placement within 15 days. The resident district has up to
250.21 five business days after receiving notice of the emergency placement to request an
250.22 opportunity to participate in the placement decision, which the placing district must then
250.23 provide.

250.24 (c) When a child is temporarily placed for care and treatment in a day program located
250.25 in another district and the child continues to live within the district of residence during the
250.26 care and treatment, the district of residence is responsible for providing transportation to
250.27 and from the care and treatment program and an appropriate educational program for the
250.28 child. The resident district may establish reasonable restrictions on transportation, except
250.29 if a Minnesota court or agency orders the child placed at a day care and treatment program
250.30 and the resident district receives a copy of the order, then the resident district must provide
250.31 transportation to and from the program unless the court or agency orders otherwise.
250.32 Transportation shall only be provided by the resident district during regular operating hours
250.33 of the resident district. The resident district may provide the educational program at a school

251.1 within the district of residence, at the child's residence, or in the district in which the day
251.2 treatment center is located by paying tuition to that district. If a child's district of residence,
251.3 district of open enrollment under section 124D.03, or charter school of enrollment under
251.4 section 124E.11 is authorized to provide online learning instruction under state statutes, the
251.5 child's district of residence may utilize that state-approved online learning program in
251.6 fulfilling its educational program responsibility under this section if the child, or the child's
251.7 parent or guardian for a pupil under the age of 18, agrees to that form of instruction.

251.8 (d) When a child is temporarily placed in a residential program for care and treatment,
251.9 the nonresident district in which the child is placed is responsible for providing an appropriate
251.10 educational program for the child and necessary transportation while the child is attending
251.11 the educational program; and must bill the district of the child's residence for the actual cost
251.12 of providing the program, as outlined in section 125A.11, except as provided in paragraph
251.13 (e). However, the board, lodging, and treatment costs incurred in behalf of a child with a
251.14 disability placed outside of the school district of residence by the commissioner of human
251.15 services or the commissioner of corrections or their agents, for reasons other than providing
251.16 for the child's special educational needs must not become the responsibility of either the
251.17 district providing the instruction or the district of the child's residence. For the purposes of
251.18 this section, the state correctional facilities operated on a fee-for-service basis are considered
251.19 to be residential programs for care and treatment. If a child's district of residence, district
251.20 of open enrollment under section 124D.03, or charter school of enrollment under section
251.21 124E.11 is authorized to provide online learning instruction under state statutes, the
251.22 nonresident district may utilize that state-approved online learning program in fulfilling its
251.23 educational program responsibility under this section if the child, or the child's parent or
251.24 guardian for a pupil under the age of 18, agrees to that form of instruction.

251.25 (e) A privately owned and operated residential facility may enter into a contract to obtain
251.26 appropriate educational programs for special education children and services with a joint
251.27 powers entity. The entity with which the private facility contracts for special education
251.28 services shall be the district responsible for providing students placed in that facility an
251.29 appropriate educational program in place of the district in which the facility is located. If a
251.30 privately owned and operated residential facility does not enter into a contract under this
251.31 paragraph, then paragraph (d) applies.

251.32 (f) The district of residence shall pay tuition and other program costs, not including
251.33 transportation costs, to the district providing the instruction and services. The district of
251.34 residence may claim general education aid for the child as provided by law. Transportation

252.1 costs must be paid by the district responsible for providing the transportation and the state
252.2 must pay transportation aid to that district.

252.3 Sec. 12. Minnesota Statutes 2022, section 125A.51, is amended to read:

252.4 **125A.51 PLACEMENT OF CHILDREN WITHOUT DISABILITIES; EDUCATION**
252.5 **AND TRANSPORTATION.**

252.6 The responsibility for providing instruction and transportation for a pupil without a
252.7 disability who has a short-term or temporary physical or emotional illness or disability, as
252.8 determined by the standards of the commissioner, and who is temporarily placed for care
252.9 and treatment for that illness or disability, must be determined as provided in this section.

252.10 (a) The school district of residence of the pupil is the district in which the pupil's parent
252.11 or guardian resides. If there is a dispute between school districts regarding residency, the
252.12 district of residence is the district designated by the commissioner.

252.13 (b) When parental rights have been terminated by court order, the legal residence of a
252.14 child placed in a residential or foster facility for care and treatment is the district in which
252.15 the child resides.

252.16 (c) Before the placement of a pupil for care and treatment, the district of residence must
252.17 be notified and provided an opportunity to participate in the placement decision. When an
252.18 immediate emergency placement is necessary and time does not permit resident district
252.19 participation in the placement decision, the district in which the pupil is temporarily placed,
252.20 if different from the district of residence, must notify the district of residence of the
252.21 emergency placement within 15 days of the placement. When a nonresident district makes
252.22 an emergency placement without first consulting with the resident district, the resident
252.23 district has up to five business days after receiving notice of the emergency placement to
252.24 request an opportunity to participate in the placement decision, which the placing district
252.25 must then provide.

252.26 (d) When a pupil without a disability is temporarily placed for care and treatment in a
252.27 day program and the pupil continues to live within the district of residence during the care
252.28 and treatment, the district of residence must provide instruction and necessary transportation
252.29 to and from the care and treatment program for the pupil. The resident district may establish
252.30 reasonable restrictions on transportation, except if a Minnesota court or agency orders the
252.31 child placed at a day care and treatment program and the resident district receives a copy
252.32 of the order, then the resident district must provide transportation to and from the program
252.33 unless the court or agency orders otherwise. Transportation shall only be provided by the

253.1 resident district during regular operating hours of the resident district. The resident district
253.2 may provide the instruction at a school within the district of residence; at the pupil's
253.3 residence; through an authorized online learning program provided by the pupil's resident
253.4 district, district of open enrollment under section 124D.03, or charter school of enrollment
253.5 under section 124E.11 if the child, or the child's parent or guardian for a pupil under the
253.6 age of 18, agrees to that form of instruction; or, in the case of a placement outside of the
253.7 resident district, in the district in which the day treatment program is located by paying
253.8 tuition to that district. The district of placement may contract with a facility to provide
253.9 instruction by teachers licensed by the Professional Educator Licensing and Standards
253.10 Board.

253.11 (e) When a pupil without a disability is temporarily placed in a residential program for
253.12 care and treatment, the district in which the pupil is placed must provide instruction for the
253.13 pupil and necessary transportation while the pupil is receiving instruction, and in the case
253.14 of a placement outside of the district of residence, the nonresident district must bill the
253.15 district of residence for the actual cost of providing the instruction for the regular school
253.16 year and for summer school, excluding transportation costs. If a pupil's district of residence,
253.17 district of open enrollment under section 124D.03, or charter school of enrollment under
253.18 section 124E.11 is authorized to provide online learning instruction under state statutes, the
253.19 district in which the pupil is placed may utilize that state-approved online learning program
253.20 in fulfilling its responsibility to provide instruction under this section if the child, or the
253.21 child's parent or guardian for a pupil under the age of 18, agrees to that form of instruction.

253.22 (f) Notwithstanding paragraph (e), if the pupil is homeless and placed in a public or
253.23 private homeless shelter, then the district that enrolls the pupil under section 120A.20,
253.24 subdivision 2, paragraph (b), shall provide the transportation, unless the district that enrolls
253.25 the pupil and the district in which the pupil is temporarily placed agree that the district in
253.26 which the pupil is temporarily placed shall provide transportation. When a pupil without a
253.27 disability is temporarily placed in a residential program outside the district of residence,
253.28 the administrator of the court placing the pupil must send timely written notice of the
253.29 placement to the district of residence. The district of placement may contract with a
253.30 residential facility to provide instruction by teachers licensed by the Professional Educator
253.31 Licensing and Standards Board. For purposes of this section, the state correctional facilities
253.32 operated on a fee-for-service basis are considered to be residential programs for care and
253.33 treatment.

253.34 (g) The district of residence must include the pupil in its residence count of pupil units
253.35 and pay tuition as provided in section 123A.488 to the district providing the instruction.

254.1 Transportation costs must be paid by the district providing the transportation and the state
254.2 must pay transportation aid to that district. For purposes of computing state transportation
254.3 aid, pupils governed by this subdivision must be included in the disabled transportation
254.4 category if the pupils cannot be transported on a regular school bus route without special
254.5 accommodations.

254.6 Sec. 13. Minnesota Statutes 2022, section 125A.515, subdivision 3, is amended to read:

254.7 Subd. 3. **Responsibilities for providing education.** (a) The district in which the children's
254.8 residential facility is located must provide education services, including special education
254.9 if eligible, to all students placed in a facility. If a child's district of residence, district of open
254.10 enrollment under section 124D.03, or charter school of enrollment under section 124E.11
254.11 is authorized to provide online learning instruction under state statutes, the district in which
254.12 the children's residential facility is located may utilize that state-approved online learning
254.13 program in fulfilling its education services responsibility under this section if the child, or
254.14 the child's parent or guardian for a pupil under the age of 18, agrees to that form of
254.15 instruction.

254.16 (b) For education programs operated by the Department of Corrections, the providing
254.17 district shall be the Department of Corrections. For students remanded to the commissioner
254.18 of corrections, the providing and resident district shall be the Department of Corrections.

254.19 Sec. 14. Minnesota Statutes 2022, section 125A.76, subdivision 2c, is amended to read:

254.20 Subd. 2c. **Special education aid.** (a) For fiscal year 2020 and later, a district's special
254.21 education aid equals the sum of the district's special education initial aid under subdivision
254.22 2a, the district's cross subsidy reduction aid under subdivision 2e, special education homeless
254.23 pupil aid under subdivision 2f, and the district's excess cost aid under section 125A.79,
254.24 subdivision 5.

254.25 (b) Notwithstanding paragraph (a), for fiscal year 2020, the special education aid for a
254.26 school district, excluding the cross subsidy reduction aid under subdivision 2e, and excluding
254.27 special education homeless pupil aid under subdivision 2f, must not exceed the greater of:

254.28 (i) the sum of 56 percent of the district's nonfederal special education expenditures plus
254.29 100 percent of the district's cost of providing transportation services for children with
254.30 disabilities under section 123B.92, subdivision 1, paragraph (b), clause (4), plus the
254.31 adjustment under sections 125A.11 and 127A.47, subdivision 7; or

255.1 (ii) the sum of: (A) the product of the district's average daily membership served and
255.2 the special education aid increase limit and (B) the product of the sum of the special education
255.3 aid the district would have received for fiscal year 2016 under Minnesota Statutes 2012,
255.4 sections 125A.76 and 125A.79, as adjusted according to Minnesota Statutes 2012, sections
255.5 125A.11 and 127A.47, subdivision 7, the ratio of the district's average daily membership
255.6 served for the current fiscal year to the district's average daily membership served for fiscal
255.7 year 2016, and the program growth factor.

255.8 (c) Notwithstanding paragraph (a), for fiscal year ~~2020~~ 2024 and later the special
255.9 education aid, excluding the cross subsidy reduction aid under subdivision 2e, excluding
255.10 special education homeless pupil aid under subdivision 2f, for a school district, not including
255.11 a charter school or cooperative unit as defined in section 123A.24, must not be less than
255.12 the lesser of (1) the sum of 90 percent for fiscal year 2020, 85 percent for fiscal year 2021,
255.13 80 percent for fiscal year 2022, and 75 percent for fiscal year 2023 and later of the district's
255.14 nonfederal special education expenditures plus 100 percent of the district's cost of providing
255.15 transportation services for children with disabilities under section 123B.92, subdivision 1,
255.16 paragraph (b), clause (4), plus the adjustment under sections 125A.11 and 127A.47,
255.17 subdivision 7, for that fiscal year or (2) the product of the sum of the special education aid
255.18 the district would have received for fiscal year 2016 under Minnesota Statutes 2012, sections
255.19 125A.76 and 125A.79, as adjusted according to Minnesota Statutes 2012, sections 125A.11
255.20 and 127A.47, subdivision 7, the ratio of the district's adjusted daily membership for the
255.21 current fiscal year to the district's average daily membership for fiscal year 2016, and the
255.22 minimum aid adjustment factor.

255.23 (d) Notwithstanding subdivision 2a and section 125A.79, a charter school in its first
255.24 year of operation shall generate special education aid based on current year data. A newly
255.25 formed cooperative unit as defined in section 123A.24 may apply to the commissioner for
255.26 approval to generate special education aid for its first year of operation based on current
255.27 year data, with an offsetting adjustment to the prior year data used to calculate aid for
255.28 programs at participating school districts or previous cooperatives that were replaced by
255.29 the new cooperative. The department shall establish procedures to adjust the prior year data
255.30 and fiscal year 2016 old formula aid used in calculating special education aid to exclude
255.31 costs that have been eliminated for districts where programs have closed or where a
255.32 substantial portion of the program has been transferred to a cooperative unit.

255.33 (e) The department shall establish procedures through the uniform financial accounting
255.34 and reporting system to identify and track all revenues generated from third-party billings
255.35 as special education revenue at the school district level; include revenue generated from

256.1 third-party billings as special education revenue in the annual cross-subsidy report; and
256.2 exclude third-party revenue from calculation of excess cost aid to the districts.

256.3 Sec. 15. Minnesota Statutes 2022, section 125A.76, subdivision 2e, is amended to read:

256.4 Subd. 2e. **Cross subsidy reduction aid.** (a) A school district's annual cross subsidy
256.5 reduction aid equals the school district's initial special education cross subsidy for the
256.6 previous fiscal year times the cross subsidy aid factor for that fiscal year.

256.7 (b) The cross subsidy aid factor equals ~~2.6 percent for fiscal year 2020 and 6.43 percent~~
256.8 ~~for fiscal year 2021~~ 47.8 percent for fiscal year 2024 and later.

256.9 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

256.10 Sec. 16. Minnesota Statutes 2022, section 125A.76, is amended by adding a subdivision
256.11 to read:

256.12 Subd. 2f. **Special education homeless pupil aid.** (a) For fiscal year 2024 and later,
256.13 special education homeless pupil aid must be paid to a school district that is funded for that
256.14 year based on the district's fiscal year 2016 expenditures calculated under Minnesota Statutes
256.15 2012, sections 125A.76 and 125A.79, as adjusted according to Minnesota Statutes 2012,
256.16 sections 125A.11 and 127A.47, subdivision 7, the ratio of the district's adjusted daily
256.17 membership for the current fiscal year to the district's average daily membership for fiscal
256.18 year 2016, and the minimum aid adjustment factor.

256.19 (b) Special education homeless pupil aid equals the greater of zero, or a district's prior
256.20 year transportation costs under section 123B.92, subdivision 1, paragraph (b), clause (4),
256.21 items (ii) and (vii), and the additional cost of transporting a student in a shelter care facility
256.22 as defined in section 260C.007, subdivision 30, a homeless student in another district to the
256.23 school of origin, or a formerly homeless student from a permanent home in another district
256.24 to the school of origin but only through the end of the academic year; minus the fiscal year
256.25 2016 costs associated with transportation costs under section 123B.92, subdivision 1,
256.26 paragraph (b), clause (4), items (ii) and (vii), and the additional cost of transporting a student
256.27 in a shelter care facility as defined in section 260C.007, subdivision 30, a homeless student
256.28 in another district to the school of origin, or a formerly homeless student from a permanent
256.29 home in another district to the school of origin, but only through the end of the academic
256.30 year; adjusted by the ratio of the district's adjusted daily membership for the current fiscal
256.31 year to the district's average daily membership for fiscal year 2016, and the minimum aid
256.32 adjustment factor.

257.1 Sec. 17. **[125A.81] SPECIAL EDUCATION SEPARATE SITES AND PROGRAMS**

257.2 **AID.**

257.3 **Subdivision 1. Definition.** For purposes of this section, "special education separate site
257.4 and program" means a public separate day school facility attended by students with
257.5 disabilities for 50 percent or more of their school day.

257.6 **Subd. 2. Eligibility for special education separate sites and programs aid.** An
257.7 education cooperative under section 471.59, education district under section 123A.15,
257.8 service cooperative under section 123A.21, or intermediate school district under section
257.9 136D.01 qualifies for additional state funding to special education separate sites and programs
257.10 for every kindergarten through grade 12 child with a disability, as defined in section 125A.02,
257.11 served in a special education separate site or program as defined in subdivision 1.

257.12 **Subd. 3. Uses of special education separate sites and programs aid.** Additional state
257.13 funding to special education separate sites and programs under this section may be used for
257.14 the same purposes as are permitted for state special education aid under section 125A.76.

257.15 **Subd. 4. Special education separate sites and programs aid.** For fiscal year 2024 and
257.16 later, additional state funding to special education separate sites and programs equals \$1,689
257.17 times the adjusted kindergarten through grade 12 pupil units served in special education
257.18 separate sites and programs under subdivision 1.

257.19 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

257.20 Sec. 18. Minnesota Statutes 2022, section 256B.0625, subdivision 26, is amended to read:

257.21 **Subd. 26. Special education services.** (a) Medical assistance covers evaluations necessary
257.22 in making a determination for eligibility for individualized education program and
257.23 individualized family service plan services and for medical services identified in a recipient's
257.24 individualized education program and individualized family service plan and covered under
257.25 the medical assistance state plan. Covered services include occupational therapy, physical
257.26 therapy, speech-language therapy, clinical psychological services, nursing services, school
257.27 psychological services, school social work services, personal care assistants serving as
257.28 management aides, assistive technology devices, transportation services, health assessments,
257.29 and other services covered under the medical assistance state plan. Mental health services
257.30 eligible for medical assistance reimbursement must be provided or coordinated through a
257.31 children's mental health collaborative where a collaborative exists if the child is included
257.32 in the collaborative operational target population. The provision or coordination of services
257.33 does not require that the individualized education program be developed by the collaborative.

258.1 The services may be provided by a Minnesota school district that is enrolled as a medical
258.2 assistance provider or its subcontractor, and only if the services meet all the requirements
258.3 otherwise applicable if the service had been provided by a provider other than a school
258.4 district, in the following areas: medical necessity; physician's, advanced practice registered
258.5 nurse's, or physician assistant's orders; documentation; personnel qualifications; and prior
258.6 authorization requirements. The nonfederal share of costs for services provided under this
258.7 subdivision is the responsibility of the local school district as provided in section 125A.74.
258.8 Services listed in a child's individualized education program are eligible for medical
258.9 assistance reimbursement only if those services meet criteria for federal financial participation
258.10 under the Medicaid program.

258.11 (b) Approval of health-related services for inclusion in the individualized education
258.12 program does not require prior authorization for purposes of reimbursement under this
258.13 chapter. The commissioner may require physician, advanced practice registered nurse, or
258.14 physician assistant review and approval of the plan not more than once annually or upon
258.15 any modification of the individualized education program that reflects a change in
258.16 health-related services.

258.17 (c) Services of a speech-language pathologist provided under this section are covered
258.18 notwithstanding Minnesota Rules, part 9505.0390, subpart 1, item L, if the person:

258.19 (1) holds a masters degree in speech-language pathology;

258.20 (2) is licensed by the Professional Educator Licensing and Standards Board as an
258.21 educational speech-language pathologist; and

258.22 (3) either has a certificate of clinical competence from the American Speech and Hearing
258.23 Association, has completed the equivalent educational requirements and work experience
258.24 necessary for the certificate or has completed the academic program and is acquiring
258.25 supervised work experience to qualify for the certificate.

258.26 (d) Medical assistance coverage for medically necessary services provided under other
258.27 subdivisions in this section may not be denied solely on the basis that the same or similar
258.28 services are covered under this subdivision.

258.29 (e) The commissioner shall develop and implement package rates, bundled rates, or per
258.30 diem rates for special education services under which separately covered services are grouped
258.31 together and billed as a unit in order to reduce administrative complexity.

