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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
04/25/2023 Passed by the Senate as Amended and returned to the House
Refused to concur and a Conference Committee was appointed
05/16/2023 Conference Committee Report Adopted
Read Third Time as Amended by Conference and repassed by the House
05/23/2023 Presented to Governor
05/24/2023 Governor Approval

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, and state
1.6 agencies; making forecast adjustments; providing for rulemaking; requiring reports;
1.7 appropriating money; amending Minnesota Statutes 2022, sections 13.32,
1.8 subdivision 3; 120A.20, subdivision 1; 120A.22, subdivision 10; 120A.414,
1.9 subdivision 2, by adding a subdivision; 120A.42; 120B.018, subdivision 6;
1.10 120B.021, subdivisions 1, 2, 3, 4, as amended, by adding a subdivision; 120B.022,
1.11 subdivision 1; 120B.024, subdivisions 1, 2; 120B.11, subdivisions 1, 2, 3; 120B.12;
1.12 120B.122, subdivision 1; 120B.15; 120B.30, subdivisions 1, 1a; 120B.301;
1.13 120B.35, subdivision 3; 120B.36, subdivision 2; 121A.031, subdivision 6; 121A.04,
1.14 subdivisions 1, 2; 121A.41, subdivision 7, by adding subdivisions; 121A.425;
1.15 121A.45, subdivision 1; 121A.46, subdivision 4, by adding a subdivision; 121A.47,
1.16 subdivisions 2, 14; 121A.53, subdivision 1; 121A.55; 121A.58; 121A.582,
1.17 subdivision 1; 121A.61, subdivisions 1, 3, by adding subdivisions; 122A.06,
1.18 subdivisions 1, 2, 5, 6, 7, 8, by adding subdivisions; 122A.07, subdivisions 1, 2,
1.19 4, 4a, 5, 6; 122A.09, subdivisions 4, 6, 9, 10; 122A.091, subdivisions 1, 2;
1.20 122A.092, subdivision 5; 122A.15, subdivision 1; 122A.18, subdivisions 1, 2, 10,
1.21 by adding a subdivision; 122A.181, subdivisions 1, 2, 3, 4, 5, by adding a
1.22 subdivision; 122A.182, subdivisions 1, 4, by adding subdivisions; 122A.183,
1.23 subdivisions 1, 2, by adding a subdivision; 122A.184, subdivision 1; 122A.185,
1.24 subdivisions 1, 4; 122A.187, subdivisions 1, 5, by adding a subdivision; 122A.19,
1.25 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.59; 122A.63, by adding a subdivision; 122A.635; 122A.69;
1.28 122A.70; 122A.73, subdivisions 2, 3, 5; 123B.147, subdivision 3; 123B.595,
1.29 subdivisions 1, 2, 3, 4, 7, 8, 8a, 9, 10, 11; 123B.71, subdivisions 9, 12; 123B.86,
1.30 subdivision 3; 123B.92, subdivision 1, by adding a subdivision; 124D.03,
1.31 subdivisions 3, 5; 124D.09, subdivisions 3, 5, 12, 13; 124D.111, subdivisions 1a,
1.32 as amended, 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, subdivisions 2, 3, 5; 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.16; 124E.25, subdivision 1a; 125A.03; 125A.08; 125A.0942; 125A.15; 125A.51; 125A.515, subdivision 3; 125A.71, subdivision 1; 125A.76, subdivisions 2c, 2e, by adding a subdivision; 126C.05, subdivisions 3, as amended, 19; 126C.10, subdivisions 2, 2a, 2d, 2e, 3, 4, 13, 14, 18a, by adding subdivisions; 126C.12, by adding a subdivision; 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; 128C.01, subdivision 4; 134.31, subdivisions 1, 4a; 134.32, subdivision 4; 134.34, subdivision 1; 134.355, subdivisions 1, 5, 6, 7; 144.4165; 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, 4; proposing coding for new law in Minnesota Statutes, chapters 120B; 121A; 122A; 124D; 125A; 127A; 134; repealing Minnesota Statutes 2022, sections 120B.02, subdivision 3; 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; Laws 2023, chapter 18, section 4, subdivision 5; 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) For fiscal year 2024 through fiscal year 2026, a district's English learner programs revenue equals the sum of:

(1) the product of (1) \$704 times (2) (i) \$1,228 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; and

(2) \$436 times the English learner pupil units under section 126C.05, subdivision 17.

(b) For fiscal year 2027 and later, a district's English learner programs revenue equals the sum of:

(1) the product of: (i) \$1,775, 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) \$630 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 (c) equals 25 percent of the district's English learner cross subsidy for fiscal year 2027 and later.

(c) 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)~~ (d) 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. **[124D.995] SCHOOL UNEMPLOYMENT AID.**

Subdivision 1. **Account established.** An account is established in the special revenue fund known as the school unemployment aid account.

Subd. 2. **Funds deposited in account.** Funds appropriated for school unemployment aid must be transferred to the school unemployment aid account in the special revenue fund.

Subd. 3. **Money appropriated.** (a) Subject to the availability of funds, money in the account is annually appropriated to the commissioner of education to reimburse school districts; charter schools; intermediate school districts and cooperative units under section 123A.24, subdivision 2; the Perpich Center for Arts Education; and the Minnesota State Academies for costs associated with providing unemployment benefits to school employees under section 268.085, subdivision 7, paragraph (b).

(b) The Perpich Center for Arts Education and the Minnesota State Academies may only apply to the commissioner for reimbursement of unemployment insurance amounts in excess of the amounts specifically identified in their annual agency appropriations.

(c) If the amount in the account is insufficient, the commissioner must proportionately reduce the aid payment to each recipient. Aid payments must be paid 100 percent in the current year.

Subd. 4. **Administration and monitoring.** Up to \$275,000 is annually appropriated from the account to the commissioner of education for costs associated with administering and monitoring the program under this section. This amount is in addition to any other amount specifically appropriated for this purpose.

Subd. 5. **School reimbursement.** The commissioner of education must reimburse school districts, charter schools, intermediate school districts and other cooperative units, the Perpich Center for Arts Education, and the Minnesota State Academies in the form and manner specified by the commissioner. The commissioner may establish procedures to ensure that any costs reimbursed under this section are excluded from other school revenue calculations.

Subd. 6. **Expiration.** This section expires on June 30, 2027, and any balance remaining in the account is canceled to the general fund.

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

9.2 Subd. 2. **Basic revenue.** (a) The basic revenue for each district equals the formula
9.3 allowance times the adjusted pupil units for the school year. ~~The formula allowance for~~
9.4 ~~fiscal year 2021 is \$6,567. The formula allowance for fiscal year 2022 is \$6,728. The formula~~
9.5 allowance for fiscal year 2023 and later is \$6,863. The formula allowance for fiscal year
9.6 2024 is \$7,138. The formula allowance for fiscal year 2025 is \$7,281.

9.7 (b) The formula allowance for fiscal year 2026 and later must be rounded to the nearest
9.8 whole dollar and equals the formula allowance for the previous fiscal year times the greater
9.9 of:

9.10 (1) 1.02; or

9.11 (2) one plus the rate of change in inflation calculated in paragraph (c) but not to exceed
9.12 1.03.

9.13 (c) In January of the calendar year in which the formula allowance begins, the
9.14 commissioner of education must calculate the rate of change in inflation equal to the change
9.15 in the Consumer Price Index for all urban consumers as published by the Bureau of Labor
9.16 Statistics of the Department of Labor for the average of the fourth calendar quarter of the
9.17 second prior fiscal year compared to the average of the fourth calendar quarter of the
9.18 immediately prior fiscal year.

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

9.21 (e) It is the policy and purpose of the legislature to fund its public schools consistent
9.22 with its constitutional obligations. To this purpose, the legislature may enact additional
9.23 increases in the general education basic formula allowance.

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

9.25 Subd. 2a. **Extended time revenue.** (a) A school district's extended time allowance equals
9.26 \$5,117 for fiscal year 2023 and later.

9.27 (b) A school district's extended time revenue is equal to the product of \$5,117 ~~the~~
9.28 extended time allowance in paragraph (a) and the sum of the adjusted pupil units of the
9.29 district for each pupil in average daily membership in excess of 1.0 and less than 1.2
9.30 according to section 126C.05, subdivision 8.

9.31 ~~(b)~~ (c) Extended time revenue for pupils placed in an on-site education program at the
9.32 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. 12. 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

11.1 tier local optional revenue equals \$424 times the adjusted pupil units of the district for that
11.2 school year.

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

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

11.8 (d) ~~For fiscal year 2022, a district's second tier local optional levy equals the district's~~
11.9 ~~second tier local optional revenue times the lesser of one or the ratio of the district's~~
11.10 ~~referendum market value per resident pupil unit to \$510,000.~~ For fiscal year 2023, a district's
11.11 second tier local optional levy equals the district's second tier local optional revenue times
11.12 the lesser of one or the ratio of the district's referendum market value per resident pupil unit
11.13 to \$548,842. For fiscal year 2024 ~~and later,~~ a district's second tier local optional levy equals
11.14 the district's second tier local optional revenue times the lesser of one or the ratio of the
11.15 district's referendum market value per resident pupil unit to \$510,000. For fiscal year 2025,
11.16 a district's second tier local optional levy equals the district's second tier local optional
11.17 revenue times the lesser of one or the ratio of the district's referendum market value per
11.18 resident pupil unit to \$587,244. For fiscal year 2026, a district's second tier local optional
11.19 levy equals the district's second tier local optional revenue times the lesser of one or the
11.20 ratio of the district's referendum market value per resident pupil unit to \$642,038. For fiscal
11.21 year 2027 and later, a district's second tier local optional levy equals the district's second
11.22 tier local optional revenue times the lesser of one or the ratio of the district's referendum
11.23 market value per resident pupil unit to \$671,345.

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

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

11.29 Sec. 13. Minnesota Statutes 2022, section 126C.10, subdivision 3, is amended to read:

11.30 Subd. 3. **Compensatory education revenue.** (a) For fiscal year 2024, the compensatory
11.31 education revenue for each building in the district equals the formula allowance minus \$839
11.32 times the compensation revenue pupil units computed according to section 126C.05,
11.33 subdivision 3. A district's compensatory revenue equals the sum of its compensatory revenue

12.1 for each building in the district and the amounts designated under Laws 2015, First Special
12.2 Session chapter 3, article 2, section 70, subdivision 8, for fiscal year 2017. Revenue shall
12.3 be paid to the district and must be allocated according to section 126C.15, subdivision 2.

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

12.6 (c) For fiscal year 2026 and later, the compensatory education revenue for each building
12.7 in the district equals its compensatory pupils multiplied by the building compensatory
12.8 allowance. Revenue shall be paid to the district and must be allocated according to section
12.9 126C.15, subdivision 2.

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

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

12.18 (f) Notwithstanding paragraph (c), for voluntary prekindergarten programs under section
12.19 124D.151, charter schools, and contracted alternative programs in the first year of operation,
12.20 compensatory education revenue must be computed using data for the current fiscal year.
12.21 If the voluntary prekindergarten program, charter school, or contracted alternative program
12.22 begins operation after October 1, compensatory education revenue must be computed based
12.23 on pupils enrolled on an alternate date determined by the commissioner, and the
12.24 compensatory education revenue must be prorated based on the ratio of the number of days
12.25 of student instruction to 170 days.

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

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

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

13.3 Subd. 3a. **Definitions.** The definitions in this subdivision apply only to subdivisions 3,
13.4 3b, and 3c.

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

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

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

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

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

13.17 Subd. 3b. **Free and reduced-price meals.** Beginning October 1, 2024, the commissioner
13.18 shall determine the number of children eligible by means of direct certification to receive
13.19 either a free or reduced-price meal on October 1 each year. Children enrolled in a building
13.20 on October 1 and determined to be eligible by means of direct certification to receive free
13.21 or reduced-price meals by December 15 of that school year shall be counted as eligible on
13.22 October 1 for purposes of subdivision 3. The commissioner must use federal definitions for
13.23 these purposes. The commissioner may adopt reporting guidelines to assure accuracy of
13.24 data counts and eligibility. Districts must use any guidelines adopted by the commissioner.

13.25 Sec. 16. Minnesota Statutes 2022, section 126C.10, is amended by adding a subdivision
13.26 to read:

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

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

Sec. 17. Minnesota Statutes 2022, section 126C.10, subdivision 4, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15.4 (1) to acquire land for school purposes;

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

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

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

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

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

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

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

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

15.18 (10) to clean up, remove, dispose of, and make repairs related to storing heating fuel or
15.19 transportation fuels such as alcohol, gasoline, fuel oil, and special fuel, as defined in section
15.20 296A.01;

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

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

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

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

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

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

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

16.7 (18) to purchase or lease computers and related hardware, software, and annual licensing
16.8 fees, copying machines, telecommunications equipment, and other noninstructional
16.9 equipment;

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

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

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

16.13 (22) to lease or purchase vehicles;

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

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

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

16.20 (iii) other classroom information management needs;

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

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

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

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

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

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

17.2 Subd. 18a. **Pupil transportation adjustment.** (a) An independent, common, or special
17.3 school district's transportation sparsity revenue under subdivision 18 is increased by the
17.4 greater of zero or ~~18.2~~ 35 percent of the difference between:

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

17.8 (2) the sum of:

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

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

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

17.12 and

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

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

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

17.18 Sec. 21. Minnesota Statutes 2022, section 126C.12, is amended by adding a subdivision
17.19 to read:

17.20 **Subd. 7. Reporting.** A school district must annually report the district's class size ratios
17.21 by each grade to the commissioner of education in the form and manner specified by the
17.22 commissioner. The department must annually submit a report beginning December 1, 2024,
17.23 to the chairs and ranking minority members of the legislative committees with jurisdiction
17.24 over kindergarten through grade 12 education detailing the statewide ratios by grade starting
17.25 with the 2023-2024 school year.

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

17.27 Subdivision 1. **Use of revenue.** (a) The basic skills revenue under section 126C.10,
17.28 subdivision 4, must be reserved and used to meet the educational needs of pupils who enroll
17.29 under-prepared to learn and whose progress toward meeting state or local content or
17.30 performance standards is below the level that is appropriate for learners of their age. Basic

18.1 skills revenue may also be used for programs designed to prepare children and their families
18.2 for entry into school whether the student first enrolls in kindergarten or first grade.

18.3 (b) For fiscal years prior to fiscal year 2024, any of the following may be provided to
18.4 meet these learners' needs:

18.5 (1) direct instructional services under the assurance of mastery program according to
18.6 section 124D.66;

18.7 (2) remedial instruction in reading, language arts, mathematics, other content areas, or
18.8 study skills to improve the achievement level of these learners;

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

18.11 (4) a longer school day or week during the regular school year or through a summer
18.12 program that may be offered directly by the site or under a performance-based contract with
18.13 a community-based organization;

18.14 (5) comprehensive and ongoing staff development consistent with district and site plans
18.15 according to section 122A.60 and to implement plans under section 120B.12, subdivision
18.16 4a, for teachers, teacher aides, principals, and other personnel to improve their ability to
18.17 identify the needs of these learners and provide appropriate remediation, intervention,
18.18 accommodations, or modifications;

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

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

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

18.28 (9) all-day kindergarten;

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

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

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

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

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

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

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

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

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

19.17 (6) early education programs, parent-training programs, early childhood special education,
19.18 school readiness programs, kindergarten programs for four-year-olds, voluntary home visits
19.19 under section 124D.13, subdivision 4, and other outreach efforts designed to prepare children
19.20 for kindergarten;

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

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

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

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

Subd. 2. **Building allocation.** (a) A district or cooperative must allocate at least 80 percent of its compensatory revenue to each school building in the district or cooperative where the children who have generated the revenue are served unless the school district or cooperative has received permission under Laws 2005, First Special Session chapter 5, article 1, section 50, to allocate compensatory revenue according to student performance measures developed by the school board.

~~(b) Notwithstanding paragraph (a),~~ A district or cooperative may allocate ~~up to 50 no~~ more than 20 percent of the amount of compensatory revenue that the district receives to school sites according to a plan adopted by the school board. The money reallocated under this paragraph must be spent for the purposes listed in subdivision 1, but may be spent on students in any grade, including students attending school readiness or other prekindergarten programs.

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

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

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

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

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

Subd. 5. **Annual expenditure report.** ~~Each year a district~~ (a) By February 1 annually, the commissioner of education must report to the legislature the expenditures of each district that receives received basic skills revenue must submit a report identifying the expenditures it incurred to meet the needs of eligible learners in the previous fiscal year under subdivision 1. The report must conform to uniform financial and reporting standards established for this purpose and provide a breakdown by functional area. ~~Using valid and reliable data and~~

21.1 ~~measurement criteria, the report also must determine whether increased expenditures raised~~
21.2 ~~student achievement levels.~~

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

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

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

21.10 Subd. 9b. **Renewal by school board.** (a) Notwithstanding the election requirements of
21.11 subdivision 9, a school board may renew an expiring referendum by board action if:

21.12 (1) the per pupil amount of the referendum is the same as the amount expiring, or for
21.13 an expiring referendum that was adjusted annually by the rate of inflation, the same as the
21.14 per-pupil amount of the expiring referendum, adjusted annually for inflation in the same
21.15 manner as if the expiring referendum had continued;

21.16 (2) the term of the renewed referendum is no longer than the initial term approved by
21.17 the voters;

21.18 (3) the school board, having taken a recorded vote, has adopted a written resolution
21.19 authorizing the renewal after holding a meeting and allowing public testimony on the
21.20 proposed renewal; and

21.21 (4) the expiring referendum has not been previously renewed under this subdivision.

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

21.24 (c) A referendum expires in the last fiscal year in which the referendum generates revenue
21.25 for the school district. A school board may renew an expiring referendum under this
21.26 subdivision not more than two fiscal years before the referendum expires.

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

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

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

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

22.7 (b) Districts with a balance remaining in their reserve for reemployment as of June 30,
22.8 2003, may not expend the reserved funds for future reemployment expenditures. Each year
22.9 a levy reduction must be made to return these funds to taxpayers. The amount of the levy
22.10 reduction must be equal to the lesser of: (1) the remaining reserved balance for reemployment,
22.11 or (2) the amount of the district's current levy under paragraph (a).

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

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

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

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

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

22.24 (1) ~~take an oath of office before assuming any duties as the director~~ act in a fiduciary
22.25 capacity for trust beneficiaries in accordance with the principles under section 127A.351;

22.26 (2) evaluate the school trust land asset position;

22.27 (3) determine the estimated current and potential market value of school trust lands;

22.28 (4) advise and provide recommendations to the governor, Executive Council,
22.29 commissioner of natural resources, and the Legislative Permanent School Fund Commission
22.30 on the management of school trust lands, including: on school trust land management policies

23.1 and other policies that may affect the goal of the permanent school fund under section
23.2 127A.31;

23.3 (5) advise and provide recommendations to the Executive Council and Land Exchange
23.4 Board on all matters regarding school trust lands presented to either body;

23.5 (6) advise and provide recommendations to the commissioner of natural resources on
23.6 managing school trust lands, including but not limited to advice and recommendations on:

23.7 (i) Department of Natural Resources school trust land management plans;

23.8 (ii) leases of school trust lands;

23.9 (iii) royalty agreements on school trust lands;

23.10 (iv) land sales and exchanges;

23.11 (v) cost certification; and

23.12 (vi) revenue generating options;

23.13 (7) serve as temporary trustee of school trust lands for school trust lands subject to
23.14 proposed or active eminent domain proceedings;

23.15 (8) serve as temporary trustee of school trust lands pursuant to section 94.342, subdivision
23.16 5;

23.17 ~~(5) propose~~ (9) submit to the Legislative Permanent School Fund Commission for review
23.18 an annual budget and management plan for the director that includes proposed legislative
23.19 changes that will improve the asset allocation of the school trust lands;

23.20 ~~(6)~~ (10) develop and implement a ten-year strategic plan and a 25-year framework for
23.21 management of school trust lands, in conjunction with the commissioner of natural resources,
23.22 that is updated every five years ~~and implemented by the commissioner~~, with goals to:

23.23 (i) retain core real estate assets;

23.24 (ii) increase the value of the real estate assets and the cash flow from those assets;

23.25 (iii) rebalance the portfolio in assets with high performance potential and the strategic
23.26 disposal of selected assets;

23.27 (iv) establish priorities for management actions;

23.28 (v) balance revenue enhancement and resource stewardship; and

23.29 (vi) advance strategies on school trust lands to capitalize on ecosystem services markets;
23.30 and

24.1 ~~(7) submit to the Legislative Permanent School Fund Commission for review an annual~~
24.2 ~~budget and management plan for the director; and~~

24.3 ~~(8)~~ (11) keep the beneficiaries, governor, legislature, and the public informed about the
24.4 work of the director by reporting to the Legislative Permanent School Fund Commission
24.5 in a public meeting at least once during each calendar quarter.

24.6 (b) In carrying out the duties under paragraph (a), the school trust lands director ~~shall~~
24.7 ~~have the authority to~~ may:

24.8 (1) direct and control money appropriated to the director;

24.9 (2) establish job descriptions and employ ~~up to five employees in the unclassified service,~~
24.10 staff within the limitations of money appropriated to the director;

24.11 (3) enter into interdepartmental agreements with any other state agency;

24.12 (4) enter into joint powers agreements under chapter 471;

24.13 (5) evaluate and initiate real estate development projects on school trust lands in
24.14 conjunction with the commissioner of natural resources and with the advice of the Legislative
24.15 Permanent School Fund Commission ~~in order~~ to generate long-term economic return to the
24.16 permanent school fund; and

24.17 ~~(6) serve as temporary trustee of school trust land for school trust lands subject to~~
24.18 ~~proposed or active eminent domain proceedings; and~~

24.19 ~~(7)~~ (6) submit recommendations on strategies for school trust land leases, sales, or
24.20 exchanges to the commissioner of natural resources and the Legislative Permanent School
24.21 Fund Commission.

24.22 Sec. 29. Minnesota Statutes 2022, section 128C.01, subdivision 4, is amended to read:

24.23 Subd. 4. **Board.** (a) The league must have a ~~20~~ 22-member governing board.

24.24 (1) The governor must appoint four members according to section 15.0597. Each of the
24.25 four appointees must be a parent. At least one of them must be an American Indian, an
24.26 Asian, a Black, or a Hispanic.

24.27 (2) The Minnesota Association of Secondary School Principals must appoint two of its
24.28 members.

24.29 (3) The remaining ~~14~~ 16 members must be selected according to ~~league bylaws~~ the
24.30 league's constitution.

(b) The terms, compensation, removal of members, and the filling of membership vacancies are governed by section 15.0575, except that the four-year terms begin on August 1 and end on July 31. As provided by section 15.0575, members who are full-time state employees or full-time employees of school districts or other political subdivisions of the state may not receive any per diem payment for service on the board.

Sec. 30. Minnesota Statutes 2022, section 268.085, subdivision 7, is amended to read:

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

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

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

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

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

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

~~(c) If unemployment benefits are denied to any applicant under paragraph (a) who was employed in the prior academic year or term in other than an instructional, research, or principal administrative capacity and who was not offered an opportunity to perform the employment in the following academic year or term, the applicant is entitled to retroactive~~

26.1 ~~unemployment benefits for each week during the period between academic years or terms~~
26.2 ~~that the applicant filed a timely continued request for unemployment benefits, but~~
26.3 ~~unemployment benefits were denied solely because of paragraph (a).~~ Paragraph (a) applies
26.4 to a vacation period or holiday recess if the applicant was employed immediately before
26.5 the vacation period or holiday recess, and there is a reasonable assurance that the applicant
26.6 will be employed immediately following the vacation period or holiday recess, including
26.7 applicants who worked in a capacity other than instructional, research, or principal
26.8 administrative capacity.

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

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

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

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

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

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

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

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

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

27.1 Sec. 31. Minnesota Statutes 2022, section 290.0679, subdivision 2, is amended to read:

27.2 Subd. 2. **Conditions for assignment.** A qualifying taxpayer may assign all or part of
27.3 an anticipated refund for the current and future taxable years to a financial institution or a
27.4 qualifying organization. A financial institution or qualifying organization accepting
27.5 assignment must pay the amount secured by the assignment to a third-party vendor. The
27.6 commissioner of education shall, upon request from a third-party vendor, certify that the
27.7 vendor's products and services qualify for the education credit. A denial of a certification
27.8 ~~is subject to the contested case procedure under~~ may be appealed to the commissioner
27.9 pursuant to this subdivision and notwithstanding chapter 14. A financial institution or
27.10 qualifying organization that accepts assignments under this section must verify as part of
27.11 the assignment documentation that the product or service to be provided by the third-party
27.12 vendor has been certified by the commissioner of education as qualifying for the education
27.13 credit. The amount assigned for the current and future taxable years may not exceed the
27.14 maximum allowable education credit for the current taxable year. Both the taxpayer and
27.15 spouse must consent to the assignment of a refund from a joint return.

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

27.18 (a) Notwithstanding Minnesota Statutes, section 123B.51, subdivision 4, paragraph (b),
27.19 or any law to the contrary, any remaining net proceeds received by the district in connection
27.20 with a lease of real property that is not needed for school purposes, or part of the property
27.21 that is not needed for school purposes as permitted under Minnesota Statutes, section
27.22 123B.51, subdivision 4, paragraph (a), and which the school board of Independent School
27.23 District No. 191, Burnsville-Eagan-Savage, specifically identified in the district's open
27.24 facilities action plan, may be deposited in the district's general unrestricted fund following
27.25 the deposit of such proceeds, as required under Minnesota Statutes, section 123B.51,
27.26 subdivision 4, paragraph (b).

27.27 (b) Notwithstanding Minnesota Statutes, section 123B.51, subdivision 6, paragraphs (c)
27.28 to (f), or any law to the contrary, any remaining proceeds of the sale or exchange of school
27.29 buildings or real property of Independent School District No. 191, Burnsville-Eagan-Savage,
27.30 specifically identified in the district's open facilities action plan may be deposited in the
27.31 district's general unrestricted fund following application of such proceeds, as required under
27.32 Minnesota Statutes, section 123B.51, subdivision 6, paragraph (b).

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

28.4 Sec. 33. **UNEMPLOYMENT INSURANCE REPORT.**

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

28.12 Sec. 34. **REPLACING PAPER FORMS.**

28.13 By January 15, 2024, the Department of Education must report to the legislative
28.14 committees with jurisdiction over kindergarten through grade 12 education whether free
28.15 and reduced-price meals information obtained through parents submitting paper eligibility
28.16 forms may be eliminated for compensatory revenue, all school nutritional programs, Title
28.17 1 funding, e-rate funding, and any other federal or state programs that require the
28.18 determination of family income for eligibility.

28.19 Sec. 35. **APPROPRIATIONS GIVEN EFFECT ONCE.**

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

28.22 Sec. 36. **APPROPRIATIONS.**

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

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

28.28 \$ 8,093,493,000 2024

28.29 \$ 8,229,982,000 2025

29.1 (b) The 2024 appropriation includes \$707,254,000 for 2023 and \$7,386,239,000 for
 29.2 2024.

29.3 (c) The 2025 appropriation includes \$771,521,000 for 2024 and \$7,458,461,000 for
 29.4 2025.

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

29.8 \$ 18,000 2024

29.9 \$ 19,000 2025

29.10 Subd. 4. **Abatement aid.** (a) For abatement aid under Minnesota Statutes, section
 29.11 127A.49:

29.12 \$ 2,339,000 2024

29.13 \$ 2,665,000 2025

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

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

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

29.18 \$ 187,000 2024

29.19 \$ 290,000 2025

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

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

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

29.24 \$ 22,354,000 2024

29.25 \$ 23,902,000 2025

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

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

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

29.30 \$ 22,248,000 2024

29.31 \$ 23,624,000 2025

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

30.2 (c) The 2025 appropriation includes \$2,237,000 for 2024 and \$21,387,000 for 2025.

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

30.5 \$ 65,000 2024

30.6 \$ 65,000 2025

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

30.9 \$ 1,512,000 2024

30.10 \$ 761,000 2025

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

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

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

30.16 \$ 55,000 2024

30.17 \$ 55,000 2025

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

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

30.22 Subd. 11. **Career and technical education consortium.** (a) To the Minnesota Service
 30.23 Cooperatives for career and technical education consortium grants under Minnesota Statutes,
 30.24 section 124D.4536:

30.25 \$ 5,000,000 2024

30.26 \$ 5,000,000 2025

30.27 (b) If the appropriation in the first year is insufficient, the 2025 appropriation is available.

30.28 (c) Up to three percent of the appropriation is available for grant administration.

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

31.1 Subd. 12. Career and technical program expansion; aeronautics pilot program. (a)

31.2 For Independent School District No. 482, Little Falls, for an aeronautics and commercial
31.3 over-the-road technical program:

31.4 \$ 450,000 2024

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

31.8 (c) By February 1, 2027, the district must report to the chairs and ranking minority
31.9 members of the legislative committees with jurisdiction over kindergarten through grade
31.10 12 education on the activities funded by this appropriation. The report must include but is
31.11 not limited to information about program participation and demographic information about
31.12 the students served in the program, a description of the type of activities offered by each
31.13 program during the year, partnerships with higher education and private providers of
31.14 aeronautic and commercial over-the-road services, and recommendations for state actions
31.15 that could improve aeronautics and commercial over-the-road programming for all school
31.16 districts.

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

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

31.20 \$ 500,000 2024

31.21 \$ 500,000 2025

31.22 (b) A school district, charter school, or cooperative unit under Minnesota Statutes, section
31.23 123A.24, subdivision 2, may apply for a grant under this section to offer enrolled students
31.24 emergency medical services courses approved by the Minnesota Emergency Medical Services
31.25 Regulatory Board to prepare students to take the emergency medical technician certification
31.26 test, including an emergency medical services course that is a prerequisite to an emergency
31.27 medical technician course.

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

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

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

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

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

32.7 \$ 1,000,000 2024

32.8 \$ 1,000,000 2025

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

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

32.11 Subd. 15. **English learner cross subsidy aid; four-year program.** (a) For English
32.12 learner cross subsidy under Laws 2021, First Special Session chapter 13, article 1, section
32.13 9:

32.14 \$ 2,000,000 2024

32.15 \$ 2,000,000 2025

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

32.17 Subd. 16. **Unemployment aid for hourly workers over the summer term.** (a) For
32.18 unemployment aid under Minnesota Statutes, section 124D.995:

32.19 \$ 135,000,000 2024

32.20 (b) This appropriation is subject to the requirements under Minnesota Statutes, section
32.21 124D.995.

32.22 (c) This is a onetime appropriation.

32.23 Sec. 37. **REPEALER.**

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

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

32.26 (c) Laws 2023, chapter 18, section 4, subdivision 5, is repealed.

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

32.28 Paragraph (b) is effective May 28, 2023. Paragraph (c) is effective the day following final
32.29 enactment.

ARTICLE 2**EDUCATION EXCELLENCE**

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

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

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

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

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

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

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

~~(6)~~ (5) be the parent of a child who is assessed according to the procedures in subdivision 11.

Any person providing instruction in a public school must meet the requirements of clause (1).

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

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

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

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

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

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

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

34.4 (1) language arts;

34.5 (2) mathematics, encompassing algebra II, integrated mathematics III, or an equivalent
34.6 in high school, and to be prepared for the three credits of mathematics in grades 9 through
34.7 12, the grade 8 standards include completion of algebra;

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

34.10 (4) social studies, including history, geography, economics, and government and
34.11 citizenship that includes civics ~~consistent with section 120B.02, subdivision 3;~~

34.12 (5) physical education;

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

34.14 (7) the arts, ~~for which statewide or locally developed academic standards apply, as~~
34.15 ~~determined by the school district.~~ Public elementary and middle schools must offer at least
34.16 three and require at least two of the following ~~four~~ five arts areas: dance; media arts; music;
34.17 theater; and visual arts. Public high schools must offer at least three and require at least one
34.18 of the following five arts areas: media arts; dance; music; theater; and visual arts.

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

34.25 (c) ~~The department must adopt the most recent SHAPE America (Society of Health and~~
34.26 ~~Physical Educators) kindergarten through grade 12 standards and benchmarks for physical~~
34.27 ~~education as the required physical education academic standards.~~ The department may
34.28 modify SHAPE America (Society of Health and Physical Educators) standards and adapt
34.29 the national standards to accommodate state interest. The modification and adaptations must
34.30 maintain the purpose and integrity of the national standards. The department must make
34.31 available sample assessments, which school districts may use as an alternative to local
34.32 assessments, to assess students' mastery of the physical education standards beginning in
34.33 the 2018-2019 school year.

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

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

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

Subd. 3. **Rulemaking.** The commissioner, consistent with the requirements of this section and section 120B.022, must adopt statewide rules under section 14.389 for implementing statewide rigorous core academic standards in language arts, mathematics, science, social studies, physical education, and the arts. ~~After the rules authorized under this subdivision are initially adopted, the commissioner may not amend or repeal these rules nor adopt new rules on the same topic without specific legislative authorization.~~

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

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

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

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

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

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

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

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

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

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

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

(7) a minimum of seven elective credits.

(b) ~~A school district is encouraged to offer a course for credit in government and citizenship to 11th or 12th grade students who begin 9th grade in the 2020-2021 school year and later, that satisfies the government and citizenship requirement in paragraph (a), clause (5).~~ Students who begin grade 9 in the 2024-2025 school year and later must successfully complete a course for credit in personal finance in grade 10, 11, or 12. A teacher of a personal finance course that satisfies the graduation requirement must have a field license or out-of-field permission in agricultural education, business, family and consumer science, social studies, or math.

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

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

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

37.6 (b) An agriculture science or career and technical education credit may fulfill the elective
37.7 science credit required under subdivision 1, clause (4), if the credit meets the state physical
37.8 science, life science, earth and space science, chemistry, or physics academic standards or
37.9 a combination of these academic standards as approved by the district. An agriculture or
37.10 career and technical education credit may fulfill the credit in chemistry or physics required
37.11 under subdivision 1, clause (4), if the credit meets the state chemistry or physics academic
37.12 standards as approved by the district. A student must satisfy either all of the chemistry
37.13 academic standards or all of the physics academic standards prior to graduation. An
37.14 agriculture science or career and technical education credit may not fulfill the required
37.15 biology credit under subdivision 1, clause (4).

37.16 (c) A career and technical education credit may fulfill a mathematics or arts credit
37.17 requirement under subdivision 1, clause (2) or (6).

37.18 (d) An ~~agriculture~~ agricultural, food, and natural resources education teacher is not
37.19 required to meet the requirements of Minnesota Rules, part 3505.1150, subpart ~~4~~ 2, item
37.20 B, to meet the credit equivalency requirements of paragraph (b) above.

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

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

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

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

37.31 Subdivision 1. **Definitions.** For the purposes of this section and section 120B.10, the
37.32 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" as defined in section 120B.25 has the same meaning for purposes of this section. 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 in order to change policies, behaviors, and beliefs that perpetuate racist ideas and actions.

(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 the education system.

(h) "Institutional racism" means structures, policies, and practices within and across institutions that produce outcomes that 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) 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, and identifying 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, 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;

(4) strategies for improving instruction, curriculum, and student achievement, including the English and, where practicable, the native language development and the academic achievement of English learners;

(5) a process to examine the equitable distribution of teachers and strategies to ensure children in low-income and minority children families, children in families of People of Color, and children in American Indian families are not taught at higher rates than other children by inexperienced, ineffective, or out-of-field teachers;

(6) education effectiveness practices that:

(i) integrate high-quality instruction, rigorous curriculum, technology, and curriculum that is rigorous, accurate, antiracist, and culturally sustaining;

(ii) ensure learning and work environments validate, affirm, embrace, and integrate cultural and community strengths for all students, families, and employees; and

(iii) provide a collaborative professional culture that develops and supports seeks to retain qualified, racially and ethnically diverse staff effective at working with diverse students while developing and supporting teacher quality, performance, and effectiveness; and

(7) an annual budget for continuing to implement the district plan; and

(8) identifying a list of suggested and required materials, resources, sample curricula, and pedagogical skills for use in kindergarten through grade 12 that accurately reflect the diversity of the state of Minnesota.

(b) A school district is not required to include information regarding literacy in a plan or report required under this section, except with regard to the academic achievement of English learners.

EFFECTIVE DATE. This section is effective for all strategic plans reviewed and updated after June 30, 2024.

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

Subd. 3. **District advisory committee.** Each school board ~~shall~~ must establish an advisory committee to ensure active community participation in all phases of planning and improving the instruction and curriculum affecting state and district academic standards, consistent with subdivision 2. A district advisory committee, to the extent possible, ~~shall~~ must reflect the diversity of the district and its school sites, include teachers, parents, support staff, students, and other community residents, and provide translation to the extent appropriate and practicable. The district advisory committee ~~shall~~ must pursue community support to 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, culturally sustaining, and reflects the diversity of the student population; 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.

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

41.2 **120B.15 GIFTED AND TALENTED STUDENTS PROGRAMS AND SERVICES.**

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

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

41.10 (1) multiple and objective criteria; and

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

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

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

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

41.21 (d) School districts must adopt procedures consistent with section 124D.02, subdivision
41.22 1, for early admission to kindergarten or first grade of gifted and talented learners consistent
41.23 with section 120B.11, subdivision 2, clause (2). The procedures must be sensitive to
41.24 underrepresented groups.

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

41.26 "Ethnic studies" means the interdisciplinary study of race, ethnicity, and indigeneity
41.27 with a focus on the experiences and perspectives of people of color within and beyond the
41.28 United States. Ethnic studies analyzes the ways in which race and racism have been and
41.29 continue to be social, cultural, and political forces, and the connection of race to the
41.30 stratification of other groups, including stratification based on the protected classes under
41.31 section 363A.13.

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

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

42.3 Subd. 2. **Requirements.** (a) Starting in the 2026-2027 school year, a district or charter
42.4 school high school must offer an ethnic studies course that fulfills the requirements of this
42.5 paragraph. Nothing in this section increases or otherwise affects the number of credits
42.6 required for graduation under section 120B.024. An ethnic studies course may fulfill a social
42.7 studies, language arts, arts, math, or science credit if the course meets the applicable state
42.8 academic standards. An ethnic studies course may fulfill an elective credit if the course
42.9 meets applicable local academic standards or other requirements.

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

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

42.14 (d) An ethnic studies course may focus specifically on a particular group of national or
42.15 ethnic origin.

42.16 Subd. 3. **Department of Education.** The Department of Education must hire dedicated
42.17 ethnic studies staff sufficient to fulfill the following department duties:

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

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

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

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

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

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

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

(iii) training materials for teachers and district and school staff, including an ethnic studies coordinator, to implement ethnic studies requirements; and

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

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

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

44.1 encompass the international crimes of genocide, crimes against humanity, war crimes, and
44.2 terrorism.

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

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

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

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

44.13 (3) analyze how individuals, groups, and societies around the world have been affected
44.14 by genocide and mass violence, especially those experienced by communities expelled from,
44.15 resettled in, migrated to, or living in Minnesota; and

44.16 (4) describe and evaluate different responses to genocides and other human rights
44.17 violations.

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

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

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

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

44.29 Sec. 16. Minnesota Statutes 2022, section 120B.30, subdivision 1, is amended to read:

44.30 Subdivision 1. **Statewide testing.** (a) The commissioner, with advice from experts with
44.31 appropriate technical qualifications and experience and stakeholders, consistent with
44.32 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 education and career planning, assessment, instructional support, and evaluation, include the following:

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

(2) consistent with this paragraph and section 120B.125, age-appropriate exploration and planning activities and career assessments to encourage students to identify personally

relevant career interests and aptitudes and help students and their families develop a regularly reexamined transition plan for postsecondary education or employment without need for postsecondary remediation.

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

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

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

(e) Though not a high school graduation requirement, students are encouraged to participate in a nationally recognized college entrance exam. To the extent state funding 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 subdivision 1a is academically ready for a career or college and is encouraged to participate in courses awarding college credit to high school students. Such courses and programs may include sequential courses of study within broad career areas and technical skill assessments that extend beyond course grades.

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

(j) In developing, supporting, and improving students' academic readiness for a career or college, schools, districts, and the state must have a continuum of empirically derived, clearly defined benchmarks focused on students' attainment of knowledge and skills so that students, their parents, and teachers know how well students must perform to have a reasonable chance to succeed in a career or college without need for postsecondary

remediation. The commissioner, in consultation with local school officials and educators, and Minnesota's public postsecondary institutions must ensure that the foundational knowledge and skills for students' successful performance in postsecondary employment or education and an articulated series of possible targeted interventions are clearly identified and satisfy Minnesota's postsecondary admissions requirements.

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

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

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

(n) The grades 3 through 8 computer-adaptive assessments and high school tests must 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;

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

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

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

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

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

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

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

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

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

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

49.30 ~~(5) "Below-grade level" test items contain subject area content that is below the grade~~
49.31 ~~level of the student taking the test and is considered aligned with state academic standards~~
49.32 ~~to the extent it is aligned with content represented in state academic standards below the~~

50.1 ~~student's current grade level. Notwithstanding the student's grade level, administering~~
50.2 ~~below-grade level test items to a student does not violate the requirement that state~~
50.3 ~~assessments must be aligned with state standards.~~

50.4 ~~(b) The commissioner must use fully adaptive mathematics and reading assessments for~~
50.5 ~~grades 3 through 8.~~

50.6 ~~(e)~~ (a) For purposes of conforming with existing federal educational accountability
50.7 requirements, the commissioner must develop and implement computer-adaptive reading
50.8 and mathematics assessments for grades 3 through 8, state-developed high school reading
50.9 and mathematics tests aligned with state academic standards, a high school writing test
50.10 aligned with state standards when it becomes available, and science assessments under
50.11 clause (2) that districts and sites must use to monitor student growth toward achieving those
50.12 standards. The commissioner must not develop statewide assessments for academic standards
50.13 in social studies, health and physical education, and the arts. The commissioner must require:

50.14 (1) annual computer-adaptive reading and mathematics assessments in grades 3 through
50.15 8, and high school reading, writing, and mathematics tests; and

50.16 (2) annual science assessments in one grade in the grades 3 through 5 span, the grades
50.17 6 through 8 span, and a life sciences assessment in the grades 9 through 12 span, and the
50.18 commissioner must not require students to achieve a passing score on high school science
50.19 assessments as a condition of receiving a high school diploma.

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

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

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

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

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

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

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

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

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

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

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

51.12 ~~(h)~~ (f) A school, school district, and charter school must administer statewide assessments
51.13 under this section, as the assessments become available, to evaluate student progress toward
51.14 career and college readiness in the context of the state's academic standards. A school,
51.15 school district, or charter school may use a student's performance on a statewide assessment
51.16 as one of multiple criteria to determine grade promotion or retention. A school, school
51.17 district, or charter school may use a high school student's performance on a statewide
51.18 assessment as a percentage of the student's final grade in a course, or place a student's
51.19 assessment score on the student's transcript.

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

51.21 **120B.301 LIMITS ON LOCAL TESTING.**

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

51.28 (b) A district or charter school is exempt from the requirements of paragraph (a), if the
51.29 district or charter school, in consultation with the exclusive representative of the teachers
51.30 or other teachers if there is no exclusive representative of the teachers, decides to exceed a
51.31 time limit in paragraph (a) and includes the information in the report required under section
51.32 120B.11, subdivision 5.

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

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

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

(2) For purposes of paragraphs (b), (c), and (d), the commissioner must analyze and report separate categories of information using the student categories identified under the federal Elementary and Secondary Education Act, as most recently reauthorized, and, in addition to "other" for each race and ethnicity, and the Karen community, seven of the most populous Asian and Pacific Islander groups, three of the most populous Native groups, seven of the most populous Hispanic/Latino groups, and five of the most populous Black and African Heritage groups as determined by the total Minnesota population based on the most recent American Community Survey; English learners under section 124D.59; home language; free or reduced-price lunch; and all students enrolled in a Minnesota public school who are currently or were previously in foster care, except that such disaggregation and cross tabulation is not required if the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student.

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

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

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

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

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

53.18 (1) a preparation measure indicating the number and percentage of high school graduates
53.19 in the most recent school year who completed course work important to preparing them for
53.20 postsecondary academic and career opportunities, consistent with the core academic subjects
53.21 required for admission to Minnesota's public colleges and universities as determined by the
53.22 Office of Higher Education under chapter 136A; and

53.23 (2) a rigorous coursework measure indicating the number and percentage of high school
53.24 graduates in the most recent school year who successfully completed one or more
53.25 college-level advanced placement, international baccalaureate, postsecondary enrollment
53.26 options including concurrent enrollment, other rigorous courses of study under section
53.27 120B.021, subdivision 1a, or industry certification courses or programs.

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

53.32 (d) When reporting student performance under section 120B.36, subdivision 1, the
53.33 commissioner annually, beginning July 1, 2014, must report summary data on school safety
53.34 and students' engagement and connection at school, consistent with the student categories

identified under paragraph (a), clause (2). The summary data under this paragraph are separate from and must not be used for any purpose related to measuring or evaluating the performance of classroom teachers. The commissioner, in consultation with qualified experts on student engagement and connection and classroom teachers, must identify highly reliable variables that generate summary data under this paragraph. The summary data may be used at school, district, and state levels only. Any data on individuals received, collected, or created that are used to generate the summary data under this paragraph are nonpublic data under section 13.02, subdivision 9.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) The commissioner must post on the department's website information indicating that when districts and schools allow non-curriculum-related student groups access to school facilities, the district or school must give all student groups equal access to the school 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 of a district or charter school must adopt a written policy to address malicious and sadistic conduct and sexual exploitation by a district or school staff member, independent contractor, or student enrolled in a public school against a staff member,

57.1 independent contractor, or student that occurs as described in section 121A.031, subdivision
57.2 1, paragraph (a). The policy must prohibit:

57.3 (1) malicious and sadistic conduct involving race, color, creed, national origin, sex, age,
57.4 marital status, status with regard to public assistance, disability, religion, sexual harassment,
57.5 and sexual orientation and gender identity, as defined in chapter 363A; and

57.6 (2) sexual exploitation.

57.7 (c) The policy must apply to students, independent contractors, teachers, administrators,
57.8 and other school personnel; must include at a minimum the components under section
57.9 121A.031, subdivision 4, paragraph (a); and must include disciplinary actions for each
57.10 violation of the policy. Disciplinary actions must conform with collective bargaining
57.11 agreements and sections 121A.41 to 121A.56.

57.12 (d) The policy must be conspicuously posted throughout each school building, distributed
57.13 to each district or school employee and independent contractor at the time of hiring or
57.14 contracting, and included in each school's student handbook on school policies. Each school
57.15 must develop a process for discussing with students, parents of students, independent
57.16 contractors, and school employees the policy adopted under this section.

57.17 **Sec. 23. [121A.038] STUDENTS SAFE AT SCHOOL.**

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

57.20 (b) "Active shooter drill" means an emergency preparedness drill designed to teach
57.21 students, teachers, school personnel, and staff how to respond in the event of an armed
57.22 intruder on campus or an armed assailant in the immediate vicinity of the school. An active
57.23 shooter drill is not an active shooter simulation, nor may an active shooter drill include any
57.24 sensorial components, activities, or elements which mimic a real life shooting.

57.25 (c) "Active shooter simulation" means an emergency exercise including full-scale or
57.26 functional exercises, designed to teach adult school personnel and staff how to respond in
57.27 the event of an armed intruder on campus or an armed assailant in the immediate vicinity
57.28 of the school which also incorporates sensorial components, activities, or elements mimicking
57.29 a real life shooting. Activities or elements mimicking a real life shooting include, but are
57.30 not limited to, simulation of tactical response by law enforcement. An active shooter
57.31 simulation is not an active shooter drill.

57.32 (d) "Evidence-based" means a program or practice that demonstrates any of the following:

- 58.1 (1) a statistically significant effect on relevant outcomes based on any of the following:
- 58.2 (i) strong evidence from one or more well designed and well implemented experimental
- 58.3 studies;
- 58.4 (ii) moderate evidence from one or more well designed and well implemented
- 58.5 quasi-experimental studies; or
- 58.6 (iii) promising evidence from one or more well designed and well implemented
- 58.7 correlational studies with statistical controls for selection bias; or
- 58.8 (2) a rationale based on high-quality research findings or positive evaluations that the
- 58.9 program or practice is likely to improve relevant outcomes, including the ongoing efforts
- 58.10 to examine the effects of the program or practice.
- 58.11 (e) "Full-scale exercise" means an operations-based exercise that is typically the most
- 58.12 complex and resource-intensive of the exercise types and often involves multiple agencies,
- 58.13 jurisdictions, organizations, and real-time movement of resources.
- 58.14 (f) "Functional exercises" means an operations-based exercise designed to assess and
- 58.15 evaluate capabilities and functions while in a realistic, real-time environment, however,
- 58.16 movement of resources is usually simulated.
- 58.17 Subd. 2. **Criteria.** An active shooter drill conducted according to section 121A.037 with
- 58.18 students in early childhood through grade 12 must be:
- 58.19 (1) accessible;
- 58.20 (2) developmentally appropriate and age appropriate, including using appropriate safety
- 58.21 language and vocabulary;
- 58.22 (3) culturally aware;
- 58.23 (4) trauma-informed; and
- 58.24 (5) inclusive of accommodations for students with mobility restrictions, sensory needs,
- 58.25 developmental or physical disabilities, mental health needs, and auditory or visual limitations.
- 58.26 Subd. 3. **Student mental health and wellness.** Active shooter drill protocols must
- 58.27 include a reasonable amount of time immediately following the drill for teachers to debrief
- 58.28 with their students. The opportunity to debrief must be provided to students before regular
- 58.29 classroom activity may resume. During the debrief period, students must be allowed to
- 58.30 access any mental health services available on campus, including counselors, school
- 58.31 psychologists, social workers, or cultural liaisons. An active shooter drill must not be
- 58.32 combined or conducted consecutively with any other type of emergency preparedness drill.

59.1 An active shooter drill must be accompanied by an announcement prior to commencing.
59.2 The announcement must use concise and age-appropriate language and, at a minimum,
59.3 inform students there is no immediate danger to life and safety.

59.4 Subd. 4. **Notice.** (a) A school district or charter school must provide notice of a pending
59.5 active shooter drill to every student's parent or legal guardian before an active shooter drill
59.6 is conducted. Whenever practicable, notice must be provided at least 24 hours in advance
59.7 of a pending active shooter drill and inform the parent or legal guardian of the right to opt
59.8 their student out of participating.

59.9 (b) If a student is opted out of participating in an active shooter drill, no negative
59.10 consequence must impact the student's general school attendance record nor may
59.11 nonparticipation alone make a student ineligible to participate in or attend school activities.

59.12 (c) The commissioner of education must ensure the availability of alternative safety
59.13 education for students who are opted out of participating or otherwise exempted from an
59.14 active shooter drill. Alternative safety education must provide essential safety instruction
59.15 through less sensorial safety training methods and must be appropriate for students with
59.16 mobility restrictions, sensory needs, developmental or physical disabilities, mental health
59.17 needs, and auditory or visual limitations.

59.18 Subd. 5. **Participation in active shooter drills.** Any student in early childhood through
59.19 grade 12 must not be required to participate in an active shooter drill that does not meet the
59.20 criteria in subdivision 2.

59.21 Subd. 6. **Active shooter simulations.** A student must not be required to participate in
59.22 an active shooter simulation. An active shooter simulation must not take place during regular
59.23 school hours if a majority of students are present, or expected to be present, at the school.
59.24 A parent or legal guardian of a student in grades 9 through 12 must have the opportunity to
59.25 opt their student into participating in an active shooter simulation.

59.26 Subd. 7. **Violence prevention.** (a) A school district or charter school conducting an
59.27 active shooter drill must provide students in middle school and high school at least one
59.28 hour, or one standard class period, of violence prevention training annually.

59.29 (b) The violence prevention training must be evidence-based and may be delivered
59.30 in-person, virtually, or digitally. Training must, at a minimum, teach students the following:

59.31 (1) how to identify observable warning signs and signals of an individual who may be
59.32 at risk of harming oneself or others;

59.33 (2) the importance of taking threats seriously and seeking help; and

60.1 (3) the steps to report dangerous, violent, threatening, harmful, or potentially harmful
60.2 activity.

60.3 (c) By July 1, 2024, the commissioner of public safety and the commissioner of education
60.4 must jointly develop a list of evidence-based trainings that a school district or charter school
60.5 may use to fulfill the requirements of this section, including no-cost programming, if any.
60.6 The agencies must:

60.7 (1) post the list publicly on the Minnesota School Safety Center's website; and

60.8 (2) update the list every two years.

60.9 (d) A school district or charter school must ensure that students have the opportunity to
60.10 contribute to their school's safety and violence prevention planning, aligned with the
60.11 recommendations for multihazard planning for schools, including but not limited to:

60.12 (1) student opportunities for leadership related to prevention and safety;

60.13 (2) encouragement and support to students in establishing clubs and programs focused
60.14 on safety; and

60.15 (3) providing students with the opportunity to seek help from adults and to learn about
60.16 prevention connected to topics including bullying, sexual harassment, sexual assault, and
60.17 suicide.

60.18 Subd. 8. **Board meeting.** At a regularly scheduled school board meeting, a school board
60.19 of a district that has conducted an active shooter drill must consider the following:

60.20 (1) the effect of active shooter drills on the safety of students and staff; and

60.21 (2) the effect of active shooter drills on the mental health and wellness of students and
60.22 staff.

60.23 Sec. 24. **[121A.201] MTSS AND COLLABORATIVE MINNESOTA PARTNERSHIPS**
60.24 **TO ADVANCE STUDENT SUCCESS (COMPASS).**

60.25 Beginning July 1, 2023, all Minnesota school districts and charter schools must be offered
60.26 training and support in implementing MTSS through the Department of Education
60.27 COMPASS team and the Department of Education's regional partners, the Minnesota Service
60.28 Cooperatives. COMPASS is the state school improvement model providing a statewide
60.29 system through which all districts and schools may receive support in the areas of literacy,
60.30 math, social-emotional learning, and mental health within the MTSS framework. The MTSS
60.31 framework is the state's systemic, continuous school improvement framework for ensuring
60.32 positive social, emotional, behavioral, developmental, and academic outcomes for every

61.1 student. MTSS provides access to layered tiers of culturally and linguistically responsive,
61.2 evidence-based practices. The MTSS framework relies on the understanding and belief that
61.3 every student can learn and thrive, and it engages an anti-bias and socially just approach to
61.4 examining policies and practices and ensuring equitable distribution of resources and
61.5 opportunity. The MTSS systemic framework requires:

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

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

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

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

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

61.22 **Sec. 25. [121A.35] SUICIDE PREVENTION INFORMATION; IDENTIFICATION**
61.23 **CARDS.**

61.24 A school district or charter school that issues an identification card to students in middle
61.25 school, junior high, or high school must provide contact information for the 988 Suicide
61.26 and Crisis LifeLine (988 LifeLine), the Crisis Text line, and the county mobile crisis services.
61.27 The contact information must also be included in the school's student handbook and the
61.28 student planner if a student planner is custom printed by the school for distribution to students
61.29 in grades 6 through 12. A nonpublic school is encouraged to issue student identification
61.30 cards consistent with this paragraph.

62.1 Sec. 26. Minnesota Statutes 2022, section 121A.41, is amended by adding a subdivision
62.2 to read:

62.3 Subd. 12. **Nonexclusionary disciplinary policies and practices; alternatives to pupil**
62.4 **removal and dismissal.** "Nonexclusionary disciplinary policies and practices" means
62.5 policies and practices that are alternatives to dismissing a pupil from school, including but
62.6 not limited to evidence-based positive behavior interventions and supports, social and
62.7 emotional services, school-linked mental health services, counseling services, social work
62.8 services, academic screening for Title 1 services or reading interventions, and alternative
62.9 education services. Nonexclusionary disciplinary policies and practices include but are not
62.10 limited to the policies and practices under sections 120B.12; 121A.575, clauses (1) and (2);
62.11 121A.031, subdivision 4, paragraph (a), clause (1); 121A.61, subdivision 3, paragraph (r);
62.12 and 122A.627, clause (3).

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

62.14 Sec. 27. Minnesota Statutes 2022, section 121A.41, is amended by adding a subdivision
62.15 to read:

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

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

62.22 Sec. 28. Minnesota Statutes 2022, section 121A.425, is amended to read:

62.23 **121A.425 FULL AND EQUITABLE PARTICIPATION IN ~~PRESCHOOL AND~~**
62.24 **PREKINDERGARTEN EARLY LEARNING.**

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

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

62.31 (2) kindergarten through grade 3.

(b) This provision does not apply to a dismissal from school for less than one school day, except as provided under chapter 125A and federal law for a student receiving special education services.

(c) 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.

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

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

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

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

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

Sec. 29. Minnesota Statutes 2022, section 121A.45, subdivision 1, is amended to read:

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

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

Sec. 30. Minnesota Statutes 2022, section 121A.46, subdivision 4, is amended to read:

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

(b) Notwithstanding the provisions of subdivisions 1 and 3, the pupil may be suspended pending the school board's decision in the expulsion or exclusion hearing; provided that

64.1 alternative educational services are implemented to the extent that suspension exceeds five
64.2 consecutive school days.

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

64.4 Sec. 31. Minnesota Statutes 2022, section 121A.46, is amended by adding a subdivision
64.5 to read:

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

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

64.15 Sec. 32. Minnesota Statutes 2022, section 121A.47, subdivision 2, is amended to read:

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

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

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

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

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

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

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

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

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

64.30 (3) present evidence; and

65.1 (4) confront and cross-examine witnesses.

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

65.3 Sec. 33. Minnesota Statutes 2022, section 121A.47, subdivision 14, is amended to read:

65.4 Subd. 14. **Admission or readmission plan.** (a) A school administrator ~~shall~~ must prepare
65.5 and enforce an admission or readmission plan for any pupil who is excluded or expelled
65.6 from school. The plan ~~may~~ must include measures to improve the pupil's behavior, ~~including~~
65.7 which may include completing a character education program, consistent with section
65.8 120B.232, subdivision 1, ~~and require~~ social and emotional learning, counseling, social work
65.9 services, mental health services, referrals for special education or 504 evaluation, and
65.10 evidence-based academic interventions. The plan must include reasonable attempts to obtain
65.11 parental involvement in the admission or readmission process, and may indicate the
65.12 consequences to the pupil of not improving the pupil's behavior.

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

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

65.26 Sec. 34. Minnesota Statutes 2022, section 121A.53, subdivision 1, is amended to read:

65.27 Subdivision 1. **Exclusions and expulsions; student withdrawals; physical**
65.28 **assaults.** Consistent with subdivision 2, the school board must report through the department
65.29 electronic reporting system each exclusion or expulsion and, each physical assault of a
65.30 district employee by a ~~student~~ pupil, and each pupil withdrawal agreement within 30 days
65.31 of the effective date of the dismissal action, pupil withdrawal, or assault, to the commissioner
65.32 of education. This report must include a statement of ~~alternative educational services~~
65.33 nonexclusionary disciplinary practices, or other sanction, intervention, or resolution in

response to the assault given the pupil and the reason for, the effective date, and the duration of the exclusion or expulsion or other sanction, intervention, or resolution. The report must also include the ~~student's~~ pupil's age, grade, gender, race, and special education status.

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

Sec. 35. Minnesota Statutes 2022, section 121A.55, is amended to read:

121A.55 POLICIES TO BE ESTABLISHED.

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

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

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

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

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

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

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

~~(b)~~ (c) 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 2023-2024 school year and later.