258.32 (f) The commissioner shall develop a cost-based payment structure for payment of these
258.33 services. Only costs reported through the designated Minnesota Department of Education

259.1 data systems in distinct service categories qualify for inclusion in the cost-based payment
259.2 structure. The commissioner shall reimburse claims submitted based on an interim rate, and
259.3 shall settle at a final rate once the department has determined it. The commissioner shall
259.4 notify the school district of the final rate. The school district has 60 days to appeal the final
259.5 rate. To appeal the final rate, the school district shall file a written appeal request to the
259.6 commissioner within 60 days of the date the final rate determination was mailed. The appeal
259.7 request shall specify (1) the disputed items and (2) the name and address of the person to
259.8 contact regarding the appeal.

259.9 (g) Effective July 1, 2000, medical assistance services provided under an individualized
259.10 education program or an individual family service plan by local school districts shall not
259.11 count against medical assistance authorization thresholds for that child.

259.12 (h) Nursing services as defined in section 148.171, subdivision 15, and provided as an
259.13 individualized education program health-related service, are eligible for medical assistance
259.14 payment if they are otherwise a covered service under the medical assistance program.
259.15 Medical assistance covers the administration of prescription medications by a licensed nurse
259.16 who is employed by or under contract with a school district when the administration of
259.17 medications is identified in the child's individualized education program. The simple
259.18 administration of medications alone is not covered under medical assistance when
259.19 administered by a provider other than a school district or when it is not identified in the
259.20 child's individualized education program.

259.21 (i) School social work services provided by a mental health professional, as defined in
259.22 section 245I.04, subdivision 2, or mental health practitioner, as defined in section 245I.04,
259.23 subdivision 4, under the supervision of a mental health professional, are eligible for medical
259.24 assistance payment. A mental health practitioner performing school social work services
259.25 under this section must provide services within the mental health practitioner's licensure
259.26 scope of practice, if applicable, and within the mental health practitioner scope of practice
259.27 under section 245I.04, subdivision 5.

259.28 (j) Notwithstanding Minnesota Rules, part 9505.0371, a special education evaluation,
259.29 individualized education program, or individual family service plan may be used to determine
259.30 medical necessity and eligibility for school social work services under paragraph (i) instead
259.31 of a diagnostic assessment if the special education evaluation, individualized education
259.32 program, or individual family service plan includes a sign, symptom, or condition
259.33 ICD-10-CM code for the student.

260.1 (k) A school social worker or school providing mental health services under paragraph
260.2 (i) is not required to be certified to provide children's therapeutic services and supports
260.3 under section 256B.0943.

260.4 (l) Covered mental health services provided by a school social worker under paragraph
260.5 (i) include but are not limited to:

260.6 (1) administering and reporting standardized measures;

260.7 (2) care coordination;

260.8 (3) children's mental health crisis assistance, planning, and response services;

260.9 (4) children's mental health clinical care consultation;

260.10 (5) dialectical behavioral therapy for adolescents;

260.11 (6) direction of mental health behavioral aides;

260.12 (7) family psychoeducation;

260.13 (8) individual, family, and group psychotherapy;

260.14 (9) mental health behavioral aide services;

260.15 (10) skills training; and

260.16 (11) treatment plan development and review.

260.17 **EFFECTIVE DATE.** This section is effective January 1, 2024, or upon federal approval,
260.18 whichever is later. The commissioner shall notify the revisor of statutes when federal
260.19 approval has been obtained.

260.20 **Sec. 19. SPECIFIC LEARNING DISABILITY; RULEMAKING.**

260.21 (a) The commissioner of education must begin the rulemaking process to amend
260.22 Minnesota Rules, part 3525.1341, and establish a stakeholder workgroup to review current
260.23 specific learning disabilities criteria by December 31, 2023. By June 30, 2024, the workgroup
260.24 must make recommendations aligned with related state and federal requirements, including:

260.25 (1) removing discrepancy from criteria;

260.26 (2) developing a plan to operationalize changes to criteria to align with current best
260.27 practices and address concerns of multiple stakeholder groups, including but not limited to
260.28 administrators, parents, educators, researchers, related services staff, advocates, lawyers,
260.29 and minority and immigrant groups;

261.1 (3) providing definitions and clarification of terms and procedures within existing
261.2 requirements;

261.3 (4) establishing the accountability process, including procedures and targets, for districts
261.4 and cooperatives to use in evaluating their progress toward implementation of the amended
261.5 rule; and

261.6 (5) developing an evaluation framework for measuring intended and unintended results
261.7 of amended criteria. Intended and unintended results may include overidentification and
261.8 underidentification of minorities, delays to referral and identification, transitioning from
261.9 developmental delay to specific learning disability, consistency of identification across
261.10 districts and the state, adding unnecessary paperwork, limiting team decision making, or
261.11 limiting access and progress with intensive and individualized special education support.

261.12 (b) Following the development of recommendations from the stakeholder workgroup,
261.13 the commissioner must proceed with the rulemaking process and recommended alignment
261.14 with other existing state and federal law.

261.15 (c) Concurrent with rulemaking, the commissioner must establish technical assistance
261.16 and training capacity on the amended criteria, and training and capacity building must begin
261.17 upon final approval of the amended rule.

261.18 (d) The amended rule must go into full effect no later than five years after the proposed
261.19 revised rules are approved by the administrative law judge.

261.20 Sec. 20. **APPROPRIATIONS.**

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

261.24 Subd. 2. **Aid for children with disabilities.** (a) For aid under Minnesota Statutes, section
261.25 125A.75, subdivision 3, for children with disabilities placed in residential facilities within
261.26 the district boundaries for whom no district of residence can be determined:

261.27 \$ 1,674,000 2024

261.28 \$ 1,888,000 2025

261.29 (b) If the appropriation for either year is insufficient, the appropriation for the other year
261.30 is available.

262.1 Subd. 3. **Court-placed special education revenue.** For reimbursing serving school
262.2 districts for unreimbursed eligible expenditures attributable to children placed in the serving
262.3 school district by court action under Minnesota Statutes, section 125A.79, subdivision 4:

262.4 \$ 26,000 2024

262.5 \$ 27,000 2025

262.6 Subd. 4. **Special education; regular.** (a) For special education aid under Minnesota
262.7 Statutes, section 125A.75:

262.8 \$ 2,301,765,000 2024

262.9 \$ 2,473,008,000 2025

262.10 (b) The 2024 appropriation includes \$229,860,000 for 2023 and \$2,071,905,000 for
262.11 2024.

262.12 (c) The 2025 appropriation includes \$291,664,000 for 2024 and \$2,181,344,000 for
262.13 2025.

262.14 Subd. 5. **Special education due process aid.** (a) For special education due process aid
262.15 under Minnesota Statutes, section 122A.50:

262.16 \$ 30,583,000 2024

262.17 \$ 19,445,000 2025

262.18 (b) The 2024 appropriation includes \$0 for 2023 and \$30,583,000 for 2024.

262.19 (c) The 2025 appropriation includes \$3,398,000 for 2024 and \$16,047,000 for 2025.

262.20 Subd. 6. **Special education out-of-state tuition.** For special education out-of-state
262.21 tuition under Minnesota Statutes, section 125A.79, subdivision 8:

262.22 \$ 250,000 2024

262.23 \$ 250,000 2025

262.24 Subd. 7. **Special education separate sites and programs.** (a) For aid for special
262.25 education separate sites and programs under Minnesota Statutes, section 125A.81, subdivision
262.26 4:

262.27 \$ 4,378,000 2024

262.28 \$ 5,083,000 2025

262.29 (b) The 2024 appropriation includes \$0 for 2023 and \$4,378,000 for 2024.

262.30 (c) The 2025 appropriation includes \$486,000 for 2024 and \$4,597,000 for 2025.

Subd. 8. Travel for home-based services. (a) For aid for teacher travel for home-based services under Minnesota Statutes, section 125A.75, subdivision 1:

\$ 334,000 2024

\$ 348,000 2025

(b) The 2024 appropriation includes \$32,000 for 2023 and \$302,000 for 2024.

(c) The 2025 appropriation includes \$33,000 for 2024 and \$315,000 for 2025.

ARTICLE 8

FACILITIES

Section 1. Minnesota Statutes 2022, section 123B.595, subdivision 1, is amended to read:

Subdivision 1. **Long-term facilities maintenance revenue.** ~~(a) For fiscal year 2017 only, long-term facilities maintenance revenue equals the greater of (1) the sum of (i) \$193 times the district's adjusted pupil units times the lesser of one or the ratio of the district's average building age to 35 years, plus the cost approved by the commissioner for indoor air quality, fire alarm and suppression, and asbestos abatement projects under section 123B.57, subdivision 6, with an estimated cost of \$100,000 or more per site, plus (ii) for a school district with an approved voluntary prekindergarten program under section 124D.151, the cost approved by the commissioner for remodeling existing instructional space to accommodate prekindergarten instruction, or (2) the sum of (i) the amount the district would have qualified for under Minnesota Statutes 2014, section 123B.57, Minnesota Statutes 2014, section 123B.59, and Minnesota Statutes 2014, section 123B.591, and (ii) for a school district with an approved voluntary prekindergarten program under section 124D.151, the cost approved by the commissioner for remodeling existing instructional space to accommodate prekindergarten instruction.~~

~~(b) For fiscal year 2018 only, long-term facilities maintenance revenue equals the greater of (1) the sum of (i) \$292 times the district's adjusted pupil units times the lesser of one or the ratio of the district's average building age to 35 years, plus (ii) the cost approved by the commissioner for indoor air quality, fire alarm and suppression, and asbestos abatement projects under section 123B.57, subdivision 6, with an estimated cost of \$100,000 or more per site, plus (iii) for a school district with an approved voluntary prekindergarten program under section 124D.151, the cost approved by the commissioner for remodeling existing instructional space to accommodate prekindergarten instruction, or (2) the sum of (i) the amount the district would have qualified for under Minnesota Statutes 2014, section 123B.57, Minnesota Statutes 2014, section 123B.59, and Minnesota Statutes 2014, section 123B.591,~~

~~and (ii) for a school district with an approved voluntary prekindergarten program under section 124D.151, the cost approved by the commissioner for remodeling existing instructional space to accommodate prekindergarten instruction.~~

~~(c) For fiscal year 2019 and later, (a)~~ Long-term facilities maintenance revenue equals the greater of (1) the sum of (i) \$380 times the district's adjusted pupil units times the lesser of one or the ratio of the district's average building age to 35 years, plus (ii) the cost approved by the commissioner for indoor air quality, fire alarm and suppression, and asbestos abatement projects under section 123B.57, subdivision 6, with an estimated cost of \$100,000 or more per site, plus (iii) for a school district with an approved voluntary prekindergarten program under section 124D.151, the cost approved by the commissioner for remodeling existing instructional space to accommodate prekindergarten instruction, or (2) the sum of (i) the amount the district would have qualified for under Minnesota Statutes 2014, section 123B.57, Minnesota Statutes 2014, section 123B.59, and Minnesota Statutes 2014, section 123B.591, and (ii) for a school district with an approved voluntary prekindergarten program under section 124D.151, the cost approved by the commissioner for remodeling existing instructional space to accommodate prekindergarten instruction.

~~(d) (b)~~ Notwithstanding ~~paragraphs~~ paragraph (a), ~~(b), and (c)~~, a school district that qualified for eligibility under Minnesota Statutes 2014, section 123B.59, subdivision 1, paragraph (a), for fiscal year 2010 remains eligible for funding under this section as a district that would have qualified for eligibility under Minnesota Statutes 2014, section 123B.59, subdivision 1, paragraph (a), for fiscal year 2017 and later.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2025 and later.

Sec. 2. Minnesota Statutes 2022, section 123B.595, subdivision 2, is amended to read:

Subd. 2. **Long-term facilities maintenance revenue for a charter school.** ~~(a) For fiscal year 2017 only, long-term facilities maintenance revenue for a charter school equals \$34 times the adjusted pupil units.~~

~~(b) For fiscal year 2018 only, long-term facilities maintenance revenue for a charter school equals \$85 times the adjusted pupil units.~~

~~(c) For fiscal year 2019 and later, Long-term facilities maintenance revenue for a charter school equals \$132 times the adjusted pupil units.~~

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2025 and later.

265.1 Sec. 3. Minnesota Statutes 2022, section 123B.595, subdivision 3, is amended to read:

265.2 Subd. 3. **Intermediate districts and other cooperative units.** (a) Upon approval through
265.3 the adoption of a resolution by each member district school board of an intermediate district
265.4 or other cooperative ~~units~~ unit under section 123A.24, subdivision 2, or a joint powers
265.5 district under section 471.59, and the approval of the commissioner of education, a school
265.6 district may include in its authority under this section a proportionate share of the long-term
265.7 maintenance costs of the intermediate district ~~or~~ cooperative unit, or joint powers district.
265.8 The cooperative unit or joint powers district may issue bonds to finance the project costs
265.9 or levy for the costs; using long-term maintenance revenue transferred from member districts
265.10 to make debt service payments or pay project costs or, for leased facilities, pay the portion
265.11 of lease costs attributable to the amortized cost of long-term facilities maintenance projects
265.12 completed by the landlord. Authority under this subdivision is in addition to the authority
265.13 for individual district projects under subdivision 1.

265.14 (b) The resolution adopted under paragraph (a) may specify which member districts will
265.15 share the project costs under this subdivision, except that debt service payments for bonds
265.16 issued by a cooperative unit or joint powers district to finance long-term maintenance project
265.17 costs must be the responsibility of all member districts.

265.18 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

265.19 Sec. 4. Minnesota Statutes 2022, section 123B.595, subdivision 4, is amended to read:

265.20 Subd. 4. **Facilities plans.** (a) To qualify for revenue under this section, a school district
265.21 or intermediate district, not including a charter school, must have a ten-year facility plan
265.22 adopted by the school board and approved by the commissioner. The plan must include
265.23 provisions for implementing a health and safety program that complies with health, safety,
265.24 and environmental regulations and best practices, including indoor air quality management
265.25 and remediation of lead hazards. For planning purposes, the plan must also address provisions
265.26 for providing a gender-neutral single-user restroom at each school site.

265.27 (b) The district must annually update the plan, submit the plan to the commissioner for
265.28 approval by July 31, and indicate whether the district will issue bonds to finance the plan
265.29 or levy for the costs.

265.30 (c) For school districts issuing bonds to finance the plan, the plan must include a debt
265.31 service schedule demonstrating that the debt service revenue required to pay the principal
265.32 and interest on the bonds each year will not exceed the projected long-term facilities revenue
265.33 for that year.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2025 and later.

Sec. 5. Minnesota Statutes 2022, section 123B.595, subdivision 7, is amended to read:

Subd. 7. **Long-term facilities maintenance equalization revenue.** ~~(a) For fiscal year 2017 only, a district's long-term facilities maintenance equalization revenue equals the lesser of (1) \$193 times the adjusted pupil units or (2) the district's revenue under subdivision 1.~~

~~(b) For fiscal year 2018 only, a district's long-term facilities maintenance equalization revenue equals the lesser of (1) \$292 times the adjusted pupil units or (2) the district's revenue under subdivision 1.~~

~~(c) For fiscal year 2019 and later, (a)~~ A district's long-term facilities maintenance equalization revenue equals the lesser of (1) \$380 times the adjusted pupil units or (2) the district's revenue under subdivision 1.

~~(d)~~ (b) Notwithstanding ~~paragraphs~~ paragraph (a) ~~to (c)~~, a district's long-term facilities maintenance equalization revenue must not be less than the lesser of the district's long-term facilities maintenance revenue or the amount of aid the district received for fiscal year 2015 under Minnesota Statutes 2014, section 123B.59, subdivision 6.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2025 and later.

Sec. 6. Minnesota Statutes 2022, section 123B.595, subdivision 8, is amended to read:

Subd. 8. **Long-term facilities maintenance equalized levy.** ~~(a) For fiscal year 2017 and later,~~ A district's long-term facilities maintenance equalized levy equals the district's long-term facilities maintenance equalization revenue minus the greater of:

(1) the lesser of the district's long-term facilities maintenance equalization revenue or the amount of aid the district received for fiscal year 2015 under Minnesota Statutes 2014, section 123B.59, subdivision 6; or

(2) the district's long-term facilities maintenance equalization revenue times the greater of (i) zero or (ii) one minus the ratio of its adjusted net tax capacity per adjusted pupil unit in the year preceding the year the levy is certified to 123 percent of the state average adjusted net tax capacity per adjusted pupil unit for all school districts in the year preceding the year the levy is certified.

(b) For purposes of this subdivision, "adjusted net tax capacity" means the value described in section 126C.01, subdivision 2, paragraph (b).

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2025 and later.

267.1 Sec. 7. Minnesota Statutes 2022, section 123B.595, subdivision 8a, is amended to read:

267.2 Subd. 8a. **Long-term facilities maintenance unequalized levy.** ~~For fiscal year 2017~~
267.3 ~~and later,~~ A district's long-term facilities maintenance unequalized levy equals the difference
267.4 between the district's revenue under subdivision 1 and the district's equalization revenue
267.5 under subdivision 7.

267.6 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2025 and later.

267.7 Sec. 8. Minnesota Statutes 2022, section 123B.595, subdivision 9, is amended to read:

267.8 Subd. 9. **Long-term facilities maintenance equalized aid.** ~~For fiscal year 2017 and~~
267.9 ~~later,~~ A district's long-term facilities maintenance equalized aid equals its long-term facilities
267.10 maintenance equalization revenue minus its long-term facilities maintenance equalized levy
267.11 times the ratio of the actual equalized amount levied to the permitted equalized levy.

267.12 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2025 and later.

267.13 Sec. 9. Minnesota Statutes 2022, section 123B.595, subdivision 10, is amended to read:

267.14 Subd. 10. **Allowed uses for long-term facilities maintenance revenue.** (a) A district
267.15 may use revenue under this section for any of the following:

267.16 (1) deferred capital expenditures and maintenance projects necessary to prevent further
267.17 erosion of facilities;

267.18 (2) increasing accessibility of school facilities;

267.19 (3) health and safety capital projects under section 123B.57; ~~or~~

267.20 (4) remodeling or constructing a gender-neutral single-user restroom at each school site;
267.21 or

267.22 ~~(4)~~ (5) by board resolution, to transfer money from the general fund reserve for long-term
267.23 facilities maintenance to the debt redemption fund to pay the amounts needed to meet, when
267.24 due, principal and interest on general obligation bonds issued under subdivision 5.

267.25 (b) A charter school may use revenue under this section for any purpose related to the
267.26 school.

267.27 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2025 and later.

268.1 Sec. 10. Minnesota Statutes 2022, section 123B.595, subdivision 11, is amended to read:

268.2 Subd. 11. **Restrictions on long-term facilities maintenance revenue.** Notwithstanding
268.3 subdivision 10, long-term facilities maintenance revenue may not be used:

268.4 (1) for the construction of new facilities, remodeling of existing facilities, or the purchase
268.5 of portable classrooms, except for the costs associated with constructing or remodeling
268.6 existing facilities to include at least one gender-neutral single-user restroom authorized
268.7 under subdivision 10;

268.8 (2) to finance a lease purchase agreement, installment purchase agreement, or other
268.9 deferred payments agreement;

268.10 (3) for energy-efficiency projects under section 123B.65, for a building or property or
268.11 part of a building or property used for postsecondary instruction or administration, or for a
268.12 purpose unrelated to elementary and secondary education; or

268.13 (4) for violence prevention and facility security, ergonomics, or emergency
268.14 communication devices.

268.15 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2025 and later.

268.16 Sec. 11. Minnesota Statutes 2022, section 123B.71, subdivision 9, is amended to read:

268.17 Subd. 9. **Information required.** A school board proposing to construct, expand, or
268.18 remodel a facility that requires a review and comment under subdivision 8 shall submit to
268.19 the commissioner a proposal containing information including at least the following:

268.20 (1) the geographic area and population to be served, preschool through grade 12 student
268.21 enrollments for the past five years, and student enrollment projections for the next five
268.22 years;

268.23 (2) a list of existing facilities by year constructed, their uses, and an assessment of the
268.24 extent to which alternate facilities are available within the school district boundaries and in
268.25 adjacent school districts;

268.26 (3) a list of the specific deficiencies of the facility that demonstrate the need for a new
268.27 or renovated facility to be provided, the process used to determine the deficiencies, a list
268.28 of those deficiencies that will and will not be addressed by the proposed project, and a list
268.29 of the specific benefits that the new or renovated facility will provide to the students, teachers,
268.30 and community users served by the facility;

268.31 (4) a description of the project, including the specification of site and outdoor space
268.32 acreage and square footage allocations for classrooms, laboratories, and support spaces;

269.1 estimated expenditures for the major portions of the project; and the dates the project will
269.2 begin and be completed;

269.3 (5) a description of the project's plans for gender-neutral single-user restrooms, locker
269.4 room privacy stalls, or other spaces with privacy features, including single-user shower
269.5 stalls, changing stalls, or other single-user facilities;

269.6 ~~(5)~~ (6) a specification of the source of financing the project, including applicable statutory
269.7 citations; the scheduled date for a bond issue or school board action; a schedule of payments,
269.8 including debt service equalization aid; and the effect of a bond issue on local property
269.9 taxes by the property class and valuation; and

269.10 ~~(6)~~ (7) documents obligating the school district and contractors to comply with items
269.11 (i) to (vii) in planning and executing the project:

269.12 (i) section 471.345 governing municipal contracts;

269.13 (ii) sustainable design;

269.14 (iii) school facility commissioning under section 123B.72 certifying the plans and designs
269.15 for the heating, ventilating, air conditioning, and air filtration for an extensively renovated
269.16 or new facility meet or exceed current code standards, including the ASHRAE air filtration
269.17 standard 52.1;

269.18 (iv) American National Standards Institute Acoustical Performance Criteria, Design
269.19 Requirements and Guidelines for Schools on maximum background noise level and
269.20 reverberation times;

269.21 (v) State Fire Code;

269.22 (vi) chapter 326B governing building codes; and

269.23 (vii) consultation with affected government units about the impact of the project on
269.24 utilities, roads, sewers, sidewalks, retention ponds, school bus and automobile traffic, access
269.25 to mass transit, and safe access for pedestrians and cyclists.

269.26 **EFFECTIVE DATE.** This section is effective for review and comments submitted on
269.27 or after July 1, 2023.

269.28 Sec. 12. Minnesota Statutes 2022, section 126C.10, subdivision 14, is amended to read:

269.29 Subd. 14. **Uses of total operating capital revenue.** Total operating capital revenue may
269.30 be used only for the following purposes:

269.31 (1) to acquire land for school purposes;

- 270.1 (2) to acquire or construct buildings for school purposes;
- 270.2 (3) to rent or lease buildings, including the costs of building repair or improvement that
270.3 are part of a lease agreement;
- 270.4 (4) to improve and repair school sites and buildings, and equip or reequip school buildings
270.5 with permanent attached fixtures, including library media centers and gender-neutral
270.6 single-user restrooms, locker room privacy stalls, or other spaces with privacy features,
270.7 including single-user shower stalls, changing stalls, or other single-user facilities;
- 270.8 (5) for a surplus school building that is used substantially for a public nonschool purpose;
- 270.9 (6) to eliminate barriers or increase access to school buildings by individuals with a
270.10 disability;
- 270.11 (7) to bring school buildings into compliance with the State Fire Code adopted according
270.12 to chapter 299F;
- 270.13 (8) to remove asbestos from school buildings, encapsulate asbestos, or make
270.14 asbestos-related repairs;
- 270.15 (9) to clean up and dispose of polychlorinated biphenyls found in school buildings;
- 270.16 (10) to clean up, remove, dispose of, and make repairs related to storing heating fuel or
270.17 transportation fuels such as alcohol, gasoline, fuel oil, and special fuel, as defined in section
270.18 296A.01;
- 270.19 (11) for energy audits for school buildings and to modify buildings if the audit indicates
270.20 the cost of the modification can be recovered within ten years;
- 270.21 (12) to improve buildings that are leased according to section 123B.51, subdivision 4;
- 270.22 (13) to pay special assessments levied against school property but not to pay assessments
270.23 for service charges;
- 270.24 (14) to pay principal and interest on state loans for energy conservation according to
270.25 section 216C.37 or loans made under the Douglas J. Johnson Economic Protection Trust
270.26 Fund Act according to sections 298.292 to ~~298.298~~ 298.294;
- 270.27 (15) to purchase or lease interactive telecommunications equipment;
- 270.28 (16) by board resolution, to transfer money into the debt redemption fund to: (i) pay the
270.29 amounts needed to meet, when due, principal and interest payments on certain obligations
270.30 issued according to chapter 475; or (ii) pay principal and interest on debt service loans or
270.31 capital loans according to section 126C.70;

271.1 (17) to pay operating capital-related assessments of any entity formed under a cooperative
271.2 agreement between two or more districts;

271.3 (18) to purchase or lease computers and related hardware, software, and annual licensing
271.4 fees, copying machines, telecommunications equipment, and other noninstructional
271.5 equipment;

271.6 (19) to purchase or lease assistive technology or equipment for instructional programs;

271.7 (20) to purchase textbooks as defined in section 123B.41, subdivision 2;

271.8 (21) to purchase new and replacement library media resources or technology;

271.9 (22) to lease or purchase vehicles;

271.10 (23) to purchase or lease telecommunications equipment, computers, and related
271.11 equipment for integrated information management systems for:

271.12 (i) managing and reporting learner outcome information for all students under a
271.13 results-oriented graduation rule;

271.14 (ii) managing student assessment, services, and achievement information required for
271.15 students with individualized education programs; and

271.16 (iii) other classroom information management needs;

271.17 (24) to pay personnel costs directly related to the acquisition, operation, and maintenance
271.18 of telecommunications systems, computers, related equipment, and network and applications
271.19 software; and

271.20 (25) to pay the costs directly associated with closing a school facility, including moving
271.21 and storage costs.

271.22 **EFFECTIVE DATE.** This section is effective for fiscal year 2024 and later.

271.23 Sec. 13. Minnesota Statutes 2022, section 126C.40, subdivision 1, is amended to read:

271.24 Subdivision 1. **To lease building or land.** (a) When an independent or a special school
271.25 district or a group of independent or special school districts finds it economically
271.26 advantageous to rent or lease a building or land for any instructional purposes or for school
271.27 storage or furniture repair, and it determines that the operating capital revenue authorized
271.28 under section 126C.10, subdivision 13, is insufficient for this purpose, it may apply to the
271.29 commissioner for permission to make an additional capital expenditure levy for this purpose.
271.30 An application for permission to levy under this subdivision must contain financial

272.1 justification for the proposed levy, the terms and conditions of the proposed lease, and a
272.2 description of the space to be leased and its proposed use.

272.3 (b) The criteria for approval of applications to levy under this subdivision must include:
272.4 the reasonableness of the price, the appropriateness of the space to the proposed activity,
272.5 the feasibility of transporting pupils to the leased building or land, conformity of the lease
272.6 to the laws and rules of the state of Minnesota, and the appropriateness of the proposed
272.7 lease to the space needs and the financial condition of the district. The commissioner must
272.8 not authorize a levy under this subdivision in an amount greater than the cost to the district
272.9 of renting or leasing a building or land for approved purposes. The proceeds of this levy
272.10 must not be used for custodial or other maintenance services. A district may not levy under
272.11 this subdivision for the purpose of leasing or renting a district-owned building or site to
272.12 itself.

272.13 (c) For agreements finalized after July 1, 1997, a district may not levy under this
272.14 subdivision for the purpose of leasing: (1) a newly constructed building used primarily for
272.15 regular kindergarten, elementary, or secondary instruction; or (2) a newly constructed
272.16 building addition or additions used primarily for regular kindergarten, elementary, or
272.17 secondary instruction that contains more than 20 percent of the square footage of the
272.18 previously existing building.

272.19 (d) Notwithstanding paragraph (b), a district may levy under this subdivision for the
272.20 purpose of leasing or renting a district-owned building or site to itself only if the amount is
272.21 needed by the district to make payments required by a lease purchase agreement, installment
272.22 purchase agreement, or other deferred payments agreement authorized by law, and the levy
272.23 meets the requirements of paragraph (c). A levy authorized for a district by the commissioner
272.24 under this paragraph may be in the amount needed by the district to make payments required
272.25 by a lease purchase agreement, installment purchase agreement, or other deferred payments
272.26 agreement authorized by law, provided that any agreement include a provision giving the
272.27 school districts the right to terminate the agreement annually without penalty.

272.28 (e) The total levy under this subdivision for a district for any year must not exceed \$212
272.29 times the adjusted pupil units for the fiscal year to which the levy is attributable.

272.30 (f) For agreements for which a review and comment have been submitted to the
272.31 Department of Education after April 1, 1998, the term "instructional purpose" as used in
272.32 this subdivision excludes expenditures on stadiums.

272.33 (g) The commissioner of education may authorize a school district to exceed the limit
272.34 in paragraph (e) if the school district petitions the commissioner for approval. The

273.1 commissioner shall grant approval to a school district to exceed the limit in paragraph (e)
273.2 for not more than five years if the district meets the following criteria:

273.3 (1) the school district has been experiencing pupil enrollment growth in the preceding
273.4 five years;

273.5 (2) the purpose of the increased levy is in the long-term public interest;

273.6 (3) the purpose of the increased levy promotes colocation of government services; and

273.7 (4) the purpose of the increased levy is in the long-term interest of the district by avoiding
273.8 over construction of school facilities.

273.9 (h) A school district that is a member of an intermediate school district or other
273.10 cooperative unit under section 123A.24, subdivision 2, or a joint powers district under
273.11 section 471.59 may include in its authority under this section the costs associated with leases
273.12 of administrative and classroom space for ~~intermediate school district~~ programs of the
273.13 intermediate school district or other cooperative unit under section 123A.24, subdivision
273.14 2, or joint powers district under section 471.59. This authority must not exceed \$65 times
273.15 the adjusted pupil units of the member districts. This authority is in addition to any other
273.16 authority authorized under this section. The intermediate school district, other cooperative
273.17 unit, or joint powers district may specify which member districts will levy for lease costs
273.18 under this paragraph.

273.19 (i) In addition to the allowable capital levies in paragraph (a), for taxes payable in 2012
273.20 to 2023, a district that is a member of the "Technology and Information Education Systems"
273.21 data processing joint board, that finds it economically advantageous to enter into a lease
273.22 agreement to finance improvements to a building and land for a group of school districts
273.23 or special school districts for staff development purposes, may levy for its portion of lease
273.24 costs attributed to the district within the total levy limit in paragraph (e). The total levy
273.25 authority under this paragraph shall not exceed \$632,000.

273.26 (j) Notwithstanding paragraph (a), a district may levy under this subdivision for the
273.27 purpose of leasing administrative space if the district can demonstrate to the satisfaction of
273.28 the commissioner that the lease cost for the administrative space is no greater than the lease
273.29 cost for instructional space that the district would otherwise lease. The commissioner must
273.30 deny this levy authority unless the district passes a resolution stating its intent to lease
273.31 instructional space under this section if the commissioner does not grant authority under
273.32 this paragraph. The resolution must also certify that the lease cost for administrative space
273.33 under this paragraph is no greater than the lease cost for the district's proposed instructional
273.34 lease.

274.1 (k) Notwithstanding paragraph (a), a district may levy under this subdivision for the
274.2 district's proportionate share of deferred maintenance expenditures for a district-owned
274.3 building or site leased to a cooperative unit under section 123A.24, subdivision 2, or a joint
274.4 powers district under section 471.59 for any instructional purposes or for school storage.

274.5 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

274.6 Sec. 14. Minnesota Statutes 2022, section 126C.40, subdivision 6, is amended to read:

274.7 Subd. 6. **Lease purchase; installment buys.** (a) Upon application to, and approval by,
274.8 the commissioner in accordance with the procedures and limits in subdivision 1, paragraphs
274.9 (a) and (b), a district, as defined in this subdivision, may:

274.10 (1) purchase real or personal property under an installment contract or may lease real
274.11 or personal property with an option to purchase under a lease purchase agreement, by which
274.12 installment contract or lease purchase agreement title is kept by the seller or vendor or
274.13 assigned to a third party as security for the purchase price, including interest, if any; and

274.14 (2) annually levy the amounts necessary to pay the district's obligations under the
274.15 installment contract or lease purchase agreement.

274.16 (b) The obligation created by the installment contract or the lease purchase agreement
274.17 must not be included in the calculation of net debt for purposes of section 475.53, and does
274.18 not constitute debt under other law. An election is not required in connection with the
274.19 execution of the installment contract or the lease purchase agreement.

274.20 (c) The proceeds of the levy authorized by this subdivision must not be used to acquire
274.21 a facility to be primarily used for athletic or school administration purposes.

274.22 (d) For the purposes of this subdivision, "district" means:

274.23 (1) Special School District No. 1, Minneapolis, Independent School District No. 625,
274.24 St. Paul, Independent School District No. 709, Duluth, or Independent School District No.
274.25 535, Rochester, if the district's desegregation plan has been determined by the commissioner
274.26 to be in compliance with Department of Education rules relating to equality of educational
274.27 opportunity and where the acquisition of property under this subdivision is determined by
274.28 the commissioner to contribute to the implementation of the desegregation plan; or

274.29 (2) other districts eligible for revenue under section 124D.862 if the facility acquired
274.30 under this subdivision is to be primarily used for a joint program for interdistrict
274.31 desegregation and the commissioner determines that the joint programs are being undertaken
274.32 to implement the districts' desegregation plan.

(e) Notwithstanding subdivision 1, the prohibition against a levy by a district to lease or rent a district-owned building to itself does not apply to levies otherwise authorized by this subdivision.

(f) For the purposes of this subdivision, any references in subdivision 1 to building or land shall include personal property.

(g) Projects funded under this subdivision are subject to review and comment under section 123B.71, subdivision 8, in the same manner as other school construction projects.

Sec. 15. Minnesota Statutes 2022, section 126C.44, is amended to read:

126C.44 SAFE SCHOOLS LEVY REVENUE.

Subdivision 1. Safe schools revenue for school districts. ~~(a) Each district may make a levy on all taxable property located within the district for the purposes specified in this section. The maximum amount which may be levied for all costs under this section shall be equal to \$36 multiplied by the district's adjusted pupil units for the school year.~~ A school district's safe schools revenue equals its safe schools levy.

Subd. 2. School district safe schools levy. A school district's safe schools levy equals \$36 times the district's adjusted pupil units for the school year.

Subd. 3. Safe schools revenue for intermediate school districts. A school district that is a member of an intermediate school district may include in its levy authority under this section the costs associated with safe schools activities authorized under this section for intermediate school district programs. This authority must not exceed the product of \$15 and the adjusted pupil units of the member districts. This authority is in addition to any other authority authorized under this section. Revenue raised under this subdivision must be transferred to the intermediate school district.

Subd. 4. Use of safe schools revenue. ~~The proceeds of the levy~~ Safe schools revenue must be reserved and used for directly funding the following purposes or for reimbursing the cities and counties who contract with the district for the following purposes:

(1) to pay the costs incurred for the salaries, benefits, and transportation costs of peace officers and sheriffs for liaison in services in the district's schools;

(2) to pay the costs for a drug abuse prevention program as defined in section 609.101, subdivision 3, paragraph (e), in the elementary schools;

(3) to pay the costs for a gang resistance education training curriculum in the district's schools;

276.1 (4) to pay the costs for security in the district's schools and on school property;

276.2 (5) to pay the costs for other crime prevention, drug abuse, student and staff safety,
276.3 voluntary opt-in suicide prevention tools, and violence prevention measures taken by the
276.4 school district;

276.5 (6) to pay costs for licensed school counselors, licensed school nurses, licensed school
276.6 social workers, licensed school psychologists, and licensed alcohol and substance use
276.7 disorder counselors to help provide early responses to problems;

276.8 (7) to pay for facility security enhancements including laminated glass, public
276.9 announcement systems, emergency communications devices, and equipment and facility
276.10 modifications related to violence prevention and facility security;

276.11 (8) to pay for costs associated with improving the school climate; ~~or~~

276.12 (9) to pay costs for colocating and collaborating with mental health professionals who
276.13 are not district employees or contractors; or

276.14 (10) to pay for the costs of cybersecurity measures, including updating computer hardware
276.15 and software, other systems upgrades, and cybersecurity insurance costs.

276.16 (b) For expenditures under paragraph (a), clause (1), the district must initially attempt
276.17 to contract for services to be provided by peace officers or sheriffs with the police department
276.18 of each city or the sheriff's department of the county within the district containing the school
276.19 receiving the services. If a local police department or a county sheriff's department does
276.20 not wish to provide the necessary services, the district may contract for these services with
276.21 any other police or sheriff's department located entirely or partially within the school district's
276.22 boundaries.

276.23 ~~(c) A school district that is a member of an intermediate school district may include in~~
276.24 ~~its authority under this section the costs associated with safe schools activities authorized~~
276.25 ~~under paragraph (a) for intermediate school district programs. This authority must not exceed~~
276.26 ~~\$15 times the adjusted pupil units of the member districts. This authority is in addition to~~
276.27 ~~any other authority authorized under this section. Revenue raised under this paragraph must~~
276.28 ~~be transferred to the intermediate school district.~~

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

277.1 Sec. 16. **LEASE LEVY FOR TRANSPORTATION HUB FOR EASTERN CARVER**
277.2 **COUNTY SCHOOL DISTRICT.**

277.3 Notwithstanding Minnesota Statutes, section 126C.40, subdivision 1, Independent School
277.4 District No. 112, Eastern Carver County Schools, may lease a transportation hub under
277.5 Minnesota Statutes, section 126C.40, subdivision 1, if the district demonstrates to the
277.6 satisfaction of the commissioner of education that the transportation hub will result in
277.7 significant financial savings for the school district. Levy authority under this section must
277.8 not exceed the total levy authority under Minnesota Statutes, section 126C.40, subdivision
277.9 1, paragraph (e).

277.10 **EFFECTIVE DATE.** This section is effective for taxes payable in 2024 and later.

277.11 Sec. 17. **LONG-TERM FACILITIES MAINTENANCE REVENUE ADJUSTMENT.**

277.12 Subdivision 1. **Eligibility.** A school board that purchases a nonschool facility and converts
277.13 that facility to a school building may document to the commissioner of education, in the
277.14 form and manner specified by the commissioner, that the purchase and subsequent remodeling
277.15 of the facility is less expensive than constructing a new facility for the same space and is
277.16 eligible for an adjustment to its long-term facilities maintenance revenue according to
277.17 subdivision 2.

277.18 Subd. 2. **Inclusion in plan and revenue.** Notwithstanding Minnesota Statutes, section
277.19 123B.595, or any other law to the contrary, an eligible school district under subdivision 1
277.20 may include in its long-term facilities maintenance ten-year plan any heating, ventilation,
277.21 and air conditioning projects necessary to improve air handling performance sufficient to
277.22 satisfy the requirements for a certificate of occupancy for the space for its intended use as
277.23 a school facility. The Department of Education must adjust an eligible school district's
277.24 long-term facilities maintenance revenue to include these costs.

277.25 **EFFECTIVE DATE.** This section is effective the day following final enactment and
277.26 applies to a nonschool facility purchased on or after January 1, 2019.

277.27 Sec. 18. **APPROPRIATIONS.**

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

277.31 Subd. 2. **Building and cybersecurity grant program.** (a) To provide grants to school
277.32 districts and charter schools to improve building security and cybersecurity:

278.1 \$ 35,000,000 2024

278.2 \$ 0 2025

278.3 (b) A cooperative unit, school district, or charter school may apply for a grant in the
278.4 form and manner specified by the commissioner.