Sec. 36. 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, security personnel, 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, security personnel, 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. Conduct that violates subdivision 2a is not per se corporal punishment under this statute. Nothing in this section or section 125A.0941 precludes the use of reasonable force under section 121A.582.

Sec. 37. Minnesota Statutes 2022, section 121A.61, subdivision 1, is amended to read:

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

Sec. 38. Minnesota Statutes 2022, section 121A.61, subdivision 3, is amended to read:

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

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

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

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

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

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

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

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

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

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

69.5 (j) any procedures determined appropriate for encouraging early detection of behavioral
69.6 problems;

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

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

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

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

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

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

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

69.23 ~~(q)~~ (r) an agreement regarding procedures to coordinate crisis services to the extent funds
69.24 are available with the county board responsible for implementing sections 245.487 to
69.25 245.4889 for students with a serious emotional disturbance or other students who have an
69.26 individualized education program whose behavior may be addressed by crisis intervention;
69.27 ~~and~~

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

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

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

70.5 Sec. 39. Minnesota Statutes 2022, section 121A.61, is amended by adding a subdivision
70.6 to read:

70.7 Subd. 4. **Discipline complaint procedure.** The discipline policy must contain procedures
70.8 for students, parents and other guardians, and school staff to file a complaint and seek
70.9 corrective action when the requirements of sections 121A.40 to 121A.61, including the
70.10 implementation of the local behavior and discipline policies, are not being implemented
70.11 appropriately or are being discriminately applied. Each district and school policy implemented
70.12 under this section must, at a minimum:

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

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

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

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

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

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

71.1 Sec. 40. Minnesota Statutes 2022, section 121A.61, is amended by adding a subdivision
71.2 to read:

71.3 Subd. 5. **School supports.** (a) A school board is strongly encouraged to adopt a policy
71.4 that promotes the understanding in school staff that when a student is unable to meet adult
71.5 expectations it is often because the student lacks the skills to respond to a situation
71.6 appropriately. A school district must support school staff in using tiered interventions that
71.7 teach students skills and prioritize relationships between students and teachers.

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

71.11 Sec. 41. **[121A.611] RECESS AND OTHER BREAKS.**

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

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

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

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

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

71.23 or

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

71.27 (d) A school district or charter school must not withhold recess from a student based on
71.28 incomplete schoolwork.

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

71.31 (f) A school district or charter school must compile information on each recess detention
71.32 at the end of each school year, including the student's age, grade, gender, race or ethnicity,

72.1 and special education status. This information must be available to the public upon request.
72.2 A school district or charter school is encouraged to use the data in professional development
72.3 promoting the use of nonexclusionary discipline.

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

72.7 Sec. 42. **[121A.642] PARAPROFESSIONAL TRAINING.**

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

72.19 Subd. 2. **Reimbursement for paraprofessional training.** (a) Beginning in fiscal year
72.20 2025, the commissioner of education must reimburse school districts, charter schools,
72.21 intermediate school districts and other cooperative units, the Perpich Center for Arts
72.22 Education, and the Minnesota State Academies in the form and manner specified by the
72.23 commissioner for paraprofessional training costs.

72.24 (b) The paraprofessional reimbursement equals the prior year compensation expenses
72.25 associated with providing up to eight hours of paid orientation and professional development
72.26 for each paraprofessional trained under subdivision 1.

72.27 (c) The commissioner may establish procedures to ensure that any costs reimbursed
72.28 under this section are excluded from other school revenue calculations.

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

72.30 Sec. 43. Minnesota Statutes 2022, section 124D.03, subdivision 3, is amended to read:

72.31 Subd. 3. **Pupil application procedures.** (a) In order that a pupil may attend a school or
72.32 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. 44. 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

74.1 15 or 30 days later of the pupil's intent to enroll in the nonresident district. The same
74.2 procedures apply to a pupil who applies to transfer from one participating nonresident district
74.3 to another participating nonresident district.

74.4 Sec. 45. Minnesota Statutes 2022, section 124D.09, subdivision 3, is amended to read:

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

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

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

74.17 (c) "Concurrent enrollment" means nonsectarian courses in which an eligible pupil under
74.18 subdivision 5 or 5b enrolls to earn both secondary and postsecondary credits, are taught by
74.19 a secondary teacher or a postsecondary faculty member, and are offered at a high school
74.20 for which the district is eligible to receive concurrent enrollment program aid under section
74.21 124D.091.

74.22 Sec. 46. Minnesota Statutes 2022, section 124D.09, subdivision 5, is amended to read:

74.23 Subd. 5. **Authorization; notification.** Notwithstanding any other law to the contrary,
74.24 an 11th or 12th grade pupil enrolled in a school or an American Indian-controlled Tribal
74.25 contract or grant school eligible for aid under section 124D.83, except a foreign exchange
74.26 pupil enrolled in a district under a cultural exchange program, may apply to an eligible
74.27 institution, as defined in subdivision 3, to enroll in nonsectarian courses offered by that
74.28 postsecondary institution. If an institution accepts a secondary pupil for enrollment under
74.29 this section, the institution shall send written notice to the pupil, the pupil's school or school
74.30 district, and the commissioner. The notice must indicate the course and hours of enrollment
74.31 of that pupil. If the pupil enrolls in a course for postsecondary credit, the institution must
74.32 notify:

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

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

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

75.5 Sec. 47. Minnesota Statutes 2022, section 124D.09, subdivision 12, is amended to read:

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

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

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

75.24 (d) The secondary credits granted to a pupil must be counted toward the graduation
75.25 requirements and subject area requirements of the district. Evidence of successful completion
75.26 of each course and secondary credits granted must be included in the pupil's secondary
75.27 school record. A pupil ~~shall~~ must provide the school with a copy of the pupil's ~~grade~~ grades
75.28 in each course taken for secondary credit under this section, including interim or nonfinal
75.29 grades earned during the academic term. Upon the request of a pupil, the pupil's secondary
75.30 school record must also include evidence of successful completion and credits granted for
75.31 a course taken for postsecondary credit. In either case, the record must indicate that the
75.32 credits were earned at a postsecondary institution.

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

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

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

Sec. 48. Minnesota Statutes 2022, section 124D.09, subdivision 13, is amended to read:

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

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

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. 49. **[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

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

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

79.8 Subd. 3. **Supplemental online courses.** (a) Notwithstanding sections 124D.03 and
79.9 124D.08 and chapter 124E, procedures for applying to take supplemental online courses
79.10 other than those offered by the student's enrolling district are as provided in this subdivision.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

82.19 (2) withhold funds from the provider under this section and sections 124E.25 and
82.20 127A.42. The department must notify an online learning provider in writing about
82.21 withholding funds and provide detailed calculations.

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

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

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

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

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

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

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

83.7 Sec. 50. Minnesota Statutes 2022, section 124D.128, subdivision 1, is amended to read:

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

83.14 Sec. 51. Minnesota Statutes 2022, section 124D.231, is amended to read:

83.15 **124D.231 FULL-SERVICE COMMUNITY SCHOOLS.**

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

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

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

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

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

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

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

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

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

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

84.18 Subd. 2. **Full-service community school program.** (a) The commissioner shall provide
84.19 funding to districts and charter schools with eligible school sites to plan, implement, and
84.20 improve full-service community schools. Eligible school sites must meet one of the following
84.21 criteria:

84.22 (1) the school is on a development plan for continuous improvement under section
84.23 120B.35, subdivision 2; or

84.24 (2) the school is in a district that has an achievement and integration plan approved by
84.25 the commissioner of education under sections 124D.861 and 124D.862.

84.26 (b) ~~An eligible school site may receive up to \$150,000 annually.~~ Districts and charter
84.27 schools may receive up to:

84.28 (1) \$100,000 for each eligible school available for up to one year to fund planning
84.29 activities, including convening a full-service community school leadership team, facilitating
84.30 family and community stakeholder engagement, conducting a baseline analysis, and creating
84.31 a full-service community school plan. At the end of this period, the school must submit a
84.32 full-service community school plan pursuant to paragraphs (d) and (e); and

85.1 (2) \$200,000 annually for each eligible school for up to three years of implementation
85.2 of a full-service community school plan, pursuant to paragraphs (f) and (g). School sites
85.3 receiving funding under this section shall hire or contract with a partner agency to hire a
85.4 site coordinator to coordinate services at each covered school site. Districts or charter schools
85.5 receiving funding under this section for three or more schools shall provide or contract with
85.6 a partner agency to provide a full-service community school initiative director.

85.7 ~~(e) Of grants awarded, implementation funding of up to \$20,000 must be available for~~
85.8 ~~up to one year for planning for school sites. At the end of this period, the school must submit~~
85.9 ~~a full-service community school plan, pursuant to paragraph (g). If the site decides not to~~
85.10 ~~use planning funds, the plan must be submitted with the application.~~

85.11 ~~(d)~~ (c) The commissioner shall consider additional school factors when dispensing funds
85.12 including: schools with significant populations of students receiving free or reduced-price
85.13 lunches; significant homeless and highly mobile rates; ~~and~~ equity among urban, suburban,
85.14 and greater Minnesota schools; and demonstrated success implementing full-service
85.15 community school programming.

85.16 ~~(e)~~ (d) A school site must establish a full-service community school leadership team
85.17 responsible for developing school-specific programming goals, assessing program needs,
85.18 and overseeing the process of implementing expanded programming ~~at each covered site.~~
85.19 The school leadership team shall have ~~between~~ at least 12 ~~to 15~~ members and shall meet
85.20 the following requirements:

85.21 (1) at least 30 percent of the members are parents, guardians, or students and 30 percent
85.22 of the members are teachers at the school site and must include the school principal and
85.23 representatives from partner agencies; and

85.24 (2) the full-service community school leadership team must be responsible for overseeing
85.25 the baseline analyses under paragraph ~~(f)~~ (e) and the creation of a full-service community
85.26 school plan under paragraphs (f) and (g). A full-service community school leadership team
85.27 must meet at least quarterly and have ongoing responsibility for monitoring the development
85.28 and implementation of full-service community school operations and programming at the
85.29 school site and shall issue recommendations to schools on a regular basis and summarized
85.30 in an annual report. These reports shall also be made available to the public at the school
85.31 site and on school and district websites.

85.32 ~~(f)~~ (e) School sites must complete a baseline analysis prior to ~~beginning programming~~
85.33 as the creation of a full-service community school plan. The analysis shall include:

86.1 (1) a baseline analysis of needs at the school site, led by the school leadership team,
86.2 ~~which shall include~~ including the following elements:

86.3 (i) identification of challenges facing the school;

86.4 (ii) analysis of the student body, including:

86.5 (A) number and percentage of students with disabilities and needs of these students;

86.6 (B) number and percentage of students who are English learners and the needs of these
86.7 students;

86.8 (C) number of students who are homeless or highly mobile; ~~and~~

86.9 (D) number and percentage of students receiving free or reduced-price lunch and the
86.10 needs of these students; and

86.11 (E) number and percentage of students by race and ethnicity;

86.12 (iii) analysis of enrollment and retention rates for students with disabilities, English
86.13 learners, homeless and highly mobile students, and students receiving free or reduced-price
86.14 lunch;

86.15 (iv) analysis of suspension and expulsion data, including the justification for such
86.16 disciplinary actions and the degree to which particular populations, including, but not limited
86.17 to, American Indian students and students of color, students with disabilities, students who
86.18 are English learners, and students receiving free or reduced-price lunch are represented
86.19 among students subject to such actions;

86.20 (v) analysis of school achievement data disaggregated by major demographic categories,
86.21 including, but not limited to, race, ethnicity, English learner status, disability status, and
86.22 free or reduced-price lunch status;

86.23 (vi) analysis of current parent engagement strategies and their success; and

86.24 (vii) evaluation of the need for and availability of ~~wraparound services~~ full-service
86.25 community school activities, including, but not limited to:

86.26 ~~(A) mechanisms for meeting students' social, emotional, and physical health needs,~~
86.27 ~~which may include coordination of existing services as well as the development of new~~
86.28 ~~services based on student needs; and~~

86.29 ~~(B) strategies to create a safe and secure school environment and improve school climate~~
86.30 ~~and discipline, such as implementing a system of positive behavioral supports, and taking~~
86.31 ~~additional steps to eliminate bullying;~~

87.1 (A) integrated student supports that address out-of-school barriers to learning through
87.2 partnerships with social and health service agencies and providers, and may include medical,
87.3 dental, vision care, and mental health services or counselors to assist with housing,
87.4 transportation, nutrition, immigration, or criminal justice issues;

87.5 (B) expanded and enriched learning time and opportunities, including before-school,
87.6 after-school, weekend, and summer programs that provide additional academic instruction,
87.7 individualized academic support, enrichment activities, and learning opportunities that
87.8 emphasize real-world learning and community problem solving and may include art, music,
87.9 drama, creative writing, hands-on experience with engineering or science, tutoring and
87.10 homework help, or recreational programs that enhance and are consistent with the school's
87.11 curriculum;

87.12 (C) active family and community engagement that brings students' families and the
87.13 community into the school as partners in education and makes the school a neighborhood
87.14 hub, providing adults with educational opportunities that may include adult English as a
87.15 second language classes, computer skills, art, or other programs that bring community
87.16 members into the school for meetings or events; and

87.17 (D) collaborative leadership and practices that build a culture of professional learning,
87.18 collective trust, and shared responsibility and include a school-based full-service community
87.19 school leadership team, a full-service community school site coordinator, a full-service
87.20 community school initiative director, a community-wide leadership team, other leadership
87.21 or governance teams, teacher learning communities, or other staff to manage the joint work
87.22 of school and community organizations;

87.23 (2) a baseline analysis of community assets and a strategic plan for utilizing and aligning
87.24 identified assets. This analysis should include, but is not limited to, a, including
87.25 documentation of individuals in the community, faith-based organizations, community and
87.26 neighborhood associations, colleges, hospitals, libraries, businesses, and social service
87.27 agencies ~~who~~ that may be able to provide support and resources; and

87.28 (3) a baseline analysis of needs in the community surrounding the school, led by the
87.29 school leadership team, including, ~~but not limited to:~~

87.30 (i) the need for high-quality, full-day child care and early childhood education programs;

87.31 (ii) the need for physical and mental health care services for children and adults; and

87.32 (iii) the need for job training and other adult education programming.

- 88.1 ~~(g)~~ (f) Each school site receiving funding under this section must ~~establish~~ develop a
88.2 full-service community school plan that utilizes and aligns district and community assets
88.3 and establishes services in at least two of the following types of programming:
- 88.4 (1) early childhood:
- 88.5 (i) early childhood education; and
- 88.6 (ii) child care services;
- 88.7 (2) academic:
- 88.8 (i) academic support and enrichment activities, including expanded learning time;
- 88.9 (ii) summer or after-school enrichment and learning experiences;
- 88.10 (iii) job training, internship opportunities, and career counseling services;
- 88.11 (iv) programs that provide assistance to students who have been chronically absent,
88.12 truant, suspended, or expelled; and
- 88.13 (v) specialized instructional support services;
- 88.14 (3) parental involvement:
- 88.15 (i) programs that promote parental involvement and family literacy;
- 88.16 (ii) parent leadership development activities that empower and strengthen families and
88.17 communities, provide volunteer opportunities, or promote inclusion in school-based
88.18 leadership teams; and
- 88.19 (iii) parenting education activities;
- 88.20 (4) mental and physical health:
- 88.21 (i) mentoring and other youth development programs, including peer mentoring and
88.22 conflict mediation;
- 88.23 (ii) juvenile crime prevention and rehabilitation programs;
- 88.24 (iii) home visitation services by teachers and other professionals;
- 88.25 (iv) developmentally appropriate physical education;
- 88.26 (v) nutrition services;
- 88.27 (vi) primary health and dental care; and
- 88.28 (vii) mental health counseling services;
- 88.29 (5) community involvement:

- 89.1 (i) service and service-learning opportunities;
- 89.2 (ii) adult education, including instruction in English as a second language; and
- 89.3 (iii) homeless prevention services;
- 89.4 (6) positive discipline practices; and
- 89.5 (7) other programming designed to meet school and community needs identified in the
- 89.6 baseline analysis and reflected in the full-service community school plan.

89.7 ~~(h)~~ (g) The full-service community school leadership team at each school site must

89.8 develop a full-service community school plan detailing the steps the school leadership team

89.9 will take, including:

- 89.10 (1) timely establishment and consistent operation of the school leadership team;
- 89.11 (2) maintenance of attendance records in all programming components;
- 89.12 (3) maintenance of measurable data showing annual participation and the impact of
- 89.13 programming on the participating children and adults;
- 89.14 (4) documentation of meaningful and sustained collaboration between the school and
- 89.15 community stakeholders, including local governmental units, civic engagement organizations,
- 89.16 businesses, and social service providers;
- 89.17 (5) establishment and maintenance of partnerships with institutions, such as universities,
- 89.18 hospitals, museums, or not-for-profit community organizations to further the development
- 89.19 and implementation of community school programming;
- 89.20 (6) ensuring compliance with the district nondiscrimination policy; and
- 89.21 (7) plan for school leadership team development.

89.22 Subd. 3. **Full-service community school review.** (a) ~~Every three years,~~ A full-service

89.23 community school site must submit to the commissioner, and make available at the school

89.24 site and online, a report describing efforts to integrate community school programming at

89.25 each covered school site and the effect of the transition to a full-service community school

89.26 on participating children and adults. This report shall include, but is not limited to, the

89.27 following:

- 89.28 (1) an assessment of the effectiveness of the school site in development or implementing
- 89.29 the community school plan;

90.1 (2) problems encountered in the design and execution of the community school plan,
90.2 including identification of any federal, state, or local statute or regulation impeding program
90.3 implementation;

90.4 (3) the operation of the school leadership team and its contribution to successful execution
90.5 of the community school plan;

90.6 (4) recommendations for improving delivery of community school programming to
90.7 students and families;

90.8 (5) the number and percentage of students receiving community school programming
90.9 who had not previously been served;

90.10 (6) the number and percentage of nonstudent community members receiving community
90.11 school programming who had not previously been served;

90.12 (7) improvement in retention among students who receive community school
90.13 programming;

90.14 (8) improvement in academic achievement among students who receive community
90.15 school programming;

90.16 (9) changes in student's readiness to enter school, active involvement in learning and in
90.17 their community, physical, social and emotional health, and student's relationship with the
90.18 school and community environment;

90.19 (10) an accounting of anticipated local budget savings, if any, resulting from the
90.20 implementation of the program;

90.21 (11) improvements to the frequency or depth of families' involvement with their children's
90.22 education;

90.23 (12) assessment of community stakeholder satisfaction;

90.24 (13) assessment of institutional partner satisfaction;

90.25 (14) the ability, or anticipated ability, of the school site and partners to continue to
90.26 provide services in the absence of future funding under this section;

90.27 (15) increases in access to services for students and their families; and.

90.28 (16) the degree of increased collaboration among participating agencies and private
90.29 partners.

90.30 (b) Reports submitted under this section shall be evaluated by the commissioner with
90.31 respect to the following criteria:

91.1 (1) the effectiveness of the school or the community school consortium in implementing
91.2 the full-service community school plan, including the degree to which the school site
91.3 navigated difficulties encountered in the design and operation of the full-service community
91.4 school plan, including identification of any federal, state, or local statute or regulation
91.5 impeding program implementation;

91.6 (2) the extent to which the project has produced lessons about ways to improve delivery
91.7 of community school programming to students;

91.8 (3) the degree to which there has been an increase in the number or percentage of students
91.9 and nonstudents receiving community school programming;

91.10 (4) the degree to which there has been an improvement in retention of students and
91.11 improvement in academic achievement among students receiving community school
91.12 programming;

91.13 (5) local budget savings, if any, resulting from the implementation of the program;

91.14 (6) the degree of community stakeholder and institutional partner engagement;

91.15 (7) the ability, or anticipated ability, of the school site and partners to continue to provide
91.16 services in the absence of future funding under this section;

91.17 (8) increases in access to services for students and their families; and

91.18 (9) the degree of increased collaboration among participating agencies and private
91.19 partners.

91.20 Sec. 52. **[124D.475] CREDIT FOR EMPLOYMENT WITH HEALTH CARE**
91.21 **PROVIDERS.**

91.22 Consistent with the career and technical pathways program, a student in grade 11 or 12
91.23 who is employed by an institutional long-term care or licensed assisted living facility, a
91.24 home and community-based services and supports provider, a hospital or health system
91.25 clinic, or a child care center may earn up to two elective credits each year toward graduation
91.26 under section 120B.024, subdivision 1, paragraph (a), clause (7), at the discretion of the
91.27 enrolling school district or charter school. A student may earn one elective credit for every
91.28 350 hours worked, including hours worked during the summer. A student who is employed
91.29 by an eligible employer must submit an application, in the form or manner required by the
91.30 school district or charter school, for elective credit to the school district or charter school
91.31 in order to receive elective credit. The school district or charter school must verify the hours
91.32 worked with the employer before awarding elective credit.

- 92.1 **EFFECTIVE DATE.** This section is effective for the 2023-2024 school year and later.
- 92.2 Sec. 53. Minnesota Statutes 2022, section 124D.59, subdivision 2a, is amended to read:
- 92.3 Subd. 2a. **English learner; limited or interrupted formal education.** Consistent with
- 92.4 subdivision 2, an English learner ~~includes an English learner with an~~ limited or interrupted
- 92.5 formal education is an English learner under subdivision 2 who ~~meets three of the following~~
- 92.6 ~~five requirements:~~
- 92.7 ~~(1) comes from a home where the language usually spoken is other than English, or~~
- 92.8 ~~usually speaks a language other than English;~~
- 92.9 ~~(2) enters school in the United States after grade 6;~~
- 92.10 ~~(3) has at least two years less schooling than the English learner's peers;~~
- 92.11 ~~(4) functions at least two years below expected grade level in reading and mathematics;~~
- 92.12 ~~and~~
- 92.13 ~~(5) may be preliterate in the English learner's native language.~~ has at least two fewer
- 92.14 years of schooling than the English learner's peers when entering school in the United States.
- 92.15 Sec. 54. Minnesota Statutes 2022, section 124D.68, subdivision 2, is amended to read:
- 92.16 Subd. 2. **Eligible pupils.** (a) A pupil under the age of 21 or who meets the requirements
- 92.17 of section 120A.20, subdivision 1, paragraph (c), and a pupil with a disability until the pupil
- 92.18 is 22 years of age, is eligible to participate in the graduation incentives program, if the pupil:
- 92.19 (1) performs substantially below the performance level for pupils of the same age in a
- 92.20 locally determined achievement test;
- 92.21 (2) is behind in satisfactorily completing coursework or obtaining credits for graduation;
- 92.22 (3) is pregnant or is a parent;
- 92.23 (4) has been assessed as having substance use disorder;
- 92.24 (5) has been excluded or expelled according to sections 121A.40 to 121A.56;
- 92.25 (6) has been referred by a school district for enrollment in an eligible program or a
- 92.26 program pursuant to section 124D.69;
- 92.27 (7) is a victim of physical or sexual abuse;
- 92.28 (8) has experienced mental health problems;

93.1 (9) has experienced homelessness sometime within six months before requesting a
93.2 transfer to an eligible program;

93.3 (10) speaks English as a second language or is an English learner;

93.4 (11) has withdrawn from school or has been chronically truant; or

93.5 (12) is being treated in a hospital in the seven-county metropolitan area for cancer or
93.6 other life threatening illness or is the sibling of an eligible pupil who is being currently
93.7 treated, and resides with the pupil's family at least 60 miles beyond the outside boundary
93.8 of the seven-county metropolitan area.

93.9 (b) A pupil ~~otherwise qualifying under paragraph (a) who is at least 21 years of age and~~
93.10 ~~not yet 22 years of age, and is an English learner with an interrupted formal education~~
93.11 ~~according to section 124D.59, subdivision 2a,~~ is eligible to participate in the graduation
93.12 incentives program under section 124D.68 and in concurrent enrollment courses offered
93.13 under section 124D.09, subdivision 10, and is funded in the same manner as other pupils
93.14 under this section: if the pupil otherwise qualifies under paragraph (a), is at least 21 years
93.15 of age and not yet 22 years of age, and:

93.16 (1) is an English learner with a limited or interrupted formal education according to
93.17 section 124D.59, subdivision 2a; or

93.18 (2) meets three of the following four requirements:

93.19 (i) comes from a home where the language usually spoken is other than English, or
93.20 usually speaks a language other than English;

93.21 (ii) enters school in the United States after grade 6;

93.22 (iii) functions at least two years below expected grade level in reading and mathematics;
93.23 and

93.24 (iv) may be preliterate in the English learner's native language.

93.25 Sec. 55. Minnesota Statutes 2022, section 124D.68, subdivision 3, is amended to read:

93.26 Subd. 3. **Eligible programs.** (a) A pupil who is eligible according to subdivision 2 may
93.27 enroll in a state-approved alternative program under sections 123A.05 to 123A.08.

93.28 (b) A pupil who is eligible according to subdivision 2 and who is a high school junior
93.29 or senior may enroll in postsecondary courses under section 124D.09.

93.30 (c) A pupil who is eligible under subdivision 2, may enroll in any public elementary or
93.31 secondary education program.

(d) A pupil who is eligible under subdivision 2, may enroll in any nonpublic, nonsectarian school that has contracted with the serving school district to provide educational services. However, notwithstanding other provisions of this section, only a pupil who is eligible under subdivision 2, clause (12), may enroll in a contract alternative school that is specifically structured to provide educational services to such a pupil.

(e) A pupil who is between the ages of ~~16~~ 17 and 21 may enroll in any adult basic education programs approved under section 124D.52 and operated under the community education program contained in section 124D.19.

Sec. 56. Minnesota Statutes 2022, section 124D.861, subdivision 2, is amended to read:

Subd. 2. **Plan implementation; components.** (a) The school board of each eligible district must formally develop and implement a long-term plan under this section. The plan must be incorporated into the district's comprehensive strategic plan under section 120B.11. ~~Plan components may include: innovative and integrated prekindergarten through grade 12 learning environments that offer students school enrollment choices; family engagement initiatives that involve families in their students' academic life and success; professional development opportunities for teachers and administrators focused on improving the academic achievement of all students, 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;

(2) family engagement initiatives that involve families in their students' academic life and success and improve relations between home and school;

(3) opportunities for students, families, staff, and community members who are of color or American Indian to share their experiences in the school setting with school staff and administration and to inform the development of specific proposals for making school environments more validating, affirming, embracing, and integrating of their cultural and community strengths;

(4) professional development opportunities for teachers and administrators focused on improving the academic achievement of all students, including knowledge, skills, and dispositions needed to be antiracist and culturally sustaining as defined in section 120B.11, subdivision 1, for serving students who are from racially and ethnically diverse backgrounds;

(5) recruitment and retention of teachers, administrators, cultural and family liaisons, paraprofessionals, and other staff from racial, ethnic, and linguistic backgrounds represented in the student population to strengthen relationships with all students, families, and other members of the community;

(6) collection, examination, and evaluation of academic and discipline data for institutional racism as defined in section 120B.11, subdivision 1, in structures, policies, and practices that result in the education disparities, in order to propose antiracist changes as

96.1 defined in section 120B.11, subdivision 1, that increase access, meaningful participation,
 96.2 representation, and positive outcomes for students of color and American Indian students;

96.3 (7) increased programmatic opportunities and effective and more diverse instructors
 96.4 focused on rigor and college and career readiness for students who are impacted by racial,
 96.5 gender, linguistic, and economic disparities, including students enrolled in area learning
 96.6 centers or alternative learning programs under section 123A.05, state-approved alternative
 96.7 programs under section 126C.05, subdivision 15, and contract alternative programs under
 96.8 section 124D.69, among other underserved students;

96.9 (8) instruction in ethnic studies, as defined in section 120B.25, to provide all students
 96.10 with opportunities to learn about their own and others' cultures and historical experiences;
 96.11 or

96.12 (9) examination and revision of district curricula in all subjects to be inclusive of diverse
 96.13 racial and ethnic groups while meeting state academic standards and being culturally
 96.14 sustaining as defined in section 120B.11, subdivision 1, ensuring content being studied
 96.15 about any group is accurate and based in knowledge from that group.

96.16 ~~(b)~~ (e) Among other requirements, an eligible district must implement effective,
 96.17 research-based interventions that include ~~formative~~ multiple measures of assessment practices
 96.18 and engagement in order to reduce the eliminate academic disparities in student academic
 96.19 performance among the specific categories of students as measured by student progress and
 96.20 growth on state reading and math assessments and for students impacted by racial, gender,
 96.21 linguistic, and economic inequities as aligned with section 120B.11.

96.22 ~~(e)~~ (f) Eligible districts must create efficiencies and eliminate duplicative programs and
 96.23 services under this section, which may include forming collaborations or a single,
 96.24 seven-county metropolitan areawide partnership of eligible districts for this purpose.

96.25 **EFFECTIVE DATE.** This section is effective for all plans reviewed and updated after
 96.26 the day following final enactment.

96.27 Sec. 57. Minnesota Statutes 2022, section 124D.862, subdivision 8, is amended to read:

96.28 Subd. 8. **Commissioner authority to withhold revenue.** (a) The commissioner must
 96.29 review the results of each district's integration and achievement plan by August 1 at the end
 96.30 of the third year of implementing the plan and determine if the district met its goals.

96.31 (b) If a district met its goals, it may submit a new three-year plan to the commissioner
 96.32 for review.

97.1 (c) If a district has not met its goals, the commissioner must:

97.2 (1) ~~develop a guide the district in the development of an~~ improvement plan and timeline;
97.3 ~~in consultation with the affected district,~~ that identifies strategies and practices designed to
97.4 meet the district's goals under this section and section 120B.11; and

97.5 (2) use up to 20 percent of the district's integration revenue, until the district's goals are
97.6 reached, to implement the improvement plan.

97.7 Sec. 58. Minnesota Statutes 2022, section 125A.08, is amended to read:

97.8 **125A.08 INDIVIDUALIZED EDUCATION PROGRAMS.**

97.9 (a) At the beginning of each school year, each school district shall have in effect, for
97.10 each child with a disability, an individualized education program.

97.11 (b) As defined in this section, every district must ensure the following:

97.12 (1) all students with disabilities are provided the special instruction and services which
97.13 are appropriate to their needs. Where the individualized education program team has
97.14 determined appropriate goals and objectives based on the student's needs, including the
97.15 extent to which the student can be included in the least restrictive environment, and where
97.16 there are essentially equivalent and effective instruction, related services, or assistive
97.17 technology devices available to meet the student's needs, cost to the district may be among
97.18 the factors considered by the team in choosing how to provide the appropriate services,
97.19 instruction, or devices that are to be made part of the student's individualized education
97.20 program. The individualized education program team shall consider and may authorize
97.21 services covered by medical assistance according to section 256B.0625, subdivision 26.
97.22 Before a school district evaluation team makes a determination of other health disability
97.23 under Minnesota Rules, part 3525.1335, subparts 1 and 2, item A, subitem (1), the evaluation
97.24 team must seek written documentation of the student's medically diagnosed chronic or acute
97.25 health condition signed by a licensed physician or a licensed health care provider acting
97.26 within the scope of the provider's practice. The student's needs and the special education
97.27 instruction and services to be provided must be agreed upon through the development of
97.28 an individualized education program. The program must address the student's need to develop
97.29 skills to live and work as independently as possible within the community. The individualized
97.30 education program team must consider positive behavioral interventions, strategies, and
97.31 supports that address behavior needs for children. During grade 9, the program must address
97.32 the student's needs for transition from secondary services to postsecondary education and
97.33 training, employment, community participation, recreation, and leisure and home living. In

developing the program, districts must inform parents of the full range of transitional goals and related services that should be considered. The program must include a statement of the needed transition services, including a statement of the interagency responsibilities or linkages or both before secondary services are concluded. If the individualized education program meets the plan components in section 120B.125, the individualized education program satisfies the requirement and no additional transition plan is needed;

(2) children with a disability under age five and their families are provided special instruction and services appropriate to the child's level of functioning and needs;

(3) children with a disability and their parents or guardians are guaranteed procedural safeguards and the right to participate in decisions involving identification, assessment including assistive technology assessment, and educational placement of children with a disability;

(4) eligibility and needs of children with a disability are determined by an initial evaluation or reevaluation, which may be completed using existing data under United States Code, title 20, section 33, et seq.;

(5) to the maximum extent appropriate, children with a disability, including those in public or private institutions or other care facilities, are educated with children who are not disabled, and that special classes, separate schooling, or other removal of children with a disability from the regular educational environment occurs only when and to the extent that the nature or severity of the disability is such that education in regular classes with the use of supplementary services cannot be achieved satisfactorily;

(6) in accordance with recognized professional standards, testing and evaluation materials, and procedures used for the purposes of classification and placement of children with a disability are selected and administered so as not to be racially or culturally discriminatory; and

(7) the rights of the child are protected when the parents or guardians are not known or not available, or the child is a ward of the state.

(c) For all paraprofessionals employed to work in programs 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

99.1 meeting the needs, especially disability-specific and behavioral needs, of the students with
99.2 whom the paraprofessional works;

99.3 (2) within five days of beginning to work alone with an individual student with a
99.4 disability, the assigned paraprofessional must be either given paid time, or time during the
99.5 school day, to review a student's individualized education program or be briefed on the
99.6 student's specific needs by appropriate staff;

99.7 ~~(2)~~ (3) annual training opportunities are required to enable the paraprofessional to
99.8 continue to further develop the knowledge and skills that are specific to the students with
99.9 whom the paraprofessional works, including understanding disabilities, the unique and
99.10 individual needs of each student according to the student's disability and how the disability
99.11 affects the student's education and behavior, following lesson plans, and implementing
99.12 follow-up instructional procedures and activities; and

99.13 ~~(3)~~ (4) a districtwide process obligates each paraprofessional to work under the ongoing
99.14 direction of a licensed teacher and, where appropriate and possible, the supervision of a
99.15 school nurse.

99.16 (d) A school district may conduct a functional behavior assessment as defined in
99.17 Minnesota Rules, part 3525.0210, subpart 22, as a stand-alone evaluation without conducting
99.18 a comprehensive evaluation of the student in accordance with prior written notice provisions
99.19 in section 125A.091, subdivision 3a. A parent or guardian may request that a school district
99.20 conduct a comprehensive evaluation of the parent's or guardian's student.

99.21 Sec. 59. **INNOVATIVE INCUBATOR SERVICE-LEARNING GRANTS.**

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

99.24 (b) "Eligible school" means a school district or school site operated by a school district,
99.25 charter school, or Tribal contract or grant school eligible for state aid under Minnesota
99.26 Statutes, section 124D.83, or cooperative unit under Minnesota Statutes, section 123A.24,
99.27 subdivision 2.

99.28 (c) "Eligible service-learning partnership" means a partnership that includes an eligible
99.29 school and at least one community-based organization, community education program, state
99.30 or federal agency, or political subdivision. An eligible service-learning partnership may
99.31 include other individuals or entities, such as a postsecondary faculty member or institution,
99.32 parent, other community member, local business or business organization, or local media
99.33 representative. A school district member in an eligible service-learning partnership may

100.1 participate in the partnership through a community education program established under
100.2 Minnesota Statutes, section 124D.19.

100.3 Subd. 2. **Establishment; eligibility criteria; application requirements.** (a) A technical
100.4 assistance and grant program is established to initiate or expand and strengthen innovative
100.5 service-learning opportunities for students in kindergarten through grade 12; increase student
100.6 engagement and academic achievement; help close the academic achievement gap and the
100.7 community, college, and career opportunity gaps; and create a positive school climate and
100.8 safer schools and communities.

100.9 (b) At least one teacher, administrator, or program staff member and at least one
100.10 service-learning specialist, service-learning coordinator, curriculum specialist, or other
100.11 qualified employee employed by an eligible school and designated to develop and share
100.12 expertise in implementing service-learning best practices must work with students to form
100.13 a student-adult partnership. Before developing and submitting a grant application to the
100.14 department, a participating student must work with at least one adult who is part of the
100.15 initial partnership to identify a need or opportunity to pursue through a service-learning
100.16 partnership and invite at least one partner to collaborate in developing and submitting a
100.17 grant application. The fiscal agent for the grant to an eligible service-learning partnership
100.18 is an eligible school that is a member of the partnership or has a program that is a member
100.19 of the partnership.

100.20 (c) An eligible service-learning partnership receiving an innovation service-learning
100.21 grant must:

100.22 (1) include at least two or more enrolled students; two or more school employees of an
100.23 eligible school in accordance with paragraph (b); and an eligible community-based
100.24 organization, community education program, state or federal agency, or political subdivision;
100.25 and

100.26 (2) assist students to:

100.27 (i) actively participate in service-learning experiences that meet identified student and
100.28 community needs or opportunities;

100.29 (ii) operate collaboratively with service-learning partnership members;

100.30 (iii) align service-learning experiences with at least one state or local academic standard,
100.31 which may include a local career and technical education standard;

100.32 (iv) apply students' knowledge and skills in their community and help solve community
100.33 problems or address community opportunities;

101.1 (v) foster students' civic engagement; and

101.2 (vi) explore or pursue career pathways and support career and college readiness.

101.3 (d) An eligible service-learning partnership interested in receiving a grant must apply
101.4 to the commissioner of education in the form and manner determined by the commissioner.
101.5 The partnership must work with an eligible school. Consistent with this subdivision, the
101.6 application must describe the eligible service-learning partnership plan to:

101.7 (1) incorporate student-designed and student-led service-learning into the school
101.8 curriculum or specific courses or across subject areas;

101.9 (2) provide students with instruction and experiences using service-learning best practices
101.10 during the regular school day with an option to supplement their service-learning experiences
101.11 outside of the school day;

101.12 (3) align service-learning experiences with at least one state or local academic standard,
101.13 which may include a local career or technical education standard, and at least one goal of
101.14 the world's best workforce in accordance with Minnesota Statutes, section 120B.11, or the
101.15 state plan submitted and approved under the most recent reauthorization of the Elementary
101.16 and Secondary Education Act;

101.17 (4) make implementing service-learning best practices an educational priority;

101.18 (5) provide student-designed, student-led service-learning experiences that help meet
101.19 community needs or develop or advance community opportunities; and

101.20 (6) identify at least one eligible school teacher, administrator, or program staff member
101.21 and at least one service-learning specialist, service-learning coordinator, curriculum specialist,
101.22 or other qualified eligible school employee designated to develop and share expertise in
101.23 implementing service-learning best practices to work with students to form a student-adult
101.24 partnership that includes at least one community-based organization, community education
101.25 program, state or federal agency, or political subdivision.

101.26 Subd. 3. **Innovation grants.** The commissioner of education must award up to 32 grants
101.27 of up to \$50,000 each to allow eligible partnerships to provide student-designed, student-led
101.28 service-learning opportunities consistent with this section. Grant awards must be equitably
101.29 distributed throughout Minnesota by congressional district. The commissioner may designate
101.30 start-up or leader grant categories with differentiated maximum grant dollar amounts up to
101.31 \$50,000. A grantee designated as a leader grantee may be required to meet additional leader
101.32 grant requirements as established by the commissioner in the grant application criteria
101.33 developed by the commissioner. In order to receive a grant, a partnership must provide a

102.1 50 percent match in funds or in-kind contributions unless the commissioner waives the
102.2 match requirement for an applicant serving a high number of students whose families meet
102.3 federal poverty guidelines. A partnership grantee must allocate the grant amount according
102.4 to its grant application. The partnership must convey 50 percent of the actual grant amount
102.5 to at least one community-based organization, community education program, state or
102.6 federal agency, or political subdivision to help implement or defray the direct costs of
102.7 carrying out the service-learning strategies and activities described in the partnership's grant
102.8 application.

102.9 Subd. 4. **Report.** A grantee must report to the commissioner on the educational and
102.10 developmental outcomes of participating students and the eligible school's progress toward
102.11 meeting at least one goal of the world's best workforce goals in accordance with Minnesota
102.12 Statutes, section 120B.11, or the state plan submitted and approved under the most recent
102.13 reauthorization of the Elementary and Secondary Education Act. A grantee must report on
102.14 the community outcomes achieved through student service-learning experiences and the
102.15 corresponding student service activities. The commissioner must submit a report on
102.16 participating student and community outcomes under this section to the legislative committees
102.17 with jurisdiction over kindergarten through grade 12 education by February 15, 2025.

102.18 Sec. 60. **ETHNIC STUDIES WORKING GROUP.**

102.19 Subdivision 1. **Working group established.** (a) The Ethnic Studies Working Group is
102.20 established to advise the commissioner of education on an ethnic studies framework and
102.21 resources necessary to implement ethnic studies requirements under Minnesota Statutes,
102.22 section 120B.251. The commissioner must appoint members of the working group by April
102.23 1, 2024, with input from the Minnesota Ethnic Studies Coalition.

102.24 (b) The Ethnic Studies Working Group must have 25 members with a demonstrated
102.25 commitment to ethnic studies, as follows:

102.26 (1) five community members with a demonstrated commitment to ethnic studies or
102.27 education about Minnesota's racial, ethnic, religious, national origin, gender, sexual
102.28 orientation, or cultural diversity;

102.29 (2) four public school students in grades 11 and 12;

102.30 (3) three parents or guardians of public kindergarten through grade 12 students;

102.31 (4) three Minnesota-based, college-level faculty experts in ethnic studies;

102.32 (5) three ethnic studies high school teachers;

103.1 (6) four teachers with experience teaching ethnic studies to students in kindergarten to
103.2 grade 8; and

103.3 (7) three school board members or school administrators.

103.4 (c) Demographics of the working group must be inclusive and represent the diversity
103.5 of the state, including racial, ethnic, and geographic diversity, and diversity related to gender
103.6 and sexual orientation, immigrant status, disability status, and religious and linguistic
103.7 background.

103.8 Subd. 2. **Duties.** (a) The working group must review available ethnic studies instructional
103.9 resources in order to:

103.10 (1) develop an ethnic studies framework with advisory guidelines for ethnic studies
103.11 courses required under Minnesota Statutes, section 120B251;

103.12 (2) recommend professional learning requirements for educators and staff to facilitate
103.13 the successful implementation of ethnic studies courses;

103.14 (3) recommend resources and materials school districts and charter schools may use to
103.15 implement ethnic studies requirements and standards;

103.16 (4) identify or develop instructional resources that school districts and charter schools
103.17 may use in accordance with Minnesota Statutes, section 120B.251; and

103.18 (5) complete other tasks the working group considers pertinent to supporting the ability
103.19 of teachers and school district staff to facilitate the successful implementation of the ethnic
103.20 studies requirements under Minnesota Statutes, section 120B.251.

103.21 (b) By October 31, 2024, the working group must provide the ethnic studies framework
103.22 and other recommendations related to ethnic studies to the commissioner of education.

103.23 Subd. 3. **Meetings.** The working group must convene on at least a bimonthly basis and
103.24 must hold the first meeting no later than May 1, 2024.

103.25 Subd. 4. **Administration.** The commissioner must provide meeting space and technical
103.26 assistance for the working group.

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

103.28 Sec. 61. **COMPUTER SCIENCE EDUCATION ADVANCEMENT PROGRAM.**

103.29 Subdivision 1. **Definitions.** (a) "Computer science" means the study of computers and
103.30 algorithmic processes, including their principles, their hardware and software designs, their
103.31 implementation, and their impact on society.

104.1 (b) "Computer science courses and content" means courses at:

104.2 (1) elementary and middle schools that teach computer science as standalone
104.3 implementations or embedded in other subjects; and

104.4 (2) high schools that teach computer science as standalone courses and focus on teaching
104.5 students how to create new technologies.

104.6 (c) "High-quality computer science educator training" means activities that:

104.7 (1) clarify the conceptual foundations of computer science;

104.8 (2) teach research-based practices, including hands-on and inquiry-based learning;

104.9 (3) are primarily intended for existing teachers with or without prior exposure to computer
104.10 science with options for advanced training for teachers; and

104.11 (4) align to existing integrated computer science standards in Minnesota or nationally
104.12 recognized standards, including the Computer Science Teachers' Association's kindergarten
104.13 through grade 12 computer science education standards.

104.14 (d) "High-quality computer science professional learning providers" means institutions
104.15 of higher education, nonprofits, other state-funded entities, or private entities that have
104.16 successfully designed, implemented, and scaled high-quality computer science professional
104.17 learning for teachers as defined in paragraph (c).

104.18 (e) "STEAM" means science, technology, engineering, arts, and mathematics.

104.19 Subd. 2. **Computer science education supervisor.** The Department of Education must
104.20 employ a computer science supervisor dedicated to:

104.21 (1) the implementation of this section and the implementation of the computer science
104.22 education strategic plan developed by the working group under subdivision 3;

104.23 (2) outreach to districts that need additional supports to create or advance their computer
104.24 science programs; and

104.25 (3) supporting districts in using existing and available resources for districts to create
104.26 and advance their computer science programs.

104.27 Subd. 3. **Computer science working group.** (a) The Department of Education shall
104.28 establish a computer science education working group to develop a state strategic plan for
104.29 long-term and sustained growth of computer science education in all kindergarten through
104.30 grade 12 school districts and charter schools. The commissioner of education must appoint
104.31 members of the working group by October 1, 2023.

(b) Demographics of the working group must be inclusive and represent the diversity of the state, including but not limited to racial, ethnic, and geographic diversity, and diversity related to gender and sexual orientation.

(c) Meetings of the advisory committee are subject to the Open Meeting Law under Minnesota Statutes, chapter 13D.

(d) The computer science education advisory committee shall consist of the following members:

(1) the commissioner of education or the commissioner's designee;

(2) the commissioner of higher education or the commissioner's designee;

(3) one representative of the Professional Educator Licensing and Standards Board;

(4) one representative of the Computer Science Teachers Association of Minnesota;

(5) one representative from the business community employing computer scientists or technologists;

(6) one representative from the Minnesota Technology Association;

(7) one representative from a nonprofit organization working with students and teachers in computer science;

(8) one representative from the Minnesota Association of School Administrators;

(9) one representative from Education Minnesota;

(10) one representative from the Minnesota Association of Colleges for Teacher Education;

(11) one representative from CSforAll Minnesota;

(12) one licensed library media specialist;

(13) one representative from the Minnesota School Boards Association;

(14) one representative from SciMathMN;

(15) one representative from the Tribal Nations Education Committee;

(16) one high school student enrolled in a school with fewer than 1,000 students and one high school student enrolled in a school with more than 1,000 students; and

(17) four computer science teachers that teach at schools of different sizes, including at least one teacher of students in kindergarten to grade 5, one teacher of students in grades 6

106.1 to 8, and one teacher of students in grades 9 to 12, and one career and technical education
106.2 teacher.

106.3 (e) The computer science education working group shall develop a state strategic plan
106.4 for a statewide computer science education program that includes but is not limited to:

106.5 (1) a statement of purpose that describes the objectives or goals the Department of
106.6 Education will accomplish by implementing a computer science education program, the
106.7 strategies by which those goals will be achieved, and a timeline for achieving those goals;

106.8 (2) a summary of the current state landscape for kindergarten through grade 12 computer
106.9 science education, including diversity of students taking these courses;

106.10 (3) the creation or expansion of flexible options to license computer science teachers,
106.11 which may include approval codes, technical permits, ancillary licenses, and standard
106.12 licenses;

106.13 (4) a description of how the state will support the expansion of computer science
106.14 education opportunities in every public school and public charter school in the state within
106.15 five years, with a focus on ensuring equitable access;

106.16 (5) identifying high-quality computer science professional learning providers for teachers;

106.17 (6) an ongoing evaluation process that is overseen by the Department of Education;

106.18 (7) proposed rules that incorporate the principles of the state strategic plan into the state's
106.19 public education system as a whole;

106.20 (8) recommendations for long-term expansion and sustainability of computer science
106.21 education, including:

106.22 (i) implementation of a requirement that every kindergarten through grade 12 public
106.23 school and public charter school employs at least one certified or endorsed computer science
106.24 teacher, which may be met through multiple approved processes for certification and
106.25 endorsement, including but not limited to endorsing a certified teacher as determined by
106.26 the Professional Educator Licensing and Standards Board endorsed in another subject area;

106.27 (ii) expansion of a high school credit equivalency for computer science;

106.28 (iii) the development of standalone kindergarten through grade 12 standards for computer
106.29 science; and

106.30 (iv) training preservice teachers in computer science education; and

107.1 (9) a description of existing gaps in computer science education access, participation,
107.2 and success by geography and subgroup of students and a description of how to equitably
107.3 address these gaps.

107.4 (f) By February 29, 2024, the Department of Education shall publish the proposed state
107.5 strategic plan for public feedback.

107.6 (g) By March 22, 2024, the Department of Education shall present the adopted state
107.7 strategic plan described in paragraph (c) to the chairs of the legislative committees with
107.8 jurisdiction over education.

107.9 (h) The commissioner of education, or the commissioner of education's designee, may
107.10 approve updates and changes to the state strategic plan described in paragraph (c) as necessary
107.11 for the successful implementation of kindergarten through grade 12 computer science
107.12 education.

107.13 (i) The Department of Education shall update the legislative committees with jurisdiction
107.14 over education on all changes to the strategic plan described in paragraph (c) approved by
107.15 the commissioner of education's designee since the last presentation to each respective
107.16 entity.

107.17 Subd. 4. **Computer science educator training and capacity building.** (a) The
107.18 Department of Education shall develop and implement, or award grants or subcontract with
107.19 eligible entities, for the development and implementation of high-quality, coordinated
107.20 teacher recruitment and educator training programs for computer science courses and content
107.21 as defined in subdivision 1 and aligned to the state strategic plan as developed under
107.22 subdivision 3.

107.23 (b) For the purposes of this subdivision, eligible entities include:

107.24 (1) a consortium of local educational agencies in the state; and

107.25 (2) high-quality computer science professional learning providers, including institutions
107.26 of higher education in the state that are reasonably accessible geographically to all Minnesota
107.27 educators, nonprofits, other state-funded entities, or private entities working in partnership
107.28 with a consortium of local educational agencies.

107.29 (c) For purposes of this subdivision, eligible uses of funding include:

107.30 (1) high-quality professional learning opportunities for kindergarten through grade 12
107.31 computer science content that:

107.32 (i) are created and delivered in a consistent manner across the state;

- 108.1 (ii) are made available with no out-of-pocket expenses to educators, including teachers,
108.2 counselors, administrators, and other district employees as approved by the Department of
108.3 Education, schools, and school districts;
- 108.4 (iii) are made available asynchronously online, in person, and online or hybrid as
108.5 determined appropriate by the Department of Education; and
- 108.6 (iv) include introductory, intermediate, and advanced trainings aligned to the kindergarten
108.7 through grade 12 academic standards or, as necessary, other standards approved by the
108.8 Department of Education, specified for each of the grade bands kindergarten through grade
108.9 2, grades 3 to 5, grades 6 to 8, and grades 9 to 12;
- 108.10 (2) professional learning opportunities for educators of students in grades 9 to 12 that
108.11 may include trainings for advanced placement, international baccalaureate, and concurrent
108.12 enrollment credit computer science courses;
- 108.13 (3) travel expenses for kindergarten through grade 12 computer science teachers:
- 108.14 (i) for attending training opportunities under clauses (1) and (2); and
- 108.15 (ii) deemed appropriate and approved by the commissioner of education, or the
108.16 commissioner of education's designee;
- 108.17 (4) any future credentialing for kindergarten through grade 12 computer science teachers,
108.18 including Career and Technical Education and academic endorsements;
- 108.19 (5) supports for kindergarten through grade 12 computer science professional learning,
108.20 including mentoring and coaching;
- 108.21 (6) creation and deployment of resources to promote training opportunities and
108.22 recruitment of kindergarten through grade 12 computer science teachers;
- 108.23 (7) creation or purchase of resources to support implementation approved by the
108.24 commissioner of education, or the commissioner of education's designee;
- 108.25 (8) creation and deployment of resources to promote learning opportunities or recruit
108.26 students to engage in the learning opportunities;
- 108.27 (9) development of teacher credentialing programs;
- 108.28 (10) planning for districts to implement or expand computer science education
108.29 opportunities; and

(11) employment, or grant for employment, of personnel or contractors to oversee the statewide initiative, develop programs and trainings, and deliver training opportunities under clause (1).

(d) As a condition of receiving any funding through grants or subcontracts, eligible entities must submit an application to the Department of Education. The application must, at a minimum, address how the entity will:

(1) reach new and existing teachers with little to no computer science background;

(2) attract and support educators from schools that currently do not have established computer science education programs;

(3) use research- or evidence-based practices for high-quality professional development;

(4) focus the professional learning on the conceptual foundations of computer science;

(5) reach and support subgroups underrepresented in computer science;

(6) provide teachers with concrete experience through hands-on, inquiry-based practices;

(7) accommodate the particular teacher and student needs in each district and school;

and

(8) ensure that participating districts begin offering courses or content within the same or subsequent school year after the teacher receives the professional learning.

(e) The Department of Education shall prioritize the following applications:

(1) consortiums of local educational agencies that are working in partnership with providers of high-quality professional learning for kindergarten through grade 12 computer science;

(2) proposals that describe strategies to increase enrollment overall, including but not limited to subgroups of students that are traditionally underrepresented in computer science; and

(3) proposals from rural or urban areas with a low penetration of kindergarten through grade 12 computer science offerings, including local education consortiums within these areas.

(f) The award recipient shall report, for all funding received under this section annually, at a minimum:

(1) the number of teachers:

(i) trained within each elementary, middle, and high school; and

(ii) trained within trainings offered as outlined in paragraph (c), clause (1), item (iv);

(2) the number of trainings offered in advanced placement, international baccalaureate, and concurrent enrollment credit computer science courses; and

(3) the number of teachers, and percentage of teachers trained, that started implementing computer science courses limited to middle and high school implementation.

(g) The Department of Education shall make these reports public. The publicly released data shall not include student-level personally identifiable information.

Subd. 5. **Teacher preparation.** On and after July 1, 2027, any program of teacher preparation leading to professional certification shall include, as part of the curriculum, instruction in computer science as applied to student learning and classroom instruction that are grade-level and subject-area appropriate.

Subd. 6. **Computer science education data collection.** (a) The Department of Education shall require all high schools to report data and information about computer science course offerings and enrollment.

(b) The Department of Education shall develop a plan for the secure and regular reporting of computer science course offerings and enrollment data from schools with kindergarten to grade 8 bands within 90 days of enactment of this act.

(c) Data collected in processes described in paragraphs (a) and (b) should be disaggregated by gender, race, ethnicity, free and reduced-price lunch status, Individuals with Disabilities Education Act status, 504 status, and English language learner status.

Subd. 7. **Adoption of rules.** The Department of Education and Professional Educator Standards and Licensing Board may adopt rules under this section, including rules for flexible options to license computer science teachers, approval codes, technical permits, ancillary licenses, and standard licenses.

Sec. 62. PILOT PROGRAM TO IMPROVE EDUCATIONAL OUTCOMES AND ACCOUNTABILITY.

Subdivision 1. **Program goal.** (a) A pilot program is established to support Pillsbury United Communities in developing a framework to evaluate school performance in improving educational outcomes for students. Participation in the pilot program is limited to up to eight high schools within the group of charter schools authorized by Pillsbury United Communities that apply to participate in the pilot program. The framework must:

111.1 (1) establish goals for each participating school based on engagement with students,
111.2 families, and community leaders;

111.3 (2) support schools in continuing improvement efforts; and

111.4 (3) use data to measure performance of students beyond tests scores, graduation rates,
111.5 and the world's best workforce goals.

111.6 (b) The performance measures under Minnesota Statutes, section 120B.11, subdivision
111.7 1a, do not apply to a school participating in the pilot program, and participating schools are
111.8 not required to submit reports under Minnesota Statutes, section 120B.11, to the Department
111.9 of Education while the school is participating in the pilot program. A school participating
111.10 in the pilot must continue to administer the Minnesota Comprehensive Assessments in
111.11 accordance with Minnesota Statutes, section 120B.30.

111.12 (c) School goals established under the framework may include, but are not limited to:

111.13 (1) student attendance or engagement with coursework;

111.14 (2) reading or math growth as measured by a locally adopted assessment;

111.15 (3) participation in college-level coursework or an industry-recognized program;

111.16 (4) student participation in community engagement activities;

111.17 (5) family participation in conferences with teachers; and

111.18 (6) school board completion of training to improve governance.

111.19 Subd. 2. **Performance measures.** For each school in the pilot program, the equity-focused
111.20 framework must:

111.21 (1) measure total enrollment, including the percentage of enrolled students disaggregated
111.22 by characteristics of race and ethnicity, gender, age, economic disadvantage, disability,
111.23 homelessness, number of schools attended, foster-system involvement, or other categories
111.24 required by the department;

111.25 (2) describe basic needs support provided by the school to students, family members,
111.26 and community members;

111.27 (3) measure the number of students who receive support of the following types of
111.28 social-emotional and mental health support: (i) individual meetings with licensed mental
111.29 health professionals; (ii) peer support groups; (iii) referrals to community resources; and
111.30 (iv) other social-emotional and mental health services provided by the school;

111.31 (4) describe flexible, personalized, and innovative instruction provided by the school;

112.1 (5) describe culturally and real-life relevant curriculum provided by the school, including
112.2 students learning about the experiences of People of Color through a contextually accurate
112.3 history of Minnesota's Indigenous people;

112.4 (6) measure the number and percentage of students provided opportunities for student
112.5 identity development, including cultural identity;

112.6 (7) measure the number and percentage of students provided opportunities for student
112.7 career exploration and preparation;

112.8 (8) measure the number and percentage of students participating in at least one
112.9 extracurricular activity;

112.10 (9) measure the number of restorative-justice interventions and the number of suspensions
112.11 and expulsions per school;

112.12 (10) describe family engagement practices by the school;

112.13 (11) describe community engagement practices by the school; and

112.14 (12) describe teacher and staff training about antiracism, anti-bias, or equity, and the
112.15 average weekly time provided for teacher collaboration.

112.16 Subd. 3. **Report.** By September 1, 2025, Pillsbury United Communities must report to
112.17 the legislative committees with jurisdiction over kindergarten through grade 12 education
112.18 data on school and student performance measurements based on the goals established for
112.19 each participating school. The report must identify the percentage of each goal that each
112.20 school attained.

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

112.22 Sec. 63. **WORKING GROUP ON EDUCATION ON THE HOLOCAUST,**
112.23 **GENOCIDE OF INDIGENOUS PEOPLES, AND OTHER GENOCIDES.**

112.24 Subdivision 1. **Working group established.** (a) The Working Group on Education on
112.25 the Holocaust, Genocide of Indigenous Peoples, and Other Genocides is established to
112.26 advise the commissioner of education and develop resources necessary to implement
112.27 requirements for education on the Holocaust, genocide of Indigenous Peoples, and other
112.28 genocides. The commissioner must appoint members of the working group by April 1, 2024,
112.29 based on the guidance and recommendations from the cochairs of the working group.

112.30 (b) The Working Group on Education on the Holocaust, Genocide of Indigenous Peoples,
112.31 and Other Genocides must have a minimum of 12 members, but no more than 21 members,
112.32 consisting of the following members:

113.1 (1) at least one representative, who shall cochair the working group, from the Center for
113.2 Holocaust and Genocide Studies;

113.3 (2) at least one representative, who shall cochair the working group, with expertise in
113.4 training middle and high school teachers in Holocaust and other genocide education;

113.5 (3) at least one representative from the Tribal Nations Education Committee;

113.6 (4) at least one representative from a Minnesota college or university with academic
113.7 expertise in the genocide of Indigenous Peoples in Minnesota or in the Americas and
113.8 throughout the world;

113.9 (5) at least one additional representative from a Minnesota college or university other
113.10 than the Center for Holocaust and Genocide Studies with academic expertise in the Holocaust
113.11 and genocide studies;

113.12 (6) at least one representative from a Minnesota teacher licensure program with expertise
113.13 in the Holocaust, genocide of Indigenous Peoples, and other genocide studies;

113.14 (7) at least three representatives from Minnesota-based nonprofit organizations,
113.15 community groups, sovereign nations, or institutions of higher education whose missions
113.16 include educating about and honoring the victims and survivors of displacement, genocide,
113.17 and mass violence;

113.18 (8) at least one public middle or high school social studies teacher with experience
113.19 teaching the Holocaust, genocide of Indigenous Peoples, or other genocides in the classroom;

113.20 (9) at least one public middle or high school English language arts teacher with experience
113.21 teaching the Holocaust, genocide of Indigenous Peoples, or other genocides in the classroom;
113.22 and

113.23 (10) at least one public middle or high school student with a demonstrated interest in
113.24 learning about the Holocaust, genocide of Indigenous Peoples, or other genocides.

113.25 (c) At the discretion of the commissioner and in consultation with the working group
113.26 cochairs, the working group may include additional experts in the fields of Holocaust and
113.27 genocide studies, genocide of Indigenous Peoples or other genocides, Minnesota history,
113.28 social studies education, or English language arts education, and community members with
113.29 a particular interest in education on the Holocaust, genocide of Indigenous Peoples, and
113.30 other genocides.

113.31 Subd. 2. Working group duties. (a) The working group must:

114.1 (1) advise the commissioner during the development of the social studies glossary
114.2 regarding the definitions of "Holocaust," "genocide," and "incidents of mass violence";

114.3 (2) identify professional learning opportunities for teachers and public school district
114.4 staff, including opportunities for continuing education to facilitate implementation of
114.5 education requirements under Minnesota Statutes, section 120B.252;

114.6 (3) identify training materials, strategies, skills, content, and resources for teachers and
114.7 public school district staff to successfully implement the education requirements under
114.8 Minnesota Statutes, section 120B.252;

114.9 (4) develop model lesson plans that teachers and public school district staff may use to
114.10 successfully implement the education requirements under Minnesota Statutes, section
114.11 120B.252;

114.12 (5) create a work plan that outlines the timeline to fulfill the duties of the working group
114.13 under this subdivision;

114.14 (6) provide to the commissioner of education a list of recommended professional learning
114.15 opportunities, resources, strategies, skills, content, model lesson plans, and other materials
114.16 developed under this subdivision by May 1, 2025;

114.17 (7) coordinate with the commissioner to update the material and resources. The
114.18 commissioner must make all reasonable efforts to make the recommended materials publicly
114.19 available on the department's website by September 1, 2025, and in coordination with the
114.20 working group, must update the materials and resources; and

114.21 (8) by November 15, 2025, submit to the chairs and ranking minority members of the
114.22 committees of the senate and the house of representatives with primary jurisdiction over
114.23 kindergarten through grade 12 education policy and finance a report containing a list of
114.24 resources and materials provided to the commissioner of education for the commissioner
114.25 to make available to public school districts implementing requirements for education on
114.26 the Holocaust, genocide of Indigenous Peoples, and other genocides.

114.27 (b) The working group may:

114.28 (1) conduct a survey of the current state of education on the Holocaust, genocide of
114.29 Indigenous Peoples, and other genocides in Minnesota public school districts with a focus
114.30 on teacher preparedness, access and utilization of resources, and additional surveys of the
114.31 state of education on the Holocaust, genocide of Indigenous Peoples, and other genocides
114.32 following the conclusion of the 2024-2025 school year;

(2) carry out any other tasks that it considers pertinent to support the ability of teachers and public school district staff to facilitate the successful implementation of education 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. 64. **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

\$ 84,232,000 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 \$75,882,000 for 2025.

Subd. 3. **Alliance of Chicanos, Hispanics, and Latin Americans.** (a) For a grant to the Alliance of Chicanos, Hispanics, and Latin Americans (ACHLA) for the Juntos Club to support English language learners, low-income students, migrant students, and Latinx students with improving English and math proficiency:

\$ 300,000 2024

\$ 200,000 2025

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

Subd. 4. **Alternative programs.** (a) 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

(b) Up to three percent of the appropriation is available for grant administration.

Subd. 5. **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 school coaching support, professional development, and curriculum and resources over a three-year period to each qualifying school site.

(c) The BARR Center must select at least 18 schools to participate in the program. The schools must be geographically balanced among urban, suburban, and rural schools, and serve high concentrations of students in poverty or high concentrations of underrepresented students, including students who are from Black, Indigenous, and People of Color communities.

(d) The grants to the BARR Center must be directed toward:

(1) improving student social and emotional skills and engagement in school;

(2) increasing opportunity and academic achievement for students of color and those experiencing poverty;

(3) improving teacher satisfaction and effectiveness; and

(4) increasing the number of students who earn a high school diploma.

(e) Up to three percent of the appropriation is available for grant administration.

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

Subd. 6. **Charter school building lease aid.** (a) For building lease aid under Minnesota Statutes, section 124E.22:

\$ 94,320,000 2024

\$ 98,166,000 2025

(b) The 2024 appropriation includes \$9,047,000 for 2023 and \$85,273,000 for 2024.

(c) The 2025 appropriation includes \$9,474,000 for 2024 and \$88,692,000 for 2025.

Subd. 7. **College entrance examination reimbursement.** (a) To reimburse districts for the costs of college entrance examination fees for students who are eligible for free or reduced-price meals who take the ACT or SAT test under Minnesota Statutes, section 120B.30, subdivision 1, paragraph (e):

\$ 1,011,000 2024

\$ 1,011,000 2025

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

Subd. 8. **COMPASS and MTSS.** (a) To support the development and implementation of the MTSS framework and the Collaborative Minnesota Partnerships to Advance Student Success (COMPASS) school improvement model:

\$ 13,500,000 2024

\$ 13,500,000 2025

(b) Of this amount, \$5,000,000 each year is to support implementation of MTSS and COMPASS. Funds must be used to support increased capacity at the Department of Education and the Minnesota Service Cooperatives for implementation supports.

(c) Of this amount, \$5,000,000 each year is reserved for grants to school districts, charter schools, and cooperative units as defined in Minnesota Statutes, section 123A.24, subdivision 2, for implementation of MTSS, including: hiring local MTSS coordinators; deferring costs for personnel to participate in cohort activities and professional learning; and piloting a Department of Education One Plan, the consolidation of multiple reporting structures to streamline various applications, reports, and submissions by school districts and charter schools. Up to five percent of this amount is available for program and grant administration.

(d) Of this amount, \$3,000,000 each year must be used to develop a regional network focusing on mathematics to provide dedicated mathematics trainers and coaches to train regional support staff from the Minnesota Service Cooperatives to support school leaders and teachers to implement evidence-based instructional strategies in mathematics. Funds may also be used to host an annual Mathematics Standards-Based Instructional Institute.

(e) Of this amount, \$500,000 each year is for the University of Minnesota Center for Applied Research and Educational Improvement to support implementation and evaluation of the MTSS framework.

118.1 (f) Support for school districts, charter schools, and cooperative units under this
118.2 subdivision may include but is not limited to:

118.3 (1) partnering with the Minnesota Service Cooperatives to support districts in
118.4 implementing COMPASS to support schools in the areas of literacy, math, social-emotional
118.5 learning, and mental health using the MTSS framework;

118.6 (2) providing support to districts and charter schools identified under Minnesota Statutes,
118.7 section 120B.11;

118.8 (3) providing support to districts and charter schools in streamlining various applications,
118.9 reports, and submissions to the Department of Education through One Plan;

118.10 (4) providing training, guidance, and implementation resources for MTSS, including a
118.11 universal screening process approved by the Department of Education to identify students
118.12 who may be at risk of experiencing academic, behavioral, and social-emotional development
118.13 difficulties;

118.14 (5) providing guidance to convene school-based teams to analyze data provided by
118.15 screenings and resources for related identification, instruction, and intervention methods;

118.16 (6) dyslexia screening and intervention that are evidence-based;

118.17 (7) requiring school districts and charter schools to provide parents of students identified
118.18 in screenings with notice of screening findings and related support information;

118.19 (8) requiring districts and charter schools to provide at-risk students with interventions
118.20 and to monitor the effectiveness of these interventions and student progress; and

118.21 (9) developing and annually reporting findings regarding the implementation of MTSS.

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

118.23 Subd. 9. **Computer science education advancement.** (a) For computer science
118.24 advancement:

118.25 \$ 500,000 2024

118.26 \$ 500,000 2025

118.27 (b) Of this amount, \$150,000 is for the computer science supervisor.

118.28 (c) Eligible uses of the appropriation include expenses related to the implementation of
118.29 article 2, section 61, and expenses related to the development, advancement, and promotion
118.30 of kindergarten through grade 12 computer science education.

118.31 (d) Any balance in the first year does not cancel and is available in the second year.

119.1 Subd. 10. **Concurrent enrollment aid.** (a) For concurrent enrollment aid under
119.2 Minnesota Statutes, section 124D.091:

119.3 \$ 4,000,000 2024

119.4 \$ 4,000,000 2025

119.5 (b) If the appropriation is insufficient, the commissioner must proportionately reduce
119.6 the aid payment to each school district.

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

119.8 Subd. 11. **Early childhood literacy programs.** (a) For early childhood literacy programs
119.9 under Minnesota Statutes, section 119A.50, subdivision 3:

119.10 \$ 7,950,000 2024

119.11 \$ 7,950,000 2025

119.12 (b) Up to \$7,950,000 each year is for leveraging federal and private funding to support
119.13 AmeriCorps members serving in the Minnesota reading corps program established by
119.14 ServeMinnesota, including costs associated with training and teaching early literacy skills
119.15 to children ages three through grade 3 and evaluating the impact of the program under
119.16 Minnesota Statutes, sections 124D.38, subdivision 2, and 124D.42, subdivision 6.

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

119.18 Subd. 12. **Educational outcomes and accountability pilot program.** (a) For a grant
119.19 to Pillsbury United Communities to implement a framework to improve educational outcomes
119.20 and accountability in accordance with article 2, section 62:

119.21 \$ 150,000 2024

119.22 \$ 150,000 2025

119.23 (b) The department may retain up to five percent of the appropriation to administer the
119.24 grant.

119.25 (c) This is a onetime appropriation.

119.26 (d) The appropriation is available until June 30, 2026.

119.27 Subd. 13. **Ethnic studies community consultation.** To consult with community members
119.28 throughout Minnesota on the development of ethnic studies curricula, resources, and
119.29 implementation support:

119.30 \$ 150,000 2024

119.31 \$ 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.

(c) Up to five percent of the appropriation is available for grant administration.

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 international baccalaureate summer training program or workshop shall be the same. The commissioner shall determine the payment process and the amount of the subsidy.

(d) The commissioner shall pay all examination fees for all students of low-income families under Minnesota Statutes, section 120B.13, subdivision 3, and to the extent of available appropriations, shall also pay examination fees for students sitting for an advanced placement examination, international baccalaureate examination, or both.

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

Subd. 16. **Full-service community schools.** (a) For grants to plan or expand the full-service community schools program under Minnesota Statutes, section 124D.231:

121.1 \$ 7,500,000 2024

121.2 \$ 7,500,000 2025

121.3 (b) Of this amount, priority must be given to programs in the following order:

121.4 (1) current grant recipients issued under Minnesota Statutes, section 124D.231;

121.5 (2) schools identified as low-performing under the federal Every Student Succeeds Act;

121.6 and

121.7 (3) any other applicants.

121.8 (c) Up to two percent of the appropriation is available for grant administration.

121.9 (d) The base for fiscal year 2026 and later is \$5,000,000.

121.10 Subd. 17. **Girls Taking Action.** (a) For a grant to the Girls Taking Action program to
121.11 enable Girls Taking Action to continue to provide and expand metropolitan-area school and
121.12 community-based programs that encourage and support low-income girls of color:

121.13 \$ 1,500,000 2024

121.14 (b) Of the appropriated funds, \$1,000,000 must be used to sustain 16 current Girls Taking
121.15 Action program sites, and to expand to an additional four sites in inner-ring suburban
121.16 communities with growing ethnic diversity among students.

121.17 (c) Of the appropriated funds, \$500,000 must be used to sustain three community-based
121.18 Girls Taking Action programs for Asian, East African, and Latina girls in Hennepin, Ramsey,
121.19 and Dakota Counties, and to expand an additional two community-based programs in these
121.20 counties to reach Native American and African American girls.

121.21 (d) Girls Taking Action programs supported by these funds must include programs
121.22 focused on:

121.23 (1) increasing academic performance, high school graduation rates, and enrollment in
121.24 postsecondary education for girls faced with social, demographic, racial, and economic
121.25 barriers and challenges;

121.26 (2) increasing mentoring opportunities, literacy, career development, positive community
121.27 engagement, and the number of qualified female employees of color in the workforce
121.28 pipeline, particularly in science, technology, engineering, and mathematics fields;

121.29 (3) providing coaching, mentoring, health and wellness counseling, resources to girls
121.30 whose experience with sexual assault has negatively impacted their academics and behavior,
121.31 and culturally sensitive therapy resources and counseling services to sexual assault victims;
121.32 and

122.1 (4) increasing financial literacy and knowledge of options for financing college or
 122.2 postsecondary education.

122.3 (e) Up to three percent of the appropriation is available for grant administration.

122.4 (f) This is a onetime appropriation. Any balance in the first year does not cancel but is
 122.5 available in the second year.

122.6 Subd. 18. **Grants to increase science, technology, engineering, and math course**
 122.7 **offerings.** (a) For grants to schools to encourage low-income and other underserved students
 122.8 to participate in advanced placement and international baccalaureate programs according
 122.9 to Minnesota Statutes, section 120B.132:

122.10 \$ 250,000 2024

122.11 \$ 250,000 2025

122.12 (b) To the extent practicable, the commissioner must distribute grant funds equitably
 122.13 among geographic areas in the state, including schools located in greater Minnesota and in
 122.14 the seven-county metropolitan area.

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

122.16 Subd. 19. **Implementation of education on the Holocaust, genocide of Indigenous**
 122.17 **Peoples, and other genocides.** For implementation of requirements for education on the
 122.18 Holocaust, genocide of Indigenous Peoples, and other genocides under Minnesota Statutes,
 122.19 section 120B.252:

122.20 \$ 75,000 2024

122.21 \$ 75,000 2025

122.22 Subd. 20. **Innovation service learning grants.** (a) For innovative service-learning grants
 122.23 under article 2, section 59:

122.24 \$ 1,000,000 2024

122.25 \$ 0 2025

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

122.27 (c) The base for fiscal year 2026 and later is \$0.

122.28 Subd. 21. **Interdistrict desegregation or integration transportation grants.** For
 122.29 interdistrict desegregation or integration transportation grants under Minnesota Statutes,
 122.30 section 124D.87:

122.31 \$ 14,992,000 2024

122.32 \$ 16,609,000 2025

123.1 Subd. 22. **Junior Achievement North.** (a) For a grant to Junior Achievement North to
123.2 expand access to its financial literacy programming for elementary and secondary students:

123.3 \$ 500,000 2024

123.4 \$ 500,000 2025

123.5 (b) The grant awarded under this section must be consistent with the procedures for
123.6 evidence-based education grants under Minnesota Statutes, section 127A.20.

123.7 (c) Junior Achievement North must use the grant proceeds to expand the number of
123.8 students who participate in Junior Achievement North's financial literacy programs, career
123.9 readiness programs, and entrepreneurship programs with a focus on expanding opportunities
123.10 for underserved students. To the extent practicable, programming must be provided in an
123.11 equitable manner to students in greater Minnesota.

123.12 (d) In addition to other reporting requirements, and subject to Minnesota Statutes, section
123.13 3.195, by February 1 of each year Junior Achievement North receives an appropriation,
123.14 Junior Achievement North must report to the chairs and ranking minority members of the
123.15 legislative committees with jurisdiction over education on activities funded by this
123.16 appropriation. The report must include but is not limited to: information about the operations
123.17 of Junior Achievement North, including its most recent audit; a description of the financial
123.18 literacy, career readiness, and entrepreneurship programs offered during the year;
123.19 participation and demographic information about the students and schools served by the
123.20 program; and a description of partnerships with other financial literacy organizations.

123.21 (e) The base for fiscal year 2026 and later is \$0.

123.22 Subd. 23. **Literacy incentive aid.** (a) For literacy incentive aid under Minnesota Statutes,
123.23 section 124D.98:

123.24 \$ 42,234,000 2024

123.25 \$ 42,502,000 2025

123.26 (b) The 2024 appropriation includes \$4,606,000 for 2023 and \$37,628,000 for 2024.

123.27 (c) The 2025 appropriation includes \$4,180,000 for 2024 and \$38,322,000 for 2025.

123.28 Subd. 24. **Minnesota Alliance of Boys and Girls Clubs.** (a) For a grant to the Minnesota
123.29 Alliance of Boys and Girls Clubs to support the establishment and expansion of Boys and
123.30 Girls Clubs in Minnesota beyond existing service areas to support after-school and summer
123.31 programming that address learning loss:

123.32 \$ 2,500,000 2024

123.33 \$ 2,500,000 2025

124.1 (b) The grant recipient must take into consideration multiple factors, including need,
 124.2 feasibility, and community engagement when determining where to establish and expand
 124.3 Boys and Girls Clubs programming. Need may be analyzed using available data from the
 124.4 department. Feasibility must be determined by proximity to supporting organizations, staffing
 124.5 capabilities, and access to adequate facilities. The grant recipient must take into consideration
 124.6 community engagement and interest in programming as important elements for the desired
 124.7 sustainability of programming beyond the project's funding period.

124.8 (c) To receive a grant under this section, the Minnesota Alliance of Boys and Girls Clubs
 124.9 must receive a 25 percent match from nonstate funds.

124.10 (d) Up to three percent of the appropriation is available for grant administration.

124.11 (e) This is a onetime appropriation.

124.12 Subd. 25. **Minnesota Center for the Book programming.** (a) For grants to the entity
 124.13 designated by the Library of Congress as the Minnesota Center for the Book to provide
 124.14 statewide programming related to the Minnesota Book Awards and for additional
 124.15 programming throughout the state related to the Center for the Book designation:

124.16 \$ 200,000 2024

124.17 \$ 200,000 2025

124.18 (b) Up to three percent of the appropriation is available for grant administration.

124.19 Subd. 26. **Minnesota Council on Economic Education.** (a) For a grant to the Minnesota
 124.20 Council on Economic Education:

124.21 \$ 200,000 2024

124.22 \$ 200,000 2025

124.23 (b) The grant must be used to:

124.24 (1) provide professional development to kindergarten through grade 12 teachers
 124.25 implementing state graduation standards in learning areas related to economic education;
 124.26 and

124.27 (2) support the direct-to-student ancillary economic and personal finance programs that
 124.28 teachers supervise and coach.

124.29 (c) By February 15 of each year following the receipt of a grant, the Minnesota Council
 124.30 on Economic Education must report to the commissioner of education the number and type
 124.31 of in-person and online teacher professional development opportunities provided by the
 124.32 Minnesota Council on Economic Education or its affiliated state centers. The report must

125.1 include a description of the content, length, and location of the programs; the number of
125.2 preservice and licensed teachers receiving professional development through each of these
125.3 opportunities; and summaries of evaluations of teacher professional opportunities.

125.4 (d) The Department of Education must pay the full amount of the grant to the Minnesota
125.5 Council on Economic Education by August 15 of each fiscal year for which the grant is
125.6 appropriated. The Minnesota Council on Economic Education must submit its fiscal reporting
125.7 in the form and manner specified by the commissioner. The commissioner may request
125.8 additional information as necessary.

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

125.10 (f) The base for fiscal year 2026 and later is \$0.

125.11 Subd. 27. **Minnesota Independence College and Community.** (a) For transfer to the
125.12 Office of Higher Education for grants to Minnesota Independence College and Community
125.13 for tuition reduction and institutional support:

125.14 \$ 625,000 2024

125.15 \$ 625,000 2025

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

125.17 (c) By January 15 of each year, Minnesota Independence College and Community must
125.18 submit a report detailing expenditures, activities, and outcomes to the commissioner and
125.19 the chairs and ranking minority members of the legislative committees with primary
125.20 jurisdiction over kindergarten through grade 12 education.

125.21 Subd. 28. **Minnesota math corps.** (a) For the Minnesota math corps program under
125.22 Minnesota Statutes, section 124D.42, subdivision 9:

125.23 \$ 1,000,000 2024

125.24 \$ 1,000,000 2025

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

125.26 Subd. 29. **Minnesota Principals Academy.** (a) For grants to the University of Minnesota
125.27 College of Education and Human Development for the operation of the Minnesota Principals
125.28 Academy:

125.29 \$ 200,000 2024

125.30 \$ 200,000 2025

125.31 (b) Of these amounts, \$50,000 must be used to pay the costs of attendance for principals
125.32 and school leaders from schools identified for intervention under the state's accountability

126.1 system as implemented to comply with the federal Every Student Succeeds Act. To the
126.2 extent funds are available, the Department of Education is encouraged to use up to \$200,000
126.3 of federal Title II funds to support additional participation in the Principals Academy by
126.4 principals and school leaders from schools identified for intervention under the state's
126.5 accountability system as implemented to comply with the federal Every Student Succeeds
126.6 Act.

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

126.8 Subd. 30. **Museums and education centers.** (a) For grants to museums and education
126.9 centers:

126.10 \$ 1,241,000 2024

126.11 \$ 1,241,000 2025

126.12 (b) \$500,000 each year is for the Minnesota Children's Museum.

126.13 (c) \$50,000 each year is for the Children's Museum of Rochester.

126.14 (d) \$41,000 each year is for the Minnesota Academy of Science.

126.15 (e) \$100,000 each year is for The Bakken Museum, Minneapolis.

126.16 (f) \$50,000 each year is for the Headwaters Science Center.

126.17 (g) \$50,000 each year is for The Works Museum, Bloomington.

126.18 (h) \$50,000 each year is for the WonderTrek Children's Museum, Brainerd-Baxter.

126.19 (i) \$50,000 each year is for the Otter Cove Children's Museum, Fergus Falls.

126.20 (j) \$50,000 each year is for the Children's Discovery Museum, Grand Rapids.

126.21 (k) \$50,000 each year is for the Wheel and Cog Children's Museum, Hutchinson.

126.22 (l) \$50,000 each year is for the Village Children's Museum, Willmar.

126.23 (m) \$50,000 each year is for the Duluth Children's Museum, Duluth.

126.24 (n) \$50,000 each year is for the Children's Museum of Southern Minnesota, Mankato.

126.25 (o) \$50,000 each year is for the Great River Children's Museum, St. Cloud.

126.26 (p) \$50,000 each year is for the Children's Discovery Museum, Breckenridge.

126.27 (q) A recipient of a grant under this subdivision must use the funds to encourage and
126.28 increase access for historically underserved communities.

126.29 (r) Up to three percent of the appropriation is available for grant administration.

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

127.2 (t) The base for fiscal year 2026 and later is \$1,791,000. Of this amount, \$691,000 is
127.3 for the museums and amounts indicated in paragraphs (b) to (e), \$60,000 is for the museum
127.4 in paragraph (f), \$600,000 is for the museums in paragraphs (g) to (l) in the amount of
127.5 \$100,000 per museum, and \$440,000 is for the museums in paragraphs (m) to (p) in the
127.6 amount of \$110,000 per museum.

127.7 Subd. 31. **Nonexclusionary discipline.** (a) For grants to school districts and charter
127.8 schools to provide training for school staff on nonexclusionary disciplinary practices:

127.9 \$ 1,750,000 2024

127.10 \$ 1,750,000 2025

127.11 (b) Grants are to develop training and to work with schools to train staff on
127.12 nonexclusionary disciplinary practices that maintain the respect, trust, and attention of
127.13 students and help keep students in classrooms. These funds may also be used for grant
127.14 administration.

127.15 (c) Eligible grantees include school districts, charter schools, intermediate school districts,
127.16 and cooperative units as defined in section 123A.24, subdivision 2.

127.17 (d) Up to five percent of the appropriation is available for grant administration.

127.18 Subd. 32. **Online music instruction grant.** (a) For a grant to MacPhail Center for Music
127.19 for the online music instruction program:

127.20 \$ 300,000 2024

127.21 \$ 0 2025

127.22 (b) The MacPhail Center for Music must use the grant funds received under this
127.23 subdivision to:

127.24 (1) partner with schools and early childhood centers to provide online music instruction
127.25 to students and children for the purpose of increasing student self-confidence, providing
127.26 students with a sense of community, and reducing individual stress. In applying for the
127.27 grant, MacPhail Center for Music must commit to providing at least a 30 percent match of
127.28 the funds allocated. MacPhail Center for Music must also include in the application the
127.29 measurable outcomes the applicant intends to accomplish with the grant funds;

127.30 (2) partner with schools or early childhood centers that are designated Title I schools or
127.31 centers or are located in rural Minnesota, and may use the funds in consultation with the
127.32 music or early childhood educators in each school or early childhood center to provide
127.33 individual or small group music instruction, sectional ensembles or other group music

128.1 activities, music workshops, or early childhood music activities. At least half of the online
128.2 music programs must be in partnership with schools or early childhood centers located in
128.3 rural Minnesota. MacPhail Center for Music may use the funds awarded to supplement or
128.4 enhance an existing online music program within a school or early childhood center that
128.5 meets the criteria described in this clause; and

128.6 (3) contract with a third-party entity to evaluate the success of the online music program.
128.7 The evaluation must include interviews with the music educators and students at the schools
128.8 and early childhood centers where an online music program was established. The results of
128.9 the evaluation must be submitted to the commissioner of education and to the chairs and
128.10 ranking minority members of the legislative committees with jurisdiction over education
128.11 policy and finance by December 15, 2026.

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

128.13 (d) The base for fiscal year 2026 is \$0.

128.14 Subd. 33. **P-TECH schools.** (a) For P-TECH support grants under Minnesota Statutes,
128.15 section 124D.093, subdivision 5:

128.16 \$ 791,000 2024

128.17 \$ 791,000 2025

128.18 (b) The amounts in this subdivision are for grants, including to a public-private
128.19 partnership that includes Independent School District No. 535, Rochester.

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

128.21 Subd. 34. **Paraprofessional training.** (a) For compensation associated with paid
128.22 orientation and professional development for paraprofessionals under Minnesota Statutes,
128.23 section 121A.642:

128.24 \$ 0 2024

128.25 \$ 7,230,000 2025

128.26 (b) The 2025 appropriation includes \$0 for 2024 and \$7,230,000 for 2025.

128.27 Subd. 35. **Recovery program grants.** (a) For recovery program grants under Minnesota
128.28 Statutes, section 124D.695:

128.29 \$ 750,000 2024

128.30 \$ 750,000 2025

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

128.32 Subd. 36. **Sanneh Foundation.** (a) For grants to the Sanneh Foundation:

129.1 \$ 1,500,000 2024

129.2 \$ 1,500,000 2025

129.3 (b) Up to three percent of the appropriation is available for grant administration.

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

129.5 Subd. 37. **ServeMinnesota program.** (a) For funding ServeMinnesota programs under

129.6 Minnesota Statutes, sections 124D.37 to 124D.45:

129.7 \$ 900,000 2024

129.8 \$ 900,000 2025

129.9 (b) A grantee organization may provide health and child care coverage to the dependents

129.10 of each participant enrolled in a full-time ServeMinnesota program to the extent such

129.11 coverage is not otherwise available.

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

129.13 Subd. 38. **Starbase MN.** (a) For a grant to Starbase MN for a rigorous science,

129.14 technology, engineering, and math program providing students in grades 4 through 6 with

129.15 a multisensory learning experience and a hands-on curriculum in an aerospace environment

129.16 using state-of-the-art technology:

129.17 \$ 500,000 2024

129.18 \$ 500,000 2025

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

129.20 Subd. 39. **Statewide testing and reporting system.** (a) For the statewide testing and

129.21 reporting system under Minnesota Statutes, section 120B.30:

129.22 \$ 10,892,000 2024

129.23 \$ 10,892,000 2025

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

129.25 Subd. 40. **Student organizations.** (a) For student organizations:

129.26 \$ 1,084,000 2024

129.27 \$ 1,084,000 2025

129.28 (b) \$68,000 each year is for student organizations serving health occupations (HOSA).

129.29 (c) \$100,000 each year is for student organizations serving trade and industry occupations

129.30 (Skills USA, secondary and postsecondary).

130.1 (d) \$122,000 each year is for student organizations serving business occupations (BPA,
 130.2 secondary and postsecondary).

130.3 (e) \$322,000 each year is for student organizations serving agriculture occupations (FFA,
 130.4 PAS).

130.5 (f) \$185,000 each year is for student organizations serving family and consumer science
 130.6 occupations (FCCLA). Notwithstanding Minnesota Rules, part 3505.1000, subparts 28 and
 130.7 31, the student organizations serving FCCLA shall continue to serve students younger than
 130.8 grade 9.

130.9 (g) \$202,000 each year is for student organizations serving marketing occupations (DECA
 130.10 and DECA collegiate).

130.11 (h) \$85,000 each year is for the Minnesota Foundation for Student Organizations. Of
 130.12 this amount, \$30,000 each year must be used for direct support of underserved and special
 130.13 student populations.

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

130.15 Subd. 41. **Walkabouts program.** (a) For a grant to the regional centers of excellence
 130.16 to provide an evidence-based, standards-aligned, kinesthetic learning platform using physical
 130.17 activity to teach math, English, language arts, and literacy standards for prekindergarten
 130.18 through grade 5 to improve academic performance and social-emotional learning:

130.19 \$ 250,000 2024

130.20 \$ 250,000 2025

130.21 (b) The regional centers of excellence must provide the ActivEd Walkabouts program
 130.22 at no cost to schools. A school must apply for participation in the program in the form and
 130.23 manner determined by the regional centers of excellence. To the extent practicable, the
 130.24 regional centers of excellence must select schools that are identified for support under the
 130.25 state accountability system and that are geographically distributed equitably throughout the
 130.26 state.

130.27 (c) The base for fiscal year 2026 and later is \$0.

130.28 Sec. 65. **REVISOR INSTRUCTION.**

130.29 The revisor of statutes shall renumber each section of Minnesota Statutes listed in column
 130.30 A with the number listed in column B. The revisor shall also make necessary cross-reference
 130.31 changes consistent with the renumbering. The revisor shall also make any technical language
 130.32 and other changes necessitated by the renumbering and cross-reference changes in this act.

	<u>Column A</u>	<u>Column B</u>
	<u>General Requirements Statewide Assessments</u>	
131.1		
131.2		
131.3	<u>120B.30, subdivision 1a, paragraph (h)</u>	<u>120B.30, subdivision 1</u>
131.4	<u>120B.30, subdivision 1, paragraph (q)</u>	<u>120B.30, subdivision 2</u>
131.5	<u>120B.30, subdivision 1a, paragraph (g)</u>	<u>120B.30, subdivision 3</u>
131.6	<u>120B.30, subdivision 1b</u>	<u>120B.30, subdivision 4</u>
131.7	<u>120B.30, subdivision 1, paragraph (n)</u>	<u>120B.30, subdivision 5, paragraph (a)</u>
131.8	<u>120B.30, subdivision 1, paragraph (a)</u>	<u>120B.30, subdivision 5, paragraph (b)</u>
131.9	<u>120B.30, subdivision 1a, paragraph (e)</u>	<u>120B.30, subdivision 6, paragraph (a)</u>
131.10	<u>120B.30, subdivision 2, paragraph (a)</u>	<u>120B.30, subdivision 6, paragraph (b)</u>
131.11	<u>120B.30, subdivision 2, paragraph (b),</u>	<u>120B.30, subdivision 6, paragraph (c)</u>
131.12	<u>clauses (1) and (2)</u>	
131.13	<u>120B.30, subdivision 2</u>	<u>120B.30, subdivision 6, paragraph (d)</u>
131.14	<u>120B.30, subdivision 4</u>	<u>120B.30, subdivision 7</u>
131.15	<u>120B.30, subdivision 5</u>	<u>120B.30, subdivision 8</u>
131.16	<u>120B.30, subdivision 6</u>	<u>120B.30, subdivision 9</u>
131.17	<u>120B.30, subdivision 1, paragraph (e)</u>	<u>120B.30, subdivision 10</u>
131.18	<u>General Requirements Test Design</u>	
131.19	<u>120B.30, subdivision 1a, paragraph (a),</u>	<u>120B.301, subdivision 1</u>
131.20	<u>clauses (1) to (5)</u>	
131.21	<u>120B.30, subdivision 1, paragraph (a)</u>	<u>120B.301, subdivision 2</u>
131.22	<u>120B.30, subdivision 1, paragraph (b)</u>	<u>120B.301, subdivision 3, paragraph (a)</u>
131.23	<u>120B.30, subdivision 1, paragraph (n)</u>	<u>120B.301, subdivision 3, paragraph (b)</u>
131.24	<u>120B.30, subdivision 1a, paragraph (b)</u>	<u>120B.301, subdivision 3, paragraph (c)</u>
131.25	<u>120B.30, subdivision 1a, paragraph (c),</u>	<u>120B.301, subdivision 3, paragraph (d)</u>
131.26	<u>clauses (1) and (2)</u>	
131.27	<u>Assessment Graduation Requirements</u>	
131.28	<u>120B.30, subdivision 1, paragraph (c),</u>	<u>120B.304, subdivision 1</u>
131.29	<u>clauses (1) and (2)</u>	
131.30	<u>120B.30, subdivision 1, paragraph (d)</u>	<u>120B.304, subdivision 2</u>
131.31	<u>120B.30, subdivision 1, paragraph (i)</u>	<u>120B.304, subdivision 3</u>
131.32	<u>Assessment Reporting Requirements</u>	
131.33	<u>120B.30, subdivision 1a, paragraph (f),</u>	<u>120B.305, subdivision 1</u>
131.34	<u>clauses (1) to (3)</u>	
131.35	<u>120B.30, subdivision 1a, paragraph (d),</u>	<u>120B.305, subdivision 2, paragraph (a)</u>
131.36	<u>clauses (1) to (4)</u>	
131.37	<u>120B.30, subdivision 1, paragraph (m)</u>	<u>120B.305, subdivision 2, paragraph (b)</u>
131.38	<u>120B.30, subdivision 1, paragraph (n)</u>	<u>120B.305, subdivision 2, paragraph (c)</u>
131.39	<u>120B.30, subdivision 1, paragraph (o),</u>	<u>120B.305, subdivision 3, paragraph (a)</u>
131.40	<u>clauses (1) to (4)</u>	

132.1	<u>120B.30, subdivision 3</u>	<u>120B.305, subdivision 3, paragraph (b)</u>
132.2	<u>District Assessment Requirements</u>	
132.3	<u>120B.301, paragraphs (a) to (c)</u>	<u>120B.306, subdivision 1</u>
132.4	<u>120B.304, paragraphs (a) and (b)</u>	<u>120B.306, subdivision 2</u>
132.5	<u>College and Career Readiness</u>	
132.6	<u>120B.30, subdivision 1, paragraph (p)</u>	<u>120B.307, subdivision 1</u>
132.7	<u>120B.30, subdivision 1, paragraph (d)</u>	<u>120B.307, subdivision 2</u>
132.8	<u>120B.30, subdivision 1, paragraph (f)</u>	<u>120B.307, subdivision 3</u>
132.9	<u>120B.30, subdivision 1, paragraph (g)</u>	<u>120B.307, subdivision 4, paragraph (a)</u>
132.10	<u>120B.30, subdivision 1, paragraph (h)</u>	<u>120B.307, subdivision 4, paragraph (b)</u>
132.11	<u>120B.30, subdivision 1, paragraph (j)</u>	<u>120B.307, subdivision 4, paragraph (c)</u>
132.12	<u>120B.30, subdivision 1, paragraph (k)</u>	<u>120B.307, subdivision 4, paragraph (d)</u>
132.13	<u>120B.30, subdivision 1, paragraph (l)</u>	<u>120B.307, subdivision 4, paragraph (e)</u>

132.14 Sec. 66. **REPEALER.**

132.15 Minnesota Statutes 2022, sections 120B.02, subdivision 3; 120B.35, subdivision 5; and
 132.16 124D.095, subdivisions 1, 2, 3, 4, 5, 6, 7, and 8, are repealed.

132.17 **ARTICLE 3**

132.18 **THE READ ACT**

132.19 Section 1. **[120B.1117] TITLE; THE READ ACT.**

132.20 Sections 120B.1117 to 120B.124 may be cited as the "Reading to Ensure Academic
 132.21 Development Act" or the "Read Act."

132.22 Sec. 2. **[120B.1118] READ ACT DEFINITIONS.**

132.23 Subdivision 1. **Read Act.** For purposes of sections 120B.1117 to 120B.124, the following
 132.24 terms have the meanings given.

132.25 Subd. 2. **CAREI.** "CAREI" means the Center for Applied Research and Educational
 132.26 Improvement at the University of Minnesota.

132.27 Subd. 3. **District.** "District" means a school district, charter school, or cooperative unit
 132.28 as defined in section 123A.24, subdivision 2.

132.29 Subd. 4. **Evidence-based.** "Evidence-based" means the instruction or item described is
 132.30 based on reliable, trustworthy, and valid evidence and has demonstrated a record of success
 132.31 in increasing students' reading competency in the areas of phonological and phonemic
 132.32 awareness, phonics, vocabulary development, reading fluency, and reading comprehension.

133.1 Evidence-based literacy instruction is explicit, systematic, and includes phonological and
133.2 phonemic awareness, phonics and decoding, spelling, fluency, vocabulary, oral language,
133.3 and comprehension that can be differentiated to meet the needs of individual students.
133.4 Evidence-based instruction does not include the three-cueing system, as defined in
133.5 subdivision 16.

133.6 Subd. 5. **Fluency.** "Fluency" means the ability of students to read text accurately,
133.7 automatically, and with proper expression.

133.8 Subd. 6. **Foundational reading skills.** "Foundational reading skills" includes
133.9 phonological and phonemic awareness, phonics and decoding, and fluency. Foundational
133.10 reading skills appropriate to each grade level must be mastered in kindergarten, grade 1,
133.11 grade 2, and grade 3. Struggling readers in grades 4 and above who do not demonstrate
133.12 mastery of grade-level foundational reading skills must continue to receive explicit,
133.13 systematic instruction to reach mastery.

133.14 Subd. 7. **Literacy specialist.** "Literacy specialist" means a person licensed by the
133.15 Professional Educator Licensing and Standards Board as a teacher of reading, a special
133.16 education teacher, or a kindergarten through grade 6 teacher, who has completed professional
133.17 development approved by the Department of Education in structured literacy. A literacy
133.18 specialist employed by the department under section 120B.123, subdivision 7, or by a district
133.19 as a literacy lead, is not required to complete the approved training before August 30, 2025.

133.20 Subd. 8. **Literacy lead.** "Literacy lead" means a literacy specialist with expertise in
133.21 working with educators as adult learners. A district literacy lead must support the district's
133.22 implementation of the Read Act; provide support to school-based coaches; support the
133.23 implementation of structured literacy, interventions, curriculum delivery, and teacher training;
133.24 assist with the development of personal learning plans; and train paraprofessionals and other
133.25 support staff to support classroom literacy instruction. A literacy lead may be employed by
133.26 one district, jointly by two or more districts, or may provide services to districts through a
133.27 partnership with the regional service cooperatives or another district.

133.28 Subd. 9. **MTSS.** "Multitiered system of support" or "MTSS" means a systemic, continuous
133.29 improvement framework for ensuring positive social, emotional, behavioral, developmental,
133.30 and academic outcomes for every student. The MTSS framework provides access to layered
133.31 tiers of culturally and linguistically responsive, evidence-based practices and relies on the
133.32 understanding and belief that every student can learn and thrive. Through a MTSS at the
133.33 core (Tier 1), supplemental (Tier 2), and intensive (Tier 3) levels, educators provide high
133.34 quality, evidence-based instruction and intervention that is matched to a student's needs;

134.1 progress is monitored to inform instruction and set goals and data is used for educational
134.2 decision making.

134.3 Subd. 10. **Oral language.** "Oral language," also called "spoken language," includes
134.4 speaking and listening, and consists of five components: phonology, morphology, syntax,
134.5 semantics, and pragmatics.

134.6 Subd. 11. **Phonemic awareness.** "Phonemic awareness" means the ability to notice,
134.7 think about, and manipulate individual sounds in spoken syllables and words.

134.8 Subd. 12. **Phonics instruction.** "Phonics instruction" means the explicit, systematic,
134.9 and direct instruction of the relationships between letters and the sounds they represent and
134.10 the application of this knowledge in reading and spelling.

134.11 Subd. 13. **Progress monitoring.** "Progress monitoring" means using data collected to
134.12 inform whether interventions are working. Progress monitoring involves ongoing monitoring
134.13 of progress that quantifies rates of improvement and informs instructional practice and the
134.14 development of individualized programs using state-approved screening that is reliable and
134.15 valid for the intended purpose.

134.16 Subd. 14. **Reading comprehension.** "Reading comprehension" means a function of
134.17 word recognition skills and language comprehension skills. It is an active process that
134.18 requires intentional thinking during which meaning is constructed through interactions
134.19 between the text and reader. Comprehension skills are taught explicitly by demonstrating,
134.20 explaining, modeling, and implementing specific cognitive strategies to help beginning
134.21 readers derive meaning through intentional, problem-solving thinking processes.

134.22 Subd. 15. **Structured literacy.** "Structured literacy" means an approach to reading
134.23 instruction in which teachers carefully structure important literacy skills, concepts, and the
134.24 sequence of instruction to facilitate children's literacy learning and progress. Structured
134.25 literacy is characterized by the provision of systematic, explicit, sequential, and diagnostic
134.26 instruction in phonemic awareness, phonics, fluency, vocabulary and oral language
134.27 development, and reading comprehension.

134.28 Subd. 16. **Three-cueing system.** "Three-cueing system," also known as "meaning
134.29 structure visual (MSV)," means a method that teaches students to use meaning, structure
134.30 and syntax, and visual cues when attempting to read an unknown word.

134.31 Subd. 17. **Vocabulary development.** "Vocabulary development" means the process of
134.32 acquiring new words. A robust vocabulary improves all areas of communication, including

135.1 listening, speaking, reading, and writing. Vocabulary growth is directly related to school
135.2 achievement and is a strong predictor for reading success.

135.3 Sec. 3. Minnesota Statutes 2022, section 120B.12, is amended to read:

135.4 **120B.12 READING PROFICIENTLY NO LATER THAN THE END OF GRADE**
135.5 **3 READ ACT GOAL AND INTERVENTIONS.**

135.6 Subdivision 1. **Literacy goal.** (a) The legislature seeks to have every child reading at
135.7 or above grade level no later than the end of grade 3, including English learners, and that
135.8 teachers provide comprehensive, scientifically based every year, beginning in kindergarten,
135.9 and to support multilingual learners and students receiving special education services in
135.10 achieving their individualized reading goals. By the 2026-2027 school year, districts must
135.11 provide evidence-based reading instruction consistent with section 122A.06, subdivision 4
135.12 through a focus on student mastery of the foundational reading skills of phonemic awareness,
135.13 phonics, and fluency, as well as the development of oral language, vocabulary, and reading
135.14 comprehension skills. Students must receive evidence-based instruction that is proven to
135.15 effectively teach children to read, consistent with sections 120B.1117 to 120B.124.

135.16 (b) To meet this goal, each district must provide teachers and instructional support staff
135.17 with responsibility for teaching reading with training on evidence-based reading instruction
135.18 that is approved by the Department of Education by the deadlines provided in this
135.19 subdivision. The commissioner may grant a district an extension to the deadlines in this
135.20 paragraph. Beginning July 1, 2024, a district must provide access to the training required
135.21 under section 120B.123, subdivision 5, to:

135.22 (1) intervention teachers working with students in kindergarten through grade 12;

135.23 (2) all classroom teachers of students in kindergarten through grade 3 and children in
135.24 prekindergarten programs;

135.25 (3) special education teachers;

135.26 (4) curriculum directors;

135.27 (5) instructional support staff who provide reading instruction; and

135.28 (6) employees who select literacy instructional materials for a district.

135.29 (c) All other teachers and instructional staff required to receive training under the Read
135.30 Act must complete the training no later than July 1, 2027.

135.31 (d) Districts are strongly encouraged to adopt a MTSS framework. The framework should
135.32 include a process for monitoring student progress, evaluating program fidelity, and analyzing

136.1 student outcomes and needs in order to design and implement ongoing evidenced-based
136.2 instruction and interventions.

136.3 Subd. 2. **Identification; report.** (a) ~~Each school district must identify before the end of~~
136.4 Twice per year, each school district must screen every student enrolled in kindergarten,
136.5 grade 1, and grade 2 all students who are not reading at grade level, and grade 3 using a
136.6 screening tool approved by the Department of Education. Students identified as not reading
136.7 at grade level by the end of enrolled in kindergarten, grade 1, and grade 2, and grade 3,
136.8 including multilingual learners and students receiving special education services, must be
136.9 universally screened, in a locally determined manner, for mastery of foundational reading
136.10 skills, including phonemic awareness, phonics, decoding, fluency, oral language, and for
136.11 characteristics of dyslexia as measured by a screening tool approved by the Department of
136.12 Education. The screening for characteristics of dyslexia may be integrated with universal
136.13 screening for mastery of foundational skills and oral language. A district must submit data
136.14 on student performance in kindergarten, grade 1, grade 2, and grade 3 on foundational
136.15 reading skills, including phonemic awareness, phonics, decoding, fluency, and oral language
136.16 to the Department of Education in the annual local literacy plan submission due on June
136.17 15.

136.18 (b) Students in ~~grade 3 or higher who demonstrate a reading difficulty to a classroom~~
136.19 ~~teacher~~ grades 4 and above, including multilingual learners and students receiving special
136.20 education services, who do not demonstrate mastery of foundational reading skills, including
136.21 phonemic awareness, phonics, decoding, fluency, and oral language, must be screened, in
136.22 ~~a locally determined manner,~~ using a screening tool approved by the Department of Education
136.23 for characteristics of dyslexia, unless a different reason for the reading difficulty has been
136.24 identified, and must continue to receive evidence-based instruction, interventions, and
136.25 progress monitoring until the students achieve grade-level proficiency. A parent, in
136.26 consultation with a teacher, may opt a student out of the literacy screener if the parent and
136.27 teacher decide that continuing to screen would not be beneficial to the student. In such
136.28 limited cases, the student must continue to receive progress monitoring and literacy
136.29 interventions.

136.30 (c) Reading ~~assessments~~ screeners in English, and in the predominant languages of
136.31 district students where practicable, must identify and evaluate students' areas of academic
136.32 need related to literacy. The district also must monitor the progress and provide reading
136.33 instruction appropriate to the specific needs of ~~English~~ multilingual learners. The district
136.34 must use ~~a locally adopted~~ an approved, developmentally appropriate, and culturally
136.35 responsive ~~assessment~~ screener and annually report summary ~~assessment~~ screener results

137.1 to the commissioner by ~~July 1~~ June 15 in the form and manner determined by the
137.2 commissioner.

137.3 (d) The district also must ~~annually report to the commissioner by July 1~~ include in its
137.4 literacy plan under subdivision 4a, a summary of the district's efforts to screen ~~and~~ identify,
137.5 and provide interventions to students who demonstrate characteristics of dyslexia ~~using as~~
137.6 measured by a screening tools such as those recommended by the department's dyslexia
137.7 specialist tool approved by the Department of Education. Districts are strongly encouraged
137.8 to use the MTSS framework. With respect to students screened or identified under paragraph
137.9 (a), the report must include:

137.10 (1) a summary of the district's efforts to screen for dyslexia;

137.11 (2) the number of students universally screened for that reporting year; ~~and~~

137.12 (3) the number of students demonstrating characteristics of dyslexia for that year; and

137.13 ~~(e) A student~~ (4) an explanation of how students identified under this subdivision must
137.14 be are provided with alternate instruction and interventions under section 125A.56,
137.15 subdivision 1.

137.16 Subd. 2a. **Parent notification and involvement.** A district must administer a reading
137.17 screener to students in kindergarten through grade 3 within the first six weeks of the school
137.18 year, and again within the last six weeks of the school year. Schools, at least ~~annually~~
137.19 biannually after administering each screener, must give the parent of each student who is
137.20 not reading at or above grade level timely information about:

137.21 (1) the student's reading proficiency as measured by a ~~locally adopted assessment~~ screener
137.22 approved by the Department of Education;

137.23 (2) reading-related services currently being provided to the student and the student's
137.24 progress; and

137.25 (3) strategies for parents to use at home in helping their student succeed in becoming
137.26 grade-level proficient in reading in English and in their native language.

137.27 A district may not use this section to deny a student's right to a special education
137.28 evaluation.

137.29 Subd. 3. **Intervention.** (a) For each student identified under subdivision 2, the district
137.30 shall provide reading intervention to accelerate student growth and reach the goal of reading
137.31 at or above grade level by the end of the current grade and school year. A district is
137.32 encouraged to provide reading intervention through a MTSS framework. If a student does

138.1 not read at or above grade level by the end of ~~grade 3~~ the current school year, the district
138.2 must continue to provide reading intervention until the student reads at grade level. District
138.3 intervention methods shall encourage family engagement and, where possible, collaboration
138.4 with appropriate school and community programs. ~~Intervention methods~~ that specialize in
138.5 evidence-based instructional practices and measure mastery of foundational reading skills,
138.6 including phonemic awareness, phonics, decoding, fluency, and oral language. By the
138.7 2025-2026 school year, intervention programs must be taught by an intervention teacher or
138.8 special education teacher who has successfully completed training in evidence-based reading
138.9 instruction approved by the Department of Education. Intervention may include; but ~~are~~ is
138.10 not limited to; requiring student attendance in summer school, intensified reading instruction
138.11 that may require that the student be removed from the regular classroom for part of the
138.12 school day, extended-day programs, or programs that strengthen students' cultural
138.13 connections.

138.14 (b) A ~~school~~ district or charter school is strongly encouraged to provide a personal
138.15 learning plan for a student who is unable to demonstrate grade-level proficiency, as measured
138.16 by the statewide reading assessment in grade 3 or a screener identified by the Department
138.17 of Education under section 120B.123. The district or charter school must determine the
138.18 format of the personal learning plan in collaboration with the student's educators and other
138.19 appropriate professionals. The school must develop the learning plan in consultation with
138.20 the student's parent or guardian. The personal learning plan must include targeted instruction
138.21 that is evidence-based and ongoing progress monitoring, and address knowledge gaps and
138.22 skill deficiencies through strategies such as specific exercises and practices during and
138.23 outside of the regular school day, group interventions, periodic assessments or screeners,
138.24 and reasonable timelines. The personal learning plan may include grade retention, if it is in
138.25 the student's best interest; a student may not be retained solely due to delays in literacy or
138.26 not demonstrating grade-level proficiency. A school must maintain and regularly update
138.27 and modify the personal learning plan until the student reads at grade level. This paragraph
138.28 does not apply to a student under an individualized education program.

138.29 Subd. 4. **Staff development.** (a) A district must provide training on evidence-based
138.30 reading instruction to teachers and instructional staff in accordance with subdivision 1,
138.31 paragraph (b). The training must include teaching in the areas of phonemic awareness,
138.32 phonics, vocabulary development, reading fluency, reading comprehension, and culturally
138.33 and linguistically responsive pedagogy.

138.34 (b) Each district shall use the data under subdivision 2 to identify the staff development
138.35 needs so that:

(1) elementary teachers are able to implement ~~comprehensive, scientifically based reading and oral language~~ explicit, systematic, evidence-based instruction in the five reading areas of phonemic awareness, phonics, fluency, vocabulary, and comprehension with emphasis on mastery of foundational reading skills as defined in section ~~122A.06, subdivision 4,~~ 120B.1118 and other literacy-related areas including writing until the student achieves grade-level reading and writing proficiency;

(2) elementary teachers have sufficient training to provide ~~comprehensive, scientifically based reading~~ students with evidence-based reading and oral language instruction that meets students' developmental, linguistic, and literacy needs using the intervention methods or programs selected by the district for the identified students;

(3) licensed teachers employed by the district have regular opportunities to improve reading and writing instruction;

(4) licensed teachers recognize students' diverse needs in cross-cultural settings and are able to serve the oral language and linguistic needs of students who are English multilingual learners by maximizing strengths in their native languages in order to cultivate students' English language development, including oral academic language development, and build academic literacy; and

(5) licensed teachers are well trained in culturally responsive pedagogy that enables students to master content, develop skills to access content, and build relationships.

(c) A district must provide staff in early childhood programs sufficient training to provide children in early childhood programs with explicit, systematic instruction in phonological and phonemic awareness; oral language, including listening comprehension; vocabulary; and letter-sound correspondence.

Subd. 4a. **Local literacy plan.** (a) Consistent with this section, a school district must adopt a local literacy plan to have every child reading at or above grade level ~~no later than the end of grade 3, including English learners~~ every year beginning in kindergarten and to support multilingual learners and students receiving special education services in achieving their individualized reading goals. A district must update and submit the plan to the commissioner by June 15 each year. The plan must be consistent with ~~section 122A.06, subdivision 4~~ the Read Act, and include the following:

(1) a process to assess students' foundational reading skills, oral language, and level of reading proficiency and data to support the effectiveness of an assessment used to screen and identify a student's level of reading proficiency the screeners used, by school site and grade level, under section 120B.123;

- 140.1 (2) a process to notify and involve parents;
- 140.2 (3) a description of how schools in the district will determine the ~~proper~~ targeted reading
- 140.3 instruction that is evidence-based and includes an intervention strategy for a student and
- 140.4 the process for intensifying or modifying the reading strategy in order to obtain measurable
- 140.5 reading progress;
- 140.6 (4) evidence-based intervention methods for students who are not reading at or above
- 140.7 grade level and progress monitoring to provide information on the effectiveness of the
- 140.8 intervention; ~~and~~
- 140.9 (5) identification of staff development needs, including a ~~program~~ plan to meet those
- 140.10 needs;
- 140.11 (6) the curricula used by school site and grade level;
- 140.12 (7) a statement of whether the district has adopted a MTSS framework;
- 140.13 (8) student data using the measures of foundational literacy skills and mastery identified
- 140.14 by the Department of Education for the following students:
- 140.15 (i) students in kindergarten through grade 3;
- 140.16 (ii) students who demonstrate characteristics of dyslexia; and
- 140.17 (iii) students in grades 4 to 12 who are identified as not reading at grade level; and
- 140.18 (9) the number of teachers and other staff that have completed training approved by the
- 140.19 department.
- 140.20 (b) The district must post its literacy plan on the official school district website and
- 140.21 submit it to the commissioner of education using the template developed by the commissioner
- 140.22 of education beginning June 15, 2024.
- 140.23 (c) By March 1, 2024, the commissioner of education must develop a streamlined template
- 140.24 for local literacy plans that meets the requirements of this subdivision and requires all
- 140.25 reading instruction and teacher training in reading instruction to be evidence-based. The
- 140.26 template must require a district to report information using the student categories required
- 140.27 in the commissioner's report under paragraph (d). The template must focus district resources
- 140.28 on improving students' foundational reading skills while reducing paperwork requirements
- 140.29 for teachers.
- 140.30 (d) By December 1, 2025, the commissioner of education must submit a report to the
- 140.31 legislative committees with jurisdiction over prekindergarten through grade 12 education

141.1 summarizing the local literacy plans submitted to the commissioner. The summary must
141.2 include the following information:

141.3 (1) the number of teachers and other staff that have completed training approved by the
141.4 Department of Education;

141.5 (2) by school site and grade, the screeners used at the beginning and end of the school
141.6 year and the reading curriculum used; and

141.7 (3) by school site and grade, using the measurements of foundational literacy skills and
141.8 mastery identified by the department, both aggregated data and disaggregated data using
141.9 the student categories under section 120B.35, subdivision 3, paragraph (a), clause (2).

141.10 Subd. 5. ~~Commissioner~~ **Approved screeners.** The commissioner ~~shall~~ must recommend
141.11 to districts multiple ~~assessment~~ screening tools to assist districts and teachers with identifying
141.12 students under subdivision 2 and to assess students' reading proficiency. The commissioner
141.13 must identify screeners that may be used for both purposes. A district must administer an
141.14 approved screener according to section 120B.123, subdivision 1. The commissioner shall
141.15 ~~also make available examples of nationally recognized and research-based instructional~~
141.16 ~~methods or programs to districts to provide comprehensive, scientifically based reading~~
141.17 ~~instruction and intervention under this section.~~

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

141.19 Sec. 4. Minnesota Statutes 2022, section 120B.122, subdivision 1, is amended to read:

141.20 Subdivision 1. **Purpose.** The department must employ a dyslexia specialist to provide
141.21 technical assistance for dyslexia and related disorders and to serve as the primary source of
141.22 information and support for schools in addressing the needs of students with dyslexia and
141.23 related disorders. The dyslexia specialist shall also act to increase professional awareness
141.24 and instructional competencies to meet the educational needs of students with dyslexia or
141.25 identified with risk characteristics associated with dyslexia and shall develop implementation
141.26 guidance and make recommendations to the commissioner consistent with ~~section 122A.06,~~
141.27 ~~subdivision 4~~ sections 120B.1117 to 120B.124, to be used to assist general education teachers
141.28 and special education teachers to recognize educational needs and to improve literacy
141.29 outcomes for students with dyslexia or identified with risk characteristics associated with
141.30 dyslexia, including recommendations related to increasing the availability of online and
141.31 asynchronous professional development programs and materials.

Sec. 5. **[120B.123] READ ACT IMPLEMENTATION.**

Subdivision 1. Screeners. A district must administer an approved evidence-based 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 any screener it uses in the district's annual literacy plan, and submit screening data with the annual literacy plan by June 15.

Subd. 2. Progress monitoring. A district must implement progress monitoring, as defined in section 120B.1118, for a student not reading at grade level.

Subd. 3. Curriculum. A district must use evidence-based curriculum and intervention materials at each grade level that are designed to ensure student mastery of phonemic awareness, phonics, vocabulary development, reading fluency, and reading comprehension. Starting July 1, 2023, when a district purchases new literacy curriculum, or literacy intervention or supplementary materials, the curriculum or materials must be evidence-based as defined in section 120B.1118.

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 July 1, 2027, 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.

143.1 Subd. 7. **Department of Education.** (a) By July 1, 2023, the department must make
143.2 available to districts a list of approved evidence-based screeners in accordance with section
143.3 120B.12. A district must use an approved screener to assess students' mastery of foundational
143.4 reading skills in accordance with section 120B.12.

143.5 (b) The Department of Education must partner with CAREI as required under section
143.6 120B.124 to approve professional development programs, subject to final determination by
143.7 the department. After the implementation partnership under section 120B.124 ends, the
143.8 department must continue to regularly provide districts with information about professional
143.9 development opportunities available throughout the state on reading instruction that is
143.10 evidence-based.

143.11 (c) The department must identify training required for a literacy lead and literacy specialist
143.12 employed by a district or Minnesota service cooperatives.

143.13 (d) The department must employ a literacy specialist to provide support to districts
143.14 implementing the Read Act and coordinate duties assigned to the department under the
143.15 Read Act. The literacy specialist must work on state efforts to improve literacy tracking
143.16 and implementation.