278.5 (c) Funds may be used for security-related facility improvements, cybersecurity insurance
278.6 premiums, and associated costs.

278.7 (d) Up to \$100,000 is available for grant administration and monitoring.

278.8 (e) This is a onetime appropriation and is available until June 30, 2027.

278.9 Subd. 3. **Debt service equalization aid.** (a) For debt service equalization aid under
278.10 Minnesota Statutes, section 123B.53, subdivision 6:

278.11 \$ 24,511,000 2024

278.12 \$ 21,351,000 2025

278.13 (b) The 2024 appropriation includes \$2,424,000 for 2023 and \$22,087,000 for 2024.

278.14 (c) The 2025 appropriation includes \$2,454,000 for 2024 and \$18,897,000 for 2025.

278.15 Subd. 4. **Equity in telecommunications access.** (a) For equity in telecommunications
278.16 access:

278.17 \$ 3,750,000 2024

278.18 \$ 3,750,000 2025

278.19 (b) If the appropriation amount is insufficient, the commissioner shall reduce the
278.20 reimbursement rate in Minnesota Statutes, section 125B.26, subdivisions 4 and 5, and the
278.21 revenue for fiscal years 2024 and 2025 shall be prorated.

278.22 (c) Any balance in the first year does not cancel but is available in the second year.

278.23 Subd. 5. **Grants for gender-neutral single-user restrooms.** (a) For grants to school
278.24 districts for remodeling, constructing, or repurposing space for gender-neutral single-user
278.25 restrooms:

278.26 \$ 1,000,000 2024

278.27 \$ 1,000,000 2025

278.28 (b) A school district or a cooperative unit under Minnesota Statutes, section 123A.24,
278.29 subdivision 2, may apply for a grant of not more than \$75,000 per site under this subdivision
278.30 in the form and manner specified by the commissioner. The commissioner must award at

279.1 least one grant under this subdivision to Independent School District No. 709, Duluth, for
279.2 a demonstration grant for a project awaiting construction.

279.3 (c) The commissioner must ensure that grants are awarded to schools to reflect the
279.4 geographic diversity of the state.

279.5 (d) Up to \$75,000 each year is available for grant administration and monitoring.

279.6 (e) By February 1 of each year, the commissioner must annually report to the committees
279.7 of the legislature with jurisdiction over education on the number of grants that were awarded
279.8 each year and the number of grant applications that were unfunded during that year.

279.9 Subd. 6. Long-term facilities maintenance equalized aid. (a) For long-term facilities
279.10 maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

279.11 \$ 108,045,000 2024

279.12 \$ 108,245,000 2025

279.13 (b) The 2024 appropriation includes \$10,821,000 for 2023 and \$97,224,000 for 2024.

279.14 (c) The 2025 appropriation includes \$10,803,000 for 2024 and \$97,442,000 for 2025.

279.15 ARTICLE 9

279.16 NUTRITION AND LIBRARIES

279.17 Section 1. Minnesota Statutes 2022, section 124D.111, subdivision 2a, is amended to read:

279.18 Subd. 2a. **Federal child and adult care food program and federal summer food**
279.19 **service program; criteria and notice.** (a) The commissioner must post on the department's
279.20 website eligibility criteria and application information for nonprofit organizations interested
279.21 in applying to the commissioner for approval as a multisite sponsoring organization under
279.22 the federal child and adult care food program and federal summer food service program.

279.23 The posted criteria and information must inform interested nonprofit organizations about:

279.24 (1) the criteria the commissioner uses to approve or disapprove an application, including
279.25 how an applicant demonstrates financial viability for the Minnesota program, among other
279.26 criteria;

279.27 (2) the commissioner's process and time line for notifying an applicant when its
279.28 application is approved or disapproved and, if the application is disapproved, the explanation
279.29 the commissioner provides to the applicant; and

279.30 (3) any appeal or other recourse available to a disapproved applicant.

280.1 (b) The commissioner must evaluate financial eligibility as part of the application process.
280.2 An organization applying to be a prospective sponsor for the federal child and adult food
280.3 care program or the federal summer food service program must provide documentation of
280.4 financial viability as an organization. Documentation must include:

280.5 (1) evidence that the organization has operated for at least one year and has filed at least
280.6 one tax return;

280.7 (2) the most recent tax return submitted by the organization and corresponding forms
280.8 and financial statements;

280.9 (3) a profit and loss statement and balance sheet or similar financial information; and

280.10 (4) evidence that at least ten percent of the organization's operating revenue comes from
280.11 sources other than the United States Department of Agriculture child nutrition program and
280.12 that the organization has additional funds or a performance bond available to cover at least
280.13 one month of reimbursement claims.

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

280.15 Sec. 2. Minnesota Statutes 2022, section 124D.111, subdivision 5, is amended to read:

280.16 Subd. 5. **Respectful treatment.** (a) The participant must also provide meals to students
280.17 in a respectful manner according to the policy adopted under subdivision 1. The participant
280.18 must ensure that any reminders for payment of outstanding student meal balances do not
280.19 demean or stigmatize any child participating in the school lunch program, including but not
280.20 limited to dumping meals; withdrawing a meal that has been served; announcing or listing
280.21 students' names publicly; providing alternative meals not specifically related to dietary
280.22 needs; providing nonreimbursable meals; or affixing stickers, stamps, or pins. The participant
280.23 must not impose any other restriction prohibited under section 123B.37 due to unpaid student
280.24 meal balances. The participant must not limit a student's participation in any school activities,
280.25 graduation ceremonies, field trips, athletics, activity clubs, or other extracurricular activities
280.26 or access to materials, technology, or other items provided to students due to an unpaid
280.27 student meal balance.

280.28 (b) If the commissioner or the commissioner's designee determines a participant has
280.29 violated the requirement to provide meals to participating students in a respectful manner,
280.30 the commissioner or the commissioner's designee must send a letter of noncompliance to
280.31 the participant. The participant is required to respond and, if applicable, remedy the practice
280.32 within 60 days.

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

281.1 Sec. 3. Minnesota Statutes 2022, section 124D.1158, as amended by Laws 2023, chapter
281.2 18, section 2, is amended to read:

281.3 **124D.1158 SCHOOL BREAKFAST PROGRAM.**

281.4 Subdivision 1. **Purpose; eligibility.** (a) The purpose of the school breakfast program is
281.5 to provide affordable morning nutrition to children so that they can effectively learn.

281.6 (b) A school district, charter school, nonpublic school, or other participant in the federal
281.7 school breakfast program may receive state breakfast aid.

281.8 (c) Schools shall encourage all children to eat a nutritious breakfast, either at home or
281.9 at school, and shall work to eliminate barriers to breakfast participation at school such as
281.10 inadequate facilities and transportation.

281.11 Subd. 3. **Program reimbursement.** Each school year, the state must reimburse each
281.12 participating school either:

281.13 (1) 30 cents for each reduced-price breakfast, 55 cents for each fully paid breakfast
281.14 served to students in grades 1 to 12, and \$1.30 for each fully paid breakfast served to a
281.15 prekindergarten student enrolled in an approved voluntary prekindergarten program under
281.16 section 124D.151, early childhood special education student participating in a program
281.17 authorized under section 124D.151, or a kindergarten student; or

281.18 (2) if the school participates in the free school meals program under section 124D.111,
281.19 subdivision 1c, state aid as provided in section 124D.111, subdivision 1d.

281.20 Subd. 4. **No fees.** A school that receives school breakfast aid under this section must
281.21 make breakfast available without charge to all participating students in grades 1 to 12 who
281.22 qualify for free or reduced-price meals and to all prekindergarten students enrolled in an
281.23 approved voluntary prekindergarten program under section 124D.151, early childhood
281.24 special education students participating in a program authorized under section 124D.151,
281.25 and all kindergarten students.

281.26 Sec. 4. Minnesota Statutes 2022, section 124D.119, is amended to read:

281.27 **124D.119 SUMMER FOOD SERVICE ~~REPLACEMENT AID~~ PROGRAM AND**
281.28 **CHILD AND ADULT CARE FOOD PROGRAM.**

281.29 Subdivision 1. Summer Food Service Program replacement aid. ~~States~~ State funds
281.30 are available to compensate department-approved Summer Food Service Program sponsors.
281.31 Reimbursement shall be made on December 15 based on total meals served by each sponsor
281.32 from the end of the school year to the beginning of the next school year on a pro rata basis.

282.1 Subd. 2. **Child and Adult Care Food Program and Summer Food Service Program**

282.2 **sponsor organizations.** Legally distinct Child and Adult Care Food Program and Summer
282.3 Food Service Program sites may transfer sponsoring organizations no more than once per
282.4 year, except under extenuating circumstances including termination of the sponsoring
282.5 organization's agreement or other circumstances approved by the Department of Education.

282.6 Subd. 3. **Child and Adult Care Food Program and Summer Food Service Program**

282.7 **training.** Prior to applying to sponsor a Child and Adult Care Food Program or Summer
282.8 Food Service Program site, a nongovernmental organization applicant must provide
282.9 documentation to the Department of Education verifying that staff members have completed
282.10 program-specific training as designated by the commissioner.

282.11 Subd. 4. **Summer Food Service Program locations.** Consistent with Code of Federal

282.12 Regulations, title 7, section 225.6(d)(1)(ii), the Department of Education must not approve
282.13 a new Summer Food Service Program open site that is within a half-mile radius of an existing
282.14 Summer Food Service Program open site. The department may approve a new Summer
282.15 Food Service Program open site within a half-mile radius only if the new program will not
282.16 be serving the same group of children for the same meal type or if there are safety issues
282.17 that could present barriers to participation.

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

282.19 Sec. 5. **[124D.901] SCHOOL LIBRARIES AND MEDIA CENTERS.**

282.20 A school district or charter school library or school library media center provides equitable
282.21 and free access to students, teachers, and administrators.

282.22 A school library or school library media center must have the following characteristics:

282.23 (1) ensures every student has equitable access to resources and is able to locate, access,
282.24 and use resources that are organized and cataloged;

282.25 (2) has a collection development plan that includes but is not limited to materials selection
282.26 and deselection, a challenged materials procedure, and an intellectual and academic freedom
282.27 statement;

282.28 (3) is housed in a central location that provides an environment for expanded learning
282.29 and supports a variety of student interests;

282.30 (4) has technology and Internet access; and

282.31 (5) is served by a licensed school library media specialist or licensed school librarian.

283.1 Sec. 6. Minnesota Statutes 2022, section 134.31, subdivision 1, is amended to read:

283.2 Subdivision 1. **Library service.** The state shall, as an integral part of its responsibility
283.3 for public education, support the provision of library service for every ~~citizen~~ resident, the
283.4 development of cooperative programs for the sharing of resources and services among all
283.5 libraries, and the establishment of jointly operated library services at a single location where
283.6 appropriate.

283.7 Sec. 7. Minnesota Statutes 2022, section 134.31, subdivision 4a, is amended to read:

283.8 Subd. 4a. **Services to people with visual and physical disabilities.** The Minnesota
283.9 Department of Education shall provide specialized services to people with visual and physical
283.10 disabilities through the Minnesota Braille and Talking Book Library under a cooperative
283.11 plan with the National Library ~~Services~~ Service for the Blind and ~~Physically Handicapped~~
283.12 Print Disabled of the Library of Congress.

283.13 Sec. 8. Minnesota Statutes 2022, section 134.32, subdivision 4, is amended to read:

283.14 Subd. 4. **Special project grants.** It may provide special project grants to assist innovative
283.15 and experimental library programs including, but not limited to, special services for American
283.16 Indians and ~~the Spanish-speaking~~ multilingual learners, delivery of library materials to
283.17 homebound persons, other extensions of library services to persons without access to libraries
283.18 and projects to strengthen and improve library services.

283.19 Sec. 9. Minnesota Statutes 2022, section 134.34, subdivision 1, is amended to read:

283.20 Subdivision 1. **Local support levels.** (a) Regional library basic system support aid shall
283.21 be provided to any regional public library system where there are at least three participating
283.22 counties and where each participating city and county is providing for public library service
283.23 support the lesser of (a) an amount equivalent to .82 percent of the average of the adjusted
283.24 net tax capacity of the taxable property of that city or county, as determined by the
283.25 commissioner of revenue for the second, third, and fourth year preceding that calendar year
283.26 or (b) a per capita amount calculated under the provisions of this subdivision. The per capita
283.27 amount is established for calendar year 1993 as \$7.62. In succeeding calendar years, the
283.28 per capita amount shall be increased by a percentage equal to one-half of the percentage by
283.29 which the total state adjusted net tax capacity of property as determined by the commissioner
283.30 of revenue for the second year preceding that calendar year increases over that total adjusted
283.31 net tax capacity for the third year preceding that calendar year.

(b) The minimum level of support specified under this subdivision or subdivision 4 shall be certified annually to the participating cities and counties by the Department of Education. If a city or county chooses to reduce its local support in accordance with subdivision 4, paragraph (b) or (c), it shall notify its regional public library system. The regional public library system shall notify the Department of Education that a revised certification is required. The revised minimum level of support shall be certified to the city or county by the Department of Education.

(c) A city which is a part of a regional public library system shall not be required to provide this level of support if the property of that city is already taxable by the county for the support of that regional public library system. In no event shall the Department of Education require any city or county to provide a higher level of support than the level of support specified in this section in order for a system to qualify for regional library basic system support aid. This section shall not be construed to prohibit a city or county from providing a higher level of support for public libraries than the level of support specified in this section.

(d) The amounts required to be expended under this section are subject to the reduced maintenance of effort requirements under section 275.761.

Sec. 10. Minnesota Statutes 2022, section 134.355, subdivision 5, is amended to read:

Subd. 5. **Base aid distribution.** ~~Five~~ Fifteen percent of the available aid funds shall be paid to each system as base aid for basic system services.

EFFECTIVE DATE. This section is effective for state aid for fiscal year 2024 and later.

Sec. 11. Minnesota Statutes 2022, section 134.355, subdivision 6, is amended to read:

Subd. 6. **Adjusted net tax capacity per capita distribution.** ~~Twenty-five~~ Fifteen percent of the available aid funds shall be distributed to regional public library systems based upon the adjusted net tax capacity per capita for each member county or participating portion of a county as calculated for the ~~second~~ third year preceding the fiscal year for which aid is provided. Each system's entitlement shall be calculated as follows:

~~(a)~~ (1) multiply the adjusted net tax capacity per capita for each county or participating portion of a county by .0082;

~~(b)~~ (2) add sufficient aid funds that are available under this subdivision to raise the amount of the county or participating portion of a county with the lowest value calculated

285.1 according to ~~paragraph (a)~~ clause (1) to the amount of the county or participating portion
285.2 of a county with the next highest value calculated according to ~~paragraph (a)~~ clause (1).
285.3 Multiply the amount of the additional aid funds by the population of the county or
285.4 participating portion of a county;

285.5 ~~(e)~~ (3) continue the process described in ~~paragraph (b)~~ clause (2) by adding sufficient
285.6 aid funds that are available under this subdivision to the amount of a county or participating
285.7 portion of a county with the next highest value calculated in ~~paragraph (a)~~ clause (1) to raise
285.8 it and the amount of counties and participating portions of counties with lower values
285.9 calculated in ~~paragraph (a)~~ clause (1) up to the amount of the county or participating portion
285.10 of a county with the next highest value, until reaching an amount where funds available
285.11 under this subdivision are no longer sufficient to raise the amount of a county or participating
285.12 portion of a county and the amount of counties and participating portions of counties with
285.13 lower values up to the amount of the next highest county or participating portion of a county;
285.14 and

285.15 ~~(d)~~ (4) if the point is reached using the process in ~~paragraphs (b) and (e)~~ clauses (2) and
285.16 (3) at which the remaining aid funds under this subdivision are not adequate for raising the
285.17 amount of a county or participating portion of a county and all counties and participating
285.18 portions of counties with amounts of lower value to the amount of the county or participating
285.19 portion of a county with the next highest value, those funds are to be divided on a per capita
285.20 basis for all counties or participating portions of counties that received aid funds under the
285.21 calculation in ~~paragraphs (b) and (e)~~ clauses (2) and (3).

285.22 **EFFECTIVE DATE.** This section is effective for state aid for fiscal year 2024 and
285.23 later.

285.24 Sec. 12. Minnesota Statutes 2022, section 134.355, subdivision 7, is amended to read:

285.25 Subd. 7. **Population determination.** A regional public library system's population shall
285.26 be determined according to must be calculated using the most recent estimate available
285.27 under section 477A.011, subdivision 3, at the time the aid amounts are calculated, which
285.28 must be by April 1 in the year the calculation is made.

285.29 **EFFECTIVE DATE.** This section is effective for state aid for fiscal year 2024 and
285.30 later.

286.1 Sec. 13. Laws 2023, chapter 18, section 4, subdivision 2, is amended to read:

286.2 Subd. 2. **School lunch.** For school lunch aid under Minnesota Statutes, section 124D.111,
286.3 including the amounts for the free school meals program:

286.4		~~190,863,000~~		
286.5	\$	<u>190,897,000</u>		2024
286.6		~~197,902,000~~		
286.7	\$	<u>198,154,000</u>		2025

286.8 Sec. 14. Laws 2023, chapter 18, section 4, subdivision 3, is amended to read:

286.9 Subd. 3. **School breakfast.** For school breakfast aid under Minnesota Statutes, section
286.10 124D.1158:

286.11		~~25,731,000~~		
286.12	\$	<u>25,912,000</u>		2024
286.13		~~26,538,000~~		
286.14	\$	<u>27,372,000</u>		2025

286.15 Sec. 15. **APPROPRIATIONS.**

286.16 Subdivision 1. **Department of Education.** The sums indicated in this section are
286.17 appropriated from the general fund to the Department of Education for the fiscal years
286.18 designated. Any balance in the first year does not cancel but is available in the second year.

286.19 Subd. 2. **Basic system support.** (a) For basic system support aid under Minnesota
286.20 Statutes, section 134.355:

286.21	\$	<u>15,550,000</u>		<u>2024</u>
286.22	\$	<u>15,770,000</u>		<u>2025</u>

286.23 (b) The 2024 appropriation includes \$1,357,000 for 2023 and \$14,193,000 for 2024.

286.24 (c) The 2025 appropriation includes \$1,757,000 for 2024 and \$14,213,000 for 2025.

286.25 Subd. 3. **Electronic library for Minnesota.** For statewide licenses to online databases
286.26 selected in cooperation with the Minnesota Office of Higher Education for school media
286.27 centers, public libraries, state government agency libraries, and public or private college or
286.28 university libraries:

286.29	\$	<u>900,000</u>		<u>2024</u>
286.30	\$	<u>900,000</u>		<u>2025</u>

286.31 Subd. 4. **Kindergarten milk.** For kindergarten milk aid under Minnesota Statutes,
286.32 section 124D.118:

(b) In reviewing applications under subdivision 5, the commissioner must limit the total number of participants in the voluntary prekindergarten and school readiness plus programs under Laws 2017, First Special Session chapter 5, article 8, section 9, to not more than 7,160 participants for fiscal years 2019, 2020, 2021, 2022, and 2023, and 3,160 participants for fiscal years 2024 and later 2023 and 2024, and 12,360 participants for fiscal year 2025 and later.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2024 and later.

Sec. 2. Minnesota Statutes 2022, section 126C.05, subdivision 1, is amended to read:

Subdivision 1. **Pupil unit.** Pupil units for each Minnesota resident pupil under the age of 21 or who meets the requirements of section 120A.20, subdivision 1, paragraph (c), in average daily membership enrolled in the district of residence, in another district under sections 123A.05 to 123A.08, 124D.03, 124D.08, or 124D.68; in a charter school under chapter 124E; or for whom the resident district pays tuition under section 123A.18, 123A.22, 123A.30, 123A.32, 123A.44, 123A.488, 123B.88, subdivision 4, 124D.04, 124D.05, 125A.03 to 125A.24, 125A.51, or 125A.65, shall be counted according to this subdivision.

(a) A prekindergarten pupil with a disability who is enrolled in a program approved by the commissioner and has an individualized education program is counted as the ratio of the number of hours of assessment and education service to 825 times 1.0 with a minimum average daily membership of 0.28, but not more than 1.0 pupil unit.

(b) A prekindergarten pupil who is assessed but determined not to be disabled is counted as the ratio of the number of hours of assessment service to 825 times 1.0.

~~(c) A kindergarten pupil with a disability who is enrolled in a program approved by the commissioner is counted as the ratio of the number of hours of assessment and education services required in the fiscal year by the pupil's individualized education program to 875, but not more than one.~~

~~(d)~~ (c) A prekindergarten pupil who is not included in paragraph (a) or (b) and is enrolled in an approved voluntary prekindergarten program under section 124D.151 is counted as the ratio of the number of hours of instruction to 850 times 1.0, but not more than 0.6 pupil units.

~~(e)~~ (d) A kindergarten pupil who is not included in paragraph (c) is counted as 1.0 pupil unit if the pupil is enrolled in a free all-day, every day kindergarten program available to all kindergarten pupils at the pupil's school that meets the minimum hours requirement in

289.1 section 120A.41, or is counted as .55 pupil unit, if the pupil is not enrolled in a free all-day,
289.2 every day kindergarten program available to all kindergarten pupils at the pupil's school.

289.3 ~~(f)~~ (e) A pupil who is in any of grades 1 to 6 is counted as 1.0 pupil unit.

289.4 ~~(g)~~ (f) A pupil who is in any of grades 7 to 12 is counted as 1.2 pupil units.

289.5 ~~(h)~~ (g) A pupil who is in the postsecondary enrollment options program is counted as
289.6 1.2 pupil units.

289.7 ~~(i) For fiscal years 2018 through 2023,~~ (h) A prekindergarten pupil who:

289.8 (1) is not included in paragraph (a), (b), or ~~(d)~~ (c);

289.9 (2) is enrolled in a school readiness plus program under Laws 2017, First Special Session
289.10 chapter 5, article 8, section 9; and

289.11 (3) has one or more of the risk factors specified by the eligibility requirements for a
289.12 school readiness plus program,

289.13 is counted as the ratio of the number of hours of instruction to 850 times 1.0, but not more
289.14 than 0.6 pupil units. A pupil qualifying under this paragraph must be counted in the same
289.15 manner as a voluntary prekindergarten student for all general education and other school
289.16 funding formulas.

289.17 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

289.18 Sec. 3. Minnesota Statutes 2022, section 126C.05, subdivision 3, as amended by Laws
289.19 2023, chapter 18, section 3, is amended to read:

289.20 Subd. 3. **Compensation revenue pupil units.** Compensation revenue pupil units must
289.21 be computed according to this subdivision.

289.22 (a) The compensation revenue concentration percentage for each building in a district
289.23 equals the product of 100 times the ratio of:

289.24 (1) the sum of the number of pupils enrolled in the building eligible to receive free lunch
289.25 plus one-half of the pupils eligible to receive reduced priced lunch on October 1 of the
289.26 previous fiscal year; to

289.27 (2) the number of pupils enrolled in the building on October 1 of the previous fiscal
289.28 year.

289.29 (b) The compensation revenue pupil weighting factor for a building equals the lesser of
289.30 one or the quotient obtained by dividing the building's compensation revenue concentration
289.31 percentage by 80.0.

(c) The compensation revenue pupil units for a building equals the product of:

(1) the sum of the number of pupils enrolled in the building eligible to receive free lunch and one-half of the pupils eligible to receive reduced priced lunch on October 1 of the previous fiscal year; times

(2) the compensation revenue pupil weighting factor for the building; times

(3) .60.

(d) Notwithstanding paragraphs (a) to (c), for voluntary prekindergarten programs under section 124D.151, charter schools, and contracted alternative programs in the first year of operation, compensation revenue pupil units shall be computed using data for the current fiscal year. If the voluntary prekindergarten program, charter school, or contracted alternative program begins operation after October 1, compensatory revenue pupil units shall be computed based on pupils enrolled on an alternate date determined by the commissioner, and the compensation revenue pupil units shall be prorated based on the ratio of the number of days of student instruction to 170 days.

~~(e) Notwithstanding paragraphs (a) to (c), for voluntary prekindergarten seats discontinued in fiscal year 2024 due to the reduction in the participation limit under section 124D.151, subdivision 6, those discontinued seats must not be used to calculate compensation revenue pupil units for fiscal year 2024.~~

~~(f)~~ (e) The percentages in this subdivision must be based on the count of individual pupils and not on a building average or minimum.

~~(g)~~ (f) Notwithstanding paragraphs (a) to ~~(f)~~ (e), for revenue in fiscal year 2025 only, the compensation revenue pupil units for each building in a district equals the greater of the building's actual compensation revenue pupil units computed according to paragraphs (a) to ~~(f)~~ (e) for revenue in fiscal year 2025, or the building's actual compensation revenue pupil units computed according to paragraphs (a) to ~~(f)~~ (e) for revenue in fiscal year 2024.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2024 and later.

Sec. 4. Minnesota Statutes 2022, section 126C.10, subdivision 2d, is amended to read:

Subd. 2d. **Declining enrollment revenue.** ~~(a)~~ A school district's declining enrollment revenue equals the greater of zero or the product of: (1) 28 percent of the formula allowance for that year and (2) the difference between the adjusted pupil units for the preceding year and the adjusted pupil units for the current year.

291.1 ~~(b) Notwithstanding paragraph (a), for fiscal year 2024 only, prekindergarten pupil units~~
291.2 ~~under section 126C.05, subdivision 1, paragraph (d), must be excluded from the calculation~~
291.3 ~~of declining enrollment revenue.~~

291.4 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

291.5 **ARTICLE 11**

291.6 **COMMUNITY EDUCATION AND LIFELONG LEARNING**

291.7 Section 1. Minnesota Statutes 2022, section 124D.20, subdivision 3, is amended to read:

291.8 Subd. 3. **General community education revenue.** The general community education
291.9 revenue for a district equals ~~\$5.23 for fiscal years 2005 and 2006 and \$5.42~~ \$5.75 for fiscal
291.10 year ~~2007~~ 2025 and later, times the greater of 1,335 or the population of the district. The
291.11 population of the district is determined according to section 275.14.

291.12 Sec. 2. Minnesota Statutes 2022, section 124D.20, subdivision 5, is amended to read:

291.13 Subd. 5. **Total community education levy.** (a) For fiscal years prior to 2025, to obtain
291.14 total community education revenue, a district may levy the amount raised by a maximum
291.15 tax rate of 0.94 percent times the adjusted net tax capacity of the district. If the amount of
291.16 the total community education levy would exceed the total community education revenue,
291.17 the total community education levy shall be determined according to subdivision 6.

291.18 (b) By August 30 of each year, the commissioner shall establish a tax rate for the
291.19 community education levy that raises the amount specified in paragraph (c). The community
291.20 education levy must not exceed the community education revenue computed in subdivision
291.21 3.

291.22 (c) The community education levy amount is \$42,379,000 for fiscal year 2025,
291.23 \$42,713,000 for fiscal year 2026, and \$43,045,000 for each subsequent fiscal year.

291.24 Sec. 3. Minnesota Statutes 2022, section 124D.2211, is amended to read:

291.25 **124D.2211 AFTER-SCHOOL COMMUNITY LEARNING PROGRAMS.**

291.26 Subdivision 1. **Establishment.** A competitive statewide after-school community learning
291.27 grant program is established to provide grants to ~~community or nonprofit organizations,~~
291.28 ~~political subdivisions, for-profit or nonprofit child care centers, or school-based programs~~
291.29 ~~that serve~~ support eligible organizations to provide culturally affirming and enriching
291.30 after-school and summer learning programs for school-age youth after school or during
291.31 nonschool hours. Grants must be used to offer a broad array of academic enrichment activities

292.1 that promote positive after-school and summer learning activities, including art, music,
292.2 community engagement, literacy, science, technology, engineering, math, health, and
292.3 recreation programs. The commissioner shall develop criteria for after-school community
292.4 learning programs that promote partnerships and active collaboration with the schools that
292.5 participating students attend. The commissioner may award grants under this section to
292.6 community or nonprofit organizations, culturally specific organizations, American Indian
292.7 organizations, Tribal Nations, political subdivisions, public libraries, or school-based
292.8 programs that serve youth after school, during the summer, or during nonschool hours.

292.9 Subd. 2. ~~Program outcomes~~ Objectives. The ~~expected outcomes~~ objectives of the
292.10 after-school community learning programs are to ~~increase~~:

- 292.11 ~~(1) school connectedness of participants;~~
292.12 ~~(2) academic achievement of participating students in one or more core academic areas;~~
292.13 ~~(3) the capacity of participants to become productive adults; and~~
292.14 ~~(4) prevent truancy from school and prevent juvenile crime.~~

292.15 (1) increase access to comprehensive and culturally affirming after-school and summer
292.16 learning and enrichment opportunities that meet the academic, social, and emotional needs
292.17 of historically underserved students;

- 292.18 (2) promote engagement in learning and connections to school and community; and
292.19 (3) encourage school attendance and improve academic performance.

292.20 Subd. 3. **Grants.** (a) An applicant ~~shall~~ must submit an after-school community learning
292.21 program proposal to the commissioner. The submitted ~~plan~~ proposal must include:

- 292.22 ~~(1) collaboration with and leverage of existing community resources that have~~
292.23 ~~demonstrated effectiveness;~~
292.24 ~~(2) outreach to children and youth; and~~
292.25 ~~(3) involvement of local governments, including park and recreation boards or schools,~~
292.26 ~~unless no government agency is appropriate.~~

292.27 ~~Proposals will be reviewed and approved by the commissioner.~~

292.28 (1) an assessment of the needs and available resources for the after-school community
292.29 learning program and a description of how the proposed program will address the needs
292.30 identified, including how students and families were engaged in the process;

292.31 (2) a description of the partnership between a school and another eligible entity;

293.1 (3) an explanation of how the proposal will support the objectives identified in subdivision
293.2 2, including the use of best practices;

293.3 (4) a plan to implement effective after-school and summer learning practices and provide
293.4 staff access to professional development opportunities; and

293.5 (5) a description of the data they will use to evaluate the impact of the program.

293.6 (b) The commissioner must review proposals and award grants to programs that:

293.7 (1) primarily serve historically underserved students; and

293.8 (2) provide opportunities for academic enrichment and a broad array of additional services
293.9 and activities to meet program objectives.

293.10 (c) To the extent practicable, the commissioner must award grants equitably among the
293.11 geographic areas of Minnesota, including rural, suburban, and urban communities.

293.12 Subd. 4. **Technical assistance and continuous improvement.** (a) The commissioner
293.13 must monitor and evaluate the performance of grant recipients to assess the effectiveness
293.14 of after-school community learning programs in meeting the objectives identified in
293.15 subdivision 2.

293.16 (b) The commissioner must provide technical assistance, capacity building, and
293.17 professional development to grant recipients, including guidance on effective practices for
293.18 after-school and summer learning programs.

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

293.20 Sec. 4. Minnesota Statutes 2022, section 124D.531, subdivision 1, is amended to read:

293.21 Subdivision 1. **State total adult basic education aid.** (a) The state total adult basic
293.22 education aid for fiscal year 2011 equals \$44,419,000, plus any amount that is not paid
293.23 during the previous fiscal year as a result of adjustments under subdivision 4, paragraph
293.24 (a), or section 124D.52, subdivision 3. The state total adult basic education aid for later
293.25 fiscal years equals:

293.26 (1) the state total adult basic education aid for the preceding fiscal year plus any amount
293.27 that is not paid for during the previous fiscal year, as a result of adjustments under subdivision
293.28 4, paragraph (a), or section 124D.52, subdivision 3; times

293.29 (2) the greater of 1.00 or the lesser of:

293.30 (i) 1.03; or

293.31 (ii) the average growth in state total contact hours over the prior ten program years.

294.1 Three percent of the state total adult basic education aid must be set aside for adult basic
294.2 education supplemental service grants under section 124D.522.

294.3 (b) The state total adult basic education aid, excluding basic population aid, equals the
294.4 difference between the amount computed in paragraph (a), and the state total basic population
294.5 aid under subdivision 2.

294.6 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

294.7 Sec. 5. Minnesota Statutes 2022, section 124D.531, subdivision 4, is amended to read:

294.8 Subd. 4. **Adult basic education program aid limit.** (a) Notwithstanding subdivisions
294.9 2 and 3, the total adult basic education aid for a program per prior year contact hour must
294.10 not exceed ~~\$22~~ \$30 per prior year contact hour computed under subdivision 3, clause (2).

294.11 (b) The aid for a program under subdivision 3, clause (2), adjusted for changes in program
294.12 membership, must not exceed the aid for that program under subdivision 3, clause (2), for
294.13 the first preceding fiscal year by more than the greater of 11 percent or \$10,000.

294.14 (c) Adult basic education aid is payable to a program for unreimbursed costs occurring
294.15 in the program year as defined in section 124D.52, subdivision 3.

294.16 (d) Any adult basic education aid that is not paid to a program because of the program
294.17 aid limitation under paragraph (a) must be added to the state total adult basic education aid
294.18 for the next fiscal year under subdivision 1. Any adult basic education aid that is not paid
294.19 to a program because of the program aid limitations under paragraph (b) must be reallocated
294.20 among programs by adjusting the rate per contact hour under subdivision 3, clause (2).

294.21 Sec. 6. Minnesota Statutes 2022, section 124D.55, is amended to read:

294.22 **124D.55 COMMISSIONER-SELECTED HIGH SCHOOL EQUIVALENCY TEST**
294.23 **FEES.**

294.24 (a) The commissioner shall pay 60 percent of the fee that is charged to an eligible
294.25 individual for the full battery of the commissioner-selected high school equivalency tests,
294.26 but not more than \$40 for an eligible individual.

294.27 (b) Notwithstanding paragraph (a), for fiscal years ~~2020 and 2021~~ 2023 through 2027
294.28 only, subject to the availability of funds, the commissioner shall pay 100 percent of the fee
294.29 charged to an eligible individual for the full battery of the commissioner-selected high
294.30 school equivalency tests, but not more than the cost of one full battery of tests per year for
294.31 any individual.

295.1 Sec. 7. Minnesota Statutes 2022, section 124D.56, is amended to read:

295.2 **124D.56 COMMUNITY EDUCATION PROGRAM REVENUE; ADULTS WITH**
295.3 **DISABILITIES.**

295.4 Subdivision 1. **Revenue amount.** A district that is eligible according to section 124D.20,
295.5 subdivision 2, may receive revenue for a program for adults with disabilities. Revenue for
295.6 the program for adults with disabilities for a district ~~or a group of districts~~ equals the lesser
295.7 of:

295.8 ~~(1) the actual expenditures for approved programs and budgets; or~~

295.9 ~~(2) \$60,000~~ the greater of (1) \$0.35 times the population of the school district as
295.10 determined according to section 275.14, or (2) the district's adults with disabilities revenue
295.11 for fiscal year 2023. If the district does not levy the entire amount permitted, the district's
295.12 adults with disabilities aid is reduced in proportion to the actual amount levied.

295.13 Subd. 2. **Aid.** Program aid for adults with disabilities equals the lesser of:

295.14 ~~(1) one-half of the actual expenditures for approved programs and budgets; or~~

295.15 ~~(2) \$30,000~~ difference between the district's adults with disabilities revenue and the
295.16 district's adults with disabilities levy.

295.17 Subd. 3. **Levy.** A district may levy for a program for adults with disabilities in an amount
295.18 ~~up to the amount designated in subdivision 2. In the case of a program offered by a group~~
295.19 ~~of districts, the levy amount must be apportioned among the districts according to the~~
295.20 ~~agreement submitted to the department.~~ not to exceed the greater of:

295.21 (1) the district's revenue under subdivision 1; or

295.22 (2) the product of a tax rate not to exceed .00006 times the district's adjusted net tax
295.23 capacity for the year prior to the year the levy is certified.

295.24 Subd. 4. **Outside revenue.** A district may receive money from public or private sources
295.25 to supplement revenue for the program for adults with disabilities. Aid may not be reduced
295.26 as a result of receiving money from these sources.

295.27 Subd. 5. **Use of revenue.** Revenue for the program for adults with disabilities may be
295.28 used only to provide programs for adults with disabilities.

295.29 Subd. 6. **Cooperation encouraged.** A school district offering programming for adults
295.30 with disabilities is encouraged to provide programming in cooperation with other school
295.31 districts and other public and private organizations providing services to adults with
295.32 disabilities.

296.1 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2025 and later.

296.2 Sec. 8. Minnesota Statutes 2022, section 124D.99, subdivision 2, is amended to read:

296.3 Subd. 2. **Definitions.** (a) For purposes of this section the terms defined in this subdivision
296.4 have the meanings given them.

296.5 (b) ~~"Tier 1 grant"~~ "Neighborhood partnership grant" means a sustaining grant for the
296.6 ongoing operation, stability, and expansion of existing education partnership program
296.7 locations serving a defined geographic area within a single municipality.

296.8 (c) ~~"Tier 2 grant"~~ "Regional neighborhood partnership grant" means an implementation
296.9 grant for ~~expanding activity in~~ the ongoing operation, stability, and expansion of activity
296.10 of existing education partnership program locations serving a defined geographic area
296.11 encompassing an entire municipality or part of or all of multiple municipalities.

296.12 Sec. 9. **APPROPRIATIONS.**

296.13 Subdivision 1. Department of Education. The sums indicated in this section are
296.14 appropriated from the general fund to the Department of Education for the fiscal years
296.15 designated. Any balance in the first year does not cancel but is available in the second year.

296.16 Subd. 2. **Adult basic education aid.** (a) For adult basic education aid under Minnesota
296.17 Statutes, section 124D.531:

296.18 \$ 51,763,000 2024

296.19 \$ 51,758,000 2025

296.20 (b) The 2024 appropriation includes \$5,179,000 for 2023 and \$46,584,000 for 2024.

296.21 (c) The 2025 appropriation includes \$5,175,000 for 2024 and \$46,583,000 for 2025.

296.22 Subd. 3. **Adults with disabilities program aid.** (a) For adults with disabilities programs
296.23 under Minnesota Statutes, section 124D.56:

296.24 \$ 710,000 2024

296.25 \$ 1,793,000 2025

296.26 (b) The 2024 appropriation includes \$71,000 for 2023 and \$639,000 for 2024.

296.27 (c) The 2025 appropriation includes \$71,000 for 2024 and \$1,722,000 for 2025.

296.28 Subd. 4. **After school community learning grant program.** (a) For grants for after
296.29 school community learning programs in accordance with Minnesota Statutes, section
296.30 124D.2211:

297.1 \$ 25,000,000 2024

297.2 \$ 0 2025

297.3 (b) Up to three percent of the appropriation is for an organization serving as the statewide
297.4 after-school network to assist with the requirements of Minnesota Statutes, section
297.5 124D.2211, subdivision 4, paragraph (b).

297.6 (c) Up to two percent of the appropriation is available for grant administration,
297.7 monitoring, providing technical assistance, and program evaluation.

297.8 (d) This is a onetime appropriation and is available until June 30, 2027.

297.9 Subd. 5. **Community education aid.** (a) For community education aid under Minnesota
297.10 Statutes, section 124D.20:

297.11 \$ 98,000 2024

297.12 \$ 2,061,000 2025

297.13 (b) The 2024 appropriation includes \$14,000 for 2023 and \$84,000 for 2024.

297.14 (c) The 2025 appropriation includes \$9,000 for 2024 and \$2,052,000 for 2025.