143.17 (e) The department must develop a template for a local literacy plan in accordance with
143.18 section 120B.12, subdivision 4a.

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

143.20 Sec. 6. **[120B.124] READ ACT IMPLEMENTATION PARTNERSHIP.**

143.21 Subdivision 1. **Resources.** The Department of Education must partner with CAREI for
143.22 two years beginning July 1, 2023, until August 30, 2025, to support implementation of the
143.23 Read Act. The department and CAREI must jointly:

143.24 (1) identify at least five literacy curricula and supporting materials that are evidence-based
143.25 or focused on structured literacy by January 1, 2024, and post a list of the curricula on the
143.26 department website. The list must include curricula that use culturally and linguistically
143.27 responsive materials that reflect diverse populations and, to the extent practicable, curricula
143.28 that reflect the experiences of students from diverse backgrounds, including multilingual
143.29 learners, biliterate students, and students who are Black, Indigenous, and People of Color.
143.30 A district is not required to use an approved curriculum, unless the curriculum was purchased
143.31 with state funds that require a curriculum to be selected from a list of approved curricula;

143.32 (2) identify at least three professional development programs that focus on the five pillars
143.33 of literacy and the components of structured literacy by August 15, 2023, subject to final

144.1 approval by the department. The department must post a list of the programs on the
144.2 department website. The programs may include a program offered by CAREI. The
144.3 requirements of section 16C.08 do not apply to the selection of a provider under this section;

144.4 (3) identify evidence-based literacy intervention materials for students in kindergarten
144.5 through grade 12;

144.6 (4) develop an evidence-based literacy lead training program that trains literacy specialists
144.7 throughout Minnesota to support schools' efforts in screening, measuring growth, monitoring
144.8 progress, and implementing interventions in accordance with subdivision 1;

144.9 (5) identify measures of foundational literacy skills and mastery that a district must
144.10 report on a local literacy plan;

144.11 (6) provide guidance to districts about best practices in literacy instruction, and practices
144.12 that are not evidence-based;

144.13 (7) develop MTSS model plans that districts may adopt to support efforts to screen,
144.14 identify, intervene, and monitor the progress of students not reading at grade level; and

144.15 (8) ensure that teacher professional development options and MTSS framework trainings
144.16 are geographically equitable by supporting trainings through the regional service
144.17 cooperatives.

144.18 Subd. 2. **Reconsideration.** The department and CAREI must provide districts an
144.19 opportunity to request that the department and CAREI add to the list of curricula or
144.20 professional development programs a specific curriculum or professional development
144.21 program. The department must publish the request for reconsideration procedure on the
144.22 department website. A request for reconsideration must demonstrate that the curriculum or
144.23 professional development program meets the requirements of the Read Act, is
144.24 evidence-based, and has structured literacy components; or that the screener accurately
144.25 measures literacy growth, monitors progress, and accurately assesses effective reading,
144.26 including phonemic awareness, phonics, fluency, vocabulary, and comprehension. The
144.27 department and CAREI must review the request for reconsideration and approve or deny
144.28 the request within 60 days.

144.29 Subd. 3. **Support.** The department and CAREI must support district efforts to implement
144.30 the Read Act by:

144.31 (1) issuing guidance for teachers on implementing curriculum that is evidence-based,
144.32 or focused on structured literacy;

145.1 (2) providing teachers accessible options for evidence-based professional development
145.2 focused on structured literacy;

145.3 (3) providing districts with guidance on adopting MTSS; and

145.4 (4) providing districts with literacy implementation guidance and support.

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

145.6 Sec. 7. Minnesota Statutes 2022, section 122A.092, subdivision 5, is amended to read:

145.7 Subd. 5. **Reading strategies.** (a) A teacher preparation provider approved by the
145.8 Professional Educator Licensing and Standards Board to prepare persons for classroom
145.9 teacher licensure must include in its teacher preparation programs ~~research-based~~
145.10 evidence-based best practices in reading, consistent with ~~section 122A.06, subdivision 4~~
145.11 sections 120B.1117 to 120B.124, ~~that~~ including instruction on phonemic awareness, phonics,
145.12 vocabulary development, reading fluency, and reading comprehension. Instruction on reading
145.13 must enable the licensure candidate to teach reading in the candidate's content areas. Teacher
145.14 candidates must be instructed in using students' native languages as a resource in creating
145.15 effective differentiated instructional strategies for English learners developing literacy skills.
145.16 A teacher preparation provider also must prepare early childhood and elementary teacher
145.17 candidates for Tier 3 and Tier 4 teaching licenses under sections 122A.183 and 122A.184,
145.18 respectively, for the portion of the examination under section 122A.185, subdivision 1,
145.19 paragraph (c), covering assessment of reading instruction.

145.20 (b) Board-approved teacher preparation programs for teachers of elementary education
145.21 must require instruction in applying ~~comprehensive, scientifically-based or evidence-based,~~
145.22 ~~and~~ structured literacy reading instruction programs that:

145.23 (1) teach students to read using foundational knowledge, practices, and strategies
145.24 consistent with ~~section 122A.06, subdivision 4~~ sections 120B.1117 to 120B.124, with
145.25 emphasis on mastery of foundational reading skills so that all students achieve continuous
145.26 progress in reading; and

145.27 (2) teach specialized instruction in reading strategies, interventions, and remediations
145.28 that enable students of all ages and proficiency levels, including multilingual learners and
145.29 students demonstrating characteristics of dyslexia, to become proficient readers.

145.30 (c) Board-approved teacher preparation programs for teachers of elementary education,
145.31 early childhood education, special education, and reading intervention must include
145.32 instruction on dyslexia, as defined in section 125A.01, subdivision 2. Teacher preparation
145.33 programs may consult with the Department of Education, including the dyslexia specialist

146.1 under section 120B.122, to develop instruction under this paragraph. Instruction on dyslexia
146.2 must be modeled on practice standards of the International Dyslexia Association, and must
146.3 address:

146.4 (1) the nature and symptoms of dyslexia;

146.5 (2) resources available for students who show characteristics of dyslexia;

146.6 (3) evidence-based instructional strategies for students who show characteristics of
146.7 dyslexia, including the structured literacy approach; and

146.8 (4) outcomes of intervention and lack of intervention for students who show
146.9 characteristics of dyslexia.

146.10 (d) Nothing in this section limits the authority of a school district to select a school's
146.11 reading program or curriculum.

146.12 Sec. 8. Minnesota Statutes 2022, section 122A.187, subdivision 5, is amended to read:

146.13 Subd. 5. **Reading preparation.** The Professional Educator Licensing and Standards
146.14 Board must adopt rules that require all licensed teachers who are renewing a Tier 3 or Tier
146.15 4 teaching license under sections 122A.183 and 122A.184, respectively, to include in the
146.16 renewal requirements further reading preparation, consistent with ~~section 122A.06,~~
146.17 ~~subdivision 4~~ sections 120B.1117 to 120B.124. The rules do not take effect until they are
146.18 approved by law. Teachers who do not provide direct instruction including, at least,
146.19 counselors, school psychologists, school nurses, school social workers, audiovisual directors
146.20 and coordinators, and recreation personnel are exempt from this section.

146.21 Sec. 9. Minnesota Statutes 2022, section 124D.42, subdivision 8, is amended to read:

146.22 Subd. 8. **Minnesota reading corps program.** (a) A Minnesota reading corps program
146.23 is established to provide ServeMinnesota AmeriCorps members with a data-based
146.24 problem-solving model of literacy instruction to use in helping to train local Head Start
146.25 program providers, other prekindergarten program providers, and staff in schools with
146.26 students in kindergarten through grade 3 to evaluate and teach early literacy skills, including
146.27 ~~comprehensive, scientifically based reading~~ evidence-based literacy instruction under ~~section~~
146.28 ~~122A.06, subdivision 4~~ sections 120B.1117 to 120B.124, to children age 3 to grade 3 and
146.29 interventions for children in kindergarten to grade 12.

146.30 (b) Literacy programs under this subdivision must comply with the provisions governing
146.31 literacy program goals and data use under section 119A.50, subdivision 3, paragraph (b).

(c) The commission must submit a biennial report to the committees of the legislature with jurisdiction over kindergarten through grade 12 education that records and evaluates program data to determine the efficacy of the programs under this subdivision.

Sec. 10. Minnesota Statutes 2022, section 124D.98, is amended by adding a subdivision to read:

Subd. 5. Literacy incentive aid uses. A school district must use its literacy incentive aid to support implementation of evidence-based reading instruction. The following are eligible uses of literacy incentive aid:

(1) training for kindergarten through grade 3 teachers, early childhood educators, special education teachers, reading intervention teachers working with students in kindergarten through grade 12, curriculum directors, and instructional support staff that provide reading instruction, on using evidence-based screening and progress monitoring tools;

(2) evidence-based training using a training program approved by the Department of Education;

(3) employing or contracting with a literacy lead, as defined in section 120B.1118;

(4) materials, training, and ongoing coaching to ensure reading interventions under section 125A.56, subdivision 1, are evidence-based; and

(5) costs of substitute teachers to allow teachers to complete required training during the teachers' contract day.

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

Sec. 11. **APPROPRIATIONS; READ ACT.**

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. CAREI. (a) To contract with the Center for Applied Research and Educational Improvement at the University of Minnesota for the Read Act implementation partnership under section 120B.124:

\$	4,200,000		2024
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\$	0		2025
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(b) This appropriation is available until June 30, 2026.

148.1 (c) The base for fiscal year 2026 and later is \$0.

148.2 Subd. 3. **Read Act curriculum and intervention materials reimbursement.** (a) To
148.3 reimburse school districts, charter schools, and cooperative units for evidence-based literacy
148.4 supports for children in prekindergarten through grade 12 based on structured literacy:

148.5 \$ 35,000,000 2024

148.6 (b) The commissioner must use this appropriation to reimburse school districts, charter
148.7 schools, and cooperatives for approved evidence-based structured literacy curriculum and
148.8 supporting materials, and intervention materials purchased after July 1, 2021. An applicant
148.9 must apply for the reimbursement in the form and manner determined by the commissioner.

148.10 (c) The commissioner must report to the legislative committees with jurisdiction over
148.11 kindergarten through grade 12 education the districts, charter schools, and cooperative units
148.12 that receive literacy grants and the amounts of each grant, by January 15, 2025, according
148.13 to Minnesota Statutes, section 3.195.

148.14 (d) A school district, charter school, or cooperative unit must purchase curriculum and
148.15 instructional materials that reflect diverse populations.

148.16 (e) Of this amount, up to \$250,000 is available for grant administration.

148.17 (f) This is a onetime appropriation and is available until June 30, 2028.

148.18 Subd. 4. **Read Act professional development.** (a) For evidence-based training on
148.19 structured literacy for teachers working in school districts, charter schools, and cooperatives:

148.20 \$ 34,950,000 2024

148.21 \$ 0 2025

148.22 (b) Of the amount in paragraph (a), \$18,000,000 is for regional literacy networks and
148.23 \$16,700,000 is for statewide training. The department must use the funding to develop
148.24 regional literacy networks as a partnership between the department and the Minnesota
148.25 service cooperatives, and to administer statewide training based in structured literacy to be
148.26 offered free to school districts and charter schools and facilitated by the regional literacy
148.27 networks and the department. The regional literacy networks must focus on implementing
148.28 comprehensive literacy reform efforts based on structured literacy. Each regional literacy
148.29 network must add a literacy lead position and establish a team of trained literacy coaches
148.30 to facilitate evidence-based structured literacy training opportunities and ongoing supports
148.31 to school districts and charter schools in each of their regions.

148.32 (c) Of the amount in paragraph (a), \$250,000 is for administration.

(d) If funds remain unspent on July 1, 2026, the commissioner must expand eligibility for approved training to include principals and other district, charter school, or cooperative administrators.

(e) The commissioner must report to the legislative committees with jurisdiction over kindergarten through grade 12 education the number of teachers from each district who received approved structured literacy training using funds under this subdivision, and the amounts awarded to districts, charter schools, or cooperatives.

(f) The regional literacy networks and staff at the Department of Education must provide ongoing support to school districts, charter schools, and cooperatives implementing evidence-based literacy instruction.

(g) This appropriation is available until June 30, 2028. The base for fiscal year 2026 and later is \$7,750,000, of which \$6,500,000 is for the regional literacy networks and \$1,250,000 is for statewide training.

Subd. 5. **Department literacy specialist.** (a) For a full-time literacy specialist at the Department of Education:

\$	\$250,000		2024
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\$	\$250,000		2025
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(b) The base for fiscal year 2026 and later is \$250,000.

Sec. 12. **REPEALER.**

Minnesota Statutes 2022, section 122A.06, subdivision 4, is repealed.

ARTICLE 4

AMERICAN INDIAN EDUCATION

Section 1. Minnesota Statutes 2022, section 13.32, subdivision 3, is amended to read:

Subd. 3. **Private data; when disclosure is permitted.** Except as provided in subdivision 5, educational data is private data on individuals and shall not be disclosed except as follows:

(a) pursuant to section 13.05;

(b) pursuant to a valid court order;

(c) pursuant to a statute specifically authorizing access to the private data;

(d) to disclose information in health, including mental health, and safety emergencies pursuant to the provisions of United States Code, title 20, section 1232g(b)(1)(I), and Code of Federal Regulations, title 34, section 99.36;

(e) pursuant to the provisions of United States Code, title 20, sections 1232g(b)(1), (b)(4)(A), (b)(4)(B), (b)(1)(B), (b)(3), (b)(6), (b)(7), and (i), and Code of Federal Regulations, title 34, sections 99.31, 99.32, 99.33, 99.34, 99.35, and 99.39;

(f) to appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiologic investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted;

(g) when disclosure is required for institutions that participate in a program under title IV of the Higher Education Act, United States Code, title 20, section 1092;

(h) to the appropriate school district officials to the extent necessary under subdivision 6, annually to indicate the extent and content of remedial instruction, including the results of assessment testing and academic performance at a postsecondary institution during the previous academic year by a student who graduated from a Minnesota school district within two years before receiving the remedial instruction;

(i) to appropriate authorities as provided in United States Code, title 20, section 1232g(b)(1)(E)(ii), if the data concern the juvenile justice system and the ability of the system to effectively serve, prior to adjudication, the student whose records are released; provided that the authorities to whom the data are released submit a written request for the data that certifies that the data will not be disclosed to any other person except as authorized by law without the written consent of the parent of the student and the request and a record of the release are maintained in the student's file;

(j) to volunteers who are determined to have a legitimate educational interest in the data and who are conducting activities and events sponsored by or endorsed by the educational agency or institution for students or former students;

(k) to provide student recruiting information, from educational data held by colleges and universities, as required by and subject to Code of Federal Regulations, title 32, section 216;

(l) to the juvenile justice system if information about the behavior of a student who poses a risk of harm is reasonably necessary to protect the health or safety of the student or other individuals;

151.1 (m) with respect to Social Security numbers of students in the adult basic education
151.2 system, to Minnesota State Colleges and Universities and the Department of Employment
151.3 and Economic Development for the purpose and in the manner described in section 124D.52,
151.4 subdivision 7;

151.5 (n) to the commissioner of education for purposes of an assessment or investigation of
151.6 a report of alleged maltreatment of a student as mandated by chapter 260E. Upon request
151.7 by the commissioner of education, data that are relevant to a report of maltreatment and are
151.8 from charter school and school district investigations of alleged maltreatment of a student
151.9 must be disclosed to the commissioner, including, but not limited to, the following:

151.10 (1) information regarding the student alleged to have been maltreated;

151.11 (2) information regarding student and employee witnesses;

151.12 (3) information regarding the alleged perpetrator; and

151.13 (4) what corrective or protective action was taken, if any, by the school facility in response
151.14 to a report of maltreatment by an employee or agent of the school or school district;

151.15 (o) when the disclosure is of the final results of a disciplinary proceeding on a charge
151.16 of a crime of violence or nonforcible sex offense to the extent authorized under United
151.17 States Code, title 20, section 1232g(b)(6)(A) and (B), and Code of Federal Regulations,
151.18 title 34, sections 99.31(a)(13) and (14);

151.19 (p) when the disclosure is information provided to the institution under United States
151.20 Code, title 42, section 14071, concerning registered sex offenders to the extent authorized
151.21 under United States Code, title 20, section 1232g(b)(7); ~~or~~

151.22 (q) when the disclosure is to a parent of a student at an institution of postsecondary
151.23 education regarding the student's violation of any federal, state, or local law or of any rule
151.24 or policy of the institution, governing the use or possession of alcohol or of a controlled
151.25 substance, to the extent authorized under United States Code, title 20, section 1232g(i), and
151.26 Code of Federal Regulations, title 34, section 99.31(a)(15), and provided the institution has
151.27 an information release form signed by the student authorizing disclosure to a parent. The
151.28 institution must notify parents and students about the purpose and availability of the
151.29 information release forms. At a minimum, the institution must distribute the information
151.30 release forms at parent and student orientation meetings; or

151.31 (r) with federally recognized Tribal Nations about Tribally enrolled or descendant
151.32 students to the extent necessary for the Tribal Nation and school district or charter school
151.33 to support the educational attainment of the student.

152.1 Sec. 2. Minnesota Statutes 2022, section 120A.42, is amended to read:

152.2 **120A.42 CONDUCT OF SCHOOL ON CERTAIN HOLIDAYS.**

152.3 (a) The governing body of any district may contract with any of the teachers of the
152.4 district for the conduct of schools, and may conduct schools, on either, or any, of the
152.5 following holidays, provided that a clause to this effect is inserted in the teacher's contract:
152.6 Martin Luther King's birthday, Lincoln's and Washington's birthdays, ~~Columbus Day~~,
152.7 Indigenous Peoples Day, and Veterans' Day. On Martin Luther King's birthday, Washington's
152.8 birthday, Lincoln's birthday, and Veterans' Day at least one hour of the school program
152.9 must be devoted to a patriotic observance of the day. On Indigenous Peoples Day, at least
152.10 one hour of the school program must be devoted to observance of the day. As part of its
152.11 observance of Indigenous Peoples Day, a district may provide professional development to
152.12 teachers and staff, or instruction to students, on the following topics:

152.13 (1) the history of treaties between the United States and Indigenous peoples;

152.14 (2) the history of federal boarding schools for Indigenous children;

152.15 (3) Indigenous languages;

152.16 (4) Indigenous traditional medicines and cultural or spiritual practices;

152.17 (5) the sovereignty of Tribal nations;

152.18 (6) the contributions of Indigenous people to American culture, literature, and society;

152.19 and

152.20 (7) current issues affecting Indigenous communities.

152.21 (b) A district may conduct a school program to honor Constitution Day and Citizenship
152.22 Day by providing opportunities for students to learn about the principles of American
152.23 democracy, the American system of government, American citizens' rights and
152.24 responsibilities, American history, and American geography, symbols, and holidays. Among
152.25 other activities under this paragraph, districts may administer to students the test questions
152.26 United States Citizenship and Immigration Services officers pose to applicants for
152.27 naturalization.

152.28 Sec. 3. Minnesota Statutes 2022, section 120B.021, subdivision 2, is amended to read:

152.29 Subd. 2. **Standards development.** (a) The commissioner must consider advice from at
152.30 least the following stakeholders in developing statewide rigorous core academic standards
152.31 in language arts, mathematics, science, social studies, including history, geography,
152.32 economics, government and citizenship, and the arts:

- 153.1 (1) parents of school-age children and members of the public throughout the state;
- 153.2 (2) teachers throughout the state currently licensed and providing instruction in language
- 153.3 arts, mathematics, science, social studies, or the arts and licensed elementary and secondary
- 153.4 school principals throughout the state currently administering a school site;
- 153.5 (3) currently serving members of local school boards and charter school boards throughout
- 153.6 the state;
- 153.7 (4) faculty teaching core subjects at postsecondary institutions in Minnesota; ~~and~~
- 153.8 (5) representatives of the Minnesota business community; and
- 153.9 (6) representatives from the Tribal Nations Education Committee and Tribal Nations
- 153.10 and communities in Minnesota, including both Anishinaabe and Dakota.
- 153.11 (b) Academic standards must:
- 153.12 (1) be clear, concise, objective, measurable, and grade-level appropriate;
- 153.13 (2) not require a specific teaching methodology or curriculum; and
- 153.14 (3) be consistent with the Constitutions of the United States and the state of Minnesota.
- 153.15 Sec. 4. Minnesota Statutes 2022, section 120B.021, subdivision 4, as amended by Laws
- 153.16 2023, chapter 17, section 1, is amended to read:
- 153.17 Subd. 4. **Revisions and reviews required.** (a) The commissioner of education must
- 153.18 ~~revise and appropriately embed technology and information literacy standards consistent~~
- 153.19 ~~with recommendations from school media specialists into~~ the state's academic standards
- 153.20 and graduation requirements and implement a ten-year cycle to review and, consistent with
- 153.21 the review, revise state academic standards and related benchmarks, consistent with this
- 153.22 subdivision. During each ten-year review and revision cycle, the commissioner also must
- 153.23 examine the alignment of each required academic standard and related benchmark with the
- 153.24 knowledge and skills students need for career and college readiness and advanced work in
- 153.25 the particular subject area. The commissioner must include the contributions of Minnesota
- 153.26 American Indian Tribes and communities, including urban Indigenous communities, as
- 153.27 related to the academic standards during the review and revision of the required academic
- 153.28 standards. The commissioner must embed Indigenous education for all students consistent
- 153.29 with recommendations from Tribal Nations and urban Indigenous communities in Minnesota
- 153.30 regarding the contributions of American Indian Tribes and communities in Minnesota into
- 153.31 the state's academic standards during the review and revision of the required academic
- 153.32 standards. The recommendations to embed Indigenous education for all students includes

154.1 but is not limited to American Indian experiences in Minnesota, including Tribal histories,
154.2 Indigenous languages, sovereignty issues, cultures, treaty rights, governments, socioeconomic
154.3 experiences, contemporary issues, and current events.

154.4 (b) The commissioner must ensure that the statewide mathematics assessments
154.5 administered to students in grades 3 through 8 and 11 are aligned with the state academic
154.6 standards in mathematics, consistent with section 120B.30, subdivision 1, paragraph (b).
154.7 The commissioner must implement a review of the academic standards and related
154.8 benchmarks in mathematics beginning in the 2021-2022 school year and every ten years
154.9 thereafter.

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

154.12 (d) The commissioner must implement a review of the academic standards and related
154.13 benchmarks in science beginning in the 2018-2019 school year and every ten years thereafter.

154.14 (e) The commissioner must implement a review of the academic standards and related
154.15 benchmarks in language arts beginning in the 2019-2020 school year and every ten years
154.16 thereafter.

154.17 (f) The commissioner must implement a review of the academic standards and related
154.18 benchmarks in social studies beginning in the 2020-2021 school year and every ten years
154.19 thereafter.

154.20 (g) The commissioner must implement a review of the academic standards and related
154.21 benchmarks in physical education beginning in the 2026-2027 school year and every ten
154.22 years thereafter.

154.23 (h) School districts and charter schools must revise and align local academic standards
154.24 and high school graduation requirements in health, world languages, and career and technical
154.25 education to require students to complete the revised standards beginning in a school year
154.26 determined by the school district or charter school. School districts and charter schools must
154.27 formally establish a periodic review cycle for the academic standards and related benchmarks
154.28 in health, world languages, and career and technical education.

154.29 (i) The commissioner of education must embed technology and information literacy
154.30 standards consistent with recommendations from school media specialists into the state's
154.31 academic standards and graduation requirements.

154.32 (j) The commissioner of education must embed ethnic studies as related to the academic
154.33 standards during the review and revision of the required academic standards.

155.1 Sec. 5. Minnesota Statutes 2022, section 120B.021, is amended by adding a subdivision
155.2 to read:

155.3 Subd. 5. **Indigenous education for all students.** To support implementation of
155.4 Indigenous education for all students, the commissioner must:

155.5 (1) provide historically accurate, Tribally endorsed, culturally relevant, community-based,
155.6 contemporary, and developmentally appropriate resources. Resources to implement standards
155.7 must include professional development and must demonstrate an awareness and
155.8 understanding of the importance of accurate, high-quality materials about the histories,
155.9 languages, cultures, and governments of local Tribes;

155.10 (2) provide resources to support all students learning about the histories, languages,
155.11 cultures, governments, and experiences of their American Indian peers and neighbors.
155.12 Resources to implement standards across content areas must be developed to authentically
155.13 engage all students and support successful learning; and

155.14 (3) conduct a needs assessment by December 31, 2023. The needs assessment must fully
155.15 inform the development of future resources for Indigenous education for all students by
155.16 using information from American Indian Tribes and communities in Minnesota, including
155.17 urban Indigenous communities, Minnesota's Tribal Nations Education Committee, schools
155.18 and districts, students, and educational organizations. The commissioner must submit a
155.19 report on the findings and recommendations from the needs assessment to the chairs and
155.20 ranking minority members of legislative committees with jurisdiction over education; to
155.21 the American Indian Tribes and communities in Minnesota, including urban Indigenous
155.22 communities; and to all schools and districts in the state by February 1, 2024.

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

155.24 Sec. 6. **[121A.041] AMERICAN INDIAN MASCOTS PROHIBITED.**

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

155.27 (b) "American Indian" means an individual who is:

155.28 (1) a member of an Indian Tribe or band, as membership is defined by the Tribe or band,
155.29 including:

155.30 (i) any Tribe or band terminated since 1940; and

155.31 (ii) any Tribe or band recognized by the state in which the Tribe or band resides;

155.32 (2) a descendant, in the first or second degree, of an individual described in clause (1);

(3) considered by the Secretary of the Interior to be an Indian for any purpose;

(4) an Inuit, Aleut, or other Alaska Native; or

(5) a member of an organized Indian group that received a grant under the Indian Education Act of 1988 as in effect the day preceding October 20, 1994.

(c) "District" means a district under section 120A.05, subdivision 8.

(d) "Mascot" means any human, nonhuman animal, or object used to represent a school and its population.

(e) "Public school" or "school" means a public school under section 120A.05, subdivisions 9, 11, 13, and 17, and a charter school under chapter 124E.

Subd. 2. **Prohibition on American Indian mascots.** (a) Starting September 1, 2025, a public school may not have or adopt a name, symbol, or image that depicts or refers to an American Indian Tribe, individual, custom, or tradition to be used as a mascot, nickname, logo, letterhead, or team name of the school, district, or school within the district, unless the school has obtained an exemption under subdivision 3.

(b) The prohibition in paragraph (a) does not apply to a public school located within the reservation of a federally recognized Tribal Nation in Minnesota, where at least 95 percent of students meet the state definition of American Indian student.

Subd. 3. **Exemption.** A public school may seek an exemption to subdivision 2 by submitting a request in writing to all 11 federally recognized Tribal Nations in Minnesota and to the Tribal Nations Education Committee by September 1, 2023. The exemption is denied if any of the 11 Tribal Nations or the Tribal Nations Education Committee oppose the exemption by December 15, 2023. A public school whose request for an exemption is denied must comply with subdivision 2 by September 1, 2025.

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

Sec. 7. Minnesota Statutes 2022, section 122A.63, is amended by adding a subdivision to read:

Subd. 10. **Minnesota Indian teacher training program account.** (a) An account is established in the special revenue fund known as the "Minnesota Indian teacher training program account."

(b) Funds appropriated for the Minnesota Indian teacher training program under this section must be transferred to the Minnesota Indian teacher training program account in the special revenue fund.

157.1 (c) Money in the account is annually appropriated to the commissioner for the Minnesota
157.2 Indian teacher training program under this section. Any returned funds are available to be
157.3 regranted. Grant recipients may apply to use grant money over a period of up to 60 months.

157.4 (d) Up to \$75,000 annually is appropriated to the commissioner for costs associated with
157.5 administering and monitoring the program under this section.

157.6 Sec. 8. Minnesota Statutes 2022, section 124D.73, is amended by adding a subdivision to
157.7 read:

157.8 Subd. 5. **American Indian student.** "American Indian student" means a student who
157.9 identifies as American Indian or Alaska Native, as defined by the state on October 1 of the
157.10 previous school year.

157.11 Sec. 9. Minnesota Statutes 2022, section 124D.74, subdivision 1, is amended to read:

157.12 Subdivision 1. **Program described.** American Indian education programs are programs
157.13 in public elementary and secondary schools, nonsectarian nonpublic, community, Tribal,
157.14 charter, or alternative schools enrolling American Indian children designed to:

157.15 (1) support postsecondary preparation for American Indian pupils;

157.16 (2) support the academic achievement of American Indian ~~students~~ pupils;

157.17 (3) make the curriculum relevant to the needs, interests, and cultural heritage of American
157.18 Indian pupils;

157.19 (4) provide positive reinforcement of the self-image of American Indian pupils;

157.20 (5) develop intercultural awareness among pupils, parents, and staff; and

157.21 (6) supplement, not supplant, state and federal educational and cocurricular programs.

157.22 Program services designed to increase completion and graduation rates of American Indian
157.23 students must emphasize academic achievement, retention, and attendance; development
157.24 of support services for staff, including in-service training and technical assistance in methods
157.25 of teaching American Indian pupils; research projects, including innovative teaching
157.26 approaches and evaluation of methods of relating to American Indian pupils; provision of
157.27 career counseling to American Indian pupils; modification of curriculum, instructional
157.28 methods, and administrative procedures to meet the needs of American Indian pupils; and
157.29 ~~supplemental~~ instruction in American Indian language, literature, history, and culture.

157.30 Districts offering programs may make contracts for the provision of program services by
157.31 establishing cooperative liaisons with Tribal programs and American Indian social service

158.1 agencies. These programs may also be provided as components of early childhood and
158.2 family education programs.

158.3 Sec. 10. Minnesota Statutes 2022, section 124D.74, subdivision 3, is amended to read:

158.4 Subd. 3. **Enrollment of other children; shared time enrollment.** To the extent ~~it is~~
158.5 ~~economically feasible~~ that the unique educational and culturally related academic needs of
158.6 American Indian people are met and American Indian student accountability factors are the
158.7 same or higher than their non-American Indian peers, a district or participating school may
158.8 make provision for the voluntary enrollment of non-American Indian children in the
158.9 instructional components of an American Indian education program in order that they may
158.10 acquire an understanding of the cultural heritage of the American Indian children for whom
158.11 that particular program is designed. However, in determining eligibility to participate in a
158.12 program, priority must be given to American Indian children. American Indian children
158.13 ~~and other children~~ enrolled in an existing nonpublic school system may be enrolled on a
158.14 shared time basis in American Indian education programs.

158.15 Sec. 11. Minnesota Statutes 2022, section 124D.74, subdivision 4, is amended to read:

158.16 Subd. 4. **Location of programs.** American Indian education programs must be located
158.17 ~~in facilities~~ educational settings in which regular classes in a variety of subjects are offered
158.18 on a daily basis. Programs may operate on an extended day or extended year basis, including
158.19 school districts, charter schools, and Tribal contract schools that offer virtual learning
158.20 environments.

158.21 Sec. 12. Minnesota Statutes 2022, section 124D.74, is amended by adding a subdivision
158.22 to read:

158.23 Subd. 7. **American Indian culture and language classes.** (a) A district or participating
158.24 school that conducts American Indian education programs under sections 124D.71 to
158.25 124D.82 must provide American Indian culture and language classes if: (1) at least five
158.26 percent of students are American Indian students; or (2) 100 or more students are American
158.27 Indian students.

158.28 (b) For purposes of this subdivision, "American Indian students" means students identified
158.29 by the state count of American Indian students on October 1 of the previous school year.

159.1 Sec. 13. Minnesota Statutes 2022, section 124D.76, is amended to read:

159.2 **124D.76 COMMUNITY COORDINATORS, INDIAN HOME/SCHOOL LIAISONS**
159.3 **AMERICAN INDIAN EDUCATION PROGRAM COORDINATORS,**
159.4 **PARAPROFESSIONALS.**

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

159.9 Any district or participating school ~~which~~ that conducts American Indian education
159.10 programs pursuant to sections 124D.71 to 124D.82 must employ one or more full-time or
159.11 part-time ~~community coordinators or Indian home/school liaisons if there are~~ dedicated
159.12 American Indian education program coordinators in a district with 100 or more
159.13 state-identified American Indian students enrolled in the district. ~~Community coordinators~~
159.14 ~~shall~~ A dedicated American Indian education program coordinator must promote
159.15 communication, understanding, and cooperation between the schools and the community
159.16 and ~~shall~~ must visit the homes of children who are to be enrolled in an American Indian
159.17 education program in order to convey information about the program.

159.18 Sec. 14. Minnesota Statutes 2022, section 124D.78, is amended to read:

159.19 **124D.78 PARENT AND COMMUNITY PARTICIPATION.**

159.20 Subdivision 1. **Parent committee.** ~~School boards and American Indian schools~~ School
159.21 districts, charter schools, Tribal contract schools, and the respective school boards must
159.22 provide for the maximum involvement of parents of American Indian children enrolled in
159.23 American Indian education programs, programs for elementary and secondary grades,
159.24 special education programs, and support services. Accordingly, ~~the board of a school district~~
159.25 school districts, charter schools, and Tribal contract schools in which there are ten or more
159.26 state-identified American Indian students enrolled ~~and each American Indian school~~ must
159.27 establish an American Indian ~~education~~ Parent Advisory Committee. If a committee whose
159.28 membership consists of a majority of parents of American Indian children has been or is
159.29 established according to federal, Tribal, or other state law, that committee may serve as the
159.30 committee required by this section and is subject to, at least, the requirements of this
159.31 subdivision and subdivision 2.

159.32 The American Indian ~~education~~ Parent Advisory Committee must develop its
159.33 recommendations in consultation with the curriculum advisory committee required by

section 120B.11, subdivision 3. This committee must afford parents the necessary information and the opportunity effectively to express their views concerning all aspects of American Indian education and the educational needs of the American Indian children enrolled in the school or program. ~~The school board or American Indian school~~ School districts, charter schools, and Tribal contract schools must ensure that programs are planned, operated, and evaluated with the involvement of and in consultation with parents of the American Indian students served by the programs.

Subd. 2. ~~**Resolution of concurrence**~~ **Annual compliance**. Prior to March 1, the ~~school board or American Indian school~~ must submit to the department a copy of a resolution ~~adopted by the American Indian education parent advisory committee. The copy must be signed by the chair of the committee and must state whether the committee concurs with the educational programs for American Indian students offered by the school board or American Indian school. If the committee does not concur with the educational programs, the reasons for nonconcurrence and recommendations shall be submitted directly to the school board with the resolution. By resolution, the board must respond in writing within 60 days, in cases of nonconcurrence, to each recommendation made by the committee and state its reasons for not implementing the recommendations.~~ American Indian Parent Advisory Committee must meet to discuss whether or not they concur with the educational offerings that have been extended by the district to American Indian students. If the committee finds that the district, charter school, Tribal contract school, and the school board have been meeting the needs of American Indian students, they issue a vote and resolution of concurrence. If they find that the needs of American Indian students are not being met, they issue a vote and resolution of nonconcurrence. The vote and resolution must be presented to the school board by one or more members of the American Indian Parent Advisory Committee. The vote is formally reflected on documentation provided by the Department of Education and must be submitted annually on March 1.

If the vote is one of nonconcurrence, the committee must provide written recommendations for improvement to the school board at the time of the presentation. In the case of nonconcurrence, the school board is given 60 days in which to respond, in writing, to the committee's recommendations. The board response must be signed by the entire school board and submitted to both the American Indian Parent Advisory Committee and to the Department of Education. The resolution must be accompanied by Parent Advisory Committee meeting minutes that show they have been appraised by the district on the goals of the Indian Education Program Plan and the measurement of progress toward those goals.

161.1 Subd. 3. **Membership.** The American Indian ~~education~~ Parent Advisory Committee
161.2 must be composed of parents or guardians of American Indian children eligible to be enrolled
161.3 in American Indian education programs; American Indian secondary students ~~eligible to~~
161.4 ~~be served~~; American Indian family members of students eligible to be enrolled in American
161.5 Indian education programs; American Indian language and culture education teachers and
161.6 paraprofessionals; American Indian teachers; American Indian district employees; American
161.7 Indian counselors; adult American Indian people enrolled in educational programs; and
161.8 ~~representatives from community groups. A~~ American Indian community members. The
161.9 majority of each committee must be the parents or guardians of the American Indian children
161.10 enrolled or eligible to be enrolled in the programs. ~~The number of parents of American~~
161.11 ~~Indian and non-American Indian children shall reflect approximately the proportion of~~
161.12 ~~children of those groups enrolled in the programs.~~

161.13 Subd. 4. **Alternate committee.** If the organizational membership or the board of directors
161.14 ~~of an American Indian school~~ a Tribal contract school consists of parents of children attending
161.15 the school, that membership or board may serve also as the American Indian ~~education~~
161.16 Parent Advisory Committee.

161.17 Subd. 5. **State-identified American Indian.** For the purposes of sections 124D.71 to
161.18 124D.82, the number of students who identify as American Indian or Alaska Native, as
161.19 defined by the state of Minnesota on October 1 of the previous school year, will be used to
161.20 determine the state-identified American Indian student counts for school districts, charter
161.21 schools, and Tribal contract schools for the subsequent school year.

161.22 Sec. 15. Minnesota Statutes 2022, section 124D.79, subdivision 2, is amended to read:

161.23 Subd. 2. **Technical assistance.** The commissioner shall provide technical assistance to
161.24 districts, schools and postsecondary institutions for preservice and in-service training for
161.25 teachers, American Indian education teachers and paraprofessionals specifically designed
161.26 to implement culturally responsive teaching methods, culturally based curriculum
161.27 development, testing and testing mechanisms, ~~and~~ the development of materials for American
161.28 Indian education programs, and the annual report of American Indian student data using
161.29 the state count.

161.30 Sec. 16. Minnesota Statutes 2022, section 124D.791, subdivision 4, is amended to read:

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

161.32 (1) ~~serve as the liaison for the department~~ work collaboratively and in conjunction with
161.33 the Tribal Liaison, the Tribal Nations Education Committee, the 11 Tribal ~~communities~~.

162.1 nations in Minnesota, the Minnesota Chippewa Tribe, and the Minnesota Indian Affairs
162.2 Council;

162.3 (2) evaluate the state of American Indian education in Minnesota;

162.4 (3) engage the Tribal bodies, community groups, parents of children eligible to be served
162.5 by American Indian education programs, American Indian administrators and teachers,
162.6 persons experienced in the training of teachers for American Indian education programs,
162.7 the Tribally controlled schools, and other persons knowledgeable in the field of American
162.8 Indian education and seek their advice on policies that can improve the quality of American
162.9 Indian education;

162.10 (4) advise the commissioner on American Indian education issues, including:

162.11 (i) issues facing American Indian students;

162.12 (ii) policies for American Indian education;

162.13 (iii) awarding scholarships to eligible American Indian students and in administering
162.14 the commissioner's duties regarding awarding of American Indian education grants to school
162.15 districts; and

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

162.18 (5) propose to the commissioner legislative changes that will improve the quality of
162.19 American Indian education;

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

162.23 (i) increase American Indian student achievement, including increased levels of
162.24 proficiency and growth on statewide accountability assessments;

162.25 (ii) increase the number of American Indian teachers in public schools;

162.26 (iii) close the achievement gap between American Indian students and their more
162.27 advantaged peers;

162.28 (iv) increase the statewide graduation rate for American Indian students; and

162.29 (v) increase American Indian student placement in postsecondary programs and the
162.30 workforce; and

163.1 (7) keep the American Indian community informed about the work of the department
163.2 by reporting to the Tribal Nations Education Committee at each committee meeting.

163.3 Sec. 17. **[124D.792] GRADUATION CEREMONIES; TRIBAL REGALIA AND**
163.4 **OBJECTS OF CULTURAL SIGNIFICANCE.**

163.5 A school district or charter school must not prohibit an American Indian student from
163.6 wearing American Indian regalia, Tribal regalia, or objects of cultural significance at a
163.7 graduation ceremony.

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

163.9 Sec. 18. Minnesota Statutes 2022, section 124D.81, is amended to read:

163.10 **124D.81 AMERICAN INDIAN EDUCATION AID.**

163.11 Subdivision 1. **Procedures.** A school district, charter school, cooperative unit as defined
163.12 in section 123A.24, subdivision 2, or American Indian-controlled Tribal contract or grant
163.13 school enrolling at least 20 American Indian students identified by the state count on October
163.14 1 of the previous school year and operating an American Indian education program according
163.15 to section 124D.74 is eligible for American Indian education aid if it meets the requirements
163.16 of this section. Programs may provide for contracts for the provision of program components
163.17 by nonsectarian nonpublic, community, Tribal, charter, or alternative schools. The
163.18 commissioner shall prescribe the form and manner of application for aids, and no aid shall
163.19 be made for a program not complying with the requirements of sections 124D.71 to 124D.82.

163.20 Subd. 2. **Plans.** To ~~qualify for~~ receive aid, an eligible district, charter school, cooperative
163.21 unit as defined in section 123A.24, subdivision 2, or Tribal contract school must develop
163.22 and submit a plan for approval by the Indian education director that shall:

163.23 (a) Identify the measures to be used to meet the requirements of sections 124D.71 to
163.24 124D.82;

163.25 (b) Identify the activities, methods and programs to meet the identified educational needs
163.26 of the children to be enrolled in the program;

163.27 (c) Describe how district goals and objectives as well as the objectives of sections
163.28 124D.71 to 124D.82 are to be achieved;

163.29 (d) Demonstrate that required and elective courses as structured do not have a
163.30 discriminatory effect within the meaning of section 124D.74, subdivision 5;

164.1 (e) Describe how each school program will be organized, staffed, coordinated, and
164.2 monitored; and

164.3 (f) Project expenditures for programs under sections 124D.71 to 124D.82.

164.4 Subd. 2a. **American Indian education aid.** (a) The American Indian education aid for
164.5 an eligible district, cooperative unit, or Tribal contract school equals the greater of (1) the
164.6 sum of ~~\$20,000~~ \$40,000 plus the product of ~~\$358~~ \$500 times the difference between the
164.7 number of American Indian students enrolled on October 1 of the previous school year and
164.8 20; or (2) if the district or school received a grant under this section for fiscal year 2015,
164.9 the amount of the grant for fiscal year 2015.

164.10 (b) Notwithstanding paragraph (a), the American Indian education aid must not exceed
164.11 the district, cooperative unit, or Tribal contract school's actual expenditure according to the
164.12 approved plan under subdivision 2, except as provided in subdivision 2b.

164.13 Subd. 2b. **Carry forward of funds.** Notwithstanding section 16A.28, if a school district
164.14 or Tribal contract school does not expend the full amount of the American Indian education
164.15 aid in accordance with the plan in the designated fiscal year, the school district or Tribal
164.16 contract school may carry forward and expend up to half of the remaining funds in the first
164.17 six months of the following fiscal year, and is not subject to an aid reduction if:

164.18 (1) the district is otherwise following the plan submitted and approved under subdivision
164.19 2;

164.20 (2) the American Indian Parent Advisory Committee for the school is aware of and has
164.21 approved the carry forward and has concurred with the district's educational offerings
164.22 extended to American Indian students under section 124D.78;

164.23 (3) the funds carried over are used in accordance with section 124D.74, subdivision 1;
164.24 and

164.25 (4) by April 1, the district reports to the Department of Education American Indian
164.26 education director the reason the aid was not expended in the designated fiscal year, and
164.27 describes how the district intends to expend the funds in the following fiscal year. The
164.28 district must report this information in the form and manner determined by the commissioner.

164.29 Subd. 3. **Additional requirements.** Each district or cooperative unit receiving aid under
164.30 this section must each year conduct a count of American Indian children in the schools of
164.31 the district; test for achievement; identify the extent of other educational needs of the children
164.32 to be enrolled in the American Indian education program; and classify the American Indian
164.33 children by grade, level of educational attainment, age and achievement. Participating

165.1 schools must maintain records concerning the needs and achievements of American Indian
165.2 children served.

165.3 Subd. 4. **Nondiscrimination; testing.** In accordance with recognized professional
165.4 standards, all testing and evaluation materials and procedures utilized for the identification,
165.5 testing, assessment, and classification of American Indian children must be selected and
165.6 administered so as not to be racially or culturally discriminatory and must be valid for the
165.7 purpose of identifying, testing, assessing, and classifying American Indian children.

165.8 Subd. 5. **Records.** Participating schools ~~and~~, districts, and cooperative units must keep
165.9 records and afford access to them as the commissioner finds necessary to ensure that
165.10 American Indian education programs are implemented in conformity with sections 124D.71
165.11 to 124D.82. Each school district, cooperative unit, or participating school must keep accurate,
165.12 detailed, and separate revenue and expenditure accounts for ~~pilot~~ American Indian education
165.13 programs funded under this section.

165.14 Subd. 6. **Money from other sources.** A district, cooperative unit, or participating school
165.15 providing American Indian education programs shall be eligible to receive moneys for these
165.16 programs from other government agencies and from private sources when the moneys are
165.17 available.

165.18 Subd. 7. **Exceptions.** Nothing in sections 124D.71 to 124D.82 shall be construed as
165.19 prohibiting a district, cooperative unit, or school from implementing an American Indian
165.20 education program which is not in compliance with sections 124D.71 to 124D.82 if the
165.21 proposal and plan for that program is not funded pursuant to this section.

165.22 **EFFECTIVE DATE.** This section is effective the day following final enactment for
165.23 aid for fiscal year 2024 and later.

165.24 Sec. 19. Minnesota Statutes 2022, section 126C.05, subdivision 19, is amended to read:

165.25 Subd. 19. **Online learning students.** (a) The average daily membership for a public
165.26 school pupil or a pupil enrolled in a school authorized to receive Tribal contract or grant
165.27 aid under section 124D.83 generating online learning average daily membership according
165.28 to section ~~124D.095, subdivision 8,~~ 124D.094, subdivision 7, paragraph (b), equals the sum
165.29 of: (1) the ratio of the sum of the number of instructional hours the pupil is enrolled in a
165.30 regular classroom setting at the enrolling school to the actual number of instructional hours
165.31 in the school year at the enrolling school, plus (2) .12 times the initial online learning average
165.32 daily membership according to section ~~124D.095, subdivision 8,~~ 124D.094, subdivision 7,
165.33 paragraph (b).

(b) When the sum of the average daily membership under paragraph (a) and the adjusted online learning average daily membership under section ~~124D.095, subdivision 8,~~ 124D.094, subdivision 7, paragraph (b), exceeds the maximum allowed for the student under subdivision 8 or 15, as applicable, the average daily membership under paragraph (a) shall be reduced by the excess over the maximum, but shall not be reduced below .12. The adjusted online learning average daily membership according to section ~~124D.095, subdivision 8,~~ 124D.094, subdivision 7, paragraph (b), shall be reduced by any remaining excess over the maximum.

Sec. 20. Minnesota Statutes 2022, section 144.4165, is amended to read:

144.4165 TOBACCO PRODUCTS PROHIBITED IN PUBLIC SCHOOLS.

(a) No person shall at any time smoke, chew, or otherwise ingest tobacco, or carry or use an activated electronic delivery device as defined in section 609.685, subdivision 1, in a public school, as defined in section 120A.05, subdivisions 9, 11, and 13, or in a charter school governed by chapter 124E. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls.

(b) Nothing in this section shall prohibit the lighting of tobacco by an adult as a part of a traditional Indian spiritual or cultural ceremony. An American Indian student may carry 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>
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\$	<u>19,266,000</u>	<u>.....</u>	<u>2025</u>
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(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:

\$ 2,210,000 2024

\$ 600,000 2025

(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:

\$ 7,500,000 2024

\$ 7,500,000 2025

(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.

(d) Up to \$300,000 each year is for administrative and programmatic capacity at the Department of Education.

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

Subd. 5. **Tribal contract school aid.** (a) For Tribal contract school aid under Minnesota Statutes, section 124D.83:

\$ 2,585,000 2024

\$ 2,804,000 2025

(b) The 2024 appropriation includes \$255,000 for 2023 and \$2,330,000 for 2024.

(c) The 2025 appropriation includes \$258,000 for 2024 and \$2,546,000 for 2025.

ARTICLE 5

TEACHERS

Section 1. Minnesota Statutes 2022, section 120A.414, subdivision 2, is amended to read:

Subd. 2. **Plan.** A school board, including the board of a charter school, may adopt an e-learning day plan after ~~consulting~~ meeting and negotiating with the exclusive representative

of the teachers. ~~A~~ If a charter school's teachers are not represented by an exclusive representative, the charter school may adopt an e-learning day plan after consulting with its teachers. The plan must include accommodations for students without Internet access at home and for digital device access for families without the technology or an insufficient amount of technology for the number of children in the household. A school's e-learning day plan must provide accessible options for students with disabilities under chapter 125A.

Sec. 2. **[120B.101] CURRICULUM.**

No school district or charter school may discriminate against or discipline a teacher or principal on the basis of incorporating into curriculum contributions of persons in a federally protected class or state protected class when the included contribution is in alignment with standards and benchmarks adopted under sections 120B.021 and 120B.023.

Sec. 3. **[120B.113] CLOSING EDUCATIONAL OPPORTUNITY GAPS GRANTS.**

Subdivision 1. **Grant program established.** The commissioner of education must establish a grant program to support implementation of world's best workforce strategies under section 120B.11, subdivision 2, clauses (4) and (6), and collaborative efforts that address opportunity gaps resulting from curricular, environmental, and structural inequities in schools experienced by students, families, and staff who are of color or who are American Indian.

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

(b) "Antiracist" has the meaning given in section 120B.11, subdivision 1.

(c) "Curricular" means curriculum resources used and content taught as well as access to levels of coursework or types of learning opportunities.

(d) "Environmental" means relating to the climate and culture of a school.

(e) "Equitable" means fairness by providing curriculum, instruction, support, and other resources for learning based on the needs of individual students and groups of students to succeed at school rather than treating all students the same despite the students having different needs.

(f) "Institutional racism" has the meaning given in section 120B.11, subdivision 1.

(g) "Opportunity gap" means the inequitable distribution of resources that impacts inequitable opportunities that contribute to or perpetuate learning gaps for certain groups of students.

(h) "Structural" means relating to the organization and systems of a school that have been created to manage a school.

Subd. 3. Applications and grant awards. The commissioner must determine application procedures and deadlines, select districts and charter schools to participate in the grant program, and determine the award amount and payment process of the grants. To the extent that there are sufficient applications, the commissioner must award an approximately equal number of grants between districts in greater Minnesota and those in the Twin Cities metropolitan area. If there are an insufficient number of applications received for either geographic area, then the commissioner may award grants to meet the requests for funds wherever a district is located.

Subd. 4. Description. The grant program must provide funding that supports collaborative efforts that close opportunity gaps by:

(1) ensuring school environments and curriculum validate, affirm, embrace, and integrate cultural and community strengths of students, families, and employees from all racial and ethnic backgrounds; and

(2) addressing institutional racism with equitable school policies, structures, practices, and curricular offerings, consistent with the requirements for long-term plans under section 124D.861, subdivision 2, paragraph (c).

Subd. 5. Report. Grant recipients must annually report to the commissioner by a date and in a form and manner determined by the commissioner on efforts planned and implemented that engaged students, families, educators, and community members of diverse racial and ethnic backgrounds in making improvements to school climate and curriculum. The report must assess the impact of those efforts as perceived by racially and ethnically diverse stakeholders, and must identify any areas needed for further continuous improvement. The commissioner must publish a report for the public summarizing the activities of grant recipients and what was done to promote sharing of effective practices among grant recipients and potential grant applicants.

Sec. 4. **[120B.117] INCREASING PERCENTAGE OF TEACHERS OF COLOR
AND AMERICAN INDIAN TEACHERS IN MINNESOTA.**

Subdivision 1. Purpose. This section sets short-term and long-term attainment goals for increasing the percentage of teachers of color and who are American Indian teachers in Minnesota and for ensuring all students have equitable access to effective and racially and ethnically diverse teachers who reflect the diversity of students. The goals and report required under this section are important for meeting attainment goals for the world's best workforce under section 120B.11, achievement and integration under section 124D.861, and higher education attainment under section 135A.012, all of which have been established to close persistent opportunity and achievement gaps that limit students' success in school and life and impede the state's economic growth.

Subd. 2. Equitable access to racially and ethnically diverse teachers. The percentage of teachers in Minnesota who are of color or who are American Indian should increase at least two percentage points per year to have a teaching workforce that more closely reflects the state's increasingly diverse student population and to ensure all students have equitable access to effective and diverse teachers by 2040.

Subd. 3. Rights not created. The attainment goal in this section is not to the exclusion of any other goals and does not confer a right or create a claim for any person.

Subd. 4. Reporting. Beginning in 2024 and every even-numbered year thereafter, the Professional Educator Licensing and Standards Board must collaborate with the Department of Education and the Office of Higher Education to publish a summary report of each of the programs they administer and any other programs receiving state appropriations that have or include an explicit purpose of increasing the racial and ethnic diversity of the state's teacher workforce to more closely reflect the diversity of students. The report must include programs under sections 122A.59, 122A.63, 122A.635, 122A.70, 122A.73, 124D.09, 124D.861, 136A.1274, 136A.1276, and 136A.1791, along with any other programs or initiatives that receive state appropriations to address the shortage of teachers of color and American Indian teachers. The board must, in coordination with the Office of Higher Education and Department of Education, provide policy and funding recommendations related to state-funded programs to increase the recruitment, preparation, licensing, hiring, and retention of racially and ethnically diverse teachers and the state's progress toward meeting or exceeding the goals of this section. The report must include recommendations for state policy and funding needed to achieve the goals of this section, plans for sharing the report and activities of grant recipients, and opportunities among grant recipients of various programs to share effective practices with each other. The 2024 report must include

171.1 a recommendation of whether a state advisory council should be established to address the
171.2 shortage of racially and ethnically diverse teachers and what the composition and charge
171.3 of such an advisory council would be if established. The board must consult with the Indian
171.4 Affairs Council and other ethnic councils along with other community partners, including
171.5 students of color and American Indian students, in developing the report. By November 3
171.6 of each odd-numbered year, the board must submit the report to the chairs and ranking
171.7 minority members of the legislative committees with jurisdiction over education and higher
171.8 education policy and finance. The report must be available to the public on the board's
171.9 website.

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

171.11 Sec. 5. **[122A.04] LICENSE REQUIRED.**

171.12 Pursuant to section 120A.22, subdivision 10, a teacher must hold a field license or a
171.13 permission aligned to the content area and scope of the teacher's assignment to provide
171.14 instruction in a public school, including a charter school.

171.15 Sec. 6. Minnesota Statutes 2022, section 122A.06, subdivision 1, is amended to read:

171.16 Subdivision 1. **Scope.** For the purpose of sections ~~122A.05~~ 122A.04 to 122A.093, and
171.17 122A.15 to 122A.33, the terms defined in this section have the meanings given them, unless
171.18 another meaning is clearly indicated.

171.19 Sec. 7. Minnesota Statutes 2022, section 122A.06, subdivision 2, is amended to read:

171.20 Subd. 2. **Teacher.** "Teacher" means a classroom teacher or other similar professional
171.21 employee required by law to hold a license from the Professional Educator Licensing and
171.22 Standards Board.

171.23 Sec. 8. Minnesota Statutes 2022, section 122A.06, subdivision 5, is amended to read:

171.24 Subd. 5. **Field.** A "field," "licensure area," or "subject area" means the content area in
171.25 which a teacher may become licensed to teach.

171.26 Sec. 9. Minnesota Statutes 2022, section 122A.06, subdivision 6, is amended to read:

171.27 Subd. 6. **Shortage area.** "Shortage area" means:

171.28 (1) licensure fields and economic development regions reported by the ~~commissioner~~
171.29 ~~of education or the~~ Professional Educator Licensing and Standards Board as experiencing
171.30 a teacher shortage; and

(2) economic development regions where ~~there is a shortage of licensed teachers who reflect the racial or ethnic diversity of students in the region.~~ the aggregate percentage of Indigenous teachers and teachers of color in the region is lower than the aggregate percentage of kindergarten through grade 12 Indigenous students and students of color in that region. Only individuals who close the gap between these percentages qualify as filling a shortage by this definition.

Sec. 10. Minnesota Statutes 2022, section 122A.06, subdivision 7, is amended to read:

Subd. 7. **Teacher preparation program.** "Teacher preparation program" means a program approved by the Professional Educator Licensing and Standards Board for the purpose of preparing individuals for a specific teacher licensure field in Minnesota. ~~Teacher preparation programs include traditional programs delivered by postsecondary institutions, alternative teacher preparation programs, and nonconventional teacher preparation programs.~~

Sec. 11. Minnesota Statutes 2022, section 122A.06, subdivision 8, is amended to read:

Subd. 8. **Teacher preparation program provider.** "Teacher preparation program provider" or "unit" means an entity that has primary responsibility for overseeing and delivering a teacher preparation program. Teacher preparation program providers include institutes of higher education, school districts, charter schools, or nonprofit corporations organized under chapter 317A.

Sec. 12. Minnesota Statutes 2022, section 122A.06, is amended by adding a subdivision to read:

Subd. 9. **District.** "District" means a school district or charter school.

Sec. 13. Minnesota Statutes 2022, section 122A.06, is amended by adding a subdivision to read:

Subd. 10. **Transfer pathway.** "Transfer pathway" means an established pathway to licensure between a two-year college or Tribal college, and a board-approved teacher preparation provider.

Sec. 14. Minnesota Statutes 2022, section 122A.09, subdivision 4, is amended to read:

Subd. 4. **Licensing and approval.** (a) The Professional Educator Licensing and Standards Board must license teachers, as defined in section 122A.15, subdivision 1, except for supervisory personnel, as defined in section 122A.15, subdivision 2. The board must not

173.1 delegate its authority to make all licensing decisions with respect to ~~candidates~~ applicants
173.2 for teacher licensure. The board must evaluate ~~candidates~~ applicants for compliance with
173.3 statutory or rule requirements for licensure and develop licensure verification requirements.

173.4 (b) The Professional Educator Licensing and Standards Board must approve teacher
173.5 preparation providers seeking to prepare applicants for teacher licensure in Minnesota.

173.6 Sec. 15. Minnesota Statutes 2022, section 122A.09, subdivision 6, is amended to read:

173.7 Subd. 6. **Register of persons licensed.** ~~The executive director of the Professional~~
173.8 ~~Educator Licensing and Standards Board must keep a record of the proceedings of and a~~
173.9 ~~register of all persons licensed pursuant to the provisions of this chapter. The register must~~
173.10 ~~show the name, address, licenses and permissions held, including renewals, and license~~
173.11 ~~number and the renewal of the license. The board must on July 1, of each year or as soon~~
173.12 ~~thereafter as is practicable, compile a list of such duly licensed teachers. A copy of the~~
173.13 ~~register~~ This list must be available during business hours at the office of the board to any
173.14 ~~interested person~~ on the board's website.

173.15 Sec. 16. Minnesota Statutes 2022, section 122A.09, subdivision 9, is amended to read:

173.16 Subd. 9. **Professional Educator Licensing and Standards Board must adopt rules.** (a)
173.17 The Professional Educator Licensing and Standards Board must adopt rules subject to the
173.18 provisions of chapter 14 to implement sections 120B.363, 122A.05 to 122A.09, 122A.092,
173.19 122A.16, 122A.17, 122A.18, 122A.181, 122A.182, 122A.183, 122A.184, 122A.185,
173.20 122A.187, 122A.188, 122A.19, 122A.20, 122A.21, 122A.23, 122A.26, 122A.28, ~~and~~
173.21 122A.29, and 124D.72.