297.15 Subd. 6. **Deaf, deafblind, and hard-of-hearing adults.** For programs for deaf, deafblind,
297.16 and hard-of-hearing adults under Minnesota Statutes, section 124D.57:

297.17 \$ 70,000 2024

297.18 \$ 70,000 2025

297.19 Subd. 7. **High school equivalency tests.** (a) For payment of the costs of the
297.20 commissioner-selected high school equivalency tests under Minnesota Statutes, section
297.21 124D.55:

297.22 \$ 615,000 2024

297.23 \$ 125,000 2025

297.24 (b) Of the amounts in paragraph (a), \$490,000 in fiscal year 2024 is available until June
297.25 30, 2027.

297.26 Subd. 8. **Neighborhood partnership grants.** (a) For neighborhood partnership grants
297.27 under Minnesota Statutes, section 124D.99:

297.28 \$ 2,600,000 2024

297.29 \$ 2,600,000 2025

297.30 (b) Of the amounts in paragraph (a), \$1,300,000 each year is for the Northside
297.31 Achievement Zone and \$1,300,000 each year is for the St. Paul Promise Neighborhood.

298.1 Subd. 9. Regional neighborhood partnership grants. (a) For regional neighborhood
298.2 partnership grants under Minnesota Statutes, section 124D.99:

298.3 \$ 700,000 2024

298.4 \$ 700,000 2025

298.5 (b) Of the amounts in paragraph (a), \$100,000 each year is for the following programs:

298.6 (1) Northfield Healthy Community Initiative in Northfield;

298.7 (2) Red Wing Youth Outreach Program in Red Wing;

298.8 (3) United Way of Central Minnesota in St. Cloud;

298.9 (4) Austin Aspires in Austin;

298.10 (5) Rochester Area Foundation in Rochester;

298.11 (6) Greater Twin Cities United Way for Generation Next; and

298.12 (7) Children First and Partnership for Success in St. Louis Park.

298.13 (c) Any balance in the first year does not cancel but is available in the second year.

298.14 Subd. 10. School-age care aid. (a) For school-age care aid under Minnesota Statutes,
298.15 section 124D.22:

298.16 \$ 1,000 2024

298.17 \$ 1,000 2025

298.18 (b) The 2024 appropriation includes \$0 for 2023 and \$1,000 for 2024.

298.19 (c) The 2025 appropriation includes \$0 for 2024 and \$1,000 for 2025.

298.20 **ARTICLE 12**

298.21 **STATE AGENCIES**

298.22 Section 1. Minnesota Statutes 2022, section 121A.04, subdivision 1, is amended to read:

298.23 Subdivision 1. **Purpose.** The legislature recognizes certain past inequities in access to
298.24 athletic programs and in the various degrees of athletic opportunity previously afforded
298.25 members of each sex, race, and ethnicity. The purpose of this section is to provide an equal
298.26 opportunity for members of both sexes and members of all races and ethnicities to participate
298.27 in athletic programs.

299.1 Sec. 2. Minnesota Statutes 2022, section 121A.04, subdivision 2, is amended to read:

299.2 Subd. 2. **Equal opportunity in athletic programs.** Each educational institution or public
299.3 service shall provide equal opportunity for members of both sexes and members of all races
299.4 and ethnicities to participate in its athletic program. In determining whether equal opportunity
299.5 to participate in athletic programs is available for the purposes of this section, at least the
299.6 following factors shall be considered to the extent that they are applicable to a given situation:
299.7 whether the opportunity for males and females to participate in the athletic program reflects
299.8 the demonstrated interest in athletics of the males and females in the student body of the
299.9 educational institution or the population served by the public service; whether the opportunity
299.10 for members of all races and ethnicities to participate in the athletic program reflects the
299.11 demonstrated interest in athletics of members of all races and ethnicities in the student body
299.12 of the educational institution or the population served by the public service; whether the
299.13 variety and selection of sports and levels of competition effectively accommodate the
299.14 demonstrated interests of members of both sexes; whether the variety and selection of sports
299.15 and levels of competition effectively accommodate the demonstrated interests of members
299.16 of all races and ethnicities; the provision of equipment and supplies; scheduling of games
299.17 and practice times; assignment of coaches; provision of locker rooms; practice and
299.18 competitive facilities; and the provision of necessary funds for teams of one sex.

299.19 Sec. 3. Minnesota Statutes 2022, section 121A.582, subdivision 1, is amended to read:

299.20 Subdivision 1. **Reasonable force standard.** (a) A teacher or school principal, in
299.21 exercising the person's lawful authority, may use reasonable force when it is necessary under
299.22 the circumstances to correct or restrain a student ~~or~~ to prevent imminent bodily harm or
299.23 death to the student or to another.

299.24 (b) A school employee, school bus driver, or other agent of a district, in exercising the
299.25 person's lawful authority, may use reasonable force when it is necessary under the
299.26 circumstances to restrain a student ~~or~~ to prevent bodily harm or death to the student or to
299.27 another.

299.28 (c) Paragraphs (a) and (b) do not authorize conduct prohibited under section 125A.0942.

299.29 (d) Districts must report data on their use of any reasonable force used on a student with
299.30 a disability to correct or restrain the student to prevent imminent bodily harm or death to
299.31 the student or another that is consistent with the definition of physical holding under section
299.32 125A.0941, paragraph (c), as outlined in section 125A.0942, subdivision 3, paragraph (b).

(e) Beginning with the 2023-2024 school year, districts must report annually by July 15, in a form and manner determined by the commissioner, data from the prior school year about any reasonable force used on a general education student to correct or restrain the student to prevent imminent bodily harm or death to the student or another that is consistent with the definition of physical holding under section 125A.0941, paragraph (c).

Sec. 4. Minnesota Statutes 2022, section 122A.07, subdivision 1, is amended to read:

Subdivision 1. **Appointment of members.** The Professional Educator Licensing and Standards Board consists of ~~11~~ 13 members appointed by the governor, with the advice and consent of the senate. Membership terms, ~~compensation of members~~, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements are as provided in sections 214.07 to 214.09. No member may be reappointed for more than one additional term.

Sec. 5. Minnesota Statutes 2022, section 122A.07, subdivision 2, is amended to read:

Subd. 2. **Eligibility; board composition.** Each ~~nominee~~ appointee, other than a public nominee, must be selected on the basis of professional experience and knowledge of teacher education, accreditation, and licensure. The board must be composed of:

(1) ~~six~~ seven teachers who are currently teaching in a Minnesota school ~~or who were teaching at the time of the appointment~~, have at least five years of teaching experience, and ~~were~~ are not serving in ~~an administrative function at a school district or school when appointed~~ a position requiring an administrative license, pursuant to section 122A.14. The ~~six~~ seven teachers must include the following:

(i) one teacher in a charter school;

(ii) ~~one teacher~~ two teachers from a school located in the seven-county metropolitan area, as defined in section 473.121, subdivision 2;

(iii) ~~one teacher~~ two teachers from a school located outside the seven-county metropolitan area;

(iv) one teacher from a related service category licensed by the board; and

(v) one special education teacher; ~~and~~

~~(vi) one teacher from a teacher preparation program;~~

(2) two teachers currently teaching in a board-approved teacher preparation program;

(2) ~~(3)~~ one superintendent ~~that alternates,~~ alternating each term between a superintendent from a school district in the seven-county metropolitan area, as defined in section 473.121, subdivision 2, and a superintendent from a school district outside the metropolitan area;

~~(3) one school district human resources director;~~

(4) one ~~administrator of a cooperative unit under section 123A.24, subdivision 2,~~ educator who oversees a special education program and who works closely with a cooperative unit under section 123A.24, subdivision 2;

(5) one principal ~~that alternates,~~ alternating each term between an elementary and a secondary school principal; and

(6) one member of the public that may be a current or former school board member.

Sec. 6. Minnesota Statutes 2022, section 122A.07, subdivision 4, is amended to read:

Subd. 4. **Terms, compensation; removal; vacancies.** (a) The review and processing of complaints; the setting of fees; the selection and duties of an executive director to serve the board; and other provisions relating to board operations not provided in this chapter are as provided in chapter 214. Membership terms, except as provided in subdivision 2a, ~~compensation of members,~~ removal of members, the filling of membership vacancies, and fiscal year and reporting requirements are as provided in sections 214.07 to 214.09.

(b) Board members must receive a stipend of up to \$4,800 annually, prorated monthly, during each year of service on the board.

Sec. 7. Minnesota Statutes 2022, section 122A.07, subdivision 4a, is amended to read:

Subd. 4a. **Administration.** (a) The executive director of the board shall be the chief administrative officer for the board but shall not be a member of the board. The executive director shall maintain the records of the board, account for all fees received by the board, supervise and direct employees servicing the board, and perform other services as directed by the board.

(b) The Department of Administration must provide administrative support in accordance with section 16B.371. The commissioner of administration must assess the board for services it provides under this section.

~~(c) The Department of Education must provide suitable offices and other space to the board at reasonable cost until January 1, 2020. Thereafter, the board may contract with either the Department of Education or the Department of Administration for the provision~~

302.1 ~~of suitable offices and other space, joint conference and hearing facilities, and examination~~
302.2 ~~rooms.~~

302.3 Sec. 8. Minnesota Statutes 2022, section 122A.07, subdivision 5, is amended to read:

302.4 Subd. 5. **District reimbursement for costs of substitute teachers.** The Professional
302.5 Educator Licensing and Standards Board ~~may~~ must reimburse local school districts for the
302.6 costs of substitute teachers employed when regular teachers are providing professional
302.7 assistance to the state by serving on the board or on a committee or task force appointed by
302.8 the board and charged to make recommendations concerning standards for teacher licensure
302.9 in this state.

302.10 Sec. 9. Minnesota Statutes 2022, section 122A.07, subdivision 6, is amended to read:

302.11 Subd. 6. **Public employer compensation reduction prohibited.** (a) The public employer
302.12 of a member must not reduce the member's compensation or benefits because of the member's
302.13 absence from employment when engaging in the business of the board.

302.14 (b) The public employer of a member must grant the member time off to join board
302.15 meetings, committee meetings, and board retreats.

302.16 Sec. 10. Minnesota Statutes 2022, section 125A.71, subdivision 1, is amended to read:

302.17 Subdivision 1. **Rental income; appropriation.** Rental income, ~~excluding rent for land~~
302.18 ~~and living residences,~~ must be deposited in the state treasury and credited to a revolving
302.19 fund of the academies. Money in the revolving fund for rental income is annually
302.20 appropriated to the academies for staff development purposes. Payment from the revolving
302.21 fund for rental income may be made only according to vouchers authorized by the
302.22 administrator of the academies.

302.23 Sec. 11. **[127A.21] OFFICE OF THE INSPECTOR GENERAL.**

302.24 Subdivision 1. **Establishment of Office of the Inspector General; powers; duties.** The
302.25 commissioner must establish within the department an Office of the Inspector General. The
302.26 Office of the Inspector General is charged with protecting the integrity of the department
302.27 and the state by detecting and preventing fraud, waste, and abuse in department programs.
302.28 The Office of the Inspector General must conduct independent and objective investigations
302.29 to promote the integrity of the department's programs and operations. When fraud or other
302.30 misuse of public funds is detected, the Office of the Inspector General must report it to the

303.1 appropriate law enforcement entity and collaborate and cooperate with law enforcement to
303.2 assist in the investigation and any subsequent civil and criminal prosecution.

303.3 Subd. 2. **Data practices; hiring; reporting.** The Office of the Inspector General has
303.4 access to all program data, regardless of classification under chapter 13, held by the
303.5 department, school districts or charter schools, grantees, and any other recipient of funds
303.6 from the department. The commissioner, or the commissioner's designee, must hire an
303.7 inspector general to lead the Office of the Inspector General. The inspector general must
303.8 hire a deputy inspector general and, at the discretion of the inspector general, sufficient
303.9 assistant inspectors general to carry out the duties of the office. In a form and manner
303.10 determined by the inspector general, the Office of the Inspector General must develop a
303.11 public platform for the public to report instances of potential fraud, waste, or abuse of public
303.12 funds administered by the department.

303.13 Sec. 12. **[127A.215] COMPREHENSIVE SCHOOL MENTAL HEALTH SERVICES**
303.14 **LEAD.**

303.15 Subdivision 1. **Lead position established.** The department must employ a comprehensive
303.16 school mental health services lead to serve as a source of information and support for schools
303.17 in addressing the mental health needs of students, teachers, and school staff and developing
303.18 comprehensive school mental health systems in school districts and charter schools.

303.19 Subd. 2. **Assistance to districts.** (a) The lead must, upon request, assist schools in
303.20 assessing the quality of their comprehensive school mental health systems and developing
303.21 improvement plans to implement evidence-based mental health resources, tools, and practices
303.22 in school districts and charter schools throughout Minnesota.

303.23 (b) The lead must establish a clearinghouse and provide information and resources for
303.24 school districts, charter schools, teachers, school staff, and families to support students',
303.25 teachers', and school staff's mental health needs.

303.26 (c) The lead must work with school districts and charter schools to improve mental
303.27 health infrastructure support by:

303.28 (1) developing guidance and sharing resources on improving the quality of comprehensive
303.29 school mental health systems;

303.30 (2) developing and sharing resources on evidence-based strategies, behavioral
303.31 interventions, and practices or techniques for addressing mental health needs, including
303.32 implementing a comprehensive approach to suicide prevention;

(3) facilitating coordination and cooperation to enable school districts and charter schools to share strategies, challenges, and successes associated with supporting the mental health needs of students, teachers, and staff;

(4) providing advice, upon request, to schools on implementing trauma-informed and culturally responsive school-based programs that provide prevention or intervention services to students, teachers, and staff;

(5) aligning resources among the different state agencies, including the Department of Education, Department of Human Services, and Department of Health, to ensure school mental health systems can efficiently access state resources; and

(6) maintaining a comprehensive list of resources on the Department of Education website that schools may use to address students', teachers', and staff's mental health needs, including grant opportunities; community-based prevention and intervention services; model policies; written publications that schools may distribute to students, teachers, and staff; professional development opportunities; best practices; and other resources for mental health education under section 120B.21.

(d) The lead may report to the legislature as necessary regarding students', teachers', and school staff's mental health needs; challenges in developing comprehensive school mental health services; successful strategies and outcomes; and recommendations for integrating mental health services and supports in schools.

Subd. 3. **Coordination with other agencies.** The comprehensive school mental health services lead must consult with the Regional Centers of Excellence, the Department of Health, the Department of Human Services, the Minnesota School Safety Center, and other federal, state, and local agencies as necessary to identify or develop information, training, and resources to help school districts and charter schools support students', teachers', and school staff's mental health needs.

EFFECTIVE DATE. This section is effective July 1, 2023.

Sec. 13. Laws 2021, First Special Session chapter 13, article 11, section 4, subdivision 2, is amended to read:

Subd. 2. **Department.** (a) For the Department of Education:

\$ 30,837,000 2022

\$ 26,287,000 2023

Of these amounts:

305.1 (1) \$319,000 each year is for the Board of School Administrators;

305.2 (2) \$1,000,000 each year is for regional centers of excellence under Minnesota Statutes,
305.3 section 120B.115;

305.4 (3) \$250,000 each year is for the School Finance Division to enhance financial data
305.5 analysis;

305.6 (4) \$720,000 each year is for implementing Minnesota's Learning for English Academic
305.7 Proficiency and Success Act under Laws 2014, chapter 272, article 1, as amended;

305.8 (5) \$123,000 each year is for a dyslexia specialist;

305.9 (6) \$480,000 each year is for the Department of Education's mainframe update;

305.10 (7) \$4,500,000 in fiscal year 2022 only is for legal fees and costs associated with
305.11 litigation; and

305.12 (8) \$340,000 in fiscal years 2022 and 2023 only are for voluntary prekindergarten
305.13 programs.

305.14 (b) None of the amounts appropriated under this subdivision may be used for Minnesota's
305.15 Washington, D.C., office.

305.16 (c) The expenditures of federal grants and aids as shown in the biennial budget document
305.17 and its supplements are approved and appropriated and must be spent as indicated.

305.18 (d) This appropriation includes funds for information technology project services and
305.19 support subject to the provisions of Minnesota Statutes, section 16E.21. Any ongoing
305.20 information technology costs will be incorporated into the service level agreement and will
305.21 be paid to the Office of MN.IT Services by the Department of Education under the rates
305.22 and mechanisms specified in that agreement.

305.23 (e) To account for the base adjustments provided in Laws 2018, chapter 211, article 21,
305.24 section 1, paragraph (a), and section 3, paragraph (a), the base for fiscal year 2024 and later
305.25 is \$25,965,000.

305.26 (f) On the effective date of this act, \$1,500,000 from the fiscal year 2022 appropriation
305.27 for legal fees and costs associated with litigation is canceled to the general fund.

305.28 Sec. 14. **PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD**
305.29 **MEMBERSHIP.**

305.30 By July 15, 2023, the governor must nominate members to the Professional Educator
305.31 Licensing and Standards Board to ensure the board consists of 13 members. Notwithstanding

any law to the contrary, the term of the school district human resources director serving on the board as of March 1, 2023, ends December 31, 2023. By January 1, 2024, the governor must nominate a member to the board to ensure the board consists of the 13 members required under Minnesota Statutes, section 122A.07, subdivision 2.

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

Sec. 15. **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. Any balance in the first year does not cancel but is available in the second year.

Subd. 2. Comprehensive school mental health services lead. For the comprehensive school mental health services lead under Minnesota Statutes, section 127A.215:

\$	<u>150,000</u>	<u>.....</u>	<u>2024</u>

\$	<u>150,000</u>	<u>.....</u>	<u>2025</u>

Subd. 3. Department. (a) For the Department of Education:

\$	<u>42,430,000</u>	<u>.....</u>	<u>2024</u>

\$	<u>37,245,000</u>	<u>.....</u>	<u>2025</u>

Of these amounts:

(1) \$405,000 each year is for the Board of School Administrators;

(2) \$1,000,000 each year is for regional centers of excellence under Minnesota Statutes, section 120B.115;

(3) \$720,000 each year is for implementing Minnesota's Learning for English Academic Proficiency and Success Act (LEAPS) under Laws 2014, chapter 272, article 1, as amended;

(4) \$480,000 each year is for the Department of Education's mainframe update;

(5) \$7,500,000 in fiscal year 2024 only is for legal fees and costs associated with litigation;

(6) \$595,000 in fiscal year 2024 and \$2,609,000 in fiscal year 2025 are for modernizing district data submissions. The base for this appropriation is \$2,359,000 in fiscal year 2026 and thereafter;

(7) \$573,000 each year is for engagement and rulemaking related to Specific Learning Disability;

307.1 (8) \$150,000 each year is for an ethnic studies specialist in the academic standards
307.2 division to provide support to the ethnic studies working group and to school districts seeking
307.3 to establish or strengthen ethnic studies courses;

307.4 (9) \$2,000,000 each year is for the Office of the Inspector General established under
307.5 section 127A.21; and

307.6 (10) \$800,000 each year is for audit and internal control resources.

307.7 (b) None of the amounts appropriated under this subdivision may be used for Minnesota's
307.8 Washington, D.C., office.

307.9 (c) The expenditures of federal grants and aids as shown in the biennial budget document
307.10 and its supplements are approved and appropriated and must be spent as indicated.

307.11 (d) This appropriation includes funds for information technology project services and
307.12 support subject to the provisions of Minnesota Statutes, section 16E.21. Any ongoing
307.13 information technology costs may be incorporated into the service level agreement and may
307.14 be paid to the Department of Information Technology Services by the Department of
307.15 Education under the rates and mechanisms specified in that agreement.

307.16 (e) The base for the Department of Education for fiscal year 2026 and later is
307.17 \$36,990,000.

307.18 Subd. 4. **Equity, Diversity, and Inclusion Center staffing.** For staffing the Equity,
307.19 Diversity and Inclusion (EDI) Center at the Department of Education:

307.20 \$ 2,000,000 2024

307.21 \$ 2,000,000 2025

307.22 Subd. 5. **Unemployment insurance aid administration.** For administrative expenses:

307.23 \$ 275,000 2024

307.24 \$ 175,000 2025

307.25 Sec. 16. **APPROPRIATIONS; MINNESOTA STATE ACADEMIES.**

307.26 Subdivision 1. **Minnesota State Academies.** (a) The sums indicated in this section are
307.27 appropriated from the general fund to the Minnesota State Academies for the Deaf and the
307.28 Blind for the fiscal years designated:

307.29 \$ 17,445,000 2024

307.30 \$ 16,868,000 2025

307.31 Of these amounts:

308.1 (1) \$125,000 in fiscal year 2024 only is for an audiology booth and related testing
308.2 equipment; and

308.3 (2) \$445,000 in fiscal year 2024 and \$185,000 in fiscal year 2025 are for a mental health
308.4 day treatment program. These funds are available until June 30, 2027. The base amount for
308.5 the allocation under this clause is \$185,000 in fiscal year 2026 and later.

308.6 (b) The base for fiscal year 2026 is \$17,115,000 and the base for fiscal year 2027 and
308.7 later is \$16,872,000.

308.8 (c) Any balance in the first year does not cancel but is available in the second year.

308.9 Subd. 2. Unemployment insurance costs. For unemployment insurance costs for the
308.10 Minnesota State Academies:

308.11 \$ 321,000 2024

308.12 \$ 321,000 2025

308.13 Sec. 17. APPROPRIATIONS; PERPICH CENTER FOR ARTS EDUCATION.

308.14 Subdivision 1. Perpich Center for Arts Education. (a) The sums indicated in this
308.15 section are appropriated from the general fund to the Perpich Center for Arts Education for
308.16 the fiscal years designated:

308.17 \$ 9,219,000 2024

308.18 \$ 8,411,000 2025

308.19 Of these amounts, \$1,150,000 in fiscal year 2024 only is for furniture replacement in the
308.20 agency's dormitory and classrooms, including costs associated with moving and disposal.

308.21 (b) Any balance in the first year does not cancel but is available in the second year.

308.22 Subd. 2. Unemployment insurance costs. For unemployment insurance costs of the
308.23 Perpich Center for Arts Education:

308.24 \$ 24,000 2024

308.25 \$ 24,000 2025

308.26 Sec. 18. APPROPRIATIONS; PROFESSIONAL EDUCATOR LICENSING AND
308.27 STANDARDS BOARD.

308.28 Subdivision 1. Professional Educator Licensing and Standards Board. (a) The sums
308.29 indicated in this section are appropriated from the general fund to the Professional Educator
308.30 Licensing and Standards Board for the fiscal years designated:

310.1 \$ 12,000 2022

310.2 ~~13,000~~

310.3 \$ 16,000 2023

310.4 Sec. 3. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 4,
310.5 is amended to read:

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

310.7 \$ 2,897,000 2022

310.8 ~~3,558,000~~

310.9 \$ 1,434,000 2023

310.10 The 2022 appropriation includes \$269,000 for 2021 and \$2,628,000 for 2022.

310.11 The 2023 appropriation includes \$291,000 for 2022 and ~~\$3,267,000~~ \$1,143,000 for
310.12 2023.

310.13 Sec. 4. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 5,
310.14 is amended to read:

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

310.17 \$ 309,000 2022

310.18 ~~373,000~~

310.19 \$ 95,000 2023

310.20 The 2022 appropriation includes \$30,000 for 2021 and \$279,000 for 2022.

310.21 The 2023 appropriation includes \$31,000 for 2022 and ~~\$342,000~~ \$64,000 for 2023.

310.22 Sec. 5. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 6,
310.23 is amended to read:

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

310.26 \$ 16,991,000 2022

310.27 ~~17,450,000~~

310.28 \$ 19,003,000 2023

310.29 The 2022 appropriation includes \$1,903,000 for 2021 and \$15,088,000 for 2022.

310.30 The 2023 appropriation includes \$1,676,000 for 2022 and ~~\$15,774,000~~ \$17,327,000 for
310.31 2023.

311.1 Sec. 6. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 7,
311.2 is amended to read:

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

311.5 \$ 19,770,000 2022

311.6 ~~19,906,000~~

311.7 \$ 21,027,000 2023

311.8 The 2022 appropriation includes \$1,910,000 for 2021 and \$17,860,000 for 2022.

311.9 The 2023 appropriation includes \$1,984,000 for 2022 and ~~\$17,922,000~~ \$19,043,000 for
311.10 2023.

311.11 Sec. 7. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 9,
311.12 is amended to read:

311.13 Subd. 9. **Career and technical aid.** For career and technical aid under Minnesota
311.14 Statutes, section 124D.4531, subdivision 1b:

311.15 \$ 2,668,000 2022

311.16 ~~2,279,000~~

311.17 \$ 1,914,000 2023

311.18 The 2022 appropriation includes \$323,000 for 2021 and \$2,345,000 for 2022.

311.19 The 2023 appropriation includes \$260,000 for 2022 and ~~\$2,019,000~~ \$1,654,000 for
311.20 2023.

311.21 **B. EDUCATION EXCELLENCE**

311.22 Sec. 8. Laws 2021, First Special Session chapter 13, article 2, section 4, subdivision 2, is
311.23 amended to read:

311.24 Subd. 2. **Achievement and integration aid.** For achievement and integration aid under
311.25 Minnesota Statutes, section 124D.862:

311.26 \$ 84,057,000 2022

311.27 ~~83,431,000~~

311.28 \$ 81,579,000 2023

311.29 The 2022 appropriation includes \$8,868,000 for 2021 and \$75,189,000 for 2022.

311.30 The 2023 appropriation includes \$8,353,000 for 2022 and ~~\$75,078,000~~ \$73,226,000 for
311.31 2023.

312.1 Sec. 9. Laws 2021, First Special Session chapter 13, article 2, section 4, subdivision 3, is
312.2 amended to read:

312.3 Subd. 3. **American Indian education aid.** For American Indian education aid under
312.4 Minnesota Statutes, section 124D.81, subdivision 2a:

312.5 \$ 11,351,000 2022

312.6 ~~11,775,000~~

312.7 \$ 11,575,000 2023

312.8 The 2022 appropriation includes \$1,102,000 for 2021 and \$10,249,000 for 2022.

312.9 The 2023 appropriation includes \$1,138,000 for 2022 and ~~\$10,637,000~~ \$10,437,000 for
312.10 2023.

312.11 Sec. 10. Laws 2021, First Special Session chapter 13, article 2, section 4, subdivision 4,
312.12 is amended to read:

312.13 Subd. 4. **Charter school building lease aid.** For building lease aid under Minnesota
312.14 Statutes, section 124E.22:

312.15 \$ 93,547,000 2022

312.16 ~~99,819,000~~

312.17 \$ 90,864,000 2023

312.18 The 2022 appropriation includes \$8,617,000 for 2021 and \$84,930,000 for 2022.

312.19 The 2023 appropriation includes \$9,436,000 for 2022 and ~~\$90,383,000~~ \$81,428,000 for
312.20 2023.

312.21 Sec. 11. Laws 2021, First Special Session chapter 13, article 2, section 4, subdivision 12,
312.22 is amended to read:

312.23 Subd. 12. **Interdistrict desegregation or integration transportation grants.** For
312.24 interdistrict desegregation or integration transportation grants under Minnesota Statutes,
312.25 section 124D.87:

312.26 \$ 12,310,000 2022

312.27 ~~14,823,000~~

312.28 \$ 13,785,000 2023

313.1 Sec. 12. Laws 2021, First Special Session chapter 13, article 2, section 4, subdivision 27,
313.2 is amended to read:

313.3 Subd. 27. **Tribal contract school aid.** For Tribal contract school aid under Minnesota
313.4 Statutes, section 124D.83:

313.5 \$ 2,743,000 2022

313.6 ~~3,160,000~~

313.7 \$ 2,581,000 2023

313.8 The 2022 appropriation includes \$240,000 for 2021 and \$2,503,000 for 2022.

313.9 The 2023 appropriation includes \$278,000 for 2022 and ~~\$2,882,000~~ \$2,303,000 for
313.10 2023.

313.11 **C. TEACHERS**

313.12 Sec. 13. Laws 2021, First Special Session chapter 13, article 3, section 7, subdivision 7,
313.13 is amended to read:

313.14 Subd. 7. **Alternative teacher compensation aid.** (a) For alternative teacher compensation
313.15 aid under Minnesota Statutes, section 122A.415, subdivision 4:

313.16 \$ 88,896,000 2022

313.17 ~~88,898,000~~

313.18 \$ 88,308,000 2023

313.19 (b) The 2022 appropriation includes \$8,877,000 for 2021 and \$80,019,000 for 2022.

313.20 (c) The 2023 appropriation includes \$8,891,000 for 2022 and ~~\$80,007,000~~ \$79,417,000
313.21 for 2023.

313.22 **D. SPECIAL EDUCATION**

313.23 Sec. 14. Laws 2021, First Special Session chapter 13, article 5, section 3, subdivision 2,
313.24 is amended to read:

313.25 Subd. 2. **Special education; regular.** For special education aid under Minnesota Statutes,
313.26 section 125A.75:

313.27 \$ 1,822,998,000 2022

313.28 ~~1,945,533,000~~

313.29 \$ 1,859,205,000 2023

313.30 The 2022 appropriation includes \$215,125,000 for 2021 and \$1,607,873,000 for 2022.

314.1 The 2023 appropriation includes \$226,342,000 for 2022 and ~~\$1,719,191,000~~
314.2 \$1,632,863,000 for 2023.

314.3 Sec. 15. Laws 2021, First Special Session chapter 13, article 5, section 3, subdivision 3,
314.4 is amended to read:

314.5 Subd. 3. **Aid for children with disabilities.** For aid under Minnesota Statutes, section
314.6 125A.75, subdivision 3, for children with disabilities placed in residential facilities within
314.7 the district boundaries for whom no district of residence can be determined:

314.8 \$ 1,818,000 2022

314.9 ~~2,010,000~~

314.10 \$ 1,484,000 2023

314.11 If the appropriation for either year is insufficient, the appropriation for the other year is
314.12 available.

314.13 Sec. 16. Laws 2021, First Special Session chapter 13, article 5, section 3, subdivision 4,
314.14 is amended to read:

314.15 Subd. 4. **Travel for home-based services.** For aid for teacher travel for home-based
314.16 services under Minnesota Statutes, section 125A.75, subdivision 1:

314.17 \$ 465,000 2022

314.18 ~~512,000~~

314.19 \$ 337,000 2023

314.20 The 2022 appropriation includes \$23,000 for 2021 and \$442,000 for 2022.

314.21 The 2023 appropriation includes \$49,000 for 2022 and ~~\$463,000~~ \$288,000 for 2023.

314.22 **E. FACILITIES**

314.23 Sec. 17. Laws 2021, First Special Session chapter 13, article 7, section 2, subdivision 2,
314.24 is amended to read:

314.25 Subd. 2. **Debt service equalization aid.** For debt service equalization aid under
314.26 Minnesota Statutes, section 123B.53, subdivision 6:

314.27 \$ 25,001,000 2022

314.28 ~~24,286,000~~

314.29 \$ 24,315,000 2023

314.30 The 2022 appropriation includes \$2,588,000 for 2021 and \$22,413,000 for 2022.

315.1 The 2023 appropriation includes \$2,490,000 for 2022 and ~~\$21,796,000~~ \$21,825,000 for
315.2 2023.

315.3 Sec. 18. Laws 2021, First Special Session chapter 13, article 7, section 2, subdivision 3,
315.4 is amended to read:

315.5 Subd. 3. **Long-term facilities maintenance equalized aid.** For long-term facilities
315.6 maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

315.7 \$ 108,582,000 2022

315.8 ~~111,077,000~~

315.9 \$ 108,269,000 2023

315.10 The 2022 appropriation includes \$10,660,000 for 2021 and \$97,922,000 for 2022.

315.11 The 2023 appropriation includes \$10,880,000 for 2022 and ~~\$100,197,000~~ \$97,389,000
315.12 for 2023.

315.13 **F. NUTRITION**

315.14 Sec. 19. Laws 2021, First Special Session chapter 13, article 8, section 3, subdivision 2,
315.15 is amended to read:

315.16 Subd. 2. **School lunch.** For school lunch aid under Minnesota Statutes, section 124D.111,
315.17 and Code of Federal Regulations, title 7, section 210.17:

315.18 \$ 16,661,000 2022

315.19 ~~16,954,000~~

315.20 \$ 15,984,000 2023

315.21 Sec. 20. Laws 2021, First Special Session chapter 13, article 8, section 3, subdivision 3,
315.22 is amended to read:

315.23 Subd. 3. **School breakfast.** For traditional school breakfast aid under Minnesota Statutes,
315.24 section 124D.1158:

315.25 \$ 11,848,000 2022

315.26 ~~12,200,000~~

315.27 \$ 10,802,000 2023

315.28 Sec. 21. Laws 2021, First Special Session chapter 13, article 8, section 3, subdivision 4,
315.29 is amended to read:

315.30 Subd. 4. **Kindergarten milk.** For kindergarten milk aid under Minnesota Statutes,
315.31 section 124D.118:

316.1 \$ 656,000 2022

316.2 ~~658,000~~

316.3 \$ 659,000 2023

316.4 **G. EARLY EDUCATION**

316.5 Sec. 22. Laws 2021, First Special Session chapter 13, article 9, section 4, subdivision 5,
316.6 is amended to read:

316.7 Subd. 5. **Early childhood family education aid.** (a) For early childhood family education
316.8 aid under Minnesota Statutes, section 124D.135:

316.9 \$ 35,003,000 2022

316.10 ~~36,478,000~~

316.11 \$ 35,180,000 2023

316.12 (b) The 2022 appropriation includes \$3,341,000 for 2021 and \$31,662,000 for 2022.

316.13 (c) The 2023 appropriation includes \$3,518,000 for 2022 and ~~\$32,960,000~~ \$31,662,000
316.14 for 2023.

316.15 Sec. 23. Laws 2021, First Special Session chapter 13, article 9, section 4, subdivision 6,
316.16 is amended to read:

316.17 Subd. 6. **Developmental screening aid.** (a) For developmental screening aid under
316.18 Minnesota Statutes, sections 121A.17 and 121A.19:

316.19 \$ 3,582,000 2022

316.20 ~~3,476,000~~

316.21 \$ 3,503,000 2023

316.22 (b) The 2022 appropriation includes \$360,000 for 2021 and \$3,222,000 for 2022.

316.23 (c) The 2023 appropriation includes \$357,000 for 2022 and ~~\$3,119,000~~ \$3,146,000 for
316.24 2023.

316.25 Sec. 24. Laws 2021, First Special Session chapter 13, article 9, section 4, subdivision 12,
316.26 is amended to read:

316.27 Subd. 12. **Home visiting aid.** (a) For home visiting aid under Minnesota Statutes, section
316.28 124D.135:

316.29 \$ 462,000 2022

316.30 ~~444,000~~

316.31 \$ 415,000 2023

316.32 (b) The 2022 appropriation includes \$47,000 for 2021 and \$415,000 for 2022.

317.1 (c) The 2023 appropriation includes \$46,000 for 2022 and ~~\$398,000~~ \$369,000 for 2023.

317.2 **H. COMMUNITY EDUCATION AND LIFELONG LEARNING**

317.3 Sec. 25. Laws 2021, First Special Session chapter 13, article 10, section 1, subdivision 2,
317.4 is amended to read:

317.5 Subd. 2. **Community education aid.** For community education aid under Minnesota
317.6 Statutes, section 124D.20:

317.7 \$ 180,000 2022

317.8 ~~155,000~~

317.9 \$ 150,000 2023

317.10 The 2022 appropriation includes \$22,000 for 2021 and \$158,000 for 2022.

317.11 The 2023 appropriation includes \$17,000 for 2022 and ~~\$138,000~~ \$133,000 for 2023.

317.12 Sec. 26. Laws 2021, First Special Session chapter 13, article 10, section 1, subdivision 8,
317.13 is amended to read:

317.14 Subd. 8. **Adult basic education aid.** For adult basic education aid under Minnesota
317.15 Statutes, section 124D.531:

317.16 \$ 53,191,000 2022

317.17 ~~54,768,000~~

317.18 \$ 51,948,000 2023

317.19 The 2022 appropriation includes \$5,177,000 for 2021 and \$48,014,000 for 2022.

317.20 The 2023 appropriation includes \$5,334,000 for 2022 and ~~\$49,434,000~~ \$46,614,000 for
317.21 2023.

317.22 **ARTICLE 14**

317.23 **GRANTS MANAGEMENT**

317.24 Section 1. **FINANCIAL REVIEW OF NONPROFIT GRANT RECIPIENTS**
317.25 **REQUIRED.**

317.26 Subdivision 1. **Financial review required.** (a) Before awarding a competitive,
317.27 legislatively named, single source, or sole source grant to a nonprofit organization under
317.28 this act, the grantor must require the applicant to submit financial information sufficient for
317.29 the grantor to document and assess the applicant's current financial standing and management.
317.30 Items of significant concern must be addressed with the applicant and resolved to the
317.31 satisfaction of the grantor before a grant is awarded. The grantor must document the material

requested and reviewed; whether the applicant had a significant operating deficit, a deficit in unrestricted net assets, or insufficient internal controls; whether and how the applicant resolved the grantor's concerns; and the grantor's final decision. This documentation must be maintained in the grantor's files.

(b) At a minimum, the grantor must require each applicant to provide the following information:

(1) the applicant's most recent Form 990, Form 990-EZ, or Form 990-N filed with the Internal Revenue Service. If the applicant has not been in existence long enough or is not required to file Form 990, Form 990-EZ, or Form 990-N, the applicant must demonstrate to the grantor that the applicant is exempt and must instead submit documentation of internal controls and the applicant's most recent financial statement prepared in accordance with generally accepted accounting principles and approved by the applicant's board of directors or trustees or, if there is no such board, by the applicant's managing group;

(2) evidence of registration and good standing with the secretary of state under Minnesota Statutes, chapter 317A, or other applicable law;

(3) unless exempt under Minnesota Statutes, section 309.515, evidence of registration and good standing with the attorney general under Minnesota Statutes, chapter 309; and

(4) if required under Minnesota Statutes, section 309.53, subdivision 3, the applicant's most recent audited financial statement prepared in accordance with generally accepted accounting principles.

Subd. 2. Authority to postpone or forgo; reporting required. (a) Notwithstanding any contrary provision in this act, a grantor that identifies an area of significant concern regarding the financial standing or management of a legislatively named applicant may postpone or forgo awarding the grant.

(b) No later than 30 days after a grantor exercises the authority provided under paragraph (a), the grantor must report to the chairs and ranking minority members of the legislative committees with jurisdiction over the grantor's operating budget. The report must identify the legislatively named applicant and the grantor's reason for postponing or forgoing the grant.

Subd. 3. Authority to award subject to additional assistance and oversight. A grantor that identifies an area of significant concern regarding an applicant's financial standing or management may award a grant to the applicant if the grantor provides or the grantee otherwise obtains additional technical assistance, as needed, and the grantor imposes

319.1 additional requirements in the grant agreement. Additional requirements may include but
319.2 are not limited to enhanced monitoring, additional reporting, or other reasonable requirements
319.3 imposed by the grantor to protect the interests of the state.

319.4 Subd. 4. **Relation to other law and policy.** The requirements in this section are in
319.5 addition to any other requirements imposed by law; the commissioner of administration
319.6 under Minnesota Statutes, sections 16B.97 and 16B.98; or agency policy.

120B.35 STUDENT ACADEMIC ACHIEVEMENT AND GROWTH.