173.22 (b) The board must adopt rules relating to fields of licensure and grade levels that a
173.23 licensed teacher may teach, including a process for granting permission to a licensed teacher
173.24 to teach in a field that is different from the teacher's field of licensure without change to the
173.25 teacher's license tier level.

173.26 ~~(c) The board must adopt rules relating to the grade levels that a licensed teacher may~~
173.27 ~~teach.~~

173.28 ~~(d)~~ (c) If a rule adopted by the board is in conflict with a session law or statute, the law
173.29 or statute prevails. Terms adopted in rule must be clearly defined and must not be construed
173.30 to conflict with terms adopted in statute or session law.

174.1 ~~(e)~~ (d) The board must include a description of a proposed rule's probable effect on
174.2 teacher supply and demand in the board's statement of need and reasonableness under section
174.3 14.131.

174.4 ~~(f)~~ (e) The board must adopt rules only under the specific statutory authority.

174.5 Sec. 17. Minnesota Statutes 2022, section 122A.09, subdivision 10, is amended to read:

174.6 Subd. 10. **Permissions.** (a) Notwithstanding subdivision 9 and sections 14.055 and
174.7 14.056, the Professional Educator Licensing and Standards Board may grant waivers to its
174.8 rules upon application by a school district or a charter school for purposes of implementing
174.9 experimental programs in learning or management.

174.10 (b) To enable a school district or a charter school to meet the needs of students enrolled
174.11 in an alternative education program and to enable licensed teachers instructing those students
174.12 to satisfy content area licensure requirements, the Professional Educator Licensing and
174.13 Standards Board ~~annually~~ may permit a licensed teacher teaching in an alternative education
174.14 program to instruct students in a content area for which the teacher is not licensed, consistent
174.15 with paragraph (a).

174.16 (c) A special education license permission issued by the Professional Educator Licensing
174.17 and Standards Board for a primary employer's low-incidence region is valid in all
174.18 low-incidence regions.

174.19 (d) ~~A candidate~~ An applicant that has obtained career and technical education certification
174.20 may apply for a Tier 1 license under section 122A.181. Consistent with section 136F.361,
174.21 the Professional Educator Licensing and Standards Board must strongly encourage approved
174.22 ~~college or university-based~~ teacher preparation programs throughout Minnesota to develop
174.23 alternative pathways for certifying and licensing high school career and technical education
174.24 instructors and teachers, allowing such ~~candidates~~ applicants to meet certification and
174.25 licensure standards that demonstrate their content knowledge, classroom experience, and
174.26 pedagogical practices and their qualifications based on a combination of occupational testing,
174.27 professional certification or licensure, and long-standing work experience.

174.28 Sec. 18. Minnesota Statutes 2022, section 122A.091, subdivision 1, is amended to read:

174.29 Subdivision 1. **Teacher and administrator preparation and performance data;**
174.30 **report.** (a) The Professional Educator Licensing and Standards Board and the Board of
174.31 School Administrators, in cooperation with ~~board-adopted~~ board-approved teacher or
174.32 administrator preparation programs, annually must collect and report summary data on

175.1 teacher and administrator preparation and performance outcomes, consistent with this
175.2 subdivision. The Professional Educator Licensing and Standards Board and the Board of
175.3 School Administrators annually by ~~June~~ July 1 must update and post the reported summary
175.4 preparation and performance data on teachers and administrators from the preceding school
175.5 years on ~~a website hosted jointly by the boards~~ their respective websites.

175.6 (b) Publicly reported summary data on teacher preparation ~~programs~~ providers must
175.7 include:

175.8 ~~(1) student entrance requirements for each Professional Educator Licensing and Standards~~
175.9 ~~Board-approved program, including grade point average for enrolling students in the~~
175.10 ~~preceding year;~~

175.11 ~~(2) the average board-adopted skills examination or ACT or SAT scores of students~~
175.12 ~~entering the program in the preceding year;~~

175.13 ~~(3) (1) summary data on faculty teacher educator qualifications, including at least the~~
175.14 ~~content areas of faculty undergraduate and graduate degrees and their years of experience~~
175.15 ~~either as kindergarten birth through grade 12 classroom teachers or school administrators;~~

175.16 ~~(4) the average time resident and nonresident program graduates in the preceding year~~
175.17 ~~needed to complete the program;~~

175.18 (2) the current number and percentage of enrolled candidates who entered the program
175.19 through a transfer pathway disaggregated by race, except when disaggregation would not
175.20 yield statistically reliable results or would reveal personally identifiable information about
175.21 an individual;

175.22 ~~(5) (3)~~ (3) the current number and percentage of students program completers by program
175.23 who graduated, received a standard Minnesota teaching license, and Tier 3 or Tier 4 license
175.24 disaggregated by race, except when disaggregation would not yield statistically reliable
175.25 results or would reveal personally identifiable information about an individual;

175.26 (4) the current number and percentage of program completers who entered the program
175.27 through a transfer pathway and received a Tier 3 or Tier 4 license disaggregated by race,
175.28 except when disaggregation would not yield statistically reliable results or would reveal
175.29 personally identifiable information about an individual;

175.30 (5) the current number and percentage of program completers who were hired to teach
175.31 full time in their licensure field in a Minnesota district or school in the preceding year
175.32 disaggregated by race, except when disaggregation would not yield statistically reliable
175.33 results or would reveal personally identifiable information about an individual;

~~(6) the number of content area credits and other credits by undergraduate program that students in the preceding school year needed to complete to graduate~~ the current number and percentage of program completers who entered the program through a transfer pathway and who were hired to teach full time in their licensure field in a Minnesota district or school in the preceding year disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual;

~~(7) students' pass rates on skills and subject matter exams required for graduation in each program and licensure area in the preceding school year;~~

~~(8) (7) board-adopted survey results measuring student and graduate satisfaction with the program~~ initial licensure program quality and structure in the preceding school year disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual;

~~(9) a standard measure of the satisfaction of~~ (8) board-adopted survey results from school principals or supervising teachers with the student teachers assigned to a school or supervising teacher supervisors on initial licensure program quality and structure; and

~~(10) information under subdivision 3, paragraphs (a) and (b)~~ (9) the number and percentage of program completers who met or exceeded the state threshold score on the board-adopted teacher performance assessment.

Program reporting must be consistent with subdivision 2.

(c) Publicly reported summary data on administrator preparation programs approved by the Board of School Administrators must include:

(1) summary data on faculty qualifications, including at least the content areas of faculty undergraduate and graduate degrees and the years of experience either as kindergarten through grade 12 classroom teachers or school administrators;

(2) the average time program graduates in the preceding year needed to complete the program;

(3) the current number and percentage of students who graduated, received a standard Minnesota administrator license, and were employed as an administrator in a Minnesota school district or school in the preceding year disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual;

177.1 (4) the number of credits by graduate program that students in the preceding school year
177.2 needed to complete to graduate;

177.3 (5) survey results measuring student, graduate, and employer satisfaction with the
177.4 program in the preceding school year disaggregated by race, except when disaggregation
177.5 would not yield statistically reliable results or would reveal personally identifiable
177.6 information about an individual; and

177.7 (6) information under subdivision 3, paragraphs (c) and (d).

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

177.9 Sec. 19. Minnesota Statutes 2022, section 122A.091, subdivision 2, is amended to read:

177.10 Subd. 2. **Teacher preparation program reporting.** (a) By December 31, 2018, and
177.11 annually thereafter, the Professional Educator Licensing and Standards Board shall report
177.12 and publish on its website the cumulative summary results of at least three consecutive
177.13 years of data reported to the board under subdivision 1, paragraph (b). Where the data are
177.14 sufficient to yield statistically reliable information and the results would not reveal personally
177.15 identifiable information about an individual teacher, the board shall report the data by teacher
177.16 preparation program.

177.17 ~~(b) The Professional Educator Licensing and Standards Board must report annually to~~
177.18 ~~the chairs and ranking minority members of the legislative committees with jurisdiction~~
177.19 ~~over kindergarten through grade 12 education, the following information:~~

177.20 ~~(1) the total number of teacher candidates during the most recent school year taking a~~
177.21 ~~board-adopted skills examination;~~

177.22 ~~(2) the number who achieve a qualifying score on the examination;~~

177.23 ~~(3) the number who do not achieve a qualifying score on the examination; and~~

177.24 ~~(4) the candidates who have not passed a content or pedagogy exam.~~

177.25 ~~The information reported under this paragraph must be disaggregated by categories of race,~~
177.26 ~~ethnicity, and eligibility for financial aid. The report must be submitted in accordance with~~
177.27 ~~section 3.195.~~

177.28 Sec. 20. Minnesota Statutes 2022, section 122A.15, subdivision 1, is amended to read:

177.29 Subdivision 1. **Teachers.** The term "teachers" for the purpose of licensure, means all
177.30 persons employed in a public school or education district or by a service cooperative as
177.31 members of the instructional, supervisory, and support staff including superintendents,

178.1 principals, supervisors, secondary vocational and other classroom teachers, librarians, school
178.2 counselors, school psychologists, school nurses, school social workers, audio-visual directors
178.3 and coordinators, recreation personnel, media generalists, media supervisors, and ~~speech~~
178.4 ~~therapists~~ school speech-language pathologists. This definition does not apply to sections
178.5 122A.05 to 122A.093.

178.6 Sec. 21. Minnesota Statutes 2022, section 122A.18, subdivision 1, is amended to read:

178.7 Subdivision 1. **Authority to license.** (a) The Professional Educator Licensing and
178.8 Standards Board must issue the following teacher licenses to ~~candidates~~ applicants who
178.9 meet the qualifications prescribed by this chapter:

178.10 (1) Tier 1 license under section 122A.181;

178.11 (2) Tier 2 license under section 122A.182;

178.12 (3) Tier 3 license under section 122A.183; and

178.13 (4) Tier 4 license under section 122A.184.

178.14 (b) The Board of School Administrators must license supervisory personnel as defined
178.15 in section 122A.15, subdivision 2, except for athletic coaches.

178.16 (c) The Professional Educator Licensing and Standards Board and the Department of
178.17 Education must enter into a data sharing agreement to share:

178.18 (1) educational data at the E-12 level for the limited purpose of program approval and
178.19 improvement for teacher education programs. The program approval process must include
178.20 targeted redesign of teacher preparation programs to address identified E-12 student areas
178.21 of concern; and

178.22 (2) data in the staff automated reporting system for the limited purpose of managing and
178.23 processing funding to school districts and other entities.

178.24 (d) The Board of School Administrators and the Department of Education must enter
178.25 into a data sharing agreement to share educational data at the E-12 level for the limited
178.26 purpose of program approval and improvement for education administration programs. The
178.27 program approval process must include targeted redesign of education administration
178.28 preparation programs to address identified E-12 student areas of concern.

178.29 (e) For purposes of the data sharing agreements under paragraphs (c) and (d), the
178.30 Professional Educator Licensing and Standards Board, Board of School Administrators,
178.31 and Department of Education may share private data, as defined in section 13.02, subdivision
178.32 12, on teachers and school administrators. The data sharing agreements must not include

179.1 educational data, as defined in section 13.32, subdivision 1, but may include summary data,
179.2 as defined in section 13.02, subdivision 19, derived from educational data.

179.3 Sec. 22. Minnesota Statutes 2022, section 122A.18, subdivision 2, is amended to read:

179.4 Subd. 2. **Support personnel qualifications.** The Professional Educator Licensing and
179.5 Standards Board must issue licenses and credentials under its jurisdiction to persons the
179.6 board finds to be qualified and competent for support personnel positions in accordance
179.7 with section ~~120B.36~~ 120B.363.

179.8 Sec. 23. Minnesota Statutes 2022, section 122A.18, subdivision 10, is amended to read:

179.9 Subd. 10. **Licensure via portfolio.** (a) The Professional Educator Licensing and Standards
179.10 Board must adopt rules establishing a process for an eligible ~~candidate~~ applicant to obtain
179.11 ~~any teacher an initial Tier 3 license under subdivision 1, or to add a licensure field, to a Tier~~
179.12 3 or Tier 4 license via portfolio. The portfolio licensure application process must be consistent
179.13 with the requirements in this subdivision.

179.14 (b) ~~A candidate~~ An applicant for a an initial Tier 3 license via portfolio must submit to
179.15 the board one portfolio demonstrating pedagogical competence and one portfolio
179.16 demonstrating content competence.

179.17 (c) ~~A candidate~~ An applicant seeking to add a licensure field via portfolio must submit
179.18 to the board one portfolio demonstrating content competence for each licensure field the
179.19 candidate seeks to add.

179.20 (d) The board must notify ~~a candidate~~ an applicant who submits a portfolio under
179.21 paragraph (b) or (c) within 90 calendar days after the portfolio is received whether or not
179.22 the portfolio is approved. If the portfolio is not approved, the board must ~~immediately~~ inform
179.23 the ~~candidate~~ applicant how to revise the portfolio to successfully demonstrate the requisite
179.24 competence. The ~~candidate~~ applicant may resubmit a revised portfolio at any time and the
179.25 board must approve or disapprove the revised portfolio within 60 calendar days of receiving
179.26 it.

179.27 (e) ~~A candidate~~ An applicant must pay a fee for a portfolio in accordance with section
179.28 122A.21, subdivision 4.

180.1 Sec. 24. Minnesota Statutes 2022, section 122A.18, is amended by adding a subdivision
180.2 to read:

180.3 Subd. 11. **Staff Automated Reporting.** The Professional Educator Licensing and
180.4 Standards Board shall collect data on educators' employment and assignments from all
180.5 school districts and charter schools. The report may include data on educators' demographics
180.6 and licensure.

180.7 Sec. 25. Minnesota Statutes 2022, section 122A.181, subdivision 1, is amended to read:

180.8 Subdivision 1. **Application requirements.** The Professional Educator Licensing and
180.9 Standards Board must approve ~~a request from a district or charter school to issue a Tier 1~~
180.10 ~~license in a specified content area to a candidate~~ an application for a Tier 1 license in a
180.11 specified content area if:

180.12 (1) the application has been submitted jointly by the applicant and the district;

180.13 (2) the application has been paid for by the district or the applicant;

180.14 ~~(1)~~ (3) the ~~candidate~~ applicant meets the professional requirement in subdivision 2;

180.15 ~~(2)~~ (4) the district or charter school affirms that the ~~candidate~~ applicant has the necessary
180.16 skills and knowledge to teach in the specified content area; ~~and~~

180.17 ~~(3)~~ (5) the district or charter school demonstrates that:

180.18 ~~(i)~~ a criminal background check under section 122A.18, subdivision 8, has been completed
180.19 on the ~~candidate~~ applicant; and

180.20 ~~(ii)~~ (6) the district or charter school has posted the teacher position but was unable to
180.21 hire an acceptable teacher with a Tier 2, 3, or 4 license for the position.

180.22 Sec. 26. Minnesota Statutes 2022, section 122A.181, subdivision 2, is amended to read:

180.23 Subd. 2. **Professional requirements.** (a) ~~A candidate~~ An applicant for a Tier 1 license
180.24 must have a bachelor's degree to teach a class or course outside a career and technical
180.25 education or career pathways course of study.

180.26 (b) ~~A candidate~~ An applicant for a Tier 1 license must have one of the following
180.27 credentials in a relevant content area to teach a class in a career and technical education or
180.28 career pathways course of study:

180.29 (1) an associate's degree;

180.30 (2) a professional certification; or

181.1 (3) five years of relevant work experience.

181.2 Sec. 27. Minnesota Statutes 2022, section 122A.181, is amended by adding a subdivision
181.3 to read:

181.4 Subd. 2a. **Exemptions from a bachelor's degree.** (a) The following applicants for a
181.5 Tier 1 license are exempt from the requirement to hold a bachelor's degree in subdivision
181.6 2:

181.7 (1) an applicant for a Tier 1 license to teach career and technical education or career
181.8 pathways courses of study if the applicant has:

181.9 (i) an associate's degree;

181.10 (ii) a professional certification; or

181.11 (iii) five years of relevant work experience;

181.12 (2) an applicant for a Tier 1 license to teach world languages and culture pursuant to
181.13 Minnesota Rules, part 8710.4950, if the applicant is a native speaker of the language; and

181.14 (3) an applicant for a Tier 1 license in the performing or visual arts pursuant to Minnesota
181.15 Rules, parts 8710.4300, dance and theatre; 8710.4310, dance; 8710.4320, theatre; 8710.4650,
181.16 vocal music and instrumental music; and 8710.4900, visual arts, if the applicant has at least
181.17 five years of relevant work experience.

181.18 (b) The Professional Educator Licensing and Standards Board must adopt rules regarding
181.19 the qualifications and determinations for applicants exempt from paragraph (a).

181.20 Sec. 28. Minnesota Statutes 2022, section 122A.181, subdivision 3, is amended to read:

181.21 **Subd. 3. Term of license and renewal.** (a) The Professional Educator Licensing and
181.22 Standards Board must issue an initial Tier 1 license for a term of one year. A Tier 1 license
181.23 may be renewed subject to paragraphs (b) and (c). ~~The board may submit written comments~~
181.24 ~~to the district or charter school that requested the renewal regarding the candidate.~~

181.25 (b) The Professional Educator Licensing and Standards Board must renew a Tier 1
181.26 license if:

181.27 (1) the district or charter school requesting the renewal demonstrates that it has posted
181.28 the teacher position but was unable to hire an acceptable teacher with a Tier 2, 3, or 4 license
181.29 for the position;

(2) the teacher holding the Tier 1 license took a content examination in accordance with section 122A.185 and submitted the examination results to the teacher's employing district or charter school within one year of the board approving the request for the initial Tier 1 license;

(3) the teacher holding the Tier 1 license participated in cultural competency training consistent with section 120B.30, subdivision 1, paragraph (q), within one year of the board approving the request for the initial Tier 1 license; and

(4) the teacher holding the Tier 1 license met the mental illness training renewal requirement under section 122A.187, subdivision 6.

The requirement in clause (2) does not apply to a teacher that teaches a class in a career and technical education or career pathways course of study.

(c) A Tier 1 license must not be renewed more than three times, unless the requesting district or charter school can show good cause for additional renewals. A Tier 1 license issued to teach (1) a class or course in a career and technical education or career pathway course of study or (2) in a shortage area, as defined in section 122A.06, subdivision 6, may be renewed without limitation.

Sec. 29. Minnesota Statutes 2022, section 122A.181, subdivision 4, is amended to read:

Subd. 4. **Application.** The Professional Educator Licensing and Standards Board must accept and review applications for a Tier 1 teaching license beginning July 1 of the school year for which the license is requested ~~and must issue or deny the Tier 1 teaching license within 30 days of receiving the completed application;~~ at the board's discretion, the board may begin to accept and review applications before July 1.

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

Sec. 30. Minnesota Statutes 2022, section 122A.181, subdivision 5, is amended to read:

Subd. 5. **Limitations on license.** (a) A Tier 1 license is limited to the content matter indicated on the application for the initial Tier 1 license under subdivision 1, clause (2), and limited to the district or charter school that requested the initial Tier 1 license.

(b) A Tier 1 license does not bring an individual within the definition of a teacher for purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1, clause (a).

~~(c) A Tier 1 license does not bring an individual within the definition of a teacher under section 179A.03, subdivision 18.~~

183.1 Sec. 31. Minnesota Statutes 2022, section 122A.182, subdivision 1, is amended to read:

183.2 Subdivision 1. **Requirements.** ~~(a) The Professional Educator Licensing and Standards~~
183.3 ~~Board must approve a request from a district or charter school to issue~~ an application for a
183.4 ~~Tier 2 license in a specified content area to a candidate if:~~

183.5 ~~(1) the candidate meets the educational or professional requirements in paragraph (b)~~
183.6 ~~or (c);~~

183.7 ~~(2) the candidate:~~

183.8 ~~(i) has completed the coursework required under subdivision 2;~~

183.9 ~~(ii) is enrolled in a Minnesota-approved teacher preparation program; or~~

183.10 ~~(iii) has a master's degree in the specified content area; and~~

183.11 ~~(3) the district or charter school demonstrates that a criminal background check under~~
183.12 ~~section 122A.18, subdivision 8, has been completed on the candidate.~~

183.13 ~~(b) A candidate for a Tier 2 license must have a bachelor's degree to teach a class outside~~
183.14 ~~a career and technical education or career pathways course of study.~~

183.15 ~~(c) A candidate for a Tier 2 license must have one of the following credentials in a~~
183.16 ~~relevant content area to teach a class or course in a career and technical education or career~~
183.17 ~~pathways course of study:~~

183.18 ~~(1) an associate's degree;~~

183.19 ~~(2) a professional certification; or~~

183.20 ~~(3) five years of relevant work experience.~~

183.21 (1) the application has been submitted jointly by the applicant and the district;

183.22 (2) the application has been paid for by the district or the applicant;

183.23 (3) the applicant holds a bachelor's degree, unless specifically exempt by statute or rule;

183.24 (4) the district demonstrates that a criminal background check under section 122A.18,
183.25 subdivision 8, has been completed for the applicant; and

183.26 (5) the applicant:

183.27 (i) has completed a state-approved teacher preparation program;

183.28 (ii) is enrolled in a Minnesota-approved teacher preparation program; or

183.29 (iii) has a master's degree in the specified content area.

184.1 Sec. 32. Minnesota Statutes 2022, section 122A.182, is amended by adding a subdivision
184.2 to read:

184.3 Subd. 2a. **Exemptions from a bachelor's degree.** (a) The following applicants for a
184.4 Tier 2 license are exempt from the requirement to hold a bachelor's degree in subdivision
184.5 1:

184.6 (1) an applicant for a Tier 2 license to teach career and technical education or career
184.7 pathways courses of study when the applicant has:

184.8 (i) an associate's degree;

184.9 (ii) a professional certification; or

184.10 (iii) five years of relevant work experience;

184.11 (2) an applicant for a Tier 2 license to teach world languages and culture pursuant to
184.12 Minnesota Rules, part 8710.4950, when the applicant is a native speaker of the language;
184.13 and

184.14 (3) an applicant for a Tier 2 license in the performing or visual arts pursuant to Minnesota
184.15 Rules, parts 8710.4300, dance and theatre; 8710.4310, dance; 8710.4320, theatre; 8710.4650,
184.16 vocal music and instrumental music; and 8710.4900, visual arts, when the applicant has at
184.17 least five years of relevant work experience.

184.18 (b) The Professional Educator Licensing and Standards Board must adopt rules regarding
184.19 the qualifications and determinations for applicants exempt from the requirement to hold a
184.20 bachelor's degree in subdivision 1.

184.21 Sec. 33. Minnesota Statutes 2022, section 122A.182, is amended by adding a subdivision
184.22 to read:

184.23 Subd. 2b. **Temporary eligibility for renewal.** (a) From July 1, 2023, until June 30,
184.24 2024, the Professional Educator Licensing and Standards Board must approve an application
184.25 for a Tier 2 license that meets the coursework requirement under subdivision 2, and other
184.26 requirements under subdivision 1, clauses (1), (2), (3), and (4).

184.27 (b) For the 2023-2024, 2024-2025, and 2025-2026 school years only, the Professional
184.28 Educator Licensing and Standards Board must approve an application to renew a Tier 2
184.29 license for an applicant that met the Tier 2 requirements in effect at the time the first Tier
184.30 2 license was issued. Nothing in this subdivision modifies the renewal requirements in
184.31 subdivision 3.

185.1 Sec. 34. Minnesota Statutes 2022, section 122A.182, subdivision 4, is amended to read:

185.2 Subd. 4. **Application.** The Professional Educator Licensing and Standards Board must
185.3 accept applications for a Tier 2 teaching license beginning July 1 of the school year for
185.4 which the license is requested ~~and must issue or deny the Tier 2 teaching license within 30~~
185.5 ~~days of receiving the completed application.~~ At the board's discretion, the board may begin
185.6 to accept and review applications before July 1.

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

185.8 Sec. 35. Minnesota Statutes 2022, section 122A.183, subdivision 1, is amended to read:

185.9 Subdivision 1. **Requirements.** (a) The Professional Educator Licensing and Standards
185.10 Board must issue a Tier 3 license to ~~a candidate~~ an applicant who provides information
185.11 sufficient to demonstrate all of the following:

185.12 ~~(1) the candidate meets the educational or professional requirements in paragraphs (b)~~
185.13 ~~and (c);~~

185.14 ~~(2) (1) the candidate~~ applicant has obtained a passing score on the required licensure
185.15 exams under section 122A.185; and

185.16 ~~(2) the applicant holds a bachelor's degree, unless specifically exempt by statute or rule;~~
185.17 and

185.18 ~~(3) the candidate~~ applicant has completed the coursework required under subdivision 2.

185.19 ~~(b) A candidate for a Tier 3 license must have a bachelor's degree to teach a class or~~
185.20 ~~course outside a career and technical education or career pathways course of study.~~

185.21 ~~(c) A candidate for a Tier 3 license must have one of the following credentials in a~~
185.22 ~~relevant content area to teach a class or course in a career and technical education or career~~
185.23 ~~pathways course of study:~~

185.24 ~~(1) an associate's degree;~~

185.25 ~~(2) a professional certification; or~~

185.26 ~~(3) five years of relevant work experience.~~

185.27 ~~In consultation with the governor's Workforce Development Board established under section~~
185.28 ~~116L.665, the board must establish a list of qualifying certifications, and may add additional~~
185.29 ~~professional certifications in consultation with school administrators, teachers, and other~~
185.30 ~~stakeholders.~~

185.31 (b) The board must issue a Tier 3 license to an applicant who:

186.1 (1) has completed student teaching comparable to the student teaching expectations in
186.2 Minnesota;

186.3 (2) has obtained a passing score on the required licensure exams under section 122A.185;
186.4 and

186.5 (3) has completed either:

186.6 (i) a teacher preparation program from a culturally specific Minority Serving Institution
186.7 in the United States, such as Historically Black Colleges and Universities, Tribal Colleges
186.8 and Universities, or Hispanic-Serving Institutions, including those in Puerto Rico; or

186.9 (ii) a university teacher preparation program in another country.

186.10 Sec. 36. Minnesota Statutes 2022, section 122A.183, subdivision 2, is amended to read:

186.11 Subd. 2. **Coursework.** ~~A candidate~~ An applicant for a Tier 3 license must meet the
186.12 coursework requirement by demonstrating one of the following:

186.13 (1) completion of a Minnesota-approved teacher preparation program;

186.14 (2) completion of a state-approved teacher preparation program that includes field-specific
186.15 student teaching equivalent to field-specific student teaching in Minnesota-approved teacher
186.16 preparation programs. The field-specific student teaching requirement does not apply to a
186.17 ~~candidate~~ an applicant that has two years of field-specific teaching experience;

186.18 (3) submission of a content-specific licensure portfolio;

186.19 (4) a professional teaching license from another state, evidence that the ~~candidate's~~
186.20 applicant's license is in good standing, and two years of field-specific teaching experience;
186.21 or

186.22 (5) three years of teaching experience under a Tier 2 license and evidence of summative
186.23 teacher evaluations that did not result in placing or otherwise keeping the teacher on an
186.24 improvement process pursuant to section 122A.40, subdivision 8, or section 122A.41,
186.25 subdivision 5.

186.26 Sec. 37. Minnesota Statutes 2022, section 122A.183, is amended by adding a subdivision
186.27 to read:

186.28 Subd. 2a. **Exemptions from a bachelor's degree.** (a) The following applicants for a
186.29 Tier 3 license are exempt from the requirement to hold a bachelor's degree in subdivision
186.30 1:

187.1 (1) an applicant for a Tier 3 license to teach career and technical education or career
187.2 pathways courses of study when the applicant has:

187.3 (i) an associate's degree;

187.4 (ii) a professional certification; or

187.5 (iii) five years of relevant work experience;

187.6 (2) an applicant for a Tier 3 license to teach world languages and culture pursuant to
187.7 Minnesota Rules, part 8710.4950, when the applicant is a native speaker of the language;
187.8 and

187.9 (3) an applicant for a Tier 3 license in the performing or visual arts pursuant to Minnesota
187.10 Rules, parts 8710.4300, dance and theatre; 8710.4310, dance; 8710.4320, theatre; 8710.4650,
187.11 vocal music and instrumental music; and 8710.4900, visual arts, when the applicant has at
187.12 least five years of relevant work experience.

187.13 (b) The Professional Educator Licensing and Standards Board must adopt rules regarding
187.14 the qualifications and determinations for applicants exempt from the requirement to hold a
187.15 bachelor's degree in subdivision 1.

187.16 Sec. 38. Minnesota Statutes 2022, section 122A.184, subdivision 1, is amended to read:

187.17 Subdivision 1. **Requirements.** The Professional Educator Licensing and Standards
187.18 Board must issue a Tier 4 license to ~~a candidate~~ an applicant who provides information
187.19 sufficient to demonstrate all of the following:

187.20 (1) the ~~candidate~~ applicant meets all requirements for a Tier 3 license under section
187.21 122A.183, and has completed a teacher preparation program under section 122A.183,
187.22 subdivision 2, clause (1) or (2);

187.23 (2) the ~~candidate~~ applicant has at least three years of field-specific teaching experience
187.24 ~~in Minnesota~~ as a teacher of record;

187.25 (3) the ~~candidate~~ applicant has obtained a passing score on all required licensure exams
187.26 under section 122A.185; and

187.27 ~~(4) the candidate's most recent summative teacher evaluation did not result in placing~~
187.28 ~~or otherwise keeping the teacher in an improvement process pursuant to section 122A.40,~~
187.29 ~~subdivision 8, or 122A.41, subdivision 5.~~

187.30 (4) if the applicant previously held a Tier 3 license under section 122A.183, the applicant
187.31 has completed the renewal requirements in section 122A.187.

188.1 Sec. 39. Minnesota Statutes 2022, section 122A.185, subdivision 1, is amended to read:

188.2 Subdivision 1. **Tests.** ~~(a) The Professional Educator Licensing and Standards Board~~
188.3 ~~must adopt rules requiring a candidate to demonstrate a passing score on a board-adopted~~
188.4 ~~examination of skills in reading, writing, and mathematics before being granted a Tier 4~~
188.5 ~~teaching license under section 122A.184 to provide direct instruction to pupils in elementary,~~
188.6 ~~secondary, or special education programs. Candidates may obtain a Tier 1, Tier 2, or Tier~~
188.7 ~~3 license to provide direct instruction to pupils in elementary, secondary, or special education~~
188.8 ~~programs if candidates meet the other requirements in section 122A.181, 122A.182, or~~
188.9 ~~122A.183, respectively.~~

188.10 ~~(b)~~ (a) The board must adopt rules requiring ~~candidates~~ applicants for Tier 3 and Tier 4
188.11 licenses to pass an examination or performance assessment of general pedagogical knowledge
188.12 and examinations or assessments of licensure field specific content. An applicant is exempt
188.13 from the examination requirements if the applicant completed:

188.14 (1) a board-approved teacher preparation program;

188.15 (2) licensure via portfolio pursuant to section 122A.18, subdivision 10, and the portfolio
188.16 has been approved; or

188.17 (3) a state-approved teacher preparation program in another state and passed licensure
188.18 examinations in that state, if applicable. The content examination requirement does not
188.19 apply if no relevant content exam exists.

188.20 ~~(c) Candidates for initial Tier 3 and Tier 4 licenses to teach elementary students must~~
188.21 ~~pass test items assessing the candidates' knowledge, skill, and ability in comprehensive,~~
188.22 ~~scientifically based reading instruction under section 122A.06, subdivision 4, knowledge~~
188.23 ~~and understanding of the foundations of reading development, development of reading~~
188.24 ~~comprehension and reading assessment and instruction, and the ability to integrate that~~
188.25 ~~knowledge and understanding into instruction strategies under section 122A.06, subdivision~~
188.26 ~~4.~~

188.27 (d) The requirement to pass a board-adopted reading, writing, and mathematics skills
188.28 examination does not apply to nonnative English speakers, as verified by qualified Minnesota
188.29 school district personnel or Minnesota higher education faculty, who, after meeting the
188.30 content and pedagogy requirements under this subdivision, apply for a teaching license to
188.31 provide direct instruction in their native language or world language instruction under section
188.32 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~~

190.1 ~~or administrative experience for at least one school year during the period covered by the~~
190.2 ~~license in grades or subjects for which the license is valid or completing such additional~~
190.3 ~~preparation as required under this section, or as the Professional Educator Licensing and~~
190.4 ~~Standards Board prescribes. The Board of School Administrators shall establish requirements~~
190.5 ~~for renewing the licenses of supervisory personnel except athletic coaches. The Professional~~
190.6 ~~Educator Licensing and Standards Board shall establish requirements for renewing the~~
190.7 ~~licenses of athletic coaches.~~

190.8 Sec. 42. Minnesota Statutes 2022, section 122A.187, is amended by adding a subdivision
190.9 to read:

190.10 Subd. 7. **American Indian history and culture.** The Professional Educator Licensing
190.11 and Standards Board must adopt rules that require all licensed teachers renewing their license
190.12 under sections 122A.181 to 122A.184 to include in the renewal requirements professional
190.13 development in the cultural heritage and contemporary contributions of American Indians,
190.14 with particular emphasis on Minnesota Tribal Nations.

190.15 Sec. 43. Minnesota Statutes 2022, section 122A.19, subdivision 4, is amended to read:

190.16 Subd. 4. **Teacher preparation programs.** (a) For the purpose of licensing bilingual
190.17 and English as a second language teachers, the board may approve teacher preparation
190.18 programs at colleges or universities designed for their training.

190.19 (b) Programs that prepare English as a second language teachers must provide instruction
190.20 in implementing research-based practices designed specifically for English learners. The
190.21 programs must focus on developing English learners' academic language proficiency in
190.22 English, including oral academic language, giving English learners meaningful access to
190.23 the full school curriculum, developing culturally relevant teaching practices appropriate for
190.24 immigrant students, and providing more intensive instruction and resources to English
190.25 learners with lower levels of academic English proficiency and varied needs, consistent
190.26 with section 124D.59, subdivisions 2 and 2a.

190.27 Sec. 44. Minnesota Statutes 2022, section 122A.26, subdivision 2, is amended to read:

190.28 Subd. 2. **Exceptions.** (a) A person who teaches in a community education program
190.29 ~~which~~ that qualifies for aid pursuant to section 124D.52 shall continue to meet licensure
190.30 requirements as a teacher. A person who teaches in an early childhood and family education
190.31 program ~~which~~ that is offered through a community education program and ~~which~~ that
190.32 qualifies for community education aid pursuant to section 124D.20 or early childhood and

191.1 family education aid pursuant to section 124D.135 shall continue to meet licensure
191.2 requirements as a teacher. A person who teaches in a community education course ~~which~~
191.3 that is offered for credit for graduation to persons under 18 years of age shall continue to
191.4 meet licensure requirements as a teacher.

191.5 (b) A person who teaches a driver training course ~~which~~ that is offered through a
191.6 community education program to persons under 18 years of age shall be licensed by the
191.7 Professional Educator Licensing and Standards Board or be subject to section 171.35. A
191.8 license ~~which~~ that is required for an instructor in a community education program pursuant
191.9 to this ~~subdivision~~ paragraph shall not be construed to bring an individual within the
191.10 definition of a teacher for purposes of section 122A.40, subdivision 1, or 122A.41,
191.11 subdivision 1, ~~elause~~ paragraph (a).

191.12 Sec. 45. Minnesota Statutes 2022, section 122A.40, subdivision 3, is amended to read:

191.13 Subd. 3. **Hiring, dismissing.** (a) School boards must hire or dismiss teachers at duly
191.14 called meetings. Where a husband and wife, brother and sister, or two brothers or sisters,
191.15 constitute a quorum, no contract employing a teacher shall be made or authorized except
191.16 upon the unanimous vote of the full board. A teacher related by blood or marriage, within
191.17 the fourth degree, computed by the civil law, to a board member shall not be employed
191.18 except by a unanimous vote of the full board. The initial employment of the teacher in the
191.19 district must be by written contract, signed by the teacher and by the chair and clerk. All
191.20 subsequent employment of the teacher in the district must be by written contract, signed by
191.21 the teacher and by the chair and clerk, except where there is a master agreement covering
191.22 the employment of the teacher. Contracts for teaching or supervision of teaching can be
191.23 made only with qualified teachers. A teacher shall not be required to reside within the
191.24 employing district as a condition to teaching employment or continued teaching employment.

191.25 (b) A school district must annually report to the Professional Educator Licensing and
191.26 Standards Board: (1) all new teacher hires and terminations, including layoffs, by race and
191.27 ethnicity; and (2) the reasons for all teacher resignations and requested leaves of absence.
191.28 The report must not include data that would personally identify individuals.

191.29 Sec. 46. Minnesota Statutes 2022, section 122A.40, subdivision 5, is amended to read:

191.30 Subd. 5. **Probationary period.** (a) The first three consecutive years of a teacher's first
191.31 teaching experience in Minnesota in a single district ~~is~~ are deemed to be a probationary
191.32 period of employment, and, the probationary period in each district in which the teacher is
191.33 thereafter employed shall be one year. The school board must adopt a plan for written

192.1 evaluation of teachers during the probationary period that is consistent with subdivision 8.
192.2 Evaluation must occur at least three times periodically throughout each school year for a
192.3 teacher performing services during that school year; the first evaluation must occur within
192.4 the first 90 days of teaching service. Days devoted to parent-teacher conferences, teachers'
192.5 workshops, and other staff development opportunities and days on which a teacher is absent
192.6 from school must not be included in determining the number of school days on which a
192.7 teacher performs services. Except as otherwise provided in paragraph (b), during the
192.8 probationary period any annual contract with any teacher may or may not be renewed as
192.9 the school board shall see fit. However, the board must give any such teacher whose contract
192.10 it declines to renew for the following school year written notice to that effect before July
192.11 1. If the teacher requests reasons for any nonrenewal of a teaching contract, the board must
192.12 give the teacher its reason in writing, including a statement that appropriate supervision
192.13 was furnished describing the nature and the extent of such supervision furnished the teacher
192.14 during the employment by the board, within ten days after receiving such request. The
192.15 school board may, after a hearing held upon due notice, discharge a teacher during the
192.16 probationary period for cause, effective immediately, under section 122A.44.

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

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

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

192.30 (e) A probationary teacher must complete at least ~~120~~ 90 days of teaching service each
192.31 year during the probationary period. Days devoted to parent-teacher conferences, teachers'
192.32 workshops, and other staff development opportunities and days on which a teacher is absent
192.33 from school do not count as days of teaching service under this paragraph.

193.1 (f) Notwithstanding any law to the contrary, a teacher who has taught for three
193.2 consecutive years in a single school district or single charter school in Minnesota or another
193.3 state must serve a probationary period of no longer than one year in a Minnesota school
193.4 district.

193.5 **EFFECTIVE DATE.** This section is effective for collective bargaining agreements
193.6 effective July 1, 2023, and thereafter.

193.7 Sec. 47. Minnesota Statutes 2022, section 122A.40, subdivision 8, is amended to read:

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

193.18 (b) To develop, improve, and support qualified teachers and effective teaching practices,
193.19 improve student learning and success, and provide all enrolled students in a district or school
193.20 with improved and equitable access to more effective and diverse teachers, the annual
193.21 evaluation process for teachers:

193.22 (1) must, for probationary teachers, provide for all evaluations required under subdivision
193.23 5;

193.24 (2) must establish a three-year professional review cycle for each teacher that includes
193.25 an individual growth and development plan, a peer review process, and at least one
193.26 summative evaluation performed by a qualified and trained evaluator such as a school
193.27 administrator. For the years when a tenured teacher is not evaluated by a qualified and
193.28 trained evaluator, the teacher must be evaluated by a peer review;

193.29 (3) ~~must be based on professional teaching standards established in rule~~ include a rubric
193.30 of performance standards for teacher practice that: (i) is based on professional teaching
193.31 standards established in rule; (ii) includes culturally responsive methodologies; and (iii)
193.32 provides common descriptions of effectiveness using at least three levels of performance;

194.1 (4) must coordinate staff development activities under sections 122A.60 and 122A.61
194.2 with this evaluation process and teachers' evaluation outcomes;

194.3 (5) may provide time during the school day and school year for peer coaching and teacher
194.4 collaboration;

194.5 (6) may include job-embedded learning opportunities such as professional learning
194.6 communities;

194.7 (7) may include mentoring and induction programs for teachers, including teachers who
194.8 are members of populations underrepresented among the licensed teachers in the district or
194.9 school and who reflect the diversity of students under section 120B.35, subdivision 3,
194.10 paragraph (b), clause (2), who are enrolled in the district or school;

194.11 (8) must include an option for teachers to develop and present a portfolio demonstrating
194.12 evidence of reflection and professional growth, consistent with section 122A.187, subdivision
194.13 3, and include teachers' own performance assessment based on student work samples and
194.14 examples of teachers' work, which may include video among other activities for the
194.15 summative evaluation;

194.16 (9) must use data from valid and reliable assessments aligned to state and local academic
194.17 standards and must use state and local measures of student growth and literacy that may
194.18 include value-added models or student learning goals to determine 35 percent of teacher
194.19 evaluation results;

194.20 (10) must use longitudinal data on student engagement and connection, and other student
194.21 outcome measures explicitly aligned with the elements of curriculum for which teachers
194.22 are responsible, including academic literacy, oral academic language, and achievement of
194.23 content areas of English learners;

194.24 (11) must require qualified and trained evaluators such as school administrators to
194.25 perform summative evaluations and ensure school districts and charter schools provide for
194.26 effective evaluator training specific to teacher development and evaluation;

194.27 (12) must give teachers not meeting professional teaching standards under clauses (3)
194.28 through (11) support to improve through a teacher improvement process that includes
194.29 established goals and timelines; and

194.30 (13) must discipline a teacher for not making adequate progress in the teacher
194.31 improvement process under clause (12) that may include a last chance warning, termination,
194.32 discharge, nonrenewal, transfer to a different position, a leave of absence, or other discipline
194.33 a school administrator determines is appropriate.

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

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

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

195.18 (1) for students in kindergarten through grade 4, a school administrator must not place
195.19 or approve the placement of a student in the classroom of a teacher who is in the improvement
195.20 process referenced in paragraph (b), clause (12), or has not had a summative evaluation if,
195.21 in the prior year, that student was in the classroom of a teacher who received discipline
195.22 pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that
195.23 grade; and

195.24 (2) for students in grades 5 through 12, a school administrator must not place or approve
195.25 the placement of a student in the classroom of a teacher who is in the improvement process
195.26 referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the
195.27 prior year, that student was in the classroom of a teacher who received discipline pursuant
195.28 to paragraph (b), clause (13), unless no other teacher at the school teaches that subject area
195.29 and grade.

195.30 All data created and used under this paragraph retains its classification under chapter 13.

195.31 **EFFECTIVE DATE.** This section is effective July 1, 2025.

Sec. 48. Minnesota Statutes 2022, section 122A.41, subdivision 2, is amended to read:

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

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

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

(d) A probationary teacher must complete at least ~~120~~ 90 days of teaching service each year during the probationary period. Days devoted to parent-teacher conferences, teachers'

workshops, and other staff development opportunities and days on which a teacher is absent from school do not count as days of teaching service under this paragraph.

(e) Notwithstanding any law to the contrary, a teacher who has taught for three consecutive years in a single school district or single 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;

198.1 (4) must coordinate staff development activities under sections 122A.60 and 122A.61
198.2 with this evaluation process and teachers' evaluation outcomes;

198.3 (5) may provide time during the school day and school year for peer coaching and teacher
198.4 collaboration;

198.5 (6) may include job-embedded learning opportunities such as professional learning
198.6 communities;

198.7 (7) may include mentoring and induction programs for teachers, including teachers who
198.8 are members of populations underrepresented among the licensed teachers in the district or
198.9 school and who reflect the diversity of students under section 120B.35, subdivision 3,
198.10 paragraph (b), clause (2), who are enrolled in the district or school;

198.11 (8) must include an option for teachers to develop and present a portfolio demonstrating
198.12 evidence of reflection and professional growth, consistent with section 122A.187, subdivision
198.13 3, and include teachers' own performance assessment based on student work samples and
198.14 examples of teachers' work, which may include video among other activities for the
198.15 summative evaluation;

198.16 (9) must use data from valid and reliable assessments aligned to state and local academic
198.17 standards and must use state and local measures of student growth and literacy that may
198.18 include value-added models or student learning goals to determine 35 percent of teacher
198.19 evaluation results;

198.20 (10) must use longitudinal data on student engagement and connection and other student
198.21 outcome measures explicitly aligned with the elements of curriculum for which teachers
198.22 are responsible, including academic literacy, oral academic language, and achievement of
198.23 English learners;

198.24 (11) must require qualified and trained evaluators such as school administrators to
198.25 perform summative evaluations and ensure school districts and charter schools provide for
198.26 effective evaluator training specific to teacher development and evaluation;

198.27 (12) must give teachers not meeting professional teaching standards under clauses (3)
198.28 through (11) support to improve through a teacher improvement process that includes
198.29 established goals and timelines; and

198.30 (13) must discipline a teacher for not making adequate progress in the teacher
198.31 improvement process under clause (12) that may include a last chance warning, termination,
198.32 discharge, nonrenewal, transfer to a different position, a leave of absence, or other discipline
198.33 a school administrator determines is appropriate.

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

199.4 (c) The department, in consultation with parents who may represent parent organizations
199.5 and teacher and administrator representatives appointed by their respective organizations,
199.6 representing the Professional Educator Licensing and Standards Board, the Minnesota
199.7 Association of School Administrators, the Minnesota School Boards Association, the
199.8 Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and
199.9 representatives of the Minnesota Assessment Group, the Minnesota Business Partnership,
199.10 the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with
199.11 research expertise in teacher evaluation, must create and publish a teacher evaluation process
199.12 that complies with the requirements in paragraph (b) and applies to all teachers under this
199.13 section and section 122A.40 for whom no agreement exists under paragraph (a) for an annual
199.14 teacher evaluation and peer review process. The teacher evaluation process created under
199.15 this subdivision does not create additional due process rights for probationary teachers under
199.16 subdivision 2.

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

199.18 (1) for students in kindergarten through grade 4, a school administrator must not place
199.19 or approve the placement of a student in the classroom of a teacher who is in the improvement
199.20 process referenced in paragraph (b), clause (12), or has not had a summative evaluation if,
199.21 in the prior year, that student was in the classroom of a teacher who received discipline
199.22 pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that
199.23 grade; and

199.24 (2) for students in grades 5 through 12, a school administrator must not place or approve
199.25 the placement of a student in the classroom of a teacher who is in the improvement process
199.26 referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the
199.27 prior year, that student was in the classroom of a teacher who received discipline pursuant
199.28 to paragraph (b), clause (13), unless no other teacher at the school teaches that subject area
199.29 and grade.

199.30 All data created and used under this paragraph retains its classification under chapter 13.

199.31 **EFFECTIVE DATE.** This section is effective July 1, 2025.

200.1 Sec. 50. Minnesota Statutes 2022, section 122A.41, is amended by adding a subdivision
200.2 to read:

200.3 Subd. 16. **Reporting of hires and terminations.** A school district must annually report
200.4 to the Professional Educator Licensing and Standards Board: (1) all new teacher hires and
200.5 terminations, including layoffs, by race and ethnicity; and (2) the reasons for all teacher
200.6 resignations and requested leaves of absence. The report must not include data that would
200.7 personally identify individuals.

200.8 Sec. 51. Minnesota Statutes 2022, section 122A.415, subdivision 4, is amended to read:

200.9 Subd. 4. **Basic alternative teacher compensation aid.** (a) The basic alternative teacher
200.10 compensation aid for a school with a plan approved under section 122A.414, subdivision
200.11 2b, equals 65 percent of the alternative teacher compensation revenue under subdivision 1.
200.12 The basic alternative teacher compensation aid for a charter school with a plan approved
200.13 under section 122A.414, subdivisions 2a and 2b, equals \$260 times the number of pupils
200.14 enrolled in the school on October 1 of the previous year, or on October 1 of the current year
200.15 for a charter school in the first year of operation, times the ratio of the sum of the alternative
200.16 teacher compensation aid and alternative teacher compensation levy for all participating
200.17 school districts to the maximum alternative teacher compensation revenue for those districts
200.18 under subdivision 1.

200.19 (b) Notwithstanding paragraph (a) and subdivision 1, the state total basic alternative
200.20 teacher compensation aid entitlement must not exceed ~~\$75,840,000 for fiscal year 2016 and~~
200.21 ~~\$88,118,000 for fiscal year 2017~~ 2023; \$88,461,000 for fiscal year 2024; \$88,461,000 for
200.22 fiscal year 2025; and \$89,486,000 for fiscal year 2026 and later. The commissioner must
200.23 limit the amount of alternative teacher compensation aid approved under this section so as
200.24 not to exceed these limits by not approving new participants or by prorating the aid among
200.25 participating districts, intermediate school districts, school sites, and charter schools. The
200.26 commissioner may also reallocate a portion of the allowable aid for the biennium from the
200.27 second year to the first year to meet the needs of approved participants.

200.28 (c) Basic alternative teacher compensation aid for an intermediate district or other
200.29 cooperative unit equals \$3,000 times the number of licensed teachers employed by the
200.30 intermediate district or cooperative unit on October 1 of the previous school year.

201.1 Sec. 52. [122A.441] SHORT-CALL SUBSTITUTE TEACHER PILOT PROGRAM.

201.2 (a) A school district or charter school and applicant may jointly request the Professional
201.3 Educator Licensing and Standards Board approve an application for a short-call substitute
201.4 teaching license. The application information must sufficiently demonstrate the following:

201.5 (1) the applicant:

201.6 (i) holds a minimum of an associate's degree or equivalent and has or will receive
201.7 substitute training from the school district or charter school; or

201.8 (ii) holds a minimum of a high school diploma or equivalent and has been employed as
201.9 an education support personnel or paraprofessional within the district or charter school for
201.10 at least one academic year; and

201.11 (2) the school district or charter school has obtained the results of a background check
201.12 completed in accordance with section 123B.03.

201.13 (b) The Professional Educator Licensing and Standards Board may issue a temporary
201.14 teaching license under this section pending a background check under section 122A.18,
201.15 subdivision 8, and may immediately suspend or revoke the license upon receiving background
201.16 check information. An applicant submitting an application for a short-call substitute teaching
201.17 license in accordance with section 122A.18, subdivision 7a, paragraph (a), must not be
201.18 required to complete a joint application with a district and must not be issued a license
201.19 pending a background check under section 122A.18, subdivision 8.

201.20 (c) The board may prioritize short-call substitute teaching license applications to expedite
201.21 the review process.

201.22 (d) A school district or charter school must provide a substitute teacher who receives a
201.23 substitute teaching license through the pilot program with substitute teacher training. The
201.24 board may remove a school district or charter school from the pilot program for failure to
201.25 provide the required training.

201.26 (e) A school district or charter school must not require an employee to apply for a
201.27 substitute teaching license, or retaliate against an employee that does not apply for a substitute
201.28 teaching license under the pilot program.

201.29 (f) A school district or charter school must compensate an employee working as a
201.30 short-call substitute teacher under the pilot program with the greater of \$200 per day or the
201.31 employee's regular rate of pay.

201.32 (g) This section expires on June 30, 2025.

202.1 **EFFECTIVE DATE.** This section is effective for the 2023-2024 and 2024-2025 school
202.2 years only.

202.3 Sec. 53. Minnesota Statutes 2022, section 122A.59, is amended to read:

202.4 **122A.59 COME TEACH IN MINNESOTA HIRING BONUSES.**

202.5 Subdivision 1. **Purpose.** This section establishes a program to support districts and
202.6 schools recruiting and offering hiring bonuses for ~~licensed~~ teachers who are American
202.7 Indian or a person of color from another state or country in order to meet staffing needs in
202.8 shortage areas in ~~economic development regions in~~ Minnesota.

202.9 Subd. 2. **Eligibility.** A district or school must verify that the hiring bonus is given to
202.10 ~~teachers licensed in~~ persons from another state or country who:

202.11 (1) immediately qualify for a Tier 3 ~~or Tier 4~~ 2 or higher Minnesota license;

202.12 (2) have moved to ~~the economic development region in~~ Minnesota ~~where they were~~
202.13 ~~hired~~; and

202.14 (3) belong to a racial or ethnic group that is underrepresented among teachers compared
202.15 to students in the district or school under section 120B.35, subdivision 3, paragraph (b),
202.16 clause (2).

202.17 Subd. 3. **Bonus amount.** A district or school may offer a ~~signing~~ hiring and retention
202.18 bonus of a minimum of ~~\$2,500~~ \$4,000 and a maximum of ~~\$5,000~~ \$8,000 to a teacher who
202.19 meets the eligibility requirements. A teacher who meets the eligibility requirements and
202.20 meets a licensure shortage area in the economic development region of the state where the
202.21 school is located may be offered a ~~signing~~ hiring bonus of a minimum of ~~\$4,000~~ \$5,000
202.22 and a maximum of ~~\$8,000~~ \$10,000. A teacher must be paid half of the bonus when starting
202.23 employment and half after completing four years of service in the hiring district or school
202.24 if the teacher has demonstrated teaching effectiveness and is not on a professional
202.25 improvement plan under section 122A.40, subdivision 8, paragraph (b), clause (12) or (13),
202.26 or section 122A.41, subdivision 5, paragraph (b), clause (12) or (13), or is not being
202.27 considered for termination for a reason listed in section 122A.40, subdivision 9, including
202.28 a teacher hired by a school district located in a city of the first class. A teacher who does
202.29 not complete their first school year upon receiving a hiring bonus must repay the hiring
202.30 bonus. A teacher must have a Tier 3 or Tier 4 Minnesota teaching license to qualify for the
202.31 second half of the bonus. A district must prorate the second half of the bonus if the eligible
202.32 teacher is nonrenewed due to reasons not having to do with teaching effectiveness or
202.33 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.

204.1 Subd. 2. **Definitions.** "Heritage language and culture teachers" means teachers with a
204.2 connection to a community's language and culture who use this connection to support
204.3 students as they learn academic content or the language and culture of that particular
204.4 community.

204.5 Subd. 3. **Eligibility.** Applicants for the heritage language and culture licensure pathway
204.6 program must:

204.7 (1) hold a current license issued by the Professional Educator Licensing and Standards
204.8 Board or meet the criteria for licensure in 122A.181; and

204.9 (2) seek initial, dual, or additional licensure in a heritage language.

204.10 Subd. 4. **Heritage language and culture teacher licensure pathway program.** (a) The
204.11 Professional Educator Licensing and Standards Board shall develop a program to support
204.12 initial and additional licensure for heritage language and culture teachers. The program
204.13 must include:

204.14 (1) a yearlong mentorship program;

204.15 (2) monthly meetings where applicants receive guidance on completing the portfolio
204.16 process from a portfolio liaison, dedicated specifically to facilitating this program;

204.17 (3) a stipend to cover substitute teachers when meetings take place during the school
204.18 day;

204.19 (4) a waiver for all portfolio and licensure testing fees; and

204.20 (5) a portfolio review committee created by the board.

204.21 (b) For applicants seeking an initial license in a world language and culture, the applicant
204.22 must demonstrate meeting the standards of effective practice in Minnesota Rules, part
204.23 8710.2000 and content-specific pedagogical standards in Minnesota Rules, part 8710.4950,
204.24 through the portfolio process.

204.25 (c) For applicants seeking a dual license, the applicant must demonstrate meeting the
204.26 standards of effective practice in Minnesota Rules, part 8710.2000, content-specific
204.27 pedagogical standards in Minnesota Rules, part 8710.4950, and all standards for the chosen
204.28 dual license through the portfolio process.

204.29 (d) For applicants seeking an additional license in a world language and culture, the
204.30 applicant must demonstrate meeting the content-specific pedagogical standards in Minnesota
204.31 Rules, part 8710.4950.

Subd. 5. **Heritage language and culture educators seeking a world language**

license. Heritage language and culture teachers seeking a world language and culture license pursuant to Minnesota Rules, part 8710.4950, who demonstrate proficiency through one of the following may use this proficiency to evidence meeting the required content-specific world language and culture standards, which do not include content-specific pedagogical standards, for licensure in their heritage language:

(1) passing a board-adopted assessment;

(2) holding a certificate to serve as a translator or interpreter; or

(3) completing an undergraduate or postbaccalaureate degree from an accredited university where the majority of coursework was taught via the non-English instructional language.

Sec. 55. Minnesota Statutes 2022, section 122A.635, is amended to read:

**122A.635 COLLABORATIVE URBAN AND GREATER MINNESOTA
EDUCATORS OF COLOR GRANT PROGRAM.**

Subdivision 1. **Establishment.** The Professional Educator Licensing and Standards Board must award competitive grants to increase the number of teacher candidates who are of color or who are American Indian, complete teacher preparation programs, and meet the requirements for a Tier 3 license under section 122A.183. Eligibility for a grant under this section is limited to public or private higher education institutions that offer a teacher preparation program approved by the Professional Educator Licensing and Standards Board.

Subd. 2. **Competitive grants.** (a) The Professional Educator Licensing and Standards Board must award competitive grants to a variety of higher education institution types under this section. The board must require an applicant institution to submit a plan describing how it would use grant funds to increase the number of teachers who are of color or who are American Indian, and must award grants based on the following criteria, listed in descending order of priority:

~~(1) the number of teacher candidates being supported in the program who are of color or who are American Indian;~~

~~(2)~~ (1) program outcomes, including graduation or program completion rates; and licensure recommendation rates; and placement rates for candidates who are of color or who are American Indian compared to all candidates enrolled in a teacher preparation program at the institution and, for each outcome measure, the number of those teacher candidates who are of color or who are American Indian; and

206.1 ~~(3) the percent of racially and ethnically diverse teacher candidates enrolled in the~~
206.2 ~~institution compared to:~~

206.3 ~~(i) the total percent of students of color and American Indian students enrolled at the~~
206.4 ~~institution, regardless of major; and~~

206.5 ~~(ii) the percent of underrepresented racially and ethnically diverse teachers in the~~
206.6 ~~economic development region of the state where the institution is located and where a~~
206.7 ~~shortage of diverse teachers exists, as reported under section 122A.091, subdivision 5.~~

206.8 (2) the extent to which an institution's plan is clear in describing how the institution
206.9 would use grant funds for implementing explicit research-based practices to provide
206.10 programmatic support to teacher candidates who are of color or who are American Indian.
206.11 Plans for grant funds may include:

206.12 (i) recruiting more racially and ethnically diverse candidates for admission to teacher
206.13 preparation programs;

206.14 (ii) providing differentiated advising, mentoring, or other supportive community-building
206.15 activities in addition to what the institution provides to all candidates enrolled in the
206.16 institution;

206.17 (iii) providing academic tutoring or support to help teacher candidates pass required
206.18 assessments; and

206.19 (iv) providing for program staffing expenses;

206.20 (3) an institution's plan to provide direct financial assistance as scholarships or stipends
206.21 within the allowable dollar range determined by the board under subdivision 3, paragraph
206.22 (b), to teacher candidates who are of color or who are American Indian;

206.23 ~~(b) The board must give priority in awarding grants under this section to institutions that~~
206.24 ~~received grants under Laws 2017, First Special Session chapter 5, article 2, section 57,~~
206.25 ~~subdivision 27, and have demonstrated continuing success at recruiting, retaining, graduating,~~
206.26 ~~and inducting (4) whether the institution has previously received a competitive grant under~~
206.27 ~~this section and has demonstrated positive outcomes from the use of grant funds for efforts~~
206.28 ~~helping teacher candidates who are of color or who are American Indian; to enroll in and~~
206.29 ~~successfully complete teacher preparation programs and be recommended for licensure;~~

206.30 (5) geographic diversity among the institutions. In order to expand the number of grant
206.31 recipients throughout the state, whenever there is at least a 20 percent increase in the base
206.32 appropriation for this grant program, the board must prioritize awarding grants to institutions
206.33 outside of the Twin Cities metropolitan area. If the board awards a competitive grant based

207.1 on the criteria in paragraph (a) to a program that has not previously received funding, the
207.2 board must thereafter give priority to the program equivalent to other programs ~~given priority~~
207.3 ~~under this paragraph.~~ that have received grants and demonstrated positive outcomes; and

207.4 (6) the percentage of racially and ethnically diverse teacher candidates enrolled in the
207.5 institution compared to:

207.6 (i) the aggregate percentage of students of color and American Indian students enrolled
207.7 in the institution, regardless of major; and

207.8 (ii) the percentage of underrepresented racially and ethnically diverse teachers in the
207.9 economic development region of the state where the institution is located and where a
207.10 shortage of diverse teachers exists, as reported under section 122A.091, subdivision 5.