Subd. 5. **Improving graduation rates for students with emotional or behavioral disorders.** (a) A district must develop strategies in conjunction with parents of students with emotional or behavioral disorders and the county board responsible for implementing sections 245.487 to 245.4889 to keep students with emotional or behavioral disorders in school, when the district has a drop-out rate for students with an emotional or behavioral disorder in grades 9 through 12 exceeding 25 percent.

(b) A district must develop a plan in conjunction with parents of students with emotional or behavioral disorders and the local mental health authority to increase the graduation rates of students with emotional or behavioral disorders. A district with a drop-out rate for children with an emotional or behavioral disturbance in grades 9 through 12 that is in the top 25 percent of all districts shall submit a plan for review and oversight to the commissioner.

122A.06 DEFINITIONS.

Subd. 4. **Comprehensive, scientifically based reading instruction.** (a) "Comprehensive, scientifically based reading instruction" includes a program or collection of instructional practices that is based on valid, replicable evidence showing that when these programs or practices are used, students can be expected to achieve, at a minimum, satisfactory reading progress. The program or collection of practices must include, at a minimum, effective, balanced instruction in all five areas of reading: phonemic awareness, phonics, fluency, vocabulary development, and reading comprehension.

Comprehensive, scientifically based reading instruction also includes and integrates instructional strategies for continuously assessing, evaluating, and communicating the student's reading progress and needs in order to design and implement ongoing interventions so that students of all ages and proficiency levels can read and comprehend text, write, and apply higher level thinking skills. For English learners developing literacy skills, districts are encouraged to use strategies that teach reading and writing in the students' native language and English at the same time.

(b) "Fluency" is the ability of students to read text with speed, accuracy, and proper expression.

(c) "Phonemic awareness" is the ability of students to notice, think about, and manipulate individual sounds in spoken syllables and words.

(d) "Phonics" is the understanding that there are systematic and predictable relationships between written letters and spoken words. Phonics instruction is a way of teaching reading that stresses learning how letters correspond to sounds and how to apply this knowledge in reading and spelling.

(e) "Reading comprehension" is an active process that requires intentional thinking during which meaning is constructed through interactions between text and reader. Comprehension skills are taught explicitly by demonstrating, explaining, modeling, and implementing specific cognitive strategies to help beginning readers derive meaning through intentional, problem-solving thinking processes.

(f) "Vocabulary development" is the process of teaching vocabulary both directly and indirectly, with repetition and multiple exposures to vocabulary items. Learning in rich contexts, incidental learning, and use of computer technology enhance the acquiring of vocabulary.

(g) Nothing in this subdivision limits the authority of a school district to select a school's reading program or curriculum.

122A.07 PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD MEMBERSHIP.

Subd. 2a. **First appointments.** (a) The governor shall nominate all members to the Professional Educator Licensing and Standards Board. The terms of the initial board members must be as follows:

- (1) two members must be appointed for terms that expire January 1, 2019;
- (2) three members must be appointed for terms that expire January 1, 2020;
- (3) three members must be appointed for terms that expire January 1, 2021; and
- (4) three members must be appointed for terms that expire January 1, 2022.

(b) Members of the Board of Teaching as of January 1, 2017, are ineligible for first appointments to the Professional Educator Licensing and Standards Board for four years from September 1, 2017, except that two members of the Board of Teaching as of January 1, 2017, are eligible for appointment under paragraph (a), clause (1).

122A.091 REPORTS.

Subd. 3. **School district reports.** (a) School districts annually by October 1 must report to the Professional Educator Licensing and Standards Board 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:

(1) the effectiveness category or rating of the teacher on the summative evaluation under section 122A.40, subdivision 8, or 122A.41, subdivision 5;

(2) the licensure area in which the teacher primarily taught during the three-year evaluation cycle; and

(3) the teacher preparation program preparing the teacher in the teacher's primary areas of instruction and licensure.

(b) School districts annually by October 1 must report to the Professional Educator Licensing and Standards Board 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:

(1) the licensure areas in which the probationary teacher taught; and

(2) the teacher preparation program preparing the teacher in the teacher's primary areas of instruction and licensure.

(c) 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:

(1) the effectiveness category or rating of the principal or assistant principal on the summative evaluation under section 123B.147, subdivision 3; and

(2) the principal preparation program providing instruction to the principal or assistant principal.

(d) 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.

Subd. 6. **Implementation report.** By January 1, 2019, the Professional Educator Licensing and Standards Board must prepare a report to the legislature on the implementation of the teacher licensure system established under sections 122A.18 to 122A.184. The report must include the number of applicants for licensure in each tier, the number of applications granted and denied, summary data on the reasons applications were denied, and the status of the board's rulemaking process for all licensure-related rules.

122A.18 BOARD TO ISSUE LICENSES.

Subd. 7c. **Temporary military license.** The Professional Educator Licensing and Standards Board shall establish a temporary license in accordance with section 197.4552 for teaching. The fee for a temporary license under this subdivision shall be \$57. The board must provide candidates for a license under this subdivision with information regarding the tiered licensure system provided in sections 122A.18 to 122A.184.

122A.182 TIER 2 LICENSE.

Subd. 2. **Coursework.** (a) A candidate for a Tier 2 license must meet the coursework requirement by demonstrating completion of two of the following:

(1) at least eight upper division or graduate-level credits in the relevant content area;

(2) field-specific methods of training, including coursework;

(3) at least two years of teaching experience in a similar content area in any state, as determined by the board;

(4) a passing score on the pedagogy and content exams under section 122A.185; or

(5) completion of a state-approved teacher preparation program.

(b) For purposes of paragraph (a), "upper division" means classes normally taken at the junior or senior level of college which require substantial knowledge and skill in the field. Candidates must identify the upper division credits that fulfill the requirement in paragraph (a), clause (1).

124D.095 ONLINE LEARNING OPTION.

Subdivision 1. **Citation.** This section may be cited as the "Online Learning Option Act."

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

(a) "Digital learning" is learning facilitated by technology that offers students an element of control over the time, place, path, or pace of their learning and includes blended and online learning.

(b) "Blended learning" is a form of digital learning that occurs when a student learns part time in a supervised physical setting and part time through digital delivery of instruction, or a student learns in a supervised physical setting where technology is used as a primary method to deliver instruction.

(c) "Online learning" is a form of digital learning delivered by an approved online learning provider under paragraph (d).

(d) "Online learning provider" is a school district, an intermediate school district, an organization of two or more school districts operating under a joint powers agreement, or a charter school located in Minnesota that provides online learning to students and is approved by the department to provide online learning courses.

(e) "Student" is a Minnesota resident enrolled in a school under section 120A.22, subdivision 4, in kindergarten through grade 12.

(f) "Online learning student" is a student enrolled in an online learning course or program delivered by an online learning provider under paragraph (d).

(g) "Enrolling district" means the school district or charter school in which a student is enrolled under section 120A.22, subdivision 4, for purposes of compulsory attendance.

(h) "Supplemental online learning" means an online learning course taken in place of a course period at a local district school.

(i) "Full-time online learning provider" means an enrolling school authorized by the department to deliver comprehensive public education at any or all of the elementary, middle, or high school levels.

(j) "Online learning course syllabus" is a written document that an online learning provider transmits to the enrolling district using a format prescribed by the commissioner to identify the state academic standards embedded in an online course, the course content outline, required course assessments, expectations for actual teacher contact time and other student-to-teacher communications, and the academic support available to the online learning student.

Subd. 3. **Authorization; notice; limitations on enrollment.** (a) A student may apply for full-time enrollment in an approved online learning program under section 124D.03 or 124D.08 or chapter 124E. Notwithstanding sections 124D.03 and 124D.08 and chapter 124E, procedures for enrolling in supplemental online learning are as provided in this subdivision. A student age 17 or younger must have the written consent of a parent or guardian to apply. No school district or charter school may prohibit a student from applying to enroll in online learning. In order to enroll in online learning, the student and the student's parents must submit an application to the online learning provider and identify the student's reason for enrolling. An online learning provider that accepts a student under this section must notify the student and the enrolling district in writing within ten days if the enrolling district is not the online learning provider. The student and the student's parent must notify the online learning provider of the student's intent to enroll in online learning within ten days of being accepted, at which time the student and the student's parent must sign a statement indicating that they have reviewed the online course or program and understand the expectations of enrolling in online learning. The online learning provider must use a form provided by the department to notify the enrolling district of the student's application to enroll in online learning.

(b) The supplemental online learning notice to the enrolling district when a student applies to the online learning provider will include the courses or program, credits to be awarded, and the start date of the online course or program. An online learning provider must make available the supplemental online course syllabus to the enrolling district. Within 15 days after the online learning

provider makes information in this paragraph available to the enrolling district, the enrolling district must notify the online provider whether the student, the student's parent, and the enrolling district agree or disagree that the course meets the enrolling district's graduation requirements. A student may enroll in a supplemental online learning course up to the midpoint of the enrolling district's term. The enrolling district may waive this requirement for special circumstances and with the agreement of the online provider. An online learning course or program that meets or exceeds a graduation standard or the grade progression requirement of the enrolling district as described in the provider's online course syllabus meets the corresponding graduation requirements applicable to the student in the enrolling district. If the enrolling district does not agree that the course or program meets its graduation requirements, then:

(1) the enrolling district must make available an explanation of its decision to the student, the student's parent, and the online provider; and

(2) the online provider may make available a response to the enrolling district, showing how the course or program meets the graduation requirements of the enrolling district.

(c) An online learning provider must notify the commissioner that it is delivering online learning and report the number of online learning students it accepts and the online learning courses and programs it delivers.

(d) An online learning provider may limit enrollment if the provider's school board or board of directors adopts by resolution specific standards for accepting and rejecting students' applications.

(e) An enrolling district may reduce an online learning student's regular classroom instructional membership in proportion to the student's membership in online learning courses.

(f) The online provider must report or make available information on an individual student's progress and accumulated credit to the student, the student's parent, and the enrolling district in a manner specified by the commissioner unless the enrolling district and the online provider agree to a different form of notice and notify the commissioner. The enrolling district must designate a contact person to help facilitate and monitor the student's academic progress and accumulated credits towards graduation.

Subd. 4. Online learning parameters. (a) An online learning student must receive academic credit for completing the requirements of an online learning course or program. Secondary credits granted to an online learning student count toward the graduation and credit requirements of the enrolling district. The enrolling district must apply the same graduation requirements to all students, including online learning students, and must continue to provide nonacademic services to online learning students. If a student completes an online learning course or program that meets or exceeds a graduation standard or the grade progression requirement at the enrolling district, that standard or requirement is met. The enrolling district must use the same criteria for accepting online learning credits or courses as it does for accepting credits or courses for transfer students under section 124D.03, subdivision 9. The enrolling district may reduce the course schedule of an online learning student in proportion to the number of online learning courses the student takes from an online learning provider that is not the enrolling district.

(b) An online learning student may:

(1) enroll in supplemental online learning courses equal to a maximum of 50 percent of the student's full schedule of courses per term during a single school year and the student may exceed the supplemental online learning registration limit if the enrolling district permits supplemental online learning enrollment above the limit, or if the enrolling district and the online learning provider agree to the instructional services;

(2) complete course work at a grade level that is different from the student's current grade level; and

(3) enroll in additional courses with the online learning provider under a separate agreement that includes terms for paying any tuition or course fees.

(c) An online learning student has the same access to the computer hardware and education software available in a school as all other students in the enrolling district. An online learning provider must assist an online learning student whose family qualifies for the education tax credit under section 290.0674 to acquire computer hardware and educational software for online learning purposes.

(d) An enrolling district may offer digital learning to its enrolled students. Such digital learning does not generate online learning funds under this section. An enrolling district that offers digital

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learning only to its enrolled students is not subject to the reporting requirements or review criteria under subdivision 7, unless the enrolling district is a full-time online learning provider. A teacher with a Minnesota license must assemble and deliver instruction to enrolled students receiving online learning from an enrolling district. The delivery of instruction occurs when the student interacts with the computer or the teacher and receives ongoing assistance and assessment of learning. The instruction may include curriculum developed by persons other than a teacher holding a Minnesota license.

(e) Both full-time and supplemental online learning providers are subject to the reporting requirements and review criteria under subdivision 7. A teacher holding a Minnesota license must assemble and deliver instruction to online learning students. The delivery of instruction occurs when the student interacts with the computer or the teacher and receives ongoing assistance and assessment of learning. The instruction may include curriculum developed by persons other than a teacher holding a Minnesota license. Unless the commissioner grants a waiver, a teacher providing online learning instruction must not instruct more than 40 students in any one online learning course or program.

(f) To enroll in more than 50 percent of the student's full schedule of courses per term in online learning, the student must qualify to exceed the supplemental online learning registration limit under paragraph (b) or apply to enroll in an approved full-time online learning program, consistent with subdivision 3, paragraph (a). Full-time online learning students may enroll in classes at a local school under a contract for instructional services between the online learning provider and the school district.

Subd. 5. **Participation in extracurricular activities.** An online learning student may participate in the extracurricular activities of the enrolling district on the same basis as other enrolled students.

Subd. 6. **Information.** School districts and charter schools must make available information about online learning to all interested people.

Subd. 7. **Department of Education.** (a) The department must review and approve or disapprove online learning providers within 90 calendar days of receiving an online learning provider's completed application. The commissioner, using research-based standards of quality for online learning programs, must review all approved online learning providers on a cyclical three-year basis. Approved online learning providers annually must submit program data to, confirm statements of assurances for, and provide program updates including a current course list to the commissioner.

(b) The online learning courses and programs must be rigorous, aligned with state academic standards, and contribute to grade progression in a single subject. The online learning provider, other than a digital learning provider offering digital learning to its enrolled students only under subdivision 4, paragraph (d), must give the commissioner written assurance that: (1) all courses meet state academic standards; and (2) the online learning curriculum, instruction, and assessment, expectations for actual teacher-contact time or other student-to-teacher communication, and academic support meet nationally recognized professional standards and are described as such in an online learning course syllabus that meets the commissioner's requirements. Once an online learning provider is approved under this paragraph, all of its online learning course offerings are eligible for payment under this section unless a course is successfully challenged by an enrolling district or the department under paragraph (c).

(c) An enrolling district may challenge the validity of a course offered by an online learning provider. The department must review such challenges based on the approval procedures under paragraph (b). The department may initiate its own review of the validity of an online learning course offered by an online learning provider.

(d) The department may collect a fee not to exceed \$250 for approving online learning providers or \$50 per course for reviewing a challenge by an enrolling district.

(e) The department must develop, publish, and maintain a list of online learning providers that it has reviewed and approved.

(f) The department may review a complaint about an online learning provider, or a complaint about a provider based on the provider's response to notice of a violation. If the department determines that an online learning provider violated a law or rule, the department may:

- (1) create a compliance plan for the provider; or

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(2) withhold funds from the provider under sections 124D.095, 124E.25, and 127A.42. The department must notify an online learning provider in writing about withholding funds and provide detailed calculations.

Subd. 8. **Financial arrangements.** (a) For a student enrolled in an online learning course, the department must calculate average daily membership and make payments according to this subdivision.

(b) The initial online learning average daily membership equals $\frac{1}{12}$ for each semester course or a proportionate amount for courses of different lengths. The adjusted online learning average daily membership equals the initial online learning average daily membership times .88.

(c) No online learning average daily membership shall be generated if: (1) the student does not complete the online learning course, or (2) the student is enrolled in online learning provided by the enrolling district.

(d) Online learning average daily membership under this subdivision for a student currently enrolled in a Minnesota public school shall be used only for computing average daily membership according to section 126C.05, subdivision 19, paragraph (a), clause (2), and for computing online learning aid according to section 124D.096.

126C.05 DEFINITION OF PUPIL UNITS.

Subd. 3. **Compensation revenue pupil units.** Compensation revenue pupil units must be computed according to this subdivision.

(a) The compensation revenue concentration percentage for each building in a district equals the product of 100 times the ratio of:

(1) the sum of the number of pupils enrolled in the building eligible to receive free lunch plus one-half of the pupils eligible to receive reduced priced lunch on October 1 of the previous fiscal year; to

(2) the number of pupils enrolled in the building on October 1 of the previous fiscal year.

(b) The compensation revenue pupil weighting factor for a building equals the lesser of one or the quotient obtained by dividing the building's compensation revenue concentration percentage by 80.0.

(c) The compensation revenue pupil units for a building equals the product of:

(1) the sum of the number of pupils enrolled in the building eligible to receive free lunch and one-half of the pupils eligible to receive reduced priced lunch on October 1 of the previous fiscal year; times

(2) the compensation revenue pupil weighting factor for the building; times

(3) .60.

(d) Notwithstanding paragraphs (a) to (c), for voluntary prekindergarten programs under section 124D.151, charter schools, and contracted alternative programs in the first year of operation, compensation revenue pupil units shall be computed using data for the current fiscal year. If the voluntary prekindergarten program, charter school, or contracted alternative program begins operation after October 1, compensatory revenue pupil units shall be computed based on pupils enrolled on an alternate date determined by the commissioner, and the compensation revenue pupil units shall be prorated based on the ratio of the number of days of student instruction to 170 days.

(e) Notwithstanding paragraphs (a) to (c), for voluntary prekindergarten seats discontinued in fiscal year 2024 due to the reduction in the participation limit under section 124D.151, subdivision 6, those discontinued seats must not be used to calculate compensation revenue pupil units for fiscal year 2024.

(f) The percentages in this subdivision must be based on the count of individual pupils and not on a building average or minimum.

Subd. 16. **Free and reduced-price lunches.** The commissioner shall determine the number of children eligible to receive either a free or reduced-price lunch on October 1 each year. Children enrolled in a building on October 1 and determined to be eligible to receive free or reduced-price lunch by December 15 of that school year shall be counted as eligible on October 1 for purposes of subdivision 3. The commissioner may use federal definitions for these purposes and may adjust

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these definitions as appropriate. The commissioner may adopt reporting guidelines to assure accuracy of data counts and eligibility. Districts shall use any guidelines adopted by the commissioner.

268.085 ELIGIBILITY REQUIREMENTS; PAYMENTS THAT AFFECT BENEFITS.

Subd. 8. **Services for school contractors.** (a) Wage credits from an employer are subject to subdivision 7, if:

(1) the employment was provided under a contract between the employer and an elementary or secondary school; and

(2) the contract was for services that the elementary or secondary school could have had performed by its employees.

(b) Wage credits from an employer are not subject to subdivision 7 if:

(1) those wage credits were earned by an employee of a private employer performing work under a contract between the employer and an elementary or secondary school; and

(2) the employment was related to food services provided to the school by the employer.

8710.0500 EXAMINATIONS FOR TEACHER LICENSES.

Subp. 8. **Admission to upper division or graduate coursework.** Candidates for an initial license shall provide official evidence to the institutions they attend of having taken the examinations adopted under subpart 1, item A, before enrolling in upper division coursework in the professional education sequence. Candidates for an initial license who have a baccalaureate degree shall provide official evidence to the institutions they attend of having taken the examinations adopted under subpart 1, item A, before enrolling in coursework in the professional education sequence. Candidates who fail to achieve the minimum passing score on one or more of the examinations may enroll in upper division or graduate coursework in the professional education sequence; however, candidates must achieve the passing scores established under subpart 3 before recommendation for a first professional teaching license. Colleges and universities must provide candidates who fail the examinations access to opportunities to enhance their skills.

Subp. 11. **Applicants prepared outside Minnesota.** Applicants for Minnesota licensure who complete teacher preparation outside Minnesota but who have not met the requirements under subpart 1 and who otherwise meet the applicable statutes and rules shall be granted no more than three one-year temporary licenses. An applicant who has not achieved a minimum passing score on the examinations required under subpart 1, may renew a temporary license under this subpart if the applicant provides evidence of having taken all required examinations under subpart 1 and having enrolled in programs designed to assist the applicant to achieve the minimum passing scores. Applicants prepared outside Minnesota who provide evidence of meeting all examination requirements for professional Minnesota licensure shall be granted the professional teaching licenses for which they qualify.