207.11 (b) The board must not penalize an applicant institution in the grant review process for
207.12 using grant funds only to provide direct financial support to teacher candidates if that is the
207.13 institution's priority and the institution uses other resources to provide programmatic support
207.14 to candidates.

207.15 (c) The board must determine award amounts for development, maintenance and, or
207.16 expansion of programs based only on the degree to which applicants meet the criteria in
207.17 this subdivision, the number of candidates who are of color or who are American Indian
207.18 supported by an applicant program, ~~sustaining support for those candidates,~~ and funds
207.19 available.

207.20 (d) The board must determine grant awards in part by multiplying the number of teacher
207.21 candidates to be provided direct financial assistance by the average amount the institution
207.22 proposes per candidate that is within the allowable dollar range. After assessing an
207.23 institution's adherence to grant criteria and funds available, the board may grant an institution
207.24 a lower average amount per candidate and the institution may decide to award less per
207.25 candidate or provide financial assistance to fewer candidates within the allowable range.
207.26 Additionally, an institution may use up to 25 percent of the awarded grant funds to provide
207.27 programmatic support as described in paragraph (a), clause (3). If the board does not award
207.28 an applicant institution's full request, the board must allow the institution to modify how it
207.29 uses grant funds to maximize program outcomes consistent with the requirements of this
207.30 section.

207.31 **Subd. 3. Grant program administration.** (a) The Professional Educator Licensing and
207.32 Standards Board may enter into an interagency agreement with the Office of Higher
207.33 Education. The agreement may include a transfer of funds to the Office of Higher Education
207.34 to help establish and administer the competitive grant process. The board must award grants

to institutions located in various economic development regions throughout the state, but must not predetermine the number of institutions to be awarded grants under this section or set a limit for the amount that any one institution may receive as part of the competitive grant application process.

(b) The board must establish a standard allowable dollar range for the amount of direct financial assistance an applicant institution may provide to each candidate. To determine the range, the board may collect de-identified data from institutions that received a grant during the previous grant period and calculate the average scholarship amount awarded to all candidates across all institutions using the most recent fiscal year data available. The calculation may be used to determine a scholarship range that is no more than 25 percent of this amount and no less than half the average of this amount. The purpose of direct financial assistance is to assist candidates matriculating through completing licensure programs if they demonstrate financial need after considering other grants and scholarships provided.

(c) All grants must be awarded by August 15 of the fiscal year in which the grants are to be used except that, for initial competitive grants awarded for fiscal year 2020, grants must be awarded by September 15. An institution that receives a grant under this section may use the grant funds over a two- to four-year period to sustain support for teacher candidates at any stage from recruitment and program admission to graduation and licensure application.

Subd. 4. **Report.** (a) By ~~January~~ August 15 of each year, an institution awarded a grant under this section must prepare for the ~~legislature and the board~~ a detailed report regarding the expenditure of grant funds, including the amounts used to recruit, retain, and ~~induct~~ support teacher candidates of color or ~~who are~~ American Indian teacher candidates to complete programs and be recommended for licensure. The report must include:

(1) the total number of teacher candidates of color, disaggregated by race or ethnic group, who and American Indian teacher candidates who:

(i) are enrolled in the institution;

(ii) are supported by grant funds with direct financial assistance during the academic reporting year;

(iii) are supported with other programmatic supports;

(iv) are recruited to the institution, are and newly admitted to the a licensure program, are enrolled in the;

209.1 (v) are enrolled in a licensure program;

209.2 (vi) have completed a licensure program,~~have completed student teaching, have~~
209.3 ~~graduated, are licensed, and are newly employed as Minnesota teachers in their licensure~~
209.4 ~~field. A grant recipient must report; and~~

209.5 (vii) were recommended for licensure in the field for which they were prepared;

209.6 (2) the total number of teacher candidates of color or who are American Indian teacher
209.7 candidates at each stage from recruitment program admission to licensed teaching licensure
209.8 recommendation as a percentage of total all candidates seeking the same licensure at the
209.9 institution; and

209.10 (3) a brief narrative describing the successes and challenges of efforts proposed in the
209.11 grant application to support candidates with grant funds, and lessons learned for future
209.12 efforts.

209.13 (b) By November 1 of each year, the board must post a report on its website summarizing
209.14 the activities and outcomes of grant recipients and results that promote sharing of effective
209.15 practices and lessons learned among grant recipients.

209.16 Sec. 56. Minnesota Statutes 2022, section 122A.69, is amended to read:

209.17 **122A.69 PRACTICE OR STUDENT TEACHERS.**

209.18 The Professional Educator Licensing and Standards Board may, by agreements with
209.19 teacher preparation institutions, arrange for classroom experience in the district for practice
209.20 or student teachers ~~who have completed at least two years of~~ in an approved teacher
209.21 preparation program. Such practice and student teachers must be appropriately supervised
209.22 by a fully qualified teacher under rules adopted by the board. A practice or student teacher
209.23 must be placed with a cooperating licensed teacher who has at least three years of teaching
209.24 experience and is not in the improvement process under section 122A.40, subdivision 8,
209.25 paragraph (b), clause (12), or 122A.41, subdivision 5, paragraph (b), clause (12). Practice
209.26 and student teachers are employees of the school district in which they are rendering services
209.27 for purposes of workers' compensation; liability insurance, if provided for other district
209.28 employees under section 123B.23; and legal counsel under section 123B.25.

210.1 Sec. 57. Minnesota Statutes 2022, section 122A.70, is amended to read:

210.2 **122A.70 TEACHER MENTORSHIP AND RETENTION OF EFFECTIVE**
210.3 **TEACHERS.**

210.4 Subdivision 1. **Teacher mentoring, induction, and retention programs.** (a) School
210.5 districts must develop teacher mentoring programs for teachers new to the profession or
210.6 district, including teaching residents, teachers of color, teachers who are American Indian,
210.7 teachers in license shortage areas, teachers with special needs, or experienced teachers in
210.8 need of peer coaching.

210.9 (b) Teacher mentoring programs must be included in or aligned with districts' teacher
210.10 evaluation and peer review processes under sections 122A.40, subdivision 8, and 122A.41,
210.11 subdivision 5. A district may use staff development revenue under section 122A.61, special
210.12 grant programs established by the legislature, or another funding source to pay a stipend to
210.13 a mentor who may be a current or former teacher who has taught at least three years and is
210.14 not on an improvement plan. ~~Other initiatives using such funds or funds available under~~
210.15 ~~sections 124D.861 and 124D.862 may include:~~

210.16 ~~(1) additional stipends as incentives to mentors of color or who are American Indian;~~

210.17 ~~(2) financial supports for professional learning community affinity groups across schools~~
210.18 ~~within and between districts for teachers from underrepresented racial and ethnic groups to~~
210.19 ~~come together throughout the school year. For purposes of this section, "affinity groups"~~
210.20 ~~are groups of educators who share a common racial or ethnic identity in society as persons~~
210.21 ~~of color or who are American Indian;~~

210.22 ~~(3) programs for induction aligned with the district or school mentorship program during~~
210.23 ~~the first three years of teaching, especially for teachers from underrepresented racial and~~
210.24 ~~ethnic groups; or~~

210.25 ~~(4) grants supporting licensed and nonlicensed educator participation in professional~~
210.26 ~~development, such as workshops and graduate courses, related to increasing student~~
210.27 ~~achievement for students of color and American Indian students in order to close opportunity~~
210.28 ~~and achievement gaps.~~

210.29 (c) ~~A school or district that receives a grant must negotiate additional retention strategies~~
210.30 ~~or protection from unrequested leave of absences in the beginning years of employment for~~
210.31 ~~teachers of color and teachers who are American Indian. Retention strategies may include~~
210.32 ~~providing financial incentives for teachers of color and teachers who are American Indian~~
210.33 ~~to work in the school or district for at least five years and placing American Indian educators~~

211.1 ~~at sites with other American Indian educators and educators of color at sites with other~~
211.2 ~~educators of color to reduce isolation and increase opportunity for collegial support.~~

211.3 Subd. 2. **Board grants.** The Professional Educator Licensing and Standards Board must
211.4 make grant application forms available to sites interested in developing, sustaining, or
211.5 expanding a mentorship program. A school district; a or group of school districts; a coalition
211.6 ~~of districts, teachers, and teacher education institutions; or,~~ a school or coalition of schools,
211.7 or a coalition of teachers, or nonlicensed educators may apply for a program grant. A higher
211.8 education institution or nonprofit organization may partner with a grant applicant but is not
211.9 eligible as a sole applicant for grant funds. The Professional Educator Licensing and
211.10 Standards Board, in consultation with the teacher mentoring task force, must approve or
211.11 disapprove the applications. To the extent possible, the approved applications must reflect
211.12 effective mentoring, professional development, and retention components, and be
211.13 geographically distributed throughout the state. The Professional Educator Licensing and
211.14 Standards Board must encourage the selected sites to consider the use of its assessment
211.15 procedures.

211.16 Subd. 2a. **Funded work.** (a) Grant funds may be used for the following:

211.17 (1) additional stipends as incentives to mentors who are of color or who are American
211.18 Indian;

211.19 (2) financial supports for professional learning community affinity groups across schools
211.20 within and between districts for educators from underrepresented racial and ethnic groups
211.21 to come together throughout the school year. For purposes of this section, "affinity groups"
211.22 means groups of licensed and nonlicensed educators who share a common racial or ethnic
211.23 identity in society as persons who are of color or who are American Indian;

211.24 (3) programs for induction aligned with the district or school mentorship program during
211.25 the first three years of teaching, especially for teachers from underrepresented racial and
211.26 ethnic groups;

211.27 (4) professional development focused on ways to close opportunity and achievement
211.28 gaps for students of color and American Indian students; or

211.29 (5) for teachers of color and American Indian teachers, graduate courses toward a first
211.30 master's degree in a field related to their licensure or toward an additional license.

211.31 (b) A charter school or district that receives a grant must negotiate additional retention
211.32 strategies or protection from unrequested leaves of absence in the beginning years of
211.33 employment for teachers who are of color or who are American Indian. Retention strategies

212.1 may include providing financial incentives for teachers of color and teachers who are
212.2 American Indian to work in the school or district for at least five years and placing American
212.3 Indian educators at sites with other American Indian educators and educators of color at
212.4 sites with other educators of color to reduce isolation and increase opportunity for collegial
212.5 support.

212.6 Subd. 3. **Criteria for selection.** (a) At a minimum, applicants for grants under subdivision
212.7 2 must express commitment to:

212.8 (1) allow staff participation;

212.9 (2) assess skills of both beginning and mentor teachers;

212.10 (3) provide appropriate in-service to needs identified in the assessment;

212.11 (4) provide leadership to the effort;

212.12 (5) cooperate with higher education institutions or teacher educators;

212.13 (6) provide facilities and other resources;

212.14 (7) share findings, materials, and techniques with other school districts; and

212.15 (8) retain teachers of color and teachers who are American Indian.

212.16 (b) The Professional Educator Licensing and Standards Board must give priority to
212.17 applications to fund programs to induct, mentor, and retain Tier 2 or Tier 3 teachers who
212.18 are of color or who are American Indian, and Tier 2 or Tier 3 teachers in licensure shortage
212.19 areas within the applicant's economic development region.

212.20 Subd. 4. **Additional funding.** Grant applicants must seek additional funding and
212.21 assistance from sources such as school districts, postsecondary institutions, foundations,
212.22 and the private sector.

212.23 Subd. 5. **Program implementation.** A grant recipient may use grant funds on
212.24 implementing activities over a period of time up to 24 months. New and expanding
212.25 mentorship sites that receive a board grant under subdivision 2 to design, develop, implement,
212.26 and evaluate their program must participate in activities that support program development
212.27 and implementation.

212.28 Subd. 5a. **Grant program administration.** The Professional Educator Licensing and
212.29 Standards Board may enter into an interagency agreement with the Office of Higher
212.30 Education or the Department of Education. The agreement may include a transfer of funds
212.31 to the Office of Higher Education or the Department of Education to help administer the
212.32 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 that meets the requirements of paragraph (c) to establish a Grow Your Own pathway for adults to obtain their first professional teaching license. 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.

(c) A grantee must partner with:

(1) a Professional Educator Licensing and Standards Board-approved teacher preparation program;

(2) a Council for the Accreditation of Educator Preparation-accredited teacher preparation program from a private, not for profit, institution of higher education; or

(3) an institution that has an articulated transfer pathway with a board-approved teacher preparation program.

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

214.1 Sec. 59. Minnesota Statutes 2022, section 122A.73, subdivision 3, is amended to read:

214.2 Subd. 3. **Grants for programs serving secondary school students.** (a) ~~In addition to~~
214.3 ~~grants for developing and offering dual-credit postsecondary course options in schools for~~
214.4 ~~"Introduction to Teaching" or "Introduction to Education" courses under section 124D.09,~~
214.5 ~~subdivision 10,~~ A school district or charter school may apply for grants under this section
214.6 to offer other innovative programs that encourage secondary school students, especially
214.7 students of color and American Indian students, to pursue teaching. To be eligible for a
214.8 grant under this subdivision, ~~a school district or charter school~~ an applicant must ensure
214.9 that the aggregate percentage of secondary school students of color and American Indian
214.10 students participating in the program is equal to or greater than the aggregate percentage of
214.11 students of color and American Indian students in the school district ~~or~~, charter school, or
214.12 cooperative unit.

214.13 (b) A grant recipient must use grant funds awarded under this subdivision for:

214.14 (1) supporting future teacher clubs or service-learning opportunities that provide middle
214.15 and high school students with experiential learning that supports the success of younger
214.16 students or peers and increases students' interest in pursuing a teaching career;

214.17 (2) developing and offering postsecondary enrollment options for "Introduction to
214.18 Teaching" or "Introduction to Education" courses consistent with section 124D.09,
214.19 subdivision 10, that meet degree requirements for teacher licensure;

214.20 ~~(2)~~ (3) providing direct support, including wrap-around services, for students who are
214.21 of color or American Indian to enroll and be successful in postsecondary enrollment options
214.22 courses under section 124D.09 that would meet degree requirements for teacher licensure;
214.23 or

214.24 ~~(3)~~ (4) offering scholarships to graduating high school students who are of color or
214.25 American Indian to enroll in board-approved undergraduate teacher preparation programs
214.26 at a college or university in Minnesota.

214.27 (c) The maximum grant award under this subdivision is \$500,000. The commissioner
214.28 may consider the number of participants a grant recipient intends to support when determining
214.29 a grant amount.

214.30 **EFFECTIVE DATE.** This section is effective July 1, 2024.

215.1 Sec. 60. Minnesota Statutes 2022, section 122A.73, subdivision 5, is amended to read:

215.2 Subd. 5. **Grow Your Own program account.** (a) An account is established in the special
215.3 revenue fund known as the "Grow Your Own program account."

215.4 (b) Funds appropriated for the Grow Your Own program under this section must be
215.5 transferred to the Grow Your Own program account in the special revenue fund.

215.6 (c) Money in the account is annually appropriated to the commissioner for the Grow
215.7 Your Own program under this section. Any returned funds are available to be regranted.
215.8 Grant recipients may apply to use grant money over a period of up to 60 months.

215.9 (d) Up to ~~\$100,000~~ \$175,000 annually is appropriated to the commissioner for costs
215.10 associated with administering and monitoring the program under this section.

215.11 Sec. 61. **[122A.731] SPECIAL EDUCATION TEACHER PIPELINE PROGRAM.**

215.12 Subdivision 1. **Grant program established.** The commissioner of education must
215.13 administer a grant program to develop a pipeline of trained, licensed Tier 3 or Tier 4 special
215.14 education teachers. A school district, charter school, or cooperative unit under section
215.15 123A.24, subdivision 2, may apply for a grant under this section. An applicant must partner
215.16 with:

215.17 (1) a Professional Educator Licensing and Standards Board-approved teacher preparation
215.18 program;

215.19 (2) a Council for the Accreditation of Educator Preparation-accredited teacher preparation
215.20 program from a private, not for profit, institution of higher education; or

215.21 (3) an institution that has an articulated transfer pathway with a board-approved teacher
215.22 preparation program.

215.23 Subd. 2. **Grant uses.** (a) A grant recipient must use grant funds to support participants
215.24 who are employed by the grant recipient as either a paraprofessional or other unlicensed
215.25 staff, or a teacher with a Tier 1 or Tier 2 license, and demonstrate a willingness to be a
215.26 special education teacher after completing the program.

215.27 (b) A grant recipient may use grant funds for:

215.28 (1) tuition assistance or stipends for participants;

215.29 (2) supports for participants, including mentoring, licensure test preparation, and
215.30 technology support; or

215.31 (3) participant recruitment.

216.1 Subd. 3. **Grant procedure.** (a) Applicants must apply for a grant under this section in
216.2 the form and manner specified by the commissioner.

216.3 (b) In awarding grants, the commissioner must prioritize funding for training to allow
216.4 participants holding a Tier 1 or Tier 2 special education license to obtain a Tier 3 special
216.5 education license.

216.6 (c) To the extent that there are sufficient applications, the commissioner must, to the
216.7 extent practicable, award an equal number of grants between applicants in greater Minnesota
216.8 and applicants in the metropolitan area.

216.9 Subd. 4. **Report.** Within one year of receiving grant funds, and for each year that a
216.10 recipient receives grant funds, a grant recipient must report to the commissioner in the form
216.11 and manner determined by the commissioner the number of participants in the program and
216.12 how grant funds were used. The commissioner must publish an annual report that identifies
216.13 the grant recipients and summarizes how grant funds are used.

216.14 Subd. 5. **Special education teacher pipeline program account.** (a) An account is
216.15 established in the special revenue fund known as the special education teacher pipeline
216.16 program account.

216.17 (b) Funds appropriated for the special education teacher pipeline program under this
216.18 section must be transferred to the special educator teacher pipeline program account in the
216.19 special revenue fund.

216.20 (c) Money in the account is annually appropriated to the commissioner for the special
216.21 education teacher pipeline program under this section. Any returned funds are available to
216.22 be regranted. Grant recipients may apply to use grant money over a period of up to 60
216.23 months.

216.24 (d) Up to \$175,000 annually is appropriated to the commissioner for costs associated
216.25 with administering and monitoring the program under this section.

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

216.27 Sec. 62. Minnesota Statutes 2022, section 123B.147, subdivision 3, is amended to read:

216.28 Subd. 3. **Duties; evaluation.** (a) The principal shall provide administrative, supervisory,
216.29 and instructional leadership services, under the supervision of the superintendent of schools
216.30 of the district and according to the policies, rules, and regulations of the school board, for
216.31 the planning, management, operation, and evaluation of the education program of the building
216.32 or buildings to which the principal is assigned.

217.1 (b) To enhance a principal's culturally responsive leadership skills and support and
217.2 improve teaching practices, school performance, and student achievement for diverse student
217.3 populations, including at-risk students, children with disabilities, English learners, and gifted
217.4 students, among others, a district must develop and implement a performance-based system
217.5 for annually evaluating school principals assigned to supervise a school building within the
217.6 district. The evaluation must be designed to improve teaching and learning by supporting
217.7 the principal in shaping the school's professional environment and developing teacher
217.8 quality, performance, and effectiveness. The annual evaluation must:

217.9 (1) support and improve a principal's instructional leadership, organizational management,
217.10 and professional development, and strengthen the principal's capacity in the areas of
217.11 instruction, supervision, evaluation, and teacher development;

217.12 (2) support and improve a principal's culturally responsive leadership practices that
217.13 create inclusive and respectful teaching and learning environments for all students, families,
217.14 and employees;

217.15 ~~(2)~~ (3) include formative and summative evaluations based on multiple measures of
217.16 student progress toward career and college readiness;

217.17 ~~(3)~~ (4) be consistent with a principal's job description, a district's long-term plans and
217.18 goals, and the principal's own professional multiyear growth plans and goals, all of which
217.19 must support the principal's leadership behaviors and practices, rigorous curriculum, school
217.20 performance, and high-quality instruction;

217.21 ~~(4)~~ (5) include on-the-job observations and previous evaluations;

217.22 ~~(5)~~ (6) allow surveys to help identify a principal's effectiveness, leadership skills and
217.23 processes, and strengths and weaknesses in exercising leadership in pursuit of school success;

217.24 ~~(6)~~ (7) use longitudinal data on student academic growth as 35 percent of the evaluation
217.25 and incorporate district achievement goals and targets;

217.26 ~~(7)~~ (8) be linked to professional development that emphasizes improved teaching and
217.27 learning, curriculum and instruction, student learning, culturally responsive leadership
217.28 practices, and a collaborative professional culture; and

217.29 ~~(8)~~ (9) for principals not meeting standards of professional practice or other criteria
217.30 under this subdivision, implement a plan to improve the principal's performance and specify
217.31 the procedure and consequence if the principal's performance is not improved.

218.1 The provisions of this paragraph are intended to provide districts with sufficient flexibility
218.2 to accommodate district needs and goals related to developing, supporting, and evaluating
218.3 principals.

218.4 **EFFECTIVE DATE.** This section is effective July 1, 2024.

218.5 Sec. 63. **[124D.901] STUDENT SUPPORT PERSONNEL AID.**

218.6 Subdivision 1. **Definitions.** For the purposes of this section, the following terms have
218.7 the meanings given:

218.8 (1) "new position" means a student support services personnel full-time or part-time
218.9 position not under contract by a school district, charter school, or cooperative unit at the
218.10 start of the 2022-2023 school year;

218.11 (2) "part-time position" means a student support services personnel position less than
218.12 1.0 full-time equivalent at the start of the 2022-2023 school year;

218.13 (3) "American Rescue Plan Act" means the federal American Rescue Plan Act of 2021,
218.14 Public Law 117-2, that awarded funds; and

218.15 (4) "student support services personnel" means an individual licensed to serve as a school
218.16 counselor, school psychologist, school social worker, school nurse, or chemical dependency
218.17 counselor in Minnesota.

218.18 Subd. 2. **Purpose.** The purpose of student support personnel aid is to:

218.19 (1) address shortages of student support services personnel within Minnesota schools;

218.20 (2) decrease caseloads for existing student support services personnel to ensure effective
218.21 services;

218.22 (3) ensure that students receive effective student support services and integrated and
218.23 comprehensive services to improve prekindergarten through grade 12 academic, physical,
218.24 social, and emotional outcomes supporting career and college readiness and effective school
218.25 mental health services;

218.26 (4) ensure that student support services personnel serve within the scope and practice
218.27 of their training and licensure;

218.28 (5) fully integrate learning supports, instruction, assessment, data-based decision making,
218.29 and family and community engagement within a comprehensive approach that facilitates
218.30 interdisciplinary collaboration; and

219.1 (6) improve student health, school safety, and school climate to support academic success
219.2 and career and college readiness.

219.3 Subd. 3. **Student support personnel aid.** (a) The initial student support personnel aid
219.4 for a school district equals the greater of the student support personnel allowance times the
219.5 adjusted pupil units at the district for the current fiscal year or \$40,000. The initial student
219.6 support personnel aid for a charter school equals the greater of the student support personnel
219.7 allowance times the adjusted pupil units at the charter school for the current fiscal year or
219.8 \$20,000.

219.9 (b) The cooperative student support personnel aid for a school district that is a member
219.10 of an intermediate school district or other cooperative unit that serves students equals the
219.11 greater of the cooperative student support allowance times the adjusted pupil units at the
219.12 district for the current fiscal year or \$40,000. If a district is a member of more than one
219.13 cooperative unit that serves students, the revenue must be allocated among the cooperative
219.14 units.

219.15 (c) The student support personnel allowance equals \$11.94 for fiscal year 2024, \$17.08
219.16 for fiscal year 2025, and \$48.73 for fiscal year 2026 and later.

219.17 (d) The cooperative student support allowance equals \$0.60 for fiscal year 2024, \$0.85
219.18 for fiscal year 2025, and \$2.44 for fiscal year 2026 and later.

219.19 (e) Notwithstanding paragraphs (a) and (b), the student support personnel aid must not
219.20 exceed the district's, charter school's, or cooperative unit's actual expenditures.

219.21 Subd. 4. **Allowed uses.** (a) Aid under this section must be used to hire new positions
219.22 for student support services personnel or increase a current position that is less than 1.0
219.23 full-time equivalent to a greater number of service hours or make permanent a position hired
219.24 using onetime resources awarded through the federal Coronavirus Aid Relief and Economic
219.25 Security Act, the federal Consolidated Appropriations Act, the federal Division
219.26 M-Coronavirus Response and Relief Supplemental Appropriations Act, or the federal
219.27 American Rescue Plan Act, or to maintain a position that would otherwise be eliminated.

219.28 (b) Cooperative student support personnel aid must be transferred to the intermediate
219.29 district or other cooperative unit of which the district is a member and used to hire new
219.30 positions for student support services personnel or increase a current position that is less
219.31 than 1.0 full-time equivalent to a greater number of service hours or make permanent a
219.32 position hired using onetime resources awarded through the American Rescue Plan Act at
219.33 the intermediate district or cooperative unit.

220.1 (c) If a school district, charter school, or cooperative unit does not receive at least two
220.2 applications and is not able to hire a new full-time equivalent position with student support
220.3 personnel aid, the aid may be used for contracted services from individuals licensed to serve
220.4 as a school counselor, school psychologist, school social worker, school nurse, or chemical
220.5 dependency counselor in Minnesota.

220.6 Subd. 5. **Report required.** By February 1 following any fiscal year in which student
220.7 support personnel aid was received, a school district, charter school, or cooperative unit
220.8 must submit a written report to the commissioner indicating how the new position affected
220.9 two or more of the following measures:

220.10 (1) school climate;

220.11 (2) student health;

220.12 (3) attendance rates;

220.13 (4) academic achievement;

220.14 (5) career and college readiness; and

220.15 (6) postsecondary completion rates.

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

220.17 Sec. 64. **APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

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

220.21 Subd. 2. **Agricultural educator grants.** (a) For agricultural educator grants under Laws
220.22 2017, First Special Session chapter 5, article 2, section 51:

220.23 \$ 250,000 2024

220.24 \$ 250,000 2025

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

220.26 Subd. 3. **Alternative teacher compensation aid.** (a) For alternative teacher compensation
220.27 aid under Minnesota Statutes, section 122A.415, subdivision 4:

220.28 \$ 88,443,000 2024

220.29 \$ 88,430,000 2025

221.1 (b) The 2024 appropriation includes \$8,824,000 for fiscal year 2023 and \$79,619,000
221.2 for fiscal year 2024.

221.3 (c) The 2025 appropriation includes \$8,846,000 for fiscal year 2024 and \$79,584,000
221.4 for fiscal year 2025.

221.5 Subd. 4. **Black Men Teach Twin Cities.** (a) For a grant to Black Men Teach Twin Cities
221.6 for the purposes listed in paragraph (c):

221.7 \$ 500,000 2024

221.8 \$ 500,000 2025

221.9 (b) Black Men Teach Twin Cities must use the grant to establish partnerships with public
221.10 elementary schools with a goal of increasing the number of black male teachers to 20 percent
221.11 of the teachers at each school site. To the extent possible, Black Men Teach Twin Cities
221.12 must include sites in greater Minnesota, suburban areas, and urban settings.

221.13 (c) The grant money may be used for:

221.14 (1) scholarships for aspiring teachers;

221.15 (2) student teacher stipends;

221.16 (3) mentoring activities;

221.17 (4) professional development, with an emphasis on early literacy training, including best
221.18 practices associated with the science of reading; and

221.19 (5) stipends for housing to allow a teacher to live closer to the teacher's school.

221.20 (d) Black Men Teach Twin Cities must provide a detailed report to the chairs and ranking
221.21 minority members of the legislative committees with jurisdiction over kindergarten through
221.22 grade 12 education and higher education by January 15 of each year following the year of
221.23 the grant describing how the grant funds were used. The report must describe the progress
221.24 made toward the goal of increasing the number of Black male teachers at each school site,
221.25 identify the strategies used to recruit Black teachers, and describe barriers Black men face
221.26 in the teaching profession. The report must be filed in accordance with Minnesota Statutes,
221.27 section 3.195.

221.28 (e) Up to three percent of the appropriation is available for grant administration.

221.29 Subd. 5. **Closing educational opportunity gaps grants.** (a) To support schools in their
221.30 efforts to close opportunity gaps under Minnesota Statutes, section 120B.113:

221.31 \$ 3,000,000 2024

221.32 \$ 3,000,000 2025

222.1 (b) The department may retain up to five percent of this appropriation to administer the
222.2 grant program.

222.3 (c) The base for fiscal year 2026 and later is \$0.

222.4 Subd. 6. **Coalition to Increase Teachers of Color and American Indian Teachers.** (a)
222.5 To the Board of Directors of the Minnesota Humanities Center for a grant to the Coalition
222.6 to Increase Teachers of Color and American Indian Teachers in Minnesota for nonlobbying
222.7 activities and general operating expenses that support the recruitment and retention of
222.8 racially and ethnically diverse teachers underrepresented in the state's workforce:

222.9 \$ 100,000 2024

222.10 \$ 100,000 2025

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

222.12 Subd. 7. **Come Teach in Minnesota hiring bonuses.** (a) For the Come Teach in
222.13 Minnesota hiring bonuses program under Minnesota Statutes, section 122A.59:

222.14 \$ 200,000 2024

222.15 \$ 400,000 2025

222.16 (b) This appropriation is subject to the requirements under Minnesota Statutes, section
222.17 122A.59, subdivision 5.

222.18 Subd. 8. **Concurrent enrollment teacher training program.** (a) For the concurrent
222.19 enrollment teacher partnership under Minnesota Statutes, section 122A.76:

222.20 \$ 375,000 2024

222.21 \$ 375,000 2025

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

222.23 Subd. 9. **Expanded concurrent enrollment grants.** (a) For grants to institutions offering
222.24 "Introduction to Teaching" or "Introduction to Education" courses under Minnesota Statutes,
222.25 section 124D.09, subdivision 10, paragraph (b):

222.26 \$ 500,000 2024

222.27 \$ 500,000 2025

222.28 (b) Up to five percent of the grant amount is available for grant administration and
222.29 monitoring.

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

223.1 Subd. 10. **Grow Your Own pathways to teacher licensure grants.** (a) For grants to
223.2 develop, continue, or expand Grow Your Own new teacher programs under Minnesota
223.3 Statutes, section 122A.73, to develop a teaching workforce that more closely reflects the
223.4 state's increasingly diverse student population and ensure all students have equitable access
223.5 to effective and diverse teachers:

223.6 \$ 25,000,000 2024

223.7 \$ 25,000,000 2025

223.8 (b) This appropriation is subject to the requirements under Minnesota Statutes, section
223.9 122A.73, subdivision 5.

223.10 (c) The base for fiscal year 2026 and later is \$31,954,000.

223.11 Subd. 11. **Reimbursements for teacher licensing and exam fees.** (a) For reducing
223.12 financial burdens for aspiring teachers by funding costs associated with Minnesota teacher
223.13 licensing exams and first professional teacher license fees for newly graduated teachers:

223.14 \$ 1,400,000 2024

223.15 \$ 0 2025

223.16 (b) The commissioner must establish a process for newly licensed teachers to be
223.17 reimbursed for expenses related to:

223.18 (1) application fees to the board for initial licensure; and

223.19 (2) exam fees for required licensure exams to obtain a teaching license in Minnesota.

223.20 (c) Up to \$50,000 is available for administration, including contracts.

223.21 (d) This is a onetime appropriation and is available until June 30, 2027.

223.22 Subd. 12. **Special education teacher pipeline.** (a) For grants to develop special education
223.23 teacher pipelines across Minnesota under Minnesota Statutes, section 122A.731:

223.24 \$ 20,000,000 2024

223.25 \$ 10,000,000 2025

223.26 (b) This appropriation is subject to the requirements under Minnesota Statutes, section
223.27 122A.731, subdivision 5.

223.28 (c) The base for fiscal year 2026 is \$0 and the base for fiscal year 2027 is \$10,000,000.

223.29 Subd. 13. **Statewide teacher mentoring program.** (a) For a statewide teacher induction
223.30 and mentoring program:

224.1 \$ 9,940,000 2024

224.2 \$ 0 2025

224.3 (b) Funds may be used for:

224.4 (1) competitive grants to Minnesota regional partners, including institutions of higher
224.5 education, regional service cooperatives, other district or charter collaboratives, and
224.6 professional organizations, to provide mentoring supports for new teachers, on-the-ground
224.7 training, technical assistance, and networks or communities of practice for local new teachers,
224.8 districts, and charter schools to implement Minnesota's induction model;

224.9 (2) competitive grants to school districts to fund Teacher of Record mentorships to Tier
224.10 1 special education teachers, including training and supervision; and

224.11 (3) contracts with national content experts and research collaboratives to assist in
224.12 developing Minnesota's induction model, to provide ongoing training to mentors and
224.13 principals, and to evaluate the program over time.

224.14 (c) Up to five percent of the appropriation is available for grant administration.

224.15 (d) This is a onetime appropriation and is available until June 30, 2027.

224.16 Subd. 14. Student support personnel aid. (a) For aid to support schools in addressing
224.17 students' social, emotional, and physical health under Minnesota Statutes, section 124D.901:

224.18 \$ 29,138,000 2024

224.19 \$ 35,270,000 2025

224.20 (b) The 2024 appropriation includes \$0 for fiscal year 2023 and \$29,138,000 for fiscal
224.21 year 2024.

224.22 (c) The 2025 appropriation includes \$3,237,000 for fiscal year 2024 and \$32,033,000
224.23 for fiscal year 2025.

224.24 Subd. 15. Student support personnel workforce pipeline. (a) For a grant program to
224.25 develop a student support personnel workforce pipeline focused on increasing school
224.26 psychologists, school nurses, school counselors, and school social workers of color and
224.27 Indigenous providers, professional respecialization, recruitment, and retention:

224.28 \$ 5,000,000 2024

224.29 \$ 5,000,000 2025

224.30 (b) Of the amount in paragraph (a), \$150,000 is for providing support to school nurses
224.31 across the state.

225.1 (c) To the extent practicable, the pipeline grants must be used to support equal numbers
225.2 of students pursuing careers as school psychologists, school nurses, school counselors, and
225.3 school social workers.

225.4 (d) For grants awarded under this subdivision to school psychologists, the following
225.5 terms have the meanings given:

225.6 (1) "eligible designated trainee" means an individual enrolled in a NASP-approved or
225.7 APA-accredited school psychology program granting educational specialist certificates or
225.8 doctoral degrees in school psychology;

225.9 (2) "practica" means an educational experience administered and evaluated by the
225.10 graduate training program, with university and site supervision by appropriately credentialed
225.11 school psychologists, to develop trainees' competencies to provide school psychological
225.12 services based on the graduate program's goals and competencies relative to accreditation
225.13 and licensure requirements; and

225.14 (3) "eligible employment" means a paid position within a school or local education
225.15 agency directly related to the training program providing direct or indirect school psychology
225.16 services. Direct services include assessment, intervention, prevention, or consultation services
225.17 to students or their family members and educational staff. Indirect services include
225.18 supervision, research and evaluation, administration, program development, technical
225.19 assistance, or professional learning to support direct services.

225.20 (e) Grants awarded to school psychologists must be used for:

225.21 (1) the provision of paid, supervised, and educationally meaningful practica in a public
225.22 school setting for an eligible designated trainee enrolled in a qualifying program within the
225.23 grantee's institution;

225.24 (2) to support student recruitment and retention to enroll and hire an eligible designated
225.25 trainee for paid practica in public school settings; and

225.26 (3) oversight of trainee practica and professional development by the qualifying institution
225.27 to ensure the qualifications and conduct by an eligible designated trainee meet requirements
225.28 set forth by the state and accrediting agencies.

225.29 (f) Upon successful completion of the graduate training program, grants awarded to
225.30 school psychologists must maintain eligible employment within Minnesota for a minimum
225.31 period of one-year full-time equivalent for each academic year of paid traineeship under
225.32 the grant program.

225.33 (g) Up to \$150,000 of the appropriation is available for grant administration.

226.1 Subd. 16. **Teacher residency program.** (a) For the teacher residency program that meets
226.2 the requirements of Minnesota Rules, part 8705.2100, subpart 2, item D, subitem (5), unit
226.3 (g):

226.4 \$ 3,000,000 2024

226.5 \$ 3,000,000 2025

226.6 (b) Up to three percent of the appropriation is available for grant administration.

226.7 (c) Any balance does not cancel but is available in the following fiscal year.

226.8 Sec. 65. **APPROPRIATIONS; PROFESSIONAL EDUCATOR LICENSING AND**
226.9 **STANDARDS BOARD.**

226.10 Subdivision 1. **Professional Educator Licensing and Standards Board.** The sums
226.11 indicated in this section are appropriated from the general fund to the Professional Educator
226.12 Licensing and Standards Board for the fiscal years designated.

226.13 Subd. 2. **Alternative pathways support position.** To fund a new position at the
226.14 Professional Educator Licensing and Standards Board to support candidates through
226.15 alternative pathway programs, including the licensure via portfolio process, and to support
226.16 districts, charter schools, and educational cooperatives to become alternative preparation
226.17 providers:

226.18 \$ 150,000 2024

226.19 \$ 150,000 2025

226.20 Subd. 3. **Collaborative urban and greater Minnesota educators of color grants.** (a)
226.21 For collaborative urban and greater Minnesota educators of color competitive grants under
226.22 Minnesota Statutes, section 122A.635:

226.23 \$ 5,440,000 2024

226.24 \$ 5,440,000 2025

226.25 (b) The board may retain up to \$100,000 of the appropriation amount to monitor and
226.26 administer the grant program.

226.27 (c) Any balance does not cancel but is available in the following fiscal year.

226.28 Subd. 4. **Heritage language and culture teachers.** To support an additional licensure
226.29 pathway program for heritage language and culture teachers under Minnesota Statutes,
226.30 section 122A.631, including funding for a portfolio liaison and funding for substitute teachers
226.31 on meeting days, portfolio fees, licensure fees, and licensure exam fees for 50 program
226.32 participants:

227.1 \$ 208,000 2024

227.2 \$ 208,000 2025

227.3 Subd. 5. **Licensure via portfolio online platform.** To complete the licensure via portfolio
227.4 online platform to streamline the portfolio submission and review process:

227.5 \$ 150,000 2024

227.6 \$ 150,000 2025

227.7 Subd. 6. **Mentoring, induction, and retention incentive program grants for teachers**
227.8 **of color.** (a) To develop and expand mentoring, induction, and retention programs designed
227.9 for teachers of color or American Indian teachers under Minnesota Statutes, section 122A.70:

227.10 \$ 3,500,000 2024

227.11 \$ 3,500,000 2025

227.12 (b) Any balance does not cancel but is available in the following fiscal year.

227.13 (c) The base for grants under Minnesota Statutes, section 122A.70, for fiscal year 2026
227.14 and later is \$4,500,000, of which at least \$3,500,000 each fiscal year is for grants to develop
227.15 and expand mentoring, induction, and retention programs designed for teachers of color or
227.16 American Indian teachers.

227.17 (d) The board may retain up to three percent of the appropriation amount to monitor and
227.18 administer the grant program.

227.19 Subd. 7. **Pathway preparation grants.** (a) For grants to support teachers holding a Tier
227.20 2 license and seeking a Tier 3 license:

227.21 \$ 400,000 2024

227.22 \$ 400,000 2025

227.23 (b) The following are eligible for grants under this subdivision:

227.24 (1) school districts;

227.25 (2) charter schools;

227.26 (3) service cooperatives; and

227.27 (4) partnerships between one or more teacher preparation providers, school districts, or
227.28 charter schools.

227.29 (c) Grant funds must be used to support teachers holding a Tier 2 license and seeking a
227.30 Tier 3 license through completion of a teacher preparation program or the licensure via
227.31 portfolio process. A grant recipient must provide teachers holding a Tier 2 license with

228.1 professional development, mentorship, and coursework aligned to state standards for teacher
228.2 licensure.

228.3 (d) The Professional Educator Licensing and Standards Board may collaborate with the
228.4 Department of Education and the Office of Higher Education to administer the grant program.

228.5 (e) The board may retain up to three percent of the appropriation amount to monitor and
228.6 administer the grant.

228.7 Subd. 8. **Removing barriers to licensure.** (a) For rulemaking and technology changes
228.8 related to tiered licensure changes:

228.9 \$ 77,000 2024

228.10 (b) This is a onetime appropriation.

228.11 Subd. 9. **Reports on increasing percentage of teachers of color and American Indian**
228.12 **teachers.** (a) To complete reports on state-funded programs to increase the percentage of
228.13 teachers of color and American Indian teachers in Minnesota schools in accordance with
228.14 Minnesota Statutes, section 120B.117, and process reports under Minnesota Statutes, sections
228.15 122A.40, subdivision 3, and 122A.41, subdivision 16:

228.16 \$ 20,000 2024

228.17 \$ 0 2025

228.18 Subd. 10. **Teacher recruitment marketing campaign.** (a) To develop two contracts
228.19 to develop and implement an outreach and marketing campaign under this subdivision:

228.20 \$ 500,000 2024

228.21 \$ 500,000 2025

228.22 (b) The Professional Educator Licensing and Standards Board must issue a request for
228.23 proposals to develop and implement an outreach and marketing campaign to elevate the
228.24 profession and recruit teachers, especially teachers of color and American Indian teachers.
228.25 Outreach efforts should include and support current and former Teacher of the Year finalists
228.26 interested in being recruitment fellows to encourage prospective educators throughout the
228.27 state. The board may renew a grant contract with a prior recipient if it determines sufficient
228.28 deliverables were achieved and the plans of the firm or organization are more promising
228.29 than proposals from other entities.

228.30 (c) The outreach and marketing campaign must focus on increasing interest in teaching
228.31 in Minnesota public schools for the following individuals:

229.1 (1) high school and college students of color or American Indian students who have not
229.2 chosen a career path; or

229.3 (2) adults from racial or ethnic groups underrepresented in the teacher workforce who
229.4 may be seeking to change careers.

229.5 (d) The board must award two \$250,000 grants each year to firms or organizations that
229.6 demonstrate capacity to reach wide and varied audiences of prospective teachers based on
229.7 a work plan with quarterly deliverables. Preferences should be given to firms or organizations
229.8 that are led by people of color and that have people of color working on the campaign with
229.9 a proven record of success. The grant recipients must recognize current pathways or programs
229.10 to become a teacher and must partner with educators, schools, institutions, and racially
229.11 diverse communities. The grant recipients are encouraged to provide in-kind contributions
229.12 or seek funds from nonstate sources to supplement the grant award.

229.13 (e) The board may use no more than three percent of the appropriation amount to
229.14 administer the program under this subdivision, and may have an interagency agreement
229.15 with the Department of Education including transfer of funds to help administer the program.

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

229.17 Sec. 66. **REVISOR INSTRUCTION.**

229.18 The revisor of statutes shall replace the terms "candidate" or "candidates" with "applicant"
229.19 or "applicants" wherever they appear in Minnesota Statutes, sections 122A.09, 122A.18,
229.20 122A.181, 122A.182, 122A.183, 122A.184, 122A.185, 122A.188, 122A.21, and 122A.28.

229.21 Sec. 67. **REPEALER.**

229.22 (a) Minnesota Statutes 2022, sections 122A.07, subdivision 2a; 122A.091, subdivisions
229.23 3 and 6; and 122A.18, subdivision 7c, are repealed.

229.24 (b) Minnesota Rules, part 8710.0500, subparts 8 and 11, are repealed.

229.25 (c) Minnesota Statutes 2022, section 122A.182, subdivision 2, is repealed.

229.26 **EFFECTIVE DATE.** Paragraph (c) is effective July 1, 2024.

ARTICLE 6

CHARTER SCHOOLS

Section 1. Minnesota Statutes 2022, section 124E.02, is amended to read:

124E.02 DEFINITIONS.

(a) For purposes of this chapter, the terms defined in this section have the meanings given them.

(b) "Affidavit" means a written statement the authorizer submits to the commissioner for approval to establish a charter school under section 124E.06, subdivision 4, attesting to its review and approval process before chartering a school.

(c) "Affiliate" means a person that directly or indirectly, through one or more intermediaries, controls, is controlled by, or is under common control with another person.

(d) "Charter management organization" or "CMO" means any nonprofit or for-profit entity that contracts with a charter school board of directors to provide, manage, or oversee all or substantially all of a school's education program or a school's administrative, financial, business, or operational functions.

~~(d)~~ (e) "Control" means the ability to affect the management, operations, or policy actions or decisions of a person, whether by owning voting securities, by contract, or otherwise.

(f) "Educational management organization" or "EMO" means a nonprofit or for-profit entity that provides, manages or oversees all or substantially all of the education program, or the school's administrative, financial, business, or operational functions.

~~(e)~~ (g) "Immediate family" means an individual whose relationship by blood, marriage, adoption, or partnership is no more remote than first cousin.

(h) "Market need and demand study" means a study that includes the following for the proposed locations of the school or additional site:

(1) current and projected demographic information;

(2) student enrollment patterns;

(3) information on existing schools and types of educational programs currently available;

(4) characteristics of proposed students and families;

(5) availability of properly zoned and classified facilities; and

(6) quantification of existing demand for the school or site.

231.1 ~~(f)~~ (i) "Person" means an individual or entity of any kind.

231.2 ~~(g)~~ (j) "Related party" means an affiliate or immediate relative of the other interested
231.3 party, an affiliate of an immediate relative who is the other interested party, or an immediate
231.4 relative of an affiliate who is the other interested party.

231.5 ~~(h)~~ (k) For purposes of this chapter, the terms defined in section 120A.05 have the same
231.6 meanings.

231.7 Sec. 2. Minnesota Statutes 2022, section 124E.03, subdivision 2, is amended to read:

231.8 Subd. 2. **Certain federal, state, and local requirements.** (a) A charter school shall
231.9 meet all federal, state, and local health and safety requirements applicable to school districts.

231.10 (b) A school must comply with statewide accountability requirements governing standards
231.11 and assessments in chapter 120B.

231.12 (c) A charter school must comply with the Minnesota Public School Fee Law, sections
231.13 123B.34 to 123B.39.

231.14 (d) A charter school is a district for the purposes of tort liability under chapter 466.

231.15 (e) A charter school must comply with the Pledge of Allegiance requirement under
231.16 section 121A.11, subdivision 3.

231.17 (f) A charter school and charter school board of directors must comply with chapter 181
231.18 governing requirements for employment.

231.19 (g) A charter school must comply with continuing truant notification under section
231.20 260A.03.

231.21 (h) A charter school must develop and implement a teacher evaluation and peer review
231.22 process under section 122A.40, subdivision 8, paragraph (b), clauses (2) to (13), and place
231.23 students in classrooms in accordance with section 122A.40, subdivision 8, paragraph (d).
231.24 The teacher evaluation process in this paragraph does not create any additional employment
231.25 rights for teachers.

231.26 (i) A charter school must adopt a policy, plan, budget, and process, consistent with
231.27 section 120B.11, to review curriculum, instruction, and student achievement and strive for
231.28 the world's best workforce.

231.29 (j) A charter school is subject to and must comply with the Pupil Fair Dismissal Act,
231.30 sections 121A.40 to 121A.56 and 121A.575.

232.1 Sec. 3. Minnesota Statutes 2022, section 124E.03, is amended by adding a subdivision to
232.2 read:

232.3 Subd. 9. **English learners.** A charter school is subject to and must comply with the
232.4 Education for English Learners Act under sections 124D.58 to 124D.64 as though the charter
232.5 school were a district.

232.6 Sec. 4. Minnesota Statutes 2022, section 124E.05, subdivision 4, is amended to read:

232.7 Subd. 4. **Application content.** (a) To be approved as an authorizer, an applicant must
232.8 include in its application to the commissioner at least the following:

232.9 (1) how the organization carries out its mission by chartering schools;

232.10 (2) a description of the capacity of the organization to serve as an authorizer, including
232.11 the positions allocated to authorizing duties, the qualifications for those positions, the
232.12 full-time equivalencies of those positions, and the financial resources available to fund the
232.13 positions;

232.14 (3) the application and review process the authorizer uses to decide whether to grant
232.15 charters;

232.16 (4) the type of contract it arranges with the schools it charters to meet the provisions of
232.17 section 124E.10;

232.18 (5) the process for overseeing the school, consistent with clause (4), to ensure that the
232.19 schools chartered comply with applicable law and rules and the contract;

232.20 (6) the criteria and process the authorizer uses to approve applications adding grades or
232.21 sites under section 124E.06, subdivision 5;

232.22 (7) the process for renewing or terminating the school's charter based on evidence
232.23 showing the academic, organizational, and financial competency of the school, including
232.24 its success in increasing student achievement and meeting the goals of the charter school
232.25 agreement; and

232.26 (8) an assurance specifying that the organization is committed to serving as an authorizer
232.27 ~~for the full five-year term~~ until the commissioner terminates the organization's ability to
232.28 authorize charter schools under subdivision 6 or the organization formally withdraws as an
232.29 approved authorizer under subdivision 7.

232.30 (b) Notwithstanding paragraph (a), an authorizer that is a school district may satisfy the
232.31 requirements of paragraph (a), clauses (1) and (2), and any requirement governing a conflict
232.32 of interest between an authorizer and its charter schools or ongoing evaluation or continuing

233.1 education of an administrator or other professional support staff by submitting to the
233.2 commissioner a written promise to comply with the requirements.

233.3 Sec. 5. Minnesota Statutes 2022, section 124E.05, subdivision 7, is amended to read:

233.4 Subd. 7. **Withdrawal.** If the governing board of an approved authorizer votes to withdraw
233.5 as an approved authorizer for a reason unrelated to any cause under ~~section 124E.10,~~
233.6 ~~subdivision 4~~ subdivision 6, the authorizer must notify all its chartered schools and the
233.7 commissioner in writing by March 1 of its intent to withdraw as an authorizer on June 30
233.8 in the next calendar year, ~~regardless of when the authorizer's five-year term of approval~~
233.9 ~~ends~~. Upon notification of the schools and commissioner, the authorizer must provide a
233.10 letter to the school for distribution to families of students enrolled in the school that explains
233.11 the decision to withdraw as an authorizer. The commissioner may approve the transfer of
233.12 a charter school to a new authorizer under section 124E.10, subdivision 5.

233.13 Sec. 6. Minnesota Statutes 2022, section 124E.06, subdivision 1, is amended to read:

233.14 Subdivision 1. **Individuals eligible to organize.** (a) An authorizer, after receiving an
233.15 application from a charter school developer, may charter either a licensed teacher under
233.16 section 122A.18, subdivision 1, or a group of individuals that includes one or more licensed
233.17 teachers under section 122A.18, subdivision 1, to operate a school subject to the
233.18 commissioner's approval of the authorizer's affidavit under subdivision 4.

233.19 (b) "Application" under this section means the charter school business plan a charter
233.20 school developer submits to an authorizer for approval to establish a charter school. This
233.21 application must include:

233.22 (1) the ~~school developer's~~ proposed school's:

233.23 (i) ~~mission statement~~ and vision statements;

233.24 (ii) ~~school~~ purposes and goals;

233.25 (iii) educational program design and how the program will improve student learning,
233.26 success, and achievement;

233.27 (iv) plan to address the social and emotional learning needs of students and student
233.28 support services;

233.29 (v) plan to provide special education management and services;

233.30 (vi) plan for staffing the school with appropriately qualified and licensed personnel;

233.31 ~~(iv)~~ (vii) financial plan;

- 234.1 ~~(v)~~ (viii) governance and management structure and plan; and
- 234.2 ~~(vi) background and experience;~~
- 234.3 (ix) market need and demand study; and
- 234.4 (x) plan for ongoing outreach and dissemination of information about the school's
- 234.5 offerings and enrollment procedure to families that reflect the diversity of Minnesota's
- 234.6 population and targeted groups under section 124E.17, subdivision 1, paragraph (a);
- 234.7 (2) the school developer's experience and background, including criminal history and
- 234.8 bankruptcy background checks;
- 234.9 ~~(2)~~ (3) any other information the authorizer requests; and
- 234.10 ~~(3)~~ (4) a "statement of assurances" of legal compliance prescribed by the commissioner.
- 234.11 (c) An authorizer shall not approve an application submitted by a charter school developer
- 234.12 under paragraph (a) if the application does not comply with subdivision 3, paragraph (e),
- 234.13 and section 124E.01, subdivision 1. The commissioner shall not approve an affidavit
- 234.14 submitted by an authorizer under subdivision 4 if the affidavit does not comply with
- 234.15 subdivision 3, paragraph (e), and section 124E.01, subdivision 1.

234.16 Sec. 7. Minnesota Statutes 2022, section 124E.06, subdivision 4, is amended to read:

234.17 Subd. 4. **Authorizer's affidavit; approval process.** (a) Before an operator may establish

234.18 and operate a school, the authorizer must file an affidavit with the commissioner stating its

234.19 intent to charter a school. An authorizer must file a separate affidavit for each school it

234.20 intends to charter. An authorizer must file an affidavit at least 14 months before July 1 of

234.21 the year the new charter school plans to serve students. The affidavit must state:

234.22 (1) the terms and conditions under which the authorizer would charter a school, including

234.23 a market need and demand study; and

234.24 (2) how the authorizer intends to oversee:

234.25 (i) the fiscal and student performance of the charter school; and

234.26 (ii) compliance with the terms of the written contract between the authorizer and the

234.27 charter school board of directors under section 124E.10, subdivision 1.

234.28 (b) The commissioner must approve or disapprove the authorizer's affidavit within 60

234.29 business days of receiving the affidavit. If the commissioner disapproves the affidavit, the

234.30 commissioner shall notify the authorizer of the deficiencies in the affidavit and the authorizer

234.31 then has 20 business days to address the deficiencies. The commissioner must notify the

235.1 authorizer of the commissioner's final approval or final disapproval within 15 business days
235.2 after receiving the authorizer's response to the deficiencies in the affidavit. If the authorizer
235.3 does not address deficiencies to the commissioner's satisfaction, the commissioner's
235.4 disapproval is final. An authorizer who fails to obtain the commissioner's approval is
235.5 precluded from chartering the school that is the subject of this affidavit.

235.6 Sec. 8. Minnesota Statutes 2022, section 124E.06, subdivision 5, is amended to read:

235.7 Subd. 5. **Adding grades or sites.** (a) A charter school may apply to the authorizer to
235.8 amend the school charter to add grades or primary enrollment sites beyond those defined
235.9 in the original affidavit approved by the commissioner. After approving the school's
235.10 application, the authorizer shall submit a supplemental affidavit in the form and manner
235.11 prescribed by the commissioner. The authorizer must file a supplemental affidavit to the
235.12 commissioner by October 1 to be eligible to add grades or sites in the next school year. The
235.13 supplemental affidavit must document to the authorizer's satisfaction:

235.14 (1) the need for the additional grades or sites with supporting long-range enrollment
235.15 projections;

235.16 (2) a longitudinal record of student academic performance and growth on statewide
235.17 assessments under chapter 120B or on other academic assessments that measure longitudinal
235.18 student performance and growth approved by the charter school's board of directors and
235.19 agreed upon with the authorizer;

235.20 (3) a history of sound school finances and a plan to add grades or sites that sustains the
235.21 school's finances; ~~and~~

235.22 (4) board capacity to administer and manage the additional grades or sites; and

235.23 (5) for site expansion, a market need and demand study.

235.24 (b) The commissioner shall have 30 business days to review and comment on the
235.25 supplemental affidavit. The commissioner shall notify the authorizer in writing of any
235.26 deficiencies in the supplemental affidavit and the authorizer then has 20 business days to
235.27 address any deficiencies in the supplemental affidavit to the commissioner's satisfaction.
235.28 The commissioner must notify the authorizer of final approval or final disapproval within
235.29 15 business days after receiving the authorizer's response to the deficiencies in the affidavit.
235.30 The school may not add grades or sites until the commissioner has approved the supplemental
235.31 affidavit. The commissioner's approval or disapproval of a supplemental affidavit is final.

236.1 Sec. 9. Minnesota Statutes 2022, section 124E.10, subdivision 1, is amended to read:

236.2 Subdivision 1. **Contents.** (a) To authorize a charter school, the authorizer and the charter
236.3 school board of directors must sign a written contract within 45 business days of the
236.4 commissioner's approval of the authorizer's affidavit. The authorizer shall submit a copy of
236.5 the charter contract to the commissioner within ten business days after the contract is signed
236.6 by the contracting parties. The contract must include at least the following:

236.7 (1) a declaration that the charter school will carry out the primary purpose in section
236.8 124E.01, subdivision 1, and indicate how the school will report its implementation of the
236.9 primary purpose to its authorizer;

236.10 (2) a declaration of the additional purpose or purposes in section 124E.01, subdivision
236.11 1, that the school intends to carry out and indicate how the school will report its
236.12 implementation of those purposes to its authorizer;

236.13 (3) a description of the school program and the specific academic and nonacademic
236.14 outcomes that pupils must achieve;

236.15 (4) a statement of the school's admission policies and procedures;

236.16 (5) a school governance, management, and administration plan;

236.17 (6) signed agreements from charter school board members to comply with the federal
236.18 and state laws governing organizational, programmatic, and financial requirements applicable
236.19 to charter schools;

236.20 (7) the criteria, processes, and procedures the authorizer will use to monitor and evaluate
236.21 the fiscal, operational, and academic performance, consistent with subdivision 3, paragraphs
236.22 (a) and (b);

236.23 (8) for contract renewal, the formal written performance evaluation that is a prerequisite
236.24 for reviewing a charter contract under subdivision 3;

236.25 (9) types and amounts of insurance liability coverage the charter school must obtain,
236.26 consistent with section 124E.03, subdivision 2, paragraph (d);

236.27 (10) consistent with section 124E.09, paragraph (d), a provision to indemnify and hold
236.28 harmless from any suit, claim, or liability arising from any charter school operation:

236.29 (i) the authorizer and its officers, agents, and employees; and

236.30 (ii) notwithstanding section 3.736, the commissioner and department officers, agents,
236.31 and employees;

237.1 (11) the term of the contract, which, for an initial contract, may be up to five years plus
237.2 a preoperational planning period, or for a renewed contract or a contract with a new authorizer
237.3 after a transfer of authorizers, may be up to five years, if warranted by the school's academic,
237.4 financial, and operational performance;

237.5 (12) how the charter school board of directors or the charter school operators will provide
237.6 special instruction and services for children with a disability under sections 125A.03 to
237.7 125A.24, and 125A.65, and a description of the financial parameters within which the charter
237.8 school will provide the special instruction and services to children with a disability;

237.9 (13) the specific conditions for contract renewal that identify the performance of all
237.10 students under the primary purpose of section 124E.01, subdivision 1, as the most important
237.11 factor in determining whether to renew the contract; and

237.12 (14) the additional purposes under section 124E.01, subdivision 1, and related
237.13 performance obligations under clause (7) contained in the charter contract as additional
237.14 factors in determining whether to renew the contract.

237.15 (b) In addition to the requirements of paragraph (a), the charter contract must contain
237.16 the plan for an orderly closing of the school under chapter 317A, that establishes the
237.17 responsibilities of the school board of directors and the authorizer, whether the closure is a
237.18 termination for cause, a voluntary termination, or a nonrenewal of the contract. The plan
237.19 must establish who is responsible for:

237.20 (1) notifying the commissioner, school district in which the charter school is located,
237.21 and parents of enrolled students about the closure;

237.22 (2) providing parents of enrolled students information and assistance to enable the student
237.23 to re-enroll in another school;

237.24 (3) transferring student records under section 124E.03, subdivision 5, paragraph (b), to
237.25 the student's resident school district; and

237.26 (4) closing financial operations.

237.27 (c) A charter school must design its programs to at least meet the outcomes adopted by
237.28 the commissioner for public school students, including world's best workforce goals under
237.29 section 120B.11, subdivision 1. In the absence of the commissioner's requirements governing
237.30 state standards and benchmarks, the school must meet the outcomes contained in the contract
237.31 with the authorizer. The achievement levels of the outcomes contained in the contract may
237.32 exceed the achievement levels of any outcomes adopted by the commissioner for public
237.33 school students.

238.1 Sec. 10. Minnesota Statutes 2022, section 124E.11, is amended to read:

238.2 **124E.11 ADMISSION REQUIREMENTS AND ENROLLMENT.**

238.3 (a) A charter school, including its preschool or prekindergarten program established
238.4 under section 124E.06, subdivision 3, paragraph (b), may limit admission to:

238.5 (1) pupils within an age group or grade level;

238.6 (2) pupils who are eligible to participate in the graduation incentives program under
238.7 section 124D.68; or

238.8 (3) residents of a specific geographic area in which the school is located when the
238.9 majority of students served by the school are members of underserved populations.

238.10 (b) A charter school, including its preschool or prekindergarten program established
238.11 under section 124E.06, subdivision 3, paragraph (b), ~~shall~~ must enroll an eligible pupil who
238.12 submits a timely application, unless the number of applications exceeds the capacity of a
238.13 program, class, grade level, or building. In this case, pupils must be accepted by lot. The
238.14 charter school must develop and publish, including on its website, a lottery policy and
238.15 process that it must use when accepting pupils by lot.

238.16 (c) Admission to a charter school must be free to any eligible pupil who resides within
238.17 the state. A charter school must give enrollment preference to a Minnesota resident pupil
238.18 over pupils that do not reside in Minnesota. A charter school must require a pupil who does
238.19 not reside in Minnesota to annually apply to enroll in accordance with paragraphs (a) to (f).
238.20 A charter school ~~shall~~ must give enrollment preference to a sibling of an enrolled pupil and
238.21 to a foster child of that pupil's parents and may give preference for enrolling children of the
238.22 school's staff before accepting other pupils by lot. A charter school that is located in Duluth
238.23 township in St. Louis County and admits students in kindergarten through grade 6 must
238.24 give enrollment preference to students residing within a five-mile radius of the school and
238.25 to the siblings of enrolled children. ~~A charter school may give enrollment preference to~~
238.26 ~~children currently enrolled in the school's free preschool or prekindergarten program under~~
238.27 ~~section 124E.06, subdivision 3, paragraph (b), who are eligible to enroll in kindergarten in~~
238.28 ~~the next school year.~~

238.29 (d) A person ~~shall~~ may not be admitted to a charter school (1) as a kindergarten pupil,
238.30 unless the pupil is at least five years of age on September 1 of the calendar year in which
238.31 the school year for which the pupil seeks admission commences; or (2) as a first grade
238.32 student, unless the pupil is at least six years of age on September 1 of the calendar year in
238.33 which the school year for which the pupil seeks admission commences or has completed

239.1 kindergarten; except that a charter school may establish and publish on its website a policy
239.2 for admission of selected pupils at an earlier age, consistent with the enrollment process in
239.3 paragraphs (b) and (c).

239.4 (e) Except as permitted in ~~paragraph (d)~~ paragraphs (d) and (i), a charter school, including
239.5 its preschool or prekindergarten program established under section 124E.06, subdivision
239.6 3, paragraph (b), may not limit admission to pupils on the basis of intellectual ability,
239.7 measures of achievement or aptitude, or athletic ability and may not establish any criteria
239.8 or requirements for admission that are inconsistent with this section.

239.9 (f) The charter school ~~shall~~ must not distribute any services or goods of value to students,
239.10 parents, or guardians as an inducement, term, or condition of enrolling a student in a charter
239.11 school.

239.12 (g) Once a student who resides in Minnesota is enrolled in the school in kindergarten
239.13 through grade 12, or in the school's free preschool or prekindergarten program under section
239.14 124E.06, subdivision 3, paragraph (b), the student is considered enrolled in the school until
239.15 the student formally withdraws or is expelled under the Pupil Fair Dismissal Act in sections
239.16 121A.40 to 121A.56.

239.17 (h) A charter school with at least 90 percent of enrolled students who are eligible for
239.18 special education services and have a primary disability of deaf or hard-of-hearing may
239.19 enroll prekindergarten pupils with a disability under section 126C.05, subdivision 1,
239.20 paragraph (a), and must comply with the federal Individuals with Disabilities Education
239.21 Act under Code of Federal Regulations, title 34, section 300.324, subsection (2), clause
239.22 (iv).

239.23 (i) A charter school serving at least 90 percent of enrolled students who are eligible for
239.24 special education services and have a primary disability of deaf, deafblind, or hard-of-hearing
239.25 may give enrollment preference to students who are eligible for special education services
239.26 and have a primary disability of deaf, deafblind, or hard-of-hearing. The charter school may
239.27 not limit admission based on the student's eligibility for additional special education services.

239.28 Sec. 11. Minnesota Statutes 2022, section 124E.12, subdivision 1, is amended to read:

239.29 Subdivision 1. **Teachers.** A charter school, excluding its preschool or prekindergarten
239.30 program established under section 124E.06, subdivision 3, must employ or contract with
239.31 necessary teachers, as defined by section ~~122A.15, subdivision 1~~, 122A.06, subdivision 2,
239.32 or contract with a cooperative formed under chapter 308A to provide necessary teachers,
239.33 who hold valid licenses to perform the particular service for which they are employed in

240.1 the school. A charter school's preschool or prekindergarten program must employ or contract
240.2 with teachers knowledgeable in early childhood curriculum content, assessment, native and
240.3 English language programs, and instruction established under section 124E.06, subdivision
240.4 3. The commissioner may reduce the charter school's state aid under section 127A.43 if the
240.5 school employs a teacher who is not appropriately licensed or approved by the Professional
240.6 Educator Licensing and Standards Board. The school may employ necessary employees
240.7 who are not required to hold teaching licenses to perform duties other than teaching and
240.8 may contract for other services. The school may discharge teachers and nonlicensed
240.9 employees. The charter school board is subject to section 181.932 governing whistle-blowers.
240.10 When offering employment to a prospective employee, a charter school must give that
240.11 employee a written description of the terms and conditions of employment and the school's
240.12 personnel policies.

240.13 Sec. 12. Minnesota Statutes 2022, section 124E.13, subdivision 1, is amended to read:

240.14 Subdivision 1. **Leased space.** A charter school may lease space from: an independent
240.15 or special school board; other public organization; private, nonprofit, nonsectarian
240.16 organization; private property owner; or a sectarian organization if the leased space is
240.17 constructed as a school facility. In all cases, the eligible lessor must also be the building
240.18 owner. The commissioner must review and approve or disapprove leases in a timely manner
240.19 to determine eligibility for lease aid under section 124E.22.

240.20 Sec. 13. Minnesota Statutes 2022, section 124E.13, subdivision 3, is amended to read:

240.21 Subd. 3. **Affiliated nonprofit building corporation.** (a) An affiliated nonprofit building
240.22 corporation may purchase, expand, or renovate an existing facility to serve as a school or
240.23 may construct a new school facility. A One charter school may organize an affiliated
240.24 nonprofit building corporation that serves only that charter school if the charter school:

240.25 (1) has operated for at least six consecutive years;

240.26 (2) as of June 30, has a net positive unreserved general fund balance in the preceding
240.27 three fiscal years;

240.28 (3) has long-range strategic and financial plans that include enrollment projections for
240.29 at least five years;

240.30 (4) completes a feasibility study of facility options that outlines the benefits and costs
240.31 of each option; and

240.32 (5) has a plan that describes project parameters and budget.

241.1 (b) An affiliated nonprofit building corporation under this subdivision must:

241.2 (1) be incorporated under section 317A;

241.3 (2) comply with applicable Internal Revenue Service regulations, including regulations
241.4 for "supporting organizations" as defined by the Internal Revenue Service;

241.5 (3) post on the school website the name, mailing address, bylaws, minutes of board
241.6 meetings, and names of the current board of directors of the affiliated nonprofit building
241.7 corporation;

241.8 (4) submit to the commissioner a copy of its annual audit by December 31 of each year;
241.9 and

241.10 (5) comply with government data practices law under chapter 13.

241.11 (c) An affiliated nonprofit building corporation must not serve as the leasing agent for
241.12 property or facilities it does not own. A charter school that leases a facility from an affiliated
241.13 nonprofit building corporation that does not own the leased facility is ineligible to receive
241.14 charter school lease aid. The state is immune from liability resulting from a contract between
241.15 a charter school and an affiliated nonprofit building corporation.

241.16 (d) The board of directors of the charter school must ensure the affiliated nonprofit
241.17 building corporation complies with all applicable legal requirements. The charter school's
241.18 authorizer must oversee the efforts of the board of directors of the charter school to ensure
241.19 legal compliance of the affiliated building corporation. A school's board of directors that
241.20 fails to ensure the affiliated nonprofit building corporation's compliance violates its
241.21 responsibilities and an authorizer must consider that failure when evaluating the charter
241.22 school.

241.23 Sec. 14. Minnesota Statutes 2022, section 124E.16, is amended to read:

241.24 **124E.16 REPORTS.**

241.25 Subdivision 1. **Audit report.** (a) A charter school is subject to the same financial audits,
241.26 audit procedures, and audit requirements as a district, except as required under this
241.27 subdivision. Audits must be conducted in compliance with generally accepted governmental
241.28 auditing standards, the federal Single Audit Act, if applicable, and section 6.65 governing
241.29 auditing procedures. A charter school is subject to and must comply with sections 15.054;
241.30 118A.01; 118A.02; 118A.03; 118A.04; 118A.05; 118A.06 governing government property
241.31 and financial investments; and sections 471.38; 471.391; 471.392; and 471.425 governing
241.32 municipal contracting. The audit must comply with the requirements of sections 123B.75

242.1 to 123B.83 governing school district finance, except when the commissioner and authorizer
242.2 approve a deviation made necessary because of school program finances. The commissioner,
242.3 state auditor, legislative auditor, or authorizer may conduct financial, program, or compliance
242.4 audits. A charter school in statutory operating debt under sections 123B.81 to 123B.83 must
242.5 submit a plan under section 123B.81, subdivision 4.

242.6 (b) The charter school must submit an audit report to the commissioner and its authorizer
242.7 annually by December 31.

242.8 (c) The charter school, with the assistance of the auditor conducting the audit, must
242.9 include with the report, as supplemental information: (1) a copy of a new management
242.10 ~~agreements~~ agreement or an amendment to a current agreement with a charter management
242.11 ~~organization or an educational management organization and (2) service agreements or~~
242.12 ~~contracts over the lesser of \$100,000 or ten percent of the school's most recent annual audited~~
242.13 ~~expenditures~~ CMO or EMO signed during the audit year; and (2) a copy of a service
242.14 agreement or contract with a company or individual totaling over five percent of the audited
242.15 expenditures for the most recent audit year. The agreements must detail the terms of the
242.16 agreement, including the services provided and the annual costs for those services. ~~If the~~
242.17 ~~entity that provides the professional services to the charter school is exempt from taxation~~
242.18 ~~under section 501 of the Internal Revenue Code of 1986, that entity must file with the~~
242.19 ~~commissioner by February 15 a copy of the annual return required under section 6033 of~~
242.20 ~~the Internal Revenue Code of 1986.~~

242.21 (d) A charter school independent audit report shall include audited financial data of an
242.22 affiliated building corporation under section 124E.13, subdivision 3, or other component
242.23 unit.

242.24 (e) If the audit report finds that a material weakness exists in the financial reporting
242.25 systems of a charter school, the charter school must submit a written report to the
242.26 commissioner explaining how the charter school will resolve that material weakness. An
242.27 auditor, as a condition of providing financial services to a charter school, must agree to
242.28 make available information about a charter school's financial audit to the commissioner and
242.29 authorizer upon request.

242.30 Subd. 2. **Annual public reports.** (a) A charter school must publish an annual report
242.31 approved by the board of directors. The annual report must at least include information on
242.32 school enrollment, student attrition, governance and management, staffing, finances,
242.33 management agreements with a CMO or EMO, academic performance, innovative practices
242.34 and implementation, and future plans. A charter school may combine this report with the

243.1 reporting required under section 120B.11 governing the world's best workforce. A charter
243.2 school must post the annual report on the school's official website. A charter school also
243.3 must distribute the annual report by publication, mail, or electronic means to its authorizer,
243.4 school employees, and parents and legal guardians of students enrolled in the charter school.
243.5 The reports are public data under chapter 13.

243.6 (b) An authorizer must submit an annual public report in a manner specified by the
243.7 commissioner by January 15 for the previous school year ending June 30 that shall at least
243.8 include key indicators of school academic, operational, and financial performance. The
243.9 report is part of the system to evaluate authorizer performance under section 124E.05,
243.10 subdivision 5.

243.11 Subd. 3. Public accounting and reporting CMO and EMO agreements. (a) A charter
243.12 school that enters into a management agreement with a CMO or EMO must:

243.13 (1) publish on the charter school website for at least 20 business days the proposed final
243.14 agreement for public review and comment before the school board may adopt the contract
243.15 or agreement. Any changes made to the posted agreement during the public review period
243.16 or any proposed amendments to the agreement once adopted must be posted for 20 business
243.17 days before the board may adopt the amendments to the contract;

243.18 (2) annually publish on the charter school website a statement of assurance that no
243.19 member of the school board, staff, or any agent of the school has been promised or received
243.20 any form of compensation or gifts from the CMO or EMO and that no board member,
243.21 employee, or agent of the CMO or EMO or any of the organization affiliates or providers
243.22 serve on the charter school board; and

243.23 (3) conduct an independent review and evaluation of the services provided by the CMO
243.24 or EMO and publish the evaluation on the school's website at least 30 business days before
243.25 the end of the current contract.

243.26 (b) A management agreement with a CMO or EMO must contain the following:

243.27 (1) the term of the contract, not to exceed five years;

243.28 (2) the total dollar value of the contract including the annual projected costs of services;

243.29 (3) a description and terms of the services to be provided during the term of the contract;

243.30 (4) notice that a charter school closure during the term of the contract by action of the
243.31 authorizer or the school's board results in the balance of the current contract becoming null
243.32 and void;

244.1 (5) an annual statement of assurance to the charter school board that the CMO or EMO
244.2 provided no compensation or gifts to any charter school board member, staff member, or
244.3 agent of the charter school;

244.4 (6) an annual statement of assurance that no charter school board member, employee,
244.5 contractor, or agent of the CMO or EMO or any affiliated organization is a board member
244.6 of the charter school or any other charter school;

244.7 (7) the policies and protocols that meet federal and state laws regarding student and
244.8 personnel data collection, usage, access, retention, disclosure and destruction, and
244.9 indemnification and warranty provisions in case of data breaches by the CMO or EMO;
244.10 and

244.11 (8) an annual assurance that all assets purchased on behalf of the charter school using
244.12 public funds remain assets of the school.

244.13 (c) The CMO or EMO must annually provide the charter school board a financial report
244.14 by July 31 that accounts for income and expenditures for the previous fiscal year using the
244.15 account categories in uniform financial accounting and reporting standards.

244.16 (d) Any agreement with a CMO or EMO containing any of the following provisions is
244.17 null and void:

244.18 (1) restrictions on the charter school's ability to operate a school upon termination of
244.19 the agreement;

244.20 (2) restrictions on the annual or total amount of the school's operating surplus or fund
244.21 balance;

244.22 (3) authorization to allow a CMO or EMO to withdraw funds from a charter school
244.23 account; or

244.24 (4) authorization to allow a CMO or EMO to loan funds to the charter school.

244.25 (e) A CMO or EMO or its affiliates, employees, or agents may not contract with, be
244.26 employed by, or serve on the board of an authorizer. An authorizer or its affiliates, employees,
244.27 or agents may not contract with, be employed by, serve as a paid consultant for, or serve as
244.28 a board member of a CMO or EMO.

244.29 Sec. 15. Minnesota Statutes 2022, section 124E.25, subdivision 1a, is amended to read:

244.30 Subd. 1a. **School closures; payments.** (a) Notwithstanding subdivision 1 and section
244.31 127A.45, for a charter school ceasing operation on or before June 30, for the payment periods
244.32 occurring after the school ceases serving students, the commissioner shall withhold the

245.1 estimated state aid owed the school. The charter school board of directors and authorizer
245.2 must submit to the commissioner a closure plan under chapter ~~308A~~ or 317A, and financial
245.3 information about the school's liabilities and assets. After receiving the closure plan, financial
245.4 information, an audit of pupil counts, and documented lease expenditures from the charter
245.5 school and monitoring special education expenditures, the commissioner may release cash
245.6 withheld and may continue regular payments up to the current year payment percentages
245.7 if further amounts are owed. If, based on audits and monitoring, the school received state
245.8 aid in excess of the amount owed, the commissioner shall retain aid withheld sufficient to
245.9 eliminate the aid overpayment.

245.10 (b) For a charter school ceasing operations before or at the end of a school year,
245.11 notwithstanding section 127A.45, subdivision 3, the commissioner may make preliminary
245.12 final payments after the school submits the closure plan, an audit of pupil counts, documented
245.13 lease expenditures, and Uniform Financial Accounting and Reporting Standards (UFARS)
245.14 financial data and the commissioner monitors special education expenditures for the final
245.15 year of operation. The commissioner may make the final payment after receiving audited
245.16 financial statements under section 123B.77, subdivision 3.

245.17 (c) Notwithstanding sections 317A.701 to 317A.791, after closing a charter school and
245.18 satisfying creditors, remaining cash and investment balances shall be returned by the
245.19 commissioner to the state general fund.

245.20 ARTICLE 7

245.21 SPECIAL EDUCATION

245.22 Section 1. Minnesota Statutes 2022, section 120A.20, subdivision 1, is amended to read:

245.23 Subdivision 1. **Age limitations; pupils.** (a) All schools supported in whole or in part
245.24 by state funds are public schools. Admission to a public school is free to any person who:
245.25 (1) resides within the district that operates the school; (2) is under 21 years of age or who
245.26 meets the requirements of paragraph (c); and (3) satisfies the minimum age requirements
245.27 imposed by this section. Notwithstanding the provisions of any law to the contrary, the
245.28 conduct of all students under 21 years of age attending a public secondary school is governed
245.29 by a single set of reasonable rules and regulations promulgated by the school board.

245.30 (b) A person shall not be admitted to a public school (1) as a kindergarten pupil, unless
245.31 the pupil is at least five years of age on September 1 of the calendar year in which the school
245.32 year for which the pupil seeks admission commences; or (2) as a 1st grade student, unless
245.33 the pupil is at least six years of age on September 1 of the calendar year in which the school

246.1 year for which the pupil seeks admission commences or has completed kindergarten; except
246.2 that any school board may establish a policy for admission of selected pupils at an earlier
246.3 age under section 124D.02.

246.4 (c) A pupil who becomes age 21 after enrollment is eligible for continued free public
246.5 school enrollment until at least one of the following occurs: (1) the first September 1 after
246.6 the pupil's 21st birthday; (2) the pupil's completion of the graduation requirements; (3) the
246.7 pupil's withdrawal with no subsequent enrollment within 21 calendar days; ~~or~~ (4) the end
246.8 of the school year; or (5) in the case of a student with a disability as defined under section
246.9 125A.02, the pupil's 22nd birthday.

246.10 Sec. 2. Minnesota Statutes 2022, section 121A.41, subdivision 7, is amended to read:

246.11 Subd. 7. **Pupil.** (a) "Pupil" means any student:

246.12 (1) without a disability under 21 years of age; or

246.13 (2) with a disability under ~~21~~ 22 years old who has not received a regular high school
246.14 diploma ~~or for a child with a disability who becomes 21 years old during the school year~~
246.15 ~~but has not received a regular high school diploma, until the end of that school year; and~~

246.16 (3) who remains eligible to attend a public elementary or secondary school.

246.17 (b) A "student with a disability" or a "pupil with a disability" has the same meaning as
246.18 a "child with a disability" under section 125A.02.

246.19 Sec. 3. Minnesota Statutes 2022, section 122A.31, subdivision 1, is amended to read:

246.20 Subdivision 1. **Requirements for American sign language/English interpreters.** (a)
246.21 In addition to any other requirements that a school district establishes, any person employed
246.22 to provide American sign language/English interpreting or sign transliterating services on
246.23 a full-time or part-time basis for a school district after July 1, 2000, must:

246.24 (1) hold current interpreter ~~and~~ or transliterator certificates awarded by the Registry of
246.25 Interpreters for the Deaf (RID), or the general level interpreter proficiency certificate awarded
246.26 by the National Association of the Deaf (NAD), or a comparable state certification from
246.27 the commissioner of education; ~~and~~

246.28 ~~(2) satisfactorily complete an interpreter/transliterator training program affiliated with~~
246.29 ~~an accredited educational institution; or~~

246.30 (2) hold a certified deaf interpreter certification issued by RID.

(b) New graduates of an interpreter/transliterators program affiliated with an accredited education institution or deaf interpreters who have completed 40 hours of RID-approved continuing education units shall be granted a two-year provisional certificate by the commissioner. During the two-year provisional period, the interpreter/transliterators must develop and implement an education plan in collaboration with a mentor under paragraph (c).

(c) A mentor of a provisionally certified interpreter/transliterators must be an interpreter/transliterators who has either NAD level IV or V certification or RID certified interpreter and certified transliterators certification and have at least three years of interpreting/transliterating experience in any educational setting. The mentor, in collaboration with the provisionally certified interpreter/transliterators, shall develop and implement an education plan designed to meet the requirements of paragraph (a), ~~clause (1)~~, and include a weekly on-site mentoring process.

(d) Consistent with the requirements of this paragraph, a person holding a provisional certificate may apply to the commissioner for one time-limited extension. The commissioner, in consultation with the Commission of the Deaf, DeafBlind and Hard of Hearing, must grant the person a time-limited extension of the provisional certificate based on the following documentation:

(1) letters of support from the person's mentor, a parent of a pupil the person serves, the special education director of the district in which the person is employed, and a representative from the regional service center of the deaf and hard-of-hearing;

(2) records of the person's formal education, training, experience, and progress on the person's education plan; and

(3) an explanation of why the extension is needed.

As a condition of receiving the extension, the person must comply with a plan and the accompanying ~~time-line~~ timeline for meeting the requirements of this subdivision. A committee composed of the deaf and hard-of-hearing state specialist, a representative of the Minnesota Association of Deaf Citizens, a representative of the Minnesota Registry of Interpreters ~~of~~ for the Deaf, and other appropriate ~~persons~~ committee members selected by the commissioner must develop the plan and ~~time-line~~ timeline for the person receiving the extension.

(e) A school district may employ only an interpreter/transliterators who has been certified under paragraph (a) or (b), or for whom a time-limited extension has been granted under paragraph (d).

248.1 (f) An interpreter who meets the requirements of paragraph (a) or (b) is "essential
248.2 personnel" as defined in section 125A.76, subdivision 1.

248.3 Sec. 4. Minnesota Statutes 2022, section 123B.92, subdivision 1, is amended to read:

248.4 Subdivision 1. **Definitions.** For purposes of this section and section 125A.76, the terms
248.5 defined in this subdivision have the meanings given to them.

248.6 (a) "Actual expenditure per pupil transported in the regular and excess transportation
248.7 categories" means the quotient obtained by dividing:

248.8 (1) the sum of:

248.9 (i) all expenditures for transportation in the regular category, as defined in paragraph
248.10 (b), clause (1), and the excess category, as defined in paragraph (b), clause (2), plus

248.11 (ii) an amount equal to one year's depreciation on the district's school bus fleet and
248.12 mobile units computed on a straight line basis at the rate of 15 percent per year for districts
248.13 operating a program under section 124D.128 for grades 1 to 12 for all students in the district
248.14 and 12-1/2 percent per year for other districts of the cost of the fleet, plus

248.15 (iii) an amount equal to one year's depreciation on the district's type III vehicles, as
248.16 defined in section 169.011, subdivision 71, which must be used a majority of the time for
248.17 pupil transportation purposes, computed on a straight line basis at the rate of 20 percent per
248.18 year of the cost of the type three school buses by:

248.19 (2) the number of pupils eligible for transportation in the regular category, as defined
248.20 in paragraph (b), clause (1), and the excess category, as defined in paragraph (b), clause
248.21 (2).

248.22 (b) "Transportation category" means a category of transportation service provided to
248.23 pupils as follows:

248.24 (1) Regular transportation is:

248.25 (i) transportation to and from school during the regular school year for resident elementary
248.26 pupils residing one mile or more from the public or nonpublic school they attend, and
248.27 resident secondary pupils residing two miles or more from the public or nonpublic school
248.28 they attend, excluding desegregation transportation and noon kindergarten transportation;
248.29 but with respect to transportation of pupils to and from nonpublic schools, only to the extent
248.30 permitted by sections 123B.84 to 123B.87;

248.31 (ii) transportation of resident pupils to and from language immersion programs;

(iii) transportation of a pupil who is a custodial parent and that pupil's child between the pupil's home and the child care provider and between the provider and the school, if the home and provider are within the attendance area of the school;

(iv) transportation to and from or board and lodging in another district, of resident pupils of a district without a secondary school;

(v) transportation to and from school during the regular school year required under subdivision 3 for nonresident elementary pupils when the distance from the attendance area border to the public school is one mile or more, and for nonresident secondary pupils when the distance from the attendance area border to the public school is two miles or more, excluding desegregation transportation and noon kindergarten transportation; and

(vi) transportation of pregnant or parenting pupils to and from a program that was established on or before January 1, 2018, or that is in operation on or after July 1, 2021, that provides:

(A) academic instruction;

(B) at least four hours per week of parenting instruction; and

(C) high-quality child care on site during the education day with the capacity to serve all children of enrolled pupils.

For the purposes of this paragraph, a district may designate a licensed day care facility, school day care facility, respite care facility, the residence of a relative, or the residence of a person or other location chosen by the pupil's parent or guardian, or an after-school program for children operated by a political subdivision of the state, as the home of a pupil for part or all of the day, if requested by the pupil's parent or guardian, and if that facility, residence, or program is within the attendance area of the school the pupil attends.

(2) Excess transportation is:

(i) transportation to and from school during the regular school year for resident secondary pupils residing at least one mile but less than two miles from the public or nonpublic school they attend, and transportation to and from school for resident pupils residing less than one mile from school who are transported because of full-service school zones, extraordinary traffic, drug, or crime hazards; and

(ii) transportation to and from school during the regular school year required under subdivision 3 for nonresident secondary pupils when the distance from the attendance area border to the school is at least one mile but less than two miles from the public school they attend, and for nonresident pupils when the distance from the attendance area border to the

250.1 school is less than one mile from the school and who are transported because of full-service
250.2 school zones, extraordinary traffic, drug, or crime hazards.

250.3 (3) Desegregation transportation is transportation within and outside of the district during
250.4 the regular school year of pupils to and from schools located outside their normal attendance
250.5 areas under a plan for desegregation mandated by the commissioner or under court order.

250.6 (4) "Transportation services for pupils with disabilities" is:

250.7 (i) transportation of pupils with disabilities who cannot be transported on a regular school
250.8 bus between home or a respite care facility and school;

250.9 (ii) necessary transportation of pupils with disabilities from home or from school to
250.10 other buildings, including centers such as developmental achievement centers, hospitals,
250.11 and treatment centers where special instruction or services required by sections 125A.03 to
250.12 125A.24, 125A.26 to 125A.48, and 125A.65 are provided, within or outside the district
250.13 where services are provided;

250.14 (iii) necessary transportation for resident pupils with disabilities required by sections
250.15 125A.12, and 125A.26 to 125A.48;

250.16 (iv) board and lodging for pupils with disabilities in a district maintaining special classes;

250.17 (v) transportation from one educational facility to another within the district for resident
250.18 pupils enrolled on a shared-time basis in educational programs, and necessary transportation
250.19 required by sections 125A.18, and 125A.26 to 125A.48, for resident pupils with disabilities
250.20 who are provided special instruction and services on a shared-time basis or if resident pupils
250.21 are not transported, the costs of necessary travel between public and private schools or
250.22 neutral instructional sites by essential personnel employed by the district's program for
250.23 children with a disability;

250.24 (vi) transportation for resident pupils with disabilities to and from board and lodging
250.25 facilities when the pupil is boarded and lodged for educational purposes;

250.26 (vii) transportation of pupils for a curricular field trip activity on a school bus equipped
250.27 with a power lift when the power lift is required by a student's disability or section 504 plan;
250.28 and

250.29 (viii) services described in clauses (i) to (vii), when provided for pupils with disabilities
250.30 in conjunction with a summer instructional program that relates to the pupil's individualized
250.31 education program or in conjunction with a learning year program established under section
250.32 124D.128.

251.1 For purposes of computing special education initial aid under section 125A.76, the cost
251.2 of providing transportation for children with disabilities includes (A) the additional cost of
251.3 transporting a student in a shelter care facility as defined in section 260C.007, subdivision
251.4 30, a student placed in a family foster home as defined in section 260C.007, subdivision
251.5 16b, a homeless student in another district to the school of origin, or a formerly homeless
251.6 student from a permanent home in another district to the school of origin but only through
251.7 the end of the academic year; and (B) depreciation on district-owned school buses purchased
251.8 after July 1, 2005, and used primarily for transportation of pupils with disabilities, calculated
251.9 according to paragraph (a), clauses (ii) and (iii). Depreciation costs included in the disabled
251.10 transportation category must be excluded in calculating the actual expenditure per pupil
251.11 transported in the regular and excess transportation categories according to paragraph (a).
251.12 For purposes of subitem (A), a school district may transport a child who does not have a
251.13 school of origin to the same school attended by that child's sibling, if the siblings are homeless
251.14 or in a shelter care facility.

251.15 (5) "Nonpublic nonregular transportation" is:

251.16 (i) transportation from one educational facility to another within the district for resident
251.17 pupils enrolled on a shared-time basis in educational programs, excluding transportation
251.18 for nonpublic pupils with disabilities under clause (4);

251.19 (ii) transportation within district boundaries between a nonpublic school and a public
251.20 school or a neutral site for nonpublic school pupils who are provided pupil support services
251.21 pursuant to section 123B.44; and

251.22 (iii) late transportation home from school or between schools within a district for
251.23 nonpublic school pupils involved in after-school activities.

251.24 (c) "Mobile unit" means a vehicle or trailer designed to provide facilities for educational
251.25 programs and services, including diagnostic testing, guidance and counseling services, and
251.26 health services. A mobile unit located off nonpublic school premises is a neutral site as
251.27 defined in section 123B.41, subdivision 13.

251.28 Sec. 5. Minnesota Statutes 2022, section 124D.128, subdivision 2, is amended to read:

251.29 Subd. 2. **Commissioner designation.** (a) A state-approved alternative program designated
251.30 by the state must be a site. A state-approved alternative program must provide services to
251.31 students who meet the criteria in section 124D.68 and who are enrolled in:

251.32 (1) a district that is served by the state-approved alternative program; or

252.1 (2) a charter school located within the geographic boundaries of a district that is served
252.2 by the state-approved alternative program.

252.3 (b) To be designated, a state-approved alternative program must demonstrate to the
252.4 commissioner that it will:

252.5 (1) provide a program of instruction that permits pupils to receive instruction throughout
252.6 the entire year; and

252.7 (2) develop and maintain a separate record system that, for purposes of section 126C.05,
252.8 permits identification of membership attributable to pupils participating in the program.

252.9 The record system and identification must ensure that the program will not have the effect
252.10 of increasing the total average daily membership attributable to an individual pupil as a
252.11 result of a learning year program. The record system must include the date the pupil originally
252.12 enrolled in a learning year program, the pupil's grade level, the date of each grade promotion,
252.13 the average daily membership generated in each grade level, the number of credits or
252.14 standards earned, and the number needed to graduate.

252.15 (c) A student who has not completed a school district's graduation requirements may
252.16 continue to enroll in courses the student must complete in order to graduate until the student
252.17 satisfies the district's graduation requirements or the student is 21 years old, whichever
252.18 comes first. A student with a disability as set forth in section 125A.02 may continue to
252.19 enroll in courses until the student graduates with a regular high school diploma or the student
252.20 is 22 years old, whichever comes first.

252.21 Sec. 6. Minnesota Statutes 2022, section 124D.68, subdivision 2, is amended to read:

252.22 Subd. 2. **Eligible pupils.** (a) A pupil under the age of 21 or who meets the requirements
252.23 of section 120A.20, subdivision 1, paragraph (c), is eligible to participate in the graduation
252.24 incentives program, if the pupil:

252.25 (1) performs substantially below the performance level for pupils of the same age in a
252.26 locally determined achievement test;

252.27 (2) is behind in satisfactorily completing coursework or obtaining credits for graduation;

252.28 (3) is pregnant or is a parent;

252.29 (4) has been assessed as having substance use disorder;

252.30 (5) has been excluded or expelled according to sections 121A.40 to 121A.56;

252.31 (6) has been referred by a school district for enrollment in an eligible program or a
252.32 program pursuant to section 124D.69;

- 253.1 (7) is a victim of physical or sexual abuse;
- 253.2 (8) has experienced mental health problems;
- 253.3 (9) has experienced homelessness sometime within six months before requesting a
- 253.4 transfer to an eligible program;
- 253.5 (10) speaks English as a second language or is an English learner;
- 253.6 (11) has withdrawn from school or has been chronically truant; or
- 253.7 (12) is being treated in a hospital in the seven-county metropolitan area for cancer or
- 253.8 other life threatening illness or is the sibling of an eligible pupil who is being currently
- 253.9 treated, and resides with the pupil's family at least 60 miles beyond the outside boundary
- 253.10 of the seven-county metropolitan area.

253.11 (b) A pupil otherwise qualifying under paragraph (a) who is at least 21 years of age and

253.12 not yet 22 years of age, and is an English learner with an interrupted formal education

253.13 according to section 124D.59, subdivision 2a, or is a pupil with a disability as set forth in

253.14 section 125A.02, is eligible to participate in the graduation incentives program under section

253.15 124D.68 and in concurrent enrollment courses offered under section 124D.09, subdivision

253.16 10, and is funded in the same manner as other pupils under this section.

253.17 Sec. 7. Minnesota Statutes 2022, section 125A.03, is amended to read:

253.18 **125A.03 SPECIAL INSTRUCTION FOR CHILDREN WITH A DISABILITY.**

253.19 (a) As defined in paragraph (b), every district must provide special instruction and

253.20 services, either within the district or in another district, for all children with a disability,

253.21 including providing required services under Code of Federal Regulations, title 34, section

253.22 300.121, paragraph (d), to those children suspended or expelled from school for more than

253.23 ten school days in that school year, who are residents of the district and who are disabled

253.24 as set forth in section 125A.02. For purposes of state and federal special education laws,

253.25 the phrase "special instruction and services" in the state Education Code means a free and

253.26 appropriate public education provided to an eligible child with disabilities. "Free appropriate

253.27 public education" means special education and related services that:

- 253.28 (1) are provided at public expense, under public supervision and direction, and without
- 253.29 charge;
- 253.30 (2) meet the standards of the state, including the requirements of the Individuals with
- 253.31 Disabilities Education Act, Part B or C;

254.1 (3) include an appropriate preschool, elementary school, or secondary school education;
254.2 and

254.3 (4) are provided to children ages three through 21 in conformity with an individualized
254.4 education program that meets the requirements of the Individuals with Disabilities Education
254.5 Act, subpart A, sections 300.320 to 300.324, and provided to infants and toddlers in
254.6 conformity with an individualized family service plan that meets the requirements of the
254.7 Individuals with Disabilities Education Act, subpart A, sections 303.300 to 303.346.

254.8 (b) Notwithstanding any age limits in laws to the contrary, special instruction and services
254.9 must be provided from birth ~~until July 1 after the child with a disability becomes 21 years~~
254.10 ~~old~~ until the child with a disability becomes 22 years old but shall not extend beyond
254.11 secondary school or its equivalent, except as provided in section 124D.68, subdivision 2.
254.12 Local health, education, and social service agencies must refer children under age five who
254.13 are known to need or suspected of needing special instruction and services to the school
254.14 district. Districts with less than the minimum number of eligible children with a disability
254.15 as determined by the commissioner must cooperate with other districts to maintain a full
254.16 range of programs for education and services for children with a disability. This section
254.17 does not alter the compulsory attendance requirements of section 120A.22.

254.18 (c) At the board's discretion, a school district that participates in a reciprocity agreement
254.19 with a neighboring state under section 124D.041 may enroll and provide special instruction
254.20 and services to a child from an adjoining state whose family resides at a Minnesota address
254.21 as assigned by the United States Postal Service if the district has completed child
254.22 identification procedures for that child to determine the child's eligibility for special education
254.23 services, and the child has received developmental screening under sections 121A.16 to
254.24 121A.19.

254.25 Sec. 8. Minnesota Statutes 2022, section 125A.0942, is amended to read:

254.26 **125A.0942 STANDARDS FOR RESTRICTIVE PROCEDURES.**

254.27 Subdivision 1. **Restrictive procedures plan.** (a) Schools that intend to use restrictive
254.28 procedures shall maintain and make publicly accessible in an electronic format on a school
254.29 or district website or make a paper copy available upon request describing a restrictive
254.30 procedures plan for children with disabilities that at least:

254.31 (1) lists the restrictive procedures the school intends to use;

254.32 (2) describes how the school will implement a range of positive behavior strategies and
254.33 provide links to mental health services;

255.1 (3) describes how the school will provide training on de-escalation techniques, consistent
255.2 with section 122A.187, subdivision 4;

255.3 (4) describes how the school will monitor and review the use of restrictive procedures,
255.4 including:

255.5 (i) conducting post-use debriefings, consistent with subdivision 3, paragraph (a), clause
255.6 (5); and

255.7 (ii) convening an oversight committee to undertake a quarterly review of the use of
255.8 restrictive procedures based on patterns or problems indicated by similarities in the time of
255.9 day, day of the week, duration of the use of a procedure, the individuals involved, or other
255.10 factors associated with the use of restrictive procedures; the number of times a restrictive
255.11 procedure is used schoolwide and for individual children; the number and types of injuries,
255.12 if any, resulting from the use of restrictive procedures; whether restrictive procedures are
255.13 used in nonemergency situations; the need for additional staff training; and proposed actions
255.14 to minimize the use of restrictive procedures; any disproportionate use of restrictive
255.15 procedures based on race, gender, or disability status; the role of the school resource officer
255.16 or police in emergencies and the use of restrictive procedures; and documentation to
255.17 determine if the standards for using restrictive procedures as described in sections 125A.0941
255.18 and 125A.0942 are met; and

255.19 (5) includes a written description and documentation of the training staff completed
255.20 under subdivision 5.

255.21 (b) Schools annually must publicly identify oversight committee members who must at
255.22 least include:

255.23 (1) a mental health professional, school psychologist, or school social worker;

255.24 (2) an expert in positive behavior strategies;

255.25 (3) a special education administrator; and

255.26 (4) a general education administrator.

255.27 Subd. 2. **Restrictive procedures.** (a) Restrictive procedures may be used only by a
255.28 licensed special education teacher, school social worker, school psychologist, behavior
255.29 analyst certified by the National Behavior Analyst Certification Board, a person with a
255.30 master's degree in behavior analysis, other licensed education professional, paraprofessional
255.31 under section 120B.363, or mental health professional under section 245.4871, subdivision
255.32 27, who has completed the training program under subdivision 5.

(b) A school shall make reasonable efforts to notify the parent on the same day a restrictive procedure is used on the child, or if the school is unable to provide same-day notice, notice is sent within two days by written or electronic means or as otherwise indicated by the child's parent under paragraph (f).

(c) The district must hold a meeting of the individualized education program or individualized family service plan team, conduct or review a functional behavioral analysis, review data, consider developing additional or revised positive behavioral interventions and supports, consider actions to reduce the use of restrictive procedures, and modify the individualized education program, individualized family service plan, or behavior intervention plan as appropriate. The district must hold the meeting: within ten calendar days after district staff use restrictive procedures on two separate school days within 30 calendar days or a pattern of use emerges and the child's individualized education program, individualized family service plan, or behavior intervention plan does not provide for using restrictive procedures in an emergency; or at the request of a parent or the district after restrictive procedures are used. The district must review use of restrictive procedures at a child's annual individualized education program or individualized family service plan meeting when the child's individualized education program or individualized family service plan provides for using restrictive procedures in an emergency.

(d) If the individualized education program or individualized family service plan team under paragraph (c) determines that existing interventions and supports are ineffective in reducing the use of restrictive procedures or the district uses restrictive procedures on a child on ten or more school days during the same school year, the team, as appropriate, either must consult with other professionals working with the child; consult with experts in behavior analysis, mental health, communication, or autism; consult with culturally competent professionals; review existing evaluations, resources, and successful strategies; or consider whether to reevaluate the child.

(e) At the individualized education program or individualized family service plan meeting under paragraph (c), the team must review any known medical or psychological limitations, including any medical information the parent provides voluntarily, that contraindicate the use of a restrictive procedure, consider whether to prohibit that restrictive procedure, and document any prohibition in the individualized education program, individualized family service plan, or behavior intervention plan.

(f) An individualized education program or individualized family service plan team may plan for using restrictive procedures and may include these procedures in a child's individualized education program, individualized family service plan, or behavior intervention

257.1 plan; however, the restrictive procedures may be used only in response to behavior that
257.2 constitutes an emergency, consistent with this section. The individualized education program,
257.3 individualized family service plan, or behavior intervention plan shall indicate how the
257.4 parent wants to be notified when a restrictive procedure is used.

257.5 Subd. 3. **Physical holding or seclusion.** (a) Physical holding or seclusion may be used
257.6 only in an emergency. A school that uses physical holding or seclusion shall meet the
257.7 following requirements:

257.8 (1) physical holding or seclusion is the least intrusive intervention that effectively
257.9 responds to the emergency;

257.10 (2) physical holding or seclusion is not used to discipline a noncompliant child;

257.11 (3) physical holding or seclusion ends when the threat of harm ends and the staff
257.12 determines the child can safely return to the classroom or activity;

257.13 (4) staff directly observes the child while physical holding or seclusion is being used;

257.14 (5) each time physical holding or seclusion is used, the staff person who implements or
257.15 oversees the physical holding or seclusion documents, as soon as possible after the incident
257.16 concludes, the following information:

257.17 (i) a description of the incident that led to the physical holding or seclusion;

257.18 (ii) why a less restrictive measure failed or was determined by staff to be inappropriate
257.19 or impractical;

257.20 (iii) the time the physical holding or seclusion began and the time the child was released;
257.21 ~~and~~

257.22 (iv) a brief record of the child's behavioral and physical status; and

257.23 (v) a brief description of the post-use debriefing that occurred as a result of the use of
257.24 the physical hold or seclusion;

257.25 (6) the room used for seclusion must:

257.26 (i) be at least six feet by five feet;

257.27 (ii) be well lit, well ventilated, adequately heated, and clean;

257.28 (iii) have a window that allows staff to directly observe a child in seclusion;

257.29 (iv) have tamperproof fixtures, electrical switches located immediately outside the door,
257.30 and secure ceilings;

(v) have doors that open out and are unlocked, locked with keyless locks that have immediate release mechanisms, or locked with locks that have immediate release mechanisms connected with a fire and emergency system; and

(vi) not contain objects that a child may use to injure the child or others; and

(7) before using a room for seclusion, a school must:

(i) receive written notice from local authorities that the room and the locking mechanisms comply with applicable building, fire, and safety codes; and

(ii) register the room with the commissioner, who may view that room.

(b) By February 1, 2015, and annually thereafter, stakeholders may, as necessary, recommend to the commissioner specific and measurable implementation and outcome goals for reducing the use of restrictive procedures and the commissioner must submit to the legislature a report on districts' progress in reducing the use of restrictive procedures that recommends how to further reduce these procedures and eliminate the use of seclusion. The statewide plan includes the following components: measurable goals; the resources, training, technical assistance, mental health services, and collaborative efforts needed to significantly reduce districts' use of seclusion; and recommendations to clarify and improve the law governing districts' use of restrictive procedures. The commissioner must consult with interested stakeholders when preparing the report, including representatives of advocacy organizations, special education directors, teachers, paraprofessionals, intermediate school districts, school boards, day treatment providers, county social services, state human services department staff, mental health professionals, and autism experts. Beginning with the 2016-2017 school year, in a form and manner determined by the commissioner, districts must report data quarterly to the department by January 15, April 15, July 15, and October 15 about individual students who have been secluded. By July 15 each year, districts must report summary data on their use of restrictive procedures to the department for the prior school year, July 1 through June 30, in a form and manner determined by the commissioner. The summary data must include information about the use of restrictive procedures, including use of reasonable force under section 121A.582.

Subd. 4. **Prohibitions.** The following actions or procedures are prohibited:

(1) engaging in conduct prohibited under section 121A.58;

(2) requiring a child to assume and maintain a specified physical position, activity, or posture that induces physical pain;

(3) totally or partially restricting a child's senses as punishment;

259.1 (4) presenting an intense sound, light, or other sensory stimuli using smell, taste,
259.2 substance, or spray as punishment;

259.3 (5) denying or restricting a child's access to equipment and devices such as walkers,
259.4 wheelchairs, hearing aids, and communication boards that facilitate the child's functioning,
259.5 except when temporarily removing the equipment or device is needed to prevent injury to
259.6 the child or others or serious damage to the equipment or device, in which case the equipment
259.7 or device shall be returned to the child as soon as possible;

259.8 (6) interacting with a child in a manner that constitutes sexual abuse, neglect, or physical
259.9 abuse under chapter 260E;

259.10 (7) withholding regularly scheduled meals or water;

259.11 (8) denying access to bathroom facilities;

259.12 (9) physical holding that restricts or impairs a child's ability to breathe, restricts or impairs
259.13 a child's ability to communicate distress, places pressure or weight on a child's head, throat,
259.14 neck, chest, lungs, sternum, diaphragm, back, or abdomen, or results in straddling a child's
259.15 torso; ~~and~~

259.16 (10) prone restraint; and

259.17 (11) the use of seclusion on children from birth through grade 3 by September 1, 2024.

259.18 Subd. 5. **Training for staff.** (a) To meet the requirements of subdivision 1, staff who
259.19 use restrictive procedures, including paraprofessionals, shall complete training in the
259.20 following skills and knowledge areas:

259.21 (1) positive behavioral interventions;

259.22 (2) communicative intent of behaviors;

259.23 (3) relationship building;

259.24 (4) alternatives to restrictive procedures, including techniques to identify events and
259.25 environmental factors that may escalate behavior;

259.26 (5) de-escalation methods;

259.27 (6) standards for using restrictive procedures only in an emergency;

259.28 (7) obtaining emergency medical assistance;

259.29 (8) the physiological and psychological impact of physical holding and seclusion;

(9) monitoring and responding to a child's physical signs of distress when physical holding is being used;

(10) recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used;

(11) district policies and procedures for timely reporting and documenting each incident involving use of a restricted procedure; and

(12) schoolwide programs on positive behavior strategies.

(b) The commissioner, after consulting with the commissioner of human services, must develop and maintain a list of training programs that satisfy the requirements of paragraph (a). The commissioner also must develop and maintain a list of experts to help individualized education program or individualized family service plan teams reduce the use of restrictive procedures. The district shall maintain records of staff who have been trained and the organization or professional that conducted the training. The district may collaborate with 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

261.1 restrictive procedures, including People of Color and people with disabilities. The
261.2 recommendations must include specific dates for ending seclusion by grade or facility. The
261.3 recommendations must identify existing resources and the new resources necessary for staff
261.4 capacity, staff training, children's supports, child mental health services, and schoolwide
261.5 collaborative efforts.

261.6 Sec. 9. Minnesota Statutes 2022, section 125A.15, is amended to read:

261.7 **125A.15 PLACEMENT IN ANOTHER DISTRICT; RESPONSIBILITY.**

261.8 The responsibility for special instruction and services for a child with a disability
261.9 temporarily placed in another district for care and treatment shall be determined in the
261.10 following manner:

261.11 (a) The district of residence of a child shall be the district in which the child's parent
261.12 resides, if living, or the child's guardian. If there is a dispute between school districts
261.13 regarding residency, the district of residence is the district designated by the commissioner.

261.14 (b) If a district other than the resident district places a pupil for care and treatment, the
261.15 district placing the pupil must notify and give the resident district an opportunity to participate
261.16 in the placement decision. When an immediate emergency placement of a pupil is necessary
261.17 and time constraints foreclose a resident district from participating in the emergency
261.18 placement decision, the district in which the pupil is temporarily placed must notify the
261.19 resident district of the emergency placement within 15 days. The resident district has up to
261.20 five business days after receiving notice of the emergency placement to request an
261.21 opportunity to participate in the placement decision, which the placing district must then
261.22 provide.

261.23 (c) When a child is temporarily placed for care and treatment in a day program located
261.24 in another district and the child continues to live within the district of residence during the
261.25 care and treatment, the district of residence is responsible for providing transportation to
261.26 and from the care and treatment program and an appropriate educational program for the
261.27 child. The resident district may establish reasonable restrictions on transportation, except
261.28 if a Minnesota court or agency orders the child placed at a day care and treatment program
261.29 and the resident district receives a copy of the order, then the resident district must provide
261.30 transportation to and from the program unless the court or agency orders otherwise.
261.31 Transportation shall only be provided by the resident district during regular operating hours
261.32 of the resident district. The resident district may provide the educational program at a school
261.33 within the district of residence, at the child's residence, or in the district in which the day
261.34 treatment center is located by paying tuition to that district. If a child's district of residence,

262.1 district of open enrollment under section 124D.03, or charter school of enrollment under
262.2 section 124E.11 is authorized to provide online learning instruction under state statutes, the
262.3 child's district of residence may utilize that state-approved online learning program in
262.4 fulfilling its educational program responsibility under this section if the child, or the child's
262.5 parent or guardian for a pupil under the age of 18, agrees to that form of instruction.

262.6 (d) When a child is temporarily placed in a residential program for care and treatment,
262.7 the nonresident district in which the child is placed is responsible for providing an appropriate
262.8 educational program for the child and necessary transportation while the child is attending
262.9 the educational program; and must bill the district of the child's residence for the actual cost
262.10 of providing the program, as outlined in section 125A.11, except as provided in paragraph
262.11 (e). However, the board, lodging, and treatment costs incurred in behalf of a child with a
262.12 disability placed outside of the school district of residence by the commissioner of human
262.13 services or the commissioner of corrections or their agents, for reasons other than providing
262.14 for the child's special educational needs must not become the responsibility of either the
262.15 district providing the instruction or the district of the child's residence. For the purposes of
262.16 this section, the state correctional facilities operated on a fee-for-service basis are considered
262.17 to be residential programs for care and treatment. If a child's district of residence, district
262.18 of open enrollment under section 124D.03, or charter school of enrollment under section
262.19 124E.11 is authorized to provide online learning instruction under state statutes, the
262.20 nonresident district may utilize that state-approved online learning program in fulfilling its
262.21 educational program responsibility under this section if the child, or the child's parent or
262.22 guardian for a pupil under the age of 18, agrees to that form of instruction.

262.23 (e) A privately owned and operated residential facility may enter into a contract to obtain
262.24 appropriate educational programs for special education children and services with a joint
262.25 powers entity. The entity with which the private facility contracts for special education
262.26 services shall be the district responsible for providing students placed in that facility an
262.27 appropriate educational program in place of the district in which the facility is located. If a
262.28 privately owned and operated residential facility does not enter into a contract under this
262.29 paragraph, then paragraph (d) applies.

262.30 (f) The district of residence shall pay tuition and other program costs, not including
262.31 transportation costs, to the district providing the instruction and services. The district of
262.32 residence may claim general education aid for the child as provided by law. Transportation
262.33 costs must be paid by the district responsible for providing the transportation and the state
262.34 must pay transportation aid to that district.

263.1 Sec. 10. Minnesota Statutes 2022, section 125A.51, is amended to read:

263.2 **125A.51 PLACEMENT OF CHILDREN WITHOUT DISABILITIES; EDUCATION**
263.3 **AND TRANSPORTATION.**

263.4 The responsibility for providing instruction and transportation for a pupil without a
263.5 disability who has a short-term or temporary physical or emotional illness or disability, as
263.6 determined by the standards of the commissioner, and who is temporarily placed for care
263.7 and treatment for that illness or disability, must be determined as provided in this section.

263.8 (a) The school district of residence of the pupil is the district in which the pupil's parent
263.9 or guardian resides. If there is a dispute between school districts regarding residency, the
263.10 district of residence is the district designated by the commissioner.

263.11 (b) When parental rights have been terminated by court order, the legal residence of a
263.12 child placed in a residential or foster facility for care and treatment is the district in which
263.13 the child resides.

263.14 (c) Before the placement of a pupil for care and treatment, the district of residence must
263.15 be notified and provided an opportunity to participate in the placement decision. When an
263.16 immediate emergency placement is necessary and time does not permit resident district
263.17 participation in the placement decision, the district in which the pupil is temporarily placed,
263.18 if different from the district of residence, must notify the district of residence of the
263.19 emergency placement within 15 days of the placement. When a nonresident district makes
263.20 an emergency placement without first consulting with the resident district, the resident
263.21 district has up to five business days after receiving notice of the emergency placement to
263.22 request an opportunity to participate in the placement decision, which the placing district
263.23 must then provide.

263.24 (d) When a pupil without a disability is temporarily placed for care and treatment in a
263.25 day program and the pupil continues to live within the district of residence during the care
263.26 and treatment, the district of residence must provide instruction and necessary transportation
263.27 to and from the care and treatment program for the pupil. The resident district may establish
263.28 reasonable restrictions on transportation, except if a Minnesota court or agency orders the
263.29 child placed at a day care and treatment program and the resident district receives a copy
263.30 of the order, then the resident district must provide transportation to and from the program
263.31 unless the court or agency orders otherwise. Transportation shall only be provided by the
263.32 resident district during regular operating hours of the resident district. The resident district
263.33 may provide the instruction at a school within the district of residence; at the pupil's
263.34 residence; through an authorized online learning program provided by the pupil's resident

264.1 district, district of open enrollment under section 124D.03, or charter school of enrollment
264.2 under section 124E.11 if the child, or the child's parent or guardian for a pupil under the
264.3 age of 18, agrees to that form of instruction; or, in the case of a placement outside of the
264.4 resident district, in the district in which the day treatment program is located by paying
264.5 tuition to that district. The district of placement may contract with a facility to provide
264.6 instruction by teachers licensed by the Professional Educator Licensing and Standards
264.7 Board.

264.8 (e) When a pupil without a disability is temporarily placed in a residential program for
264.9 care and treatment, the district in which the pupil is placed must provide instruction for the
264.10 pupil and necessary transportation while the pupil is receiving instruction, and in the case
264.11 of a placement outside of the district of residence, the nonresident district must bill the
264.12 district of residence for the actual cost of providing the instruction for the regular school
264.13 year and for summer school, excluding transportation costs. If a pupil's district of residence,
264.14 district of open enrollment under section 124D.03, or charter school of enrollment under
264.15 section 124E.11 is authorized to provide online learning instruction under state statutes, the
264.16 district in which the pupil is placed may utilize that state-approved online learning program
264.17 in fulfilling its responsibility to provide instruction under this section if the child, or the
264.18 child's parent or guardian for a pupil under the age of 18, agrees to that form of instruction.

264.19 (f) Notwithstanding paragraph (e), if the pupil is homeless and placed in a public or
264.20 private homeless shelter, then the district that enrolls the pupil under section 120A.20,
264.21 subdivision 2, paragraph (b), shall provide the transportation, unless the district that enrolls
264.22 the pupil and the district in which the pupil is temporarily placed agree that the district in
264.23 which the pupil is temporarily placed shall provide transportation. When a pupil without a
264.24 disability is temporarily placed in a residential program outside the district of residence,
264.25 the administrator of the court placing the pupil must send timely written notice of the
264.26 placement to the district of residence. The district of placement may contract with a
264.27 residential facility to provide instruction by teachers licensed by the Professional Educator
264.28 Licensing and Standards Board. For purposes of this section, the state correctional facilities
264.29 operated on a fee-for-service basis are considered to be residential programs for care and
264.30 treatment.

264.31 (g) The district of residence must include the pupil in its residence count of pupil units
264.32 and pay tuition as provided in section 123A.488 to the district providing the instruction.
264.33 Transportation costs must be paid by the district providing the transportation and the state
264.34 must pay transportation aid to that district. For purposes of computing state transportation
264.35 aid, pupils governed by this subdivision must be included in the disabled transportation

265.1 category if the pupils cannot be transported on a regular school bus route without special
265.2 accommodations.

265.3 Sec. 11. Minnesota Statutes 2022, section 125A.515, subdivision 3, is amended to read:

265.4 Subd. 3. **Responsibilities for providing education.** (a) The district in which the children's
265.5 residential facility is located must provide education services, including special education
265.6 if eligible, to all students placed in a facility. If a child's district of residence, district of open
265.7 enrollment under section 124D.03, or charter school of enrollment under section 124E.11
265.8 is authorized to provide online learning instruction under state statutes, the district in which
265.9 the children's residential facility is located may utilize that state-approved online learning
265.10 program in fulfilling its education services responsibility under this section if the child, or
265.11 the child's parent or guardian for a pupil under the age of 18, agrees to that form of
265.12 instruction.

265.13 (b) For education programs operated by the Department of Corrections, the providing
265.14 district shall be the Department of Corrections. For students remanded to the commissioner
265.15 of corrections, the providing and resident district shall be the Department of Corrections.

265.16 Sec. 12. Minnesota Statutes 2022, section 125A.76, subdivision 2c, is amended to read:

265.17 Subd. 2c. **Special education aid.** (a) For fiscal year 2020 and later, a district's special
265.18 education aid equals the sum of the district's special education initial aid under subdivision
265.19 2a, the district's cross subsidy reduction aid under subdivision 2e, special education homeless
265.20 pupil aid under subdivision 2f, and the district's excess cost aid under section 125A.79,
265.21 subdivision 5.

265.22 (b) Notwithstanding paragraph (a), for fiscal year 2020, the special education aid for a
265.23 school district, excluding the cross subsidy reduction aid under subdivision 2e, and excluding
265.24 special education homeless pupil aid under subdivision 2f, must not exceed the greater of:

265.25 (i) the sum of 56 percent of the district's nonfederal special education expenditures plus
265.26 100 percent of the district's cost of providing transportation services for children with
265.27 disabilities under section 123B.92, subdivision 1, paragraph (b), clause (4), plus the
265.28 adjustment under sections 125A.11 and 127A.47, subdivision 7; or

265.29 (ii) the sum of: (A) the product of the district's average daily membership served and
265.30 the special education aid increase limit and (B) the product of the sum of the special education
265.31 aid the district would have received for fiscal year 2016 under Minnesota Statutes 2012,
265.32 sections 125A.76 and 125A.79, as adjusted according to Minnesota Statutes 2012, sections

125A.11 and 127A.47, subdivision 7, the ratio of the district's average daily membership served for the current fiscal year to the district's average daily membership served for fiscal year 2016, and the program growth factor.

(c) Notwithstanding paragraph (a), for fiscal year ~~2020~~ 2024 and later the special education aid, excluding the cross subsidy reduction aid under subdivision 2e, excluding special education homeless pupil aid under subdivision 2f, for a school district, not including a charter school or cooperative unit as defined in section 123A.24, must not be less than the lesser of (1) the sum of 90 percent for fiscal year 2020, 85 percent for fiscal year 2021, 80 percent for fiscal year 2022, and 75 percent for fiscal year 2023 and later of the district's nonfederal special education expenditures plus 100 percent of the district's cost of providing transportation services for children with disabilities under section 123B.92, subdivision 1, paragraph (b), clause (4), plus the adjustment under sections 125A.11 and 127A.47, subdivision 7, for that fiscal year or (2) the product of the sum of the special education aid the district would have received for fiscal year 2016 under Minnesota Statutes 2012, sections 125A.76 and 125A.79, as adjusted according to Minnesota Statutes 2012, sections 125A.11 and 127A.47, subdivision 7, the ratio of the district's adjusted daily membership for the current fiscal year to the district's average daily membership for fiscal year 2016, and the minimum aid adjustment factor.

(d) Notwithstanding subdivision 2a and section 125A.79, a charter school in its first year of operation shall generate special education aid based on current year data. A newly formed cooperative unit as defined in section 123A.24 may apply to the commissioner for approval to generate special education aid for its first year of operation based on current year data, with an offsetting adjustment to the prior year data used to calculate aid for programs at participating school districts or previous cooperatives that were replaced by the new cooperative. The department shall establish procedures to adjust the prior year data and fiscal year 2016 old formula aid used in calculating special education aid to exclude costs that have been eliminated for districts where programs have closed or where a substantial portion of the program has been transferred to a cooperative unit.

(e) The department shall establish procedures through the uniform financial accounting and reporting system to identify and track all revenues generated from third-party billings as special education revenue at the school district level; include revenue generated from third-party billings as special education revenue in the annual cross-subsidy report; and exclude third-party revenue from calculation of excess cost aid to the districts.

267.1 Sec. 13. Minnesota Statutes 2022, section 125A.76, subdivision 2e, is amended to read:

267.2 Subd. 2e. **Cross subsidy reduction aid.** (a) A school district's annual cross subsidy
267.3 reduction aid equals the school district's initial special education cross subsidy for the
267.4 previous fiscal year times the cross subsidy aid factor for that fiscal year.

267.5 (b) The cross subsidy aid factor equals ~~2.6 percent for fiscal year 2020 and~~ 6.43 percent
267.6 for fiscal year ~~2021~~ 2023; 44 percent for fiscal years 2024, 2025, and 2026; and 50 percent
267.7 for fiscal year 2027 and later.

267.8 Sec. 14. Minnesota Statutes 2022, section 125A.76, is amended by adding a subdivision
267.9 to read:

267.10 Subd. 2f. **Special education homeless pupil aid.** (a) For fiscal year 2024 and later,
267.11 special education homeless pupil aid must be paid to a school district that is funded for that
267.12 year based on the district's fiscal year 2016 expenditures calculated under Minnesota Statutes
267.13 2012, sections 125A.76 and 125A.79, as adjusted according to Minnesota Statutes 2012,
267.14 sections 125A.11 and 127A.47, subdivision 7, the ratio of the district's adjusted daily
267.15 membership for the current fiscal year to the district's average daily membership for fiscal
267.16 year 2016, and the minimum aid adjustment factor.

267.17 (b) Special education homeless pupil aid equals the greater of zero, or a district's prior
267.18 year transportation costs under section 123B.92, subdivision 1, paragraph (b), clause (4),
267.19 items (ii) and (vii), and the additional cost of transporting a student in a shelter care facility
267.20 as defined in section 260C.007, subdivision 30, a homeless student in another district to the
267.21 school of origin, or a formerly homeless student from a permanent home in another district
267.22 to the school of origin but only through the end of the academic year; minus the fiscal year
267.23 2016 costs associated with transportation costs under section 123B.92, subdivision 1,
267.24 paragraph (b), clause (4), items (ii) and (vii), and the additional cost of transporting a student
267.25 in a shelter care facility as defined in section 260C.007, subdivision 30, a homeless student
267.26 in another district to the school of origin, or a formerly homeless student from a permanent
267.27 home in another district to the school of origin, but only through the end of the academic
267.28 year; adjusted by the ratio of the district's adjusted daily membership for the current fiscal
267.29 year to the district's average daily membership for fiscal year 2016, and the minimum aid
267.30 adjustment factor.

268.1 Sec. 15. **[125A.81] SPECIAL EDUCATION SEPARATE SITES AND PROGRAMS**
268.2 **AID.**

268.3 **Subdivision 1. Definition.** For purposes of this section, "special education separate site
268.4 and program" means a public separate day school facility attended by students with
268.5 disabilities for 50 percent or more of their school day.

268.6 **Subd. 2. Eligibility for special education separate sites and programs aid.** An
268.7 education cooperative under section 471.59, education district under section 123A.15,
268.8 service cooperative under section 123A.21, or intermediate school district under section
268.9 136D.01 qualifies for additional state funding to special education separate sites and programs
268.10 for every kindergarten through grade 12 child with a disability, as defined in section 125A.02,
268.11 served in a special education separate site or program as defined in subdivision 1.

268.12 **Subd. 3. Uses of special education separate sites and programs aid.** Additional state
268.13 funding to special education separate sites and programs under this section may be used for
268.14 the same purposes as are permitted for state special education aid under section 125A.76.

268.15 **Subd. 4. Special education separate sites and programs aid.** For fiscal year 2024 and
268.16 later, additional state funding to special education separate sites and programs equals \$1,689
268.17 times the adjusted kindergarten through grade 12 pupil units served in special education
268.18 separate sites and programs under subdivision 1.

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

268.20 Sec. 16. Minnesota Statutes 2022, section 256B.0625, subdivision 26, is amended to read:

268.21 **Subd. 26. Special education services.** (a) Medical assistance covers evaluations necessary
268.22 in making a determination for eligibility for individualized education program and
268.23 individualized family service plan services and for medical services identified in a recipient's
268.24 individualized education program and individualized family service plan and covered under
268.25 the medical assistance state plan. Covered services include occupational therapy, physical
268.26 therapy, speech-language therapy, clinical psychological services, nursing services, school
268.27 psychological services, school social work services, personal care assistants serving as
268.28 management aides, assistive technology devices, transportation services, health assessments,
268.29 and other services covered under the medical assistance state plan. Mental health services
268.30 eligible for medical assistance reimbursement must be provided or coordinated through a
268.31 children's mental health collaborative where a collaborative exists if the child is included
268.32 in the collaborative operational target population. The provision or coordination of services
268.33 does not require that the individualized education program be developed by the collaborative.

269.1 The services may be provided by a Minnesota school district that is enrolled as a medical
269.2 assistance provider or its subcontractor, and only if the services meet all the requirements
269.3 otherwise applicable if the service had been provided by a provider other than a school
269.4 district, in the following areas: medical necessity; physician's, advanced practice registered
269.5 nurse's, or physician assistant's orders; documentation; personnel qualifications; and prior
269.6 authorization requirements. The nonfederal share of costs for services provided under this
269.7 subdivision is the responsibility of the local school district as provided in section 125A.74.
269.8 Services listed in a child's individualized education program are eligible for medical
269.9 assistance reimbursement only if those services meet criteria for federal financial participation
269.10 under the Medicaid program.

269.11 (b) Approval of health-related services for inclusion in the individualized education
269.12 program does not require prior authorization for purposes of reimbursement under this
269.13 chapter. The commissioner may require physician, advanced practice registered nurse, or
269.14 physician assistant review and approval of the plan not more than once annually or upon
269.15 any modification of the individualized education program that reflects a change in
269.16 health-related services.

269.17 (c) Services of a speech-language pathologist provided under this section are covered
269.18 notwithstanding Minnesota Rules, part 9505.0390, subpart 1, item L, if the person:

269.19 (1) holds a masters degree in speech-language pathology;

269.20 (2) is licensed by the Professional Educator Licensing and Standards Board as an
269.21 educational speech-language pathologist; and

269.22 (3) either has a certificate of clinical competence from the American Speech and Hearing
269.23 Association, has completed the equivalent educational requirements and work experience
269.24 necessary for the certificate or has completed the academic program and is acquiring
269.25 supervised work experience to qualify for the certificate.

269.26 (d) Medical assistance coverage for medically necessary services provided under other
269.27 subdivisions in this section may not be denied solely on the basis that the same or similar
269.28 services are covered under this subdivision.

269.29 (e) The commissioner shall develop and implement package rates, bundled rates, or per
269.30 diem rates for special education services under which separately covered services are grouped
269.31 together and billed as a unit in order to reduce administrative complexity.

269.32 (f) The commissioner shall develop a cost-based payment structure for payment of these
269.33 services. Only costs reported through the designated Minnesota Department of Education

270.1 data systems in distinct service categories qualify for inclusion in the cost-based payment
270.2 structure. The commissioner shall reimburse claims submitted based on an interim rate, and
270.3 shall settle at a final rate once the department has determined it. The commissioner shall
270.4 notify the school district of the final rate. The school district has 60 days to appeal the final
270.5 rate. To appeal the final rate, the school district shall file a written appeal request to the
270.6 commissioner within 60 days of the date the final rate determination was mailed. The appeal
270.7 request shall specify (1) the disputed items and (2) the name and address of the person to
270.8 contact regarding the appeal.

270.9 (g) Effective July 1, 2000, medical assistance services provided under an individualized
270.10 education program or an individual family service plan by local school districts shall not
270.11 count against medical assistance authorization thresholds for that child.

270.12 (h) Nursing services as defined in section 148.171, subdivision 15, and provided as an
270.13 individualized education program health-related service, are eligible for medical assistance
270.14 payment if they are otherwise a covered service under the medical assistance program.
270.15 Medical assistance covers the administration of prescription medications by a licensed nurse
270.16 who is employed by or under contract with a school district when the administration of
270.17 medications is identified in the child's individualized education program. The simple
270.18 administration of medications alone is not covered under medical assistance when
270.19 administered by a provider other than a school district or when it is not identified in the
270.20 child's individualized education program.

270.21 (i) School social work services provided by a mental health professional, as defined in
270.22 section 245I.04, subdivision 2, or a clinical trainee as defined in section 245I.04, subdivision
270.23 6, under the supervision of a mental health professional, or mental health practitioner, as
270.24 defined in section 245I.04, subdivision 4, under the supervision of a mental health
270.25 professional, are eligible for medical assistance payment. A mental health practitioner
270.26 performing school social work services under this section must provide services within the
270.27 mental health practitioner's licensure scope of practice, if applicable, and within the mental
270.28 health practitioner scope of practice under section 245I.04, subdivision 5.

270.29 (j) Notwithstanding section 245I.10, subdivision 2, a special education evaluation,
270.30 individualized education program, or individual family service plan may be used to determine
270.31 medical necessity and eligibility for school social work services under paragraph (i) instead
270.32 of a diagnostic assessment.

271.1 (k) A school social worker or school providing mental health services under paragraph
271.2 (i) is not required to be certified to provide children's therapeutic services and supports
271.3 under section 256B.0943.

271.4 (l) Covered mental health services provided by a school social worker under paragraph
271.5 (i) include but are not limited to:

271.6 (1) administering and reporting standardized measures;

271.7 (2) care coordination;

271.8 (3) children's mental health crisis assistance, planning, and response services;

271.9 (4) children's mental health clinical care consultation;

271.10 (5) dialectical behavioral therapy for adolescents;

271.11 (6) direction of mental health behavioral aides;

271.12 (7) family psychoeducation;

271.13 (8) individual, family, and group psychotherapy;

271.14 (9) mental health behavioral aide services;

271.15 (10) skills training; and

271.16 (11) treatment plan development and review.

271.17 **EFFECTIVE DATE.** This section is effective January 1, 2024, or upon federal approval,
271.18 whichever is later. The commissioner shall notify the revisor of statutes when federal
271.19 approval has been obtained.

271.20 **Sec. 17. SPECIFIC LEARNING DISABILITY; RULEMAKING.**

271.21 (a) The commissioner of education must begin the rulemaking process to amend
271.22 Minnesota Rules, part 3525.1341, and establish a stakeholder workgroup to review current
271.23 specific learning disabilities criteria by December 31, 2023. By June 30, 2024, the workgroup
271.24 must make recommendations aligned with related state and federal requirements, including:

271.25 (1) removing discrepancy from criteria;

271.26 (2) developing a plan to operationalize changes to criteria to align with current best
271.27 practices and address concerns of multiple stakeholder groups, including but not limited to
271.28 administrators, parents, educators, researchers, related services staff, advocates, lawyers,
271.29 people from Black, Indigenous, and People of Color communities, and immigrant groups;

272.1 (3) providing definitions and clarification of terms and procedures within existing
272.2 requirements;

272.3 (4) establishing the accountability process, including procedures and targets, for districts
272.4 and cooperatives to use in evaluating their progress toward implementation of the amended
272.5 rule; and

272.6 (5) developing an evaluation framework for measuring intended and unintended results
272.7 of amended criteria. Intended and unintended results may include overidentification and
272.8 underidentification of particular student groups, delays to referral and identification,
272.9 transitioning from developmental delay to specific learning disability, consistency of
272.10 identification across districts and the state, adding unnecessary paperwork, limiting team
272.11 decision making, or limiting access and progress with intensive and individualized special
272.12 education support.

272.13 (b) Following the development of recommendations from the stakeholder workgroup,
272.14 the commissioner must proceed with the rulemaking process and recommended alignment
272.15 with other existing state and federal law.

272.16 (c) Concurrent with rulemaking, the commissioner must establish technical assistance
272.17 and training capacity on the amended criteria, and training and capacity building must begin
272.18 upon final approval of the amended rule.

272.19 (d) The amended rule must go into full effect no later than five years after the proposed
272.20 revised rules are approved by the administrative law judge.

272.21 Sec. 18. **APPROPRIATIONS.**

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

272.25 Subd. 2. **Aid for children with disabilities.** (a) For aid under Minnesota Statutes, section
272.26 125A.75, subdivision 3, for children with disabilities placed in residential facilities within
272.27 the district boundaries for whom no district of residence can be determined:

272.28 \$ 1,674,000 2024

272.29 \$ 1,888,000 2025

272.30 (b) If the appropriation for either year is insufficient, the appropriation for the other year
272.31 is available.

273.1 Subd. 3. **Court-placed special education revenue.** For reimbursing serving school
273.2 districts for unreimbursed eligible expenditures attributable to children placed in the serving
273.3 school district by court action under Minnesota Statutes, section 125A.79, subdivision 4:

273.4 \$ 26,000 2024

273.5 \$ 27,000 2025

273.6 Subd. 4. **Special education; regular.** (a) For special education aid under Minnesota
273.7 Statutes, section 125A.75:

273.8 \$ 2,271,000,000 2024

273.9 \$ 2,434,933,000 2025

273.10 (b) The 2024 appropriation includes \$229,860,000 for 2023 and \$2,041,140,000 for
273.11 2024.

273.12 (c) The 2025 appropriation includes \$287,333,000 for 2024 and \$2,147,600,000 for
273.13 2025.

273.14 Subd. 5. **Special education out-of-state tuition.** For special education out-of-state
273.15 tuition under Minnesota Statutes, section 125A.79, subdivision 8:

273.16 \$ 250,000 2024

273.17 \$ 250,000 2025

273.18 Subd. 6. **Special education separate sites and programs.** (a) For aid for special
273.19 education separate sites and programs under Minnesota Statutes, section 125A.81, subdivision
273.20 4:

273.21 \$ 4,378,000 2024

273.22 \$ 5,083,000 2025

273.23 (b) The 2024 appropriation includes \$0 for 2023 and \$4,378,000 for 2024.

273.24 (c) The 2025 appropriation includes \$486,000 for 2024 and \$4,597,000 for 2025.

273.25 Subd. 7. **Travel for home-based services.** (a) For aid for teacher travel for home-based
273.26 services under Minnesota Statutes, section 125A.75, subdivision 1:

273.27 \$ 334,000 2024

273.28 \$ 348,000 2025

273.29 (b) The 2024 appropriation includes \$32,000 for 2023 and \$302,000 for 2024.

273.30 (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 ~~(e)~~, 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.

Sec. 3. Minnesota Statutes 2022, section 123B.595, subdivision 3, is amended to read:

Subd. 3. **Intermediate districts and other cooperative units.** (a) Upon approval through the adoption of a resolution by each member district school board of an intermediate district or other cooperative unit under section 123A.24, subdivision 2, or a joint powers district under section 471.59, and the approval of the commissioner of education, a school district may include in its authority under this section a proportionate share of the long-term maintenance costs of the intermediate district or cooperative unit, or joint powers district. The cooperative unit or joint powers district may issue bonds to finance the project costs or levy for the costs; using long-term maintenance revenue transferred from member districts

to make debt service payments or pay project costs or, for leased facilities, pay the portion of lease costs attributable to the amortized cost of long-term facilities maintenance projects completed by the landlord. Authority under this subdivision is in addition to the authority for individual district projects under subdivision 1.

(b) The resolution adopted under paragraph (a) may specify which member districts will share the project costs under this subdivision, except that debt service payments for bonds issued by a cooperative unit or joint powers district to finance long-term maintenance project costs must be the responsibility of all member districts.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2025 and later.

Sec. 4. Minnesota Statutes 2022, section 123B.595, subdivision 4, is amended to read:

Subd. 4. Facilities plans. (a) To qualify for revenue under this section, a school district or intermediate district, not including a charter school, must have a ten-year facility plan adopted by the school board and approved by the commissioner. The plan must include provisions for implementing a health and safety program that complies with health, safety, and environmental regulations and best practices, including indoor air quality management and remediation of lead hazards. For planning purposes, the plan must also address provisions for providing a gender-neutral single-user restroom at each school site.

(b) The district must annually update the plan, submit the plan to the commissioner for approval by July 31, and indicate whether the district will issue bonds to finance the plan or levy for the costs.

(c) For school districts issuing bonds to finance the plan, the plan must include a debt service schedule demonstrating that the debt service revenue required to pay the principal and interest on the bonds each year will not exceed the projected long-term facilities revenue 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.~~

277.1 ~~(e) For fiscal year 2019 and later,~~ (a) A district's long-term facilities maintenance
277.2 equalization revenue equals the lesser of (1) \$380 times the adjusted pupil units or (2) the
277.3 district's revenue under subdivision 1.

277.4 ~~(d) (b)~~ Notwithstanding ~~paragraphs~~ paragraph (a) ~~to (e)~~, a district's long-term facilities
277.5 maintenance equalization revenue must not be less than the lesser of the district's long-term
277.6 facilities maintenance revenue or the amount of aid the district received for fiscal year 2015
277.7 under Minnesota Statutes 2014, section 123B.59, subdivision 6.

277.8 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2025 and later.

277.9 Sec. 6. Minnesota Statutes 2022, section 123B.595, subdivision 8, is amended to read:

277.10 Subd. 8. **Long-term facilities maintenance equalized levy.** ~~(a) For fiscal year 2017~~
277.11 ~~and later,~~ A district's long-term facilities maintenance equalized levy equals the district's
277.12 long-term facilities maintenance equalization revenue minus the greater of:

277.13 (1) the lesser of the district's long-term facilities maintenance equalization revenue or
277.14 the amount of aid the district received for fiscal year 2015 under Minnesota Statutes 2014,
277.15 section 123B.59, subdivision 6; or

277.16 (2) the district's long-term facilities maintenance equalization revenue times the greater
277.17 of (i) zero or (ii) one minus the ratio of its adjusted net tax capacity per adjusted pupil unit
277.18 in the year preceding the year the levy is certified to 123 percent of the state average adjusted
277.19 net tax capacity per adjusted pupil unit for all school districts in the year preceding the year
277.20 the levy is certified.

277.21 (b) For purposes of this subdivision, "adjusted net tax capacity" means the value described
277.22 in section 126C.01, subdivision 2, paragraph (b).

277.23 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2025 and later.

277.24 Sec. 7. Minnesota Statutes 2022, section 123B.595, subdivision 8a, is amended to read:

277.25 Subd. 8a. **Long-term facilities maintenance unequalized levy.** ~~For fiscal year 2017~~
277.26 ~~and later,~~ A district's long-term facilities maintenance unequalized levy equals the difference
277.27 between the district's revenue under subdivision 1 and the district's equalization revenue
277.28 under subdivision 7.

277.29 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2025 and later.

278.1 Sec. 8. Minnesota Statutes 2022, section 123B.595, subdivision 9, is amended to read:

278.2 Subd. 9. **Long-term facilities maintenance equalized aid.** ~~For fiscal year 2017 and~~
278.3 ~~later,~~ A district's long-term facilities maintenance equalized aid equals its long-term facilities
278.4 maintenance equalization revenue minus its long-term facilities maintenance equalized levy
278.5 times the ratio of the actual equalized amount levied to the permitted equalized levy.

278.6 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2025 and later.

278.7 Sec. 9. Minnesota Statutes 2022, section 123B.595, subdivision 10, is amended to read:

278.8 Subd. 10. **Allowed uses for long-term facilities maintenance revenue.** (a) A district
278.9 may use revenue under this section for any of the following:

278.10 (1) deferred capital expenditures and maintenance projects necessary to prevent further
278.11 erosion of facilities;

278.12 (2) increasing accessibility of school facilities;

278.13 (3) health and safety capital projects under section 123B.57; ~~or~~

278.14 (4) remodeling or constructing a gender-neutral single-user restroom at each school site;
278.15 or

278.16 ~~(4)~~ (5) by board resolution, to transfer money from the general fund reserve for long-term
278.17 facilities maintenance to the debt redemption fund to pay the amounts needed to meet, when
278.18 due, principal and interest on general obligation bonds issued under subdivision 5.

278.19 (b) A charter school may use revenue under this section for any purpose related to the
278.20 school.

278.21 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2025 and later.

278.22 Sec. 10. Minnesota Statutes 2022, section 123B.595, subdivision 11, is amended to read:

278.23 Subd. 11. **Restrictions on long-term facilities maintenance revenue.** Notwithstanding
278.24 subdivision 10, long-term facilities maintenance revenue may not be used:

278.25 (1) for the construction of new facilities, remodeling of existing facilities, or the purchase
278.26 of portable classrooms, except for the costs associated with constructing or remodeling
278.27 existing facilities to include at least one gender-neutral single-user restroom authorized
278.28 under subdivision 10;

278.29 (2) to finance a lease purchase agreement, installment purchase agreement, or other
278.30 deferred payments agreement;

(3) for energy-efficiency projects under section 123B.65, for a building or property or part of a building or property used for postsecondary instruction or administration, or for a purpose unrelated to elementary and secondary education; or

(4) for violence prevention and facility security, ergonomics, or emergency communication devices.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2025 and later.

Sec. 11. Minnesota Statutes 2022, section 123B.71, subdivision 9, is amended to read:

Subd. 9. **Information required.** A school board proposing to construct, expand, or remodel a facility that requires a review and comment under subdivision 8 shall submit to the commissioner a proposal containing information including at least the following:

(1) the geographic area and population to be served, preschool through grade 12 student enrollments for the past five years, and student enrollment projections for the next five years;

(2) a list of existing facilities by year constructed, their uses, and an assessment of the extent to which alternate facilities are available within the school district boundaries and in adjacent school districts;

(3) a list of the specific deficiencies of the facility that demonstrate the need for a new or renovated facility to be provided, the process used to determine the deficiencies, a list of those deficiencies that will and will not be addressed by the proposed project, and a list of the specific benefits that the new or renovated facility will provide to the students, teachers, and community users served by the facility;

(4) a description of the project, including the specification of site and outdoor space acreage and square footage allocations for classrooms, laboratories, and support spaces; estimated expenditures for the major portions of the project; and the dates the project will begin and be completed;

(5) a description of the project's plans for gender-neutral single-user restrooms, locker room privacy stalls, or other spaces with privacy features, including single-user shower stalls, changing stalls, or other single-user facilities;

~~(5)~~ (6) a specification of the source of financing the project, including applicable statutory citations; the scheduled date for a bond issue or school board action; a schedule of payments, including debt service equalization aid; and the effect of a bond issue on local property taxes by the property class and valuation; and

280.1 ~~(6)~~ (7) documents obligating the school district and contractors to comply with items
280.2 (i) to (vii) in planning and executing the project:

280.3 (i) section 471.345 governing municipal contracts;

280.4 (ii) sustainable design;

280.5 (iii) school facility commissioning under section 123B.72 certifying the plans and designs
280.6 for the heating, ventilating, air conditioning, and air filtration for an extensively renovated
280.7 or new facility meet or exceed current code standards, including the ASHRAE air filtration
280.8 standard 52.1;

280.9 (iv) American National Standards Institute Acoustical Performance Criteria, Design
280.10 Requirements and Guidelines for Schools on maximum background noise level and
280.11 reverberation times;

280.12 (v) State Fire Code;

280.13 (vi) chapter 326B governing building codes; and

280.14 (vii) consultation with affected government units about the impact of the project on
280.15 utilities, roads, sewers, sidewalks, retention ponds, school bus and automobile traffic, access
280.16 to mass transit, and safe access for pedestrians and cyclists.

280.17 **EFFECTIVE DATE.** This section is effective for review and comments submitted on
280.18 or after July 1, 2023.

280.19 Sec. 12. Minnesota Statutes 2022, section 126C.10, subdivision 14, is amended to read:

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

280.22 (1) to acquire land for school purposes;

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

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

280.26 (4) to improve and repair school sites and buildings, and equip or reequip school buildings
280.27 with permanent attached fixtures, including library media centers and gender-neutral
280.28 single-user restrooms, locker room privacy stalls, or other spaces with privacy features,
280.29 including single-user shower stalls, changing stalls, or other single-user facilities;

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

- 281.1 (6) to eliminate barriers or increase access to school buildings by individuals with a
281.2 disability;
- 281.3 (7) to bring school buildings into compliance with the State Fire Code adopted according
281.4 to chapter 299F;
- 281.5 (8) to remove asbestos from school buildings, encapsulate asbestos, or make
281.6 asbestos-related repairs;
- 281.7 (9) to clean up and dispose of polychlorinated biphenyls found in school buildings;
- 281.8 (10) to clean up, remove, dispose of, and make repairs related to storing heating fuel or
281.9 transportation fuels such as alcohol, gasoline, fuel oil, and special fuel, as defined in section
281.10 296A.01;
- 281.11 (11) for energy audits for school buildings and to modify buildings if the audit indicates
281.12 the cost of the modification can be recovered within ten years;
- 281.13 (12) to improve buildings that are leased according to section 123B.51, subdivision 4;
- 281.14 (13) to pay special assessments levied against school property but not to pay assessments
281.15 for service charges;
- 281.16 (14) to pay principal and interest on state loans for energy conservation according to
281.17 section 216C.37 or loans made under the Douglas J. Johnson Economic Protection Trust
281.18 Fund Act according to sections 298.292 to ~~298.298~~ 298.297;
- 281.19 (15) to purchase or lease interactive telecommunications equipment;
- 281.20 (16) by board resolution, to transfer money into the debt redemption fund to: (i) pay the
281.21 amounts needed to meet, when due, principal and interest payments on certain obligations
281.22 issued according to chapter 475; or (ii) pay principal and interest on debt service loans or
281.23 capital loans according to section 126C.70;
- 281.24 (17) to pay operating capital-related assessments of any entity formed under a cooperative
281.25 agreement between two or more districts;
- 281.26 (18) to purchase or lease computers and related hardware, software, and annual licensing
281.27 fees, copying machines, telecommunications equipment, and other noninstructional
281.28 equipment;
- 281.29 (19) to purchase or lease assistive technology or equipment for instructional programs;
- 281.30 (20) to purchase textbooks as defined in section 123B.41, subdivision 2;
- 281.31 (21) to purchase new and replacement library media resources or technology;

282.1 (22) to lease or purchase vehicles;

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

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

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

282.8 (iii) other classroom information management needs;

282.9 (24) to pay personnel costs directly related to the acquisition, operation, and maintenance
282.10 of telecommunications systems, computers, related equipment, and network and applications
282.11 software; and

282.12 (25) to pay the costs directly associated with closing a school facility, including moving
282.13 and storage costs.

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

282.15 Sec. 13. Minnesota Statutes 2022, section 126C.40, subdivision 1, is amended to read:

282.16 Subdivision 1. **To lease building or land.** (a) When an independent or a special school
282.17 district or a group of independent or special school districts finds it economically
282.18 advantageous to rent or lease a building or land for any instructional purposes or for school
282.19 storage or furniture repair, and it determines that the operating capital revenue authorized
282.20 under section 126C.10, subdivision 13, is insufficient for this purpose, it may apply to the
282.21 commissioner for permission to make an additional capital expenditure levy for this purpose.
282.22 An application for permission to levy under this subdivision must contain financial
282.23 justification for the proposed levy, the terms and conditions of the proposed lease, and a
282.24 description of the space to be leased and its proposed use.

282.25 (b) The criteria for approval of applications to levy under this subdivision must include:
282.26 the reasonableness of the price, the appropriateness of the space to the proposed activity,
282.27 the feasibility of transporting pupils to the leased building or land, conformity of the lease
282.28 to the laws and rules of the state of Minnesota, and the appropriateness of the proposed
282.29 lease to the space needs and the financial condition of the district. The commissioner must
282.30 not authorize a levy under this subdivision in an amount greater than the cost to the district
282.31 of renting or leasing a building or land for approved purposes. The proceeds of this levy
282.32 must not be used for custodial or other maintenance services. A district may not levy under

283.1 this subdivision for the purpose of leasing or renting a district-owned building or site to
283.2 itself.

283.3 (c) For agreements finalized after July 1, 1997, a district may not levy under this
283.4 subdivision for the purpose of leasing: (1) a newly constructed building used primarily for
283.5 regular kindergarten, elementary, or secondary instruction; or (2) a newly constructed
283.6 building addition or additions used primarily for regular kindergarten, elementary, or
283.7 secondary instruction that contains more than 20 percent of the square footage of the
283.8 previously existing building.

283.9 (d) Notwithstanding paragraph (b), a district may levy under this subdivision for the
283.10 purpose of leasing or renting a district-owned building or site to itself only if the amount is
283.11 needed by the district to make payments required by a lease purchase agreement, installment
283.12 purchase agreement, or other deferred payments agreement authorized by law, and the levy
283.13 meets the requirements of paragraph (c). A levy authorized for a district by the commissioner
283.14 under this paragraph may be in the amount needed by the district to make payments required
283.15 by a lease purchase agreement, installment purchase agreement, or other deferred payments
283.16 agreement authorized by law, provided that any agreement include a provision giving the
283.17 school districts the right to terminate the agreement annually without penalty.

283.18 (e) The total levy under this subdivision for a district for any year must not exceed \$212
283.19 times the adjusted pupil units for the fiscal year to which the levy is attributable.

283.20 (f) For agreements for which a review and comment have been submitted to the
283.21 Department of Education after April 1, 1998, the term "instructional purpose" as used in
283.22 this subdivision excludes expenditures on stadiums.

283.23 (g) The commissioner of education may authorize a school district to exceed the limit
283.24 in paragraph (e) if the school district petitions the commissioner for approval. The
283.25 commissioner shall grant approval to a school district to exceed the limit in paragraph (e)
283.26 for not more than five years if the district meets the following criteria:

283.27 (1) the school district has been experiencing pupil enrollment growth in the preceding
283.28 five years;

283.29 (2) the purpose of the increased levy is in the long-term public interest;

283.30 (3) the purpose of the increased levy promotes colocation of government services; and

283.31 (4) the purpose of the increased levy is in the long-term interest of the district by avoiding
283.32 over construction of school facilities.

(h) A school district that is a member of an intermediate school district or other cooperative unit under section 123A.24, subdivision 2, or a joint powers district under section 471.59 may include in its authority under this section the costs associated with leases of administrative and classroom space for ~~intermediate school district~~ programs of the intermediate school district or other cooperative unit under section 123A.24, subdivision 2, or joint powers district under section 471.59. This authority must not exceed \$65 times the adjusted pupil units of the member districts. This authority is in addition to any other authority authorized under this section. The intermediate school district, other cooperative unit, or joint powers district may specify which member districts will levy for lease costs under this paragraph.

~~(i) In addition to the allowable capital levies in paragraph (a), for taxes payable in 2012 to 2023, a district that is a member of the "Technology and Information Education Systems" data processing joint board, that finds it economically advantageous to enter into a lease agreement to finance improvements to a building and land for a group of school districts or special school districts for staff development purposes, may levy for its portion of lease costs attributed to the district within the total levy limit in paragraph (e). The total levy authority under this paragraph shall not exceed \$632,000.~~

~~(j)~~ (i) Notwithstanding paragraph (a), a district may levy under this subdivision for the purpose of leasing administrative space if the district can demonstrate to the satisfaction of the commissioner that the lease cost for the administrative space is no greater than the lease cost for instructional space that the district would otherwise lease. The commissioner must deny this levy authority unless the district passes a resolution stating its intent to lease instructional space under this section if the commissioner does not grant authority under this paragraph. The resolution must also certify that the lease cost for administrative space under this paragraph is no greater than the lease cost for the district's proposed instructional lease.

(j) Notwithstanding paragraph (a), a district may levy under this subdivision for the district's proportionate share of deferred maintenance expenditures for a district-owned building or site leased to a cooperative unit under section 123A.24, subdivision 2, or a joint powers district under section 471.59 for any instructional purposes or for school storage.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2025 and later.

285.1 Sec. 14. Minnesota Statutes 2022, section 126C.40, subdivision 6, is amended to read:

285.2 Subd. 6. **Lease purchase; installment buys.** (a) Upon application to, and approval by,
285.3 the commissioner in accordance with the procedures and limits in subdivision 1, paragraphs
285.4 (a) and (b), a district, as defined in this subdivision, may:

285.5 (1) purchase real or personal property under an installment contract or may lease real
285.6 or personal property with an option to purchase under a lease purchase agreement, by which
285.7 installment contract or lease purchase agreement title is kept by the seller or vendor or
285.8 assigned to a third party as security for the purchase price, including interest, if any; and

285.9 (2) annually levy the amounts necessary to pay the district's obligations under the
285.10 installment contract or lease purchase agreement.

285.11 (b) The obligation created by the installment contract or the lease purchase agreement
285.12 must not be included in the calculation of net debt for purposes of section 475.53, and does
285.13 not constitute debt under other law. An election is not required in connection with the
285.14 execution of the installment contract or the lease purchase agreement.

285.15 (c) The proceeds of the levy authorized by this subdivision must not be used to acquire
285.16 a facility to be primarily used for athletic or school administration purposes.

285.17 (d) For the purposes of this subdivision, "district" means:

285.18 (1) Special School District No. 1, Minneapolis, Independent School District No. 625,
285.19 St. Paul, Independent School District No. 709, Duluth, or Independent School District No.
285.20 535, Rochester, if the district's desegregation plan has been determined by the commissioner
285.21 to be in compliance with Department of Education rules relating to equality of educational
285.22 opportunity and where the acquisition of property under this subdivision is determined by
285.23 the commissioner to contribute to the implementation of the desegregation plan; or

285.24 (2) other districts eligible for revenue under section 124D.862 if the facility acquired
285.25 under this subdivision is to be primarily used for a joint program for interdistrict
285.26 desegregation and the commissioner determines that the joint programs are being undertaken
285.27 to implement the districts' desegregation plan.

285.28 (e) Notwithstanding subdivision 1, the prohibition against a levy by a district to lease
285.29 or rent a district-owned building to itself does not apply to levies otherwise authorized by
285.30 this subdivision.

285.31 (f) For the purposes of this subdivision, any references in subdivision 1 to building or
285.32 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;

(4) to pay the costs for security in the district's schools and on school property;

(5) to pay the costs for other crime prevention, drug abuse, student and staff safety, voluntary opt-in suicide prevention tools, and violence prevention measures taken by the school district;

(6) to pay costs for licensed school counselors, licensed school nurses, licensed school social workers, licensed school psychologists, and licensed alcohol and substance use disorder counselors to help provide early responses to problems;

(7) to pay for facility security enhancements including laminated glass, public announcement systems, emergency communications devices, and equipment and facility modifications related to violence prevention and facility security;

(8) to pay for costs associated with improving the school climate; ~~or~~

(9) to pay costs for colocating and collaborating with mental health professionals who are not district employees or contractors; or

(10) to pay for the costs of cybersecurity measures, including updating computer hardware and software, other systems upgrades, and cybersecurity insurance costs.

(b) For expenditures under paragraph (a), clause (1), the district must initially attempt to contract for services to be provided by peace officers or sheriffs with the police department of each city or the sheriff's department of the county within the district containing the school receiving the services. If a local police department or a county sheriff's department does not wish to provide the necessary services, the district may contract for these services with any other police or sheriff's department located entirely or partially within the school district's boundaries.

~~(c) A school district that is a member of an intermediate school district may include in its authority under this section the costs associated with safe schools activities authorized under paragraph (a) for intermediate school district programs. This authority must not exceed \$15 times 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 paragraph must be transferred to the intermediate school district.~~

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

Sec. 16. LEASE LEVY FOR TRANSPORTATION HUB FOR EASTERN CARVER COUNTY SCHOOL DISTRICT.

Notwithstanding Minnesota Statutes, section 126C.40, subdivision 1, Independent School District No. 112, Eastern Carver County Schools, may lease a transportation hub under Minnesota Statutes, section 126C.40, subdivision 1, if the district demonstrates to the satisfaction of the commissioner of education that the transportation hub will result in significant financial savings for the school district. Levy authority under this section must

288.1 not exceed the total levy authority under Minnesota Statutes, section 126C.40, subdivision
288.2 1, paragraph (e).

288.3 **EFFECTIVE DATE.** This section is effective for taxes payable in 2024 and later.

288.4 Sec. 17. **LONG-TERM FACILITIES MAINTENANCE REVENUE ADJUSTMENT.**

288.5 Subdivision 1. **Eligibility.** A school board that purchases a nonschool facility and converts
288.6 that facility to a school building may document to the commissioner of education, in the
288.7 form and manner specified by the commissioner, that the purchase and subsequent remodeling
288.8 of the facility is less expensive than constructing a new facility for the same space and is
288.9 eligible for an adjustment to its long-term facilities maintenance revenue according to
288.10 subdivision 2.

288.11 Subd. 2. **Inclusion in plan and revenue.** Notwithstanding Minnesota Statutes, section
288.12 123B.595, or any other law to the contrary, an eligible school district under subdivision 1
288.13 may include in its long-term facilities maintenance ten-year plan any heating, ventilation,
288.14 and air conditioning projects necessary to improve air handling performance sufficient to
288.15 satisfy the requirements for a certificate of occupancy for the space for its intended use as
288.16 a school facility. The Department of Education must adjust an eligible school district's
288.17 long-term facilities maintenance revenue to include these costs.

288.18 **EFFECTIVE DATE.** This section is effective the day following final enactment and
288.19 applies to a nonschool facility purchased between January 1, 2019, and June 30, 2023.

288.20 Sec. 18. **FUND TRANSFER; MOORHEAD AREA PUBLIC SCHOOLS.**

288.21 Notwithstanding Minnesota Statutes, section 123B.595, subdivisions 10 and 11, 123B.79,
288.22 or 123B.80, on June 30, 2023, Independent School District No. 152, Moorhead Area Public
288.23 Schools, may permanently transfer up to \$5,000,000 from the long term facilities maintenance
288.24 reserve account in the general fund to the operating capital account in the general fund.
288.25 Transferred funds must be used to pay for increased costs of constructing, furnishing, and
288.26 equipping the new Moorhead High School facility.

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

288.28 Sec. 19. **APPROPRIATIONS.**

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

289.1 Subd. 2. **Building and cybersecurity grant program.** (a) To provide grants to school
289.2 districts and charter schools to improve building security and cybersecurity:

289.3 \$ 24,332,000 2024

289.4 \$ 0 2025

289.5 (b) A cooperative unit, school district, or charter school may apply for a grant in the
289.6 form and manner specified by the commissioner.

289.7 (c) Funds may be used for security-related facility improvements, cybersecurity insurance
289.8 premiums, and associated costs.

289.9 (d) Up to \$100,000 is available for grant administration and monitoring.

289.10 (e) This is a onetime appropriation and is available until June 30, 2027.

289.11 Subd. 3. **Debt service equalization aid.** (a) For debt service equalization aid under
289.12 Minnesota Statutes, section 123B.53, subdivision 6:

289.13 \$ 24,511,000 2024

289.14 \$ 21,351,000 2025

289.15 (b) The 2024 appropriation includes \$2,424,000 for 2023 and \$22,087,000 for 2024.

289.16 (c) The 2025 appropriation includes \$2,454,000 for 2024 and \$18,897,000 for 2025.

289.17 Subd. 4. **Equity in telecommunications access.** (a) For equity in telecommunications
289.18 access:

289.19 \$ 3,750,000 2024

289.20 \$ 3,750,000 2025

289.21 (b) If the appropriation amount is insufficient, the commissioner shall reduce the
289.22 reimbursement rate in Minnesota Statutes, section 125B.26, subdivisions 4 and 5, and the
289.23 revenue for fiscal years 2024 and 2025 shall be prorated.

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

289.25 Subd. 5. **Grants for gender-neutral single-user restrooms.** (a) For grants to school
289.26 districts for remodeling, constructing, or repurposing space for gender-neutral single-user
289.27 restrooms:

289.28 \$ 1,000,000 2024

289.29 \$ 1,000,000 2025

289.30 (b) A school district or a cooperative unit under Minnesota Statutes, section 123A.24,
289.31 subdivision 2, may apply for a grant of not more than \$75,000 per site under this subdivision

290.1 in the form and manner specified by the commissioner. The commissioner must award at
290.2 least one grant under this subdivision to Independent School District No. 709, Duluth, for
290.3 a demonstration grant for a project awaiting construction.

290.4 (c) The commissioner must ensure that grants are awarded to schools to reflect the
290.5 geographic diversity of the state.

290.6 (d) Up to \$75,000 each year is available for grant administration and monitoring.

290.7 (e) By February 1 of each year, the commissioner must annually report to the committees
290.8 of the legislature with jurisdiction over education on the number of grants that were awarded
290.9 each year and the number of grant applications that were unfunded during that year.

290.10 Subd. 6. **Long-term facilities maintenance equalized aid.** (a) For long-term facilities
290.11 maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

290.12 \$ 108,045,000 2024

290.13 \$ 107,894,000 2025

290.14 (b) The 2024 appropriation includes \$10,821,000 for 2023 and \$97,224,000 for 2024.

290.15 (c) The 2025 appropriation includes \$10,803,000 for 2024 and \$97,091,000 for 2025.

290.16 ARTICLE 9

290.17 NUTRITION AND LIBRARIES

290.18 Section 1. Minnesota Statutes 2022, section 124D.111, subdivision 1a, as amended by
290.19 Laws 2023, chapter 18, section 1, is amended to read:

290.20 Subd. 1a. **School lunch aid amounts.** Each school year, the state must pay participants
290.21 in the national school lunch program either:

290.22 (1) the amount of 12.5 cents for each full paid and free student lunch and 52.5 cents for
290.23 each reduced-price lunch served to students; or

290.24 (2) if the school participates in the free school meals program under subdivision 1c, the
290.25 sum of: (i) 12.5 cents for each full paid, reduced-price, and free student lunch; and (ii) the
290.26 amount specified in subdivision 1d.

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

290.28 Sec. 2. Minnesota Statutes 2022, section 124D.111, subdivision 2a, is amended to read:

290.29 Subd. 2a. **Federal child and adult care food program and federal summer food**
290.30 **service program; criteria and notice.** (a) The commissioner must post on the department's

291.1 website eligibility criteria and application information for nonprofit organizations interested
291.2 in applying to the commissioner for approval as a multisite sponsoring organization under
291.3 the federal child and adult care food program and federal summer food service program.

291.4 The posted criteria and information must inform interested nonprofit organizations about:

291.5 (1) the criteria the commissioner uses to approve or disapprove an application, including
291.6 how an applicant demonstrates financial viability for the Minnesota program, among other
291.7 criteria;

291.8 (2) the commissioner's process and time line for notifying an applicant when its
291.9 application is approved or disapproved and, if the application is disapproved, the explanation
291.10 the commissioner provides to the applicant; and

291.11 (3) any appeal or other recourse available to a disapproved applicant.

291.12 (b) The commissioner must evaluate financial eligibility as part of the application process.
291.13 An organization applying to be a prospective sponsor for the federal child and adult food
291.14 care program or the federal summer food service program must provide documentation of
291.15 financial viability as an organization. Documentation must include:

291.16 (1) evidence that the organization has operated for at least one year and has filed at least
291.17 one tax return;

291.18 (2) the most recent tax return submitted by the organization and corresponding forms
291.19 and financial statements;

291.20 (3) a profit and loss statement and balance sheet or similar financial information; and

291.21 (4) evidence that at least ten percent of the organization's operating revenue comes from
291.22 sources other than the United States Department of Agriculture child nutrition program and
291.23 that the organization has additional funds or a performance bond available to cover at least
291.24 one month of reimbursement claims.

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

291.26 Sec. 3. Minnesota Statutes 2022, section 124D.111, subdivision 5, is amended to read:

291.27 Subd. 5. **Respectful treatment.** (a) The participant must also provide meals to students
291.28 in a respectful manner according to the policy adopted under subdivision 1. The participant
291.29 must ensure that any reminders for payment of outstanding student meal balances do not
291.30 demean or stigmatize any child participating in the school lunch program, including but not
291.31 limited to dumping meals; withdrawing a meal that has been served; announcing or listing
291.32 students' names publicly; providing alternative meals not specifically related to dietary

292.1 needs; providing nonreimbursable meals; or affixing stickers, stamps, or pins. The participant
292.2 must not impose any other restriction prohibited under section 123B.37 due to unpaid student
292.3 meal balances. The participant must not limit a student's participation in any school activities,
292.4 graduation ceremonies, field trips, athletics, activity clubs, or other extracurricular activities
292.5 or access to materials, technology, or other items provided to students due to an unpaid
292.6 student meal balance.

292.7 (b) If the commissioner or the commissioner's designee determines a participant has
292.8 violated the requirement to provide meals to participating students in a respectful manner,
292.9 the commissioner or the commissioner's designee must send a letter of noncompliance to
292.10 the participant. The participant is required to respond and, if applicable, remedy the practice
292.11 within 60 days.

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

292.13 Sec. 4. Minnesota Statutes 2022, section 124D.1158, as amended by Laws 2023, chapter
292.14 18, section 2, is amended to read:

292.15 **124D.1158 SCHOOL BREAKFAST PROGRAM.**

292.16 Subdivision 1. **Purpose; eligibility.** (a) The purpose of the school breakfast program is
292.17 to provide affordable morning nutrition to children so that they can effectively learn.

292.18 (b) A school district, charter school, nonpublic school, or other participant in the federal
292.19 school breakfast program may receive state breakfast aid.

292.20 (c) Schools shall encourage all children to eat a nutritious breakfast, either at home or
292.21 at school, and shall work to eliminate barriers to breakfast participation at school such as
292.22 inadequate facilities and transportation.

292.23 Subd. 3. **Program reimbursement.** Each school year, the state must reimburse each
292.24 participating school either:

292.25 (1) 30 cents for each reduced-price breakfast, 55 cents for each fully paid breakfast
292.26 served to students in grades 1 to 12, and \$1.30 for each fully paid breakfast served to a
292.27 prekindergarten student enrolled in an approved voluntary prekindergarten program under
292.28 section 124D.151, early childhood special education student participating in a program
292.29 authorized under section 124D.151, or a kindergarten student; or

292.30 (2) if the school participates in the free school meals program under section 124D.111,
292.31 subdivision 1c, state aid as provided in section 124D.111, subdivision 1d.

Subd. 4. **No fees.** A school that receives school breakfast aid under this section must make breakfast available without charge to all participating students in grades 1 to 12 who qualify for free or reduced-price meals and to all prekindergarten students enrolled in an approved voluntary prekindergarten program under section 124D.151, early childhood special education students participating in a program authorized under section 124D.151, and all kindergarten students.

Sec. 5. Minnesota Statutes 2022, section 124D.119, is amended to read:

124D.119 SUMMER FOOD SERVICE ~~REPLACEMENT AID~~ PROGRAM AND CHILD AND ADULT CARE FOOD PROGRAM.

Subdivision 1. Summer Food Service Program replacement aid. ~~States~~ State funds are available to compensate department-approved Summer Food Service Program sponsors. Reimbursement shall be made on December 15 based on total meals served by each sponsor from the end of the school year to the beginning of the next school year on a pro rata basis.

Subd. 2. Child and Adult Care Food Program and Summer Food Service Program sponsor organizations. Legally distinct Child and Adult Care Food Program and Summer Food Service Program sites may transfer sponsoring organizations no more than once per year, except under extenuating circumstances including termination of the sponsoring organization's agreement or other circumstances approved by the Department of Education.

Subd. 3. Child and Adult Care Food Program training. Prior to applying to sponsor a Child and Adult Care Food Program site, a nongovernmental organization applicant must provide documentation to the Department of Education verifying that staff members have completed program-specific training as designated by the commissioner.

Subd. 4. Summer Food Service Program training. Summer Food Service Program providers, including new applicants, must comply with all applicable federal training requirements for their staff.

Subd. 5. Summer Food Service Program locations. Consistent with Code of Federal Regulations, title 7, section 225.6(d)(1)(ii), the Department of Education must not approve a new Summer Food Service Program open site that is within a half-mile radius of an existing Summer Food Service Program open site. The department may approve a new Summer Food Service Program open site within a half-mile radius only if the new program will not be serving the same group of children for the same meal type or if there are safety issues that could present barriers to participation.

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

294.1 Sec. 6. **[124D.901] PUBLIC SCHOOL LIBRARIES AND MEDIA CENTERS.**

294.2 A school district or charter school library or school library media center provides equitable
294.3 and free access to students, teachers, and administrators.

294.4 A school library or school library media center must have the following characteristics:

294.5 (1) ensures every student has equitable access to resources and is able to locate, access,
294.6 and use resources that are organized and cataloged;

294.7 (2) has a collection development plan that includes but is not limited to materials selection
294.8 and deselection, a challenged materials procedure, and an intellectual and academic freedom
294.9 statement;

294.10 (3) is housed in a central location that provides an environment for expanded learning
294.11 and supports a variety of student interests;

294.12 (4) has technology and Internet access; and

294.13 (5) is served by a licensed school library media specialist or licensed school librarian.

294.14 Sec. 7. Minnesota Statutes 2022, section 134.31, subdivision 1, is amended to read:

294.15 Subdivision 1. **Library service.** The state shall, as an integral part of its responsibility
294.16 for public education, support the provision of library service for every ~~citizen~~ resident, the
294.17 development of cooperative programs for the sharing of resources and services among all
294.18 libraries, and the establishment of jointly operated library services at a single location where
294.19 appropriate.

294.20 Sec. 8. Minnesota Statutes 2022, section 134.31, subdivision 4a, is amended to read:

294.21 Subd. 4a. **Services to people with visual and physical disabilities.** The Minnesota
294.22 Department of Education shall provide specialized services to people with visual and physical
294.23 disabilities through the Minnesota Braille and Talking Book Library under a cooperative
294.24 plan with the National Library ~~Services~~ Service for the Blind and ~~Physically Handicapped~~
294.25 Print Disabled of the Library of Congress.

294.26 Sec. 9. Minnesota Statutes 2022, section 134.32, subdivision 4, is amended to read:

294.27 Subd. 4. **Special project grants.** It may provide special project grants to assist innovative
294.28 and experimental library programs including, but not limited to, special services for American
294.29 Indians and ~~the Spanish-speaking~~ multilingual learners, delivery of library materials to

295.1 homebound persons, other extensions of library services to persons without access to libraries
295.2 and projects to strengthen and improve library services.

295.3 Sec. 10. Minnesota Statutes 2022, section 134.34, subdivision 1, is amended to read:

295.4 Subdivision 1. **Local support levels.** (a) Regional library basic system support aid shall
295.5 be provided to any regional public library system where there are at least three participating
295.6 counties and where each participating city and county is providing for public library service
295.7 support the lesser of (a) an amount equivalent to .82 percent of the average of the adjusted
295.8 net tax capacity of the taxable property of that city or county, as determined by the
295.9 commissioner of revenue for the second, third, and fourth year preceding that calendar year
295.10 or (b) a per capita amount calculated under the provisions of this subdivision. The per capita
295.11 amount is established for calendar year 1993 as \$7.62. In succeeding calendar years, the
295.12 per capita amount shall be increased by a percentage equal to one-half of the percentage by
295.13 which the total state adjusted net tax capacity of property as determined by the commissioner
295.14 of revenue for the second year preceding that calendar year increases over that total adjusted
295.15 net tax capacity for the third year preceding that calendar year.

295.16 (b) The minimum level of support specified under this subdivision or subdivision 4 shall
295.17 be certified annually to the participating cities and counties by the Department of Education.
295.18 If a city or county chooses to reduce its local support in accordance with subdivision 4,
295.19 paragraph (b) or (c), it shall notify its regional public library system. The regional public
295.20 library system shall notify the Department of Education that a revised certification is required.
295.21 The revised minimum level of support shall be certified to the city or county by the
295.22 Department of Education.

295.23 (c) A city which is a part of a regional public library system shall not be required to
295.24 provide this level of support if the property of that city is already taxable by the county for
295.25 the support of that regional public library system. In no event shall the Department of
295.26 Education require any city or county to provide a higher level of support than the level of
295.27 support specified in this section in order for a system to qualify for regional library basic
295.28 system support aid. This section shall not be construed to prohibit a city or county from
295.29 providing a higher level of support for public libraries than the level of support specified
295.30 in this section.

295.31 (d) The amounts required to be expended under this section are subject to the reduced
295.32 maintenance of effort requirements under section 275.761.

296.1 Sec. 11. Minnesota Statutes 2022, section 134.355, subdivision 1, is amended to read:

296.2 Subdivision 1. **Appropriations.** (a) Basic system support aid and regional library
296.3 telecommunications aid provide the appropriations for the basic regional library system.

296.4 (b) For fiscal year 2026 and later, basic system support aid equals the aid entitlement
296.5 amount for the previous fiscal year times one plus the percent increase in the basic formula
296.6 allowance under section 126C.10, subdivision 2, from the previous school year to the current
296.7 school year.

296.8 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2026 and later.

296.9 Sec. 12. Minnesota Statutes 2022, section 134.355, subdivision 5, is amended to read:

296.10 Subd. 5. **Base aid distribution.** ~~Five~~ Fifteen percent of the available aid funds shall be
296.11 paid to each system as base aid for basic system services.

296.12 **EFFECTIVE DATE.** This section is effective for state aid for fiscal year 2024 and
296.13 later.

296.14 Sec. 13. Minnesota Statutes 2022, section 134.355, subdivision 6, is amended to read:

296.15 Subd. 6. **Adjusted net tax capacity per capita distribution.** ~~Twenty-five~~ Fifteen percent
296.16 of the available aid funds shall be distributed to regional public library systems based upon
296.17 the adjusted net tax capacity per capita for each member county or participating portion of
296.18 a county as calculated for the ~~second~~ third year preceding the fiscal year for which aid is
296.19 provided. Each system's entitlement shall be calculated as follows:

296.20 ~~(a)~~ (1) multiply the adjusted net tax capacity per capita for each county or participating
296.21 portion of a county by .0082;

296.22 ~~(b)~~ (2) add sufficient aid funds that are available under this subdivision to raise the
296.23 amount of the county or participating portion of a county with the lowest value calculated
296.24 according to ~~paragraph (a)~~ clause (1) to the amount of the county or participating portion
296.25 of a county with the next highest value calculated according to ~~paragraph (a)~~ clause (1).
296.26 Multiply the amount of the additional aid funds by the population of the county or
296.27 participating portion of a county;

296.28 ~~(c)~~ (3) continue the process described in ~~paragraph (b)~~ clause (2) by adding sufficient
296.29 aid funds that are available under this subdivision to the amount of a county or participating
296.30 portion of a county with the next highest value calculated in ~~paragraph (a)~~ clause (1) to raise
296.31 it and the amount of counties and participating portions of counties with lower values

calculated in ~~paragraph (a)~~ clause (1) up to the amount of the county or participating portion of a county with the next highest value, until reaching an amount where funds available under this subdivision are no longer sufficient to raise the amount of a county or participating portion of a county and the amount of counties and participating portions of counties with lower values up to the amount of the next highest county or participating portion of a county; and

~~(d) (4)~~ (4) if the point is reached using the process in ~~paragraphs (b) and (c)~~ clauses (2) and (3) at which the remaining aid funds under this subdivision are not adequate for raising the amount of a county or participating portion of a county and all counties and participating portions of counties with amounts of lower value to the amount of the county or participating portion of a county with the next highest value, those funds are to be divided on a per capita basis for all counties or participating portions of counties that received aid funds under the calculation in ~~paragraphs (b) and (c)~~ clauses (2) and (3).

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

Sec. 14. Minnesota Statutes 2022, section 134.355, subdivision 7, is amended to read:

Subd. 7. **Population determination.** A regional public library system's population shall be determined according to must be calculated using the most recent estimate available under section 477A.011, subdivision 3, at the time the aid amounts are calculated, which must be by April 1 in the year the calculation is made.

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

Sec. 15. **[134.356] SCHOOL LIBRARY AID.**

Subdivision 1. School library aid. For fiscal year 2024 and later, school library aid for a district equals the greater of \$16.11 times the district's adjusted pupil units for the school year or \$40,000. For fiscal year 2024 and later, school library aid for a charter school equals the greater of \$16.11 times the charter school's adjusted pupil units for the school year or \$20,000.

Subd. 2. Uses of school library aid. School library aid must be reserved and used for directly funding the costs of the following purposes within a library:

(1) the salaries and benefits of a school library media specialist;

(2) electronic, computer, and audiovisual equipment;

298.1 (3) information technology infrastructure and digital tools;

298.2 (4) electronic and material resources; or

298.3 (5) furniture, equipment, or supplies.

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

298.5 Sec. 16. Laws 2023, chapter 18, section 4, subdivision 2, is amended to read:

298.6 Subd. 2. **School lunch.** For school lunch aid under Minnesota Statutes, section 124D.111,
298.7 including the amounts for the free school meals program:

298.8 ~~190,863,000~~
298.9 \$ 190,897,000 2024

298.10 ~~197,902,000~~
298.11 \$ 197,936,000 2025

298.12 Sec. 17. Laws 2023, chapter 18, section 4, subdivision 3, is amended to read:

298.13 Subd. 3. **School breakfast.** For school breakfast aid under Minnesota Statutes, section
298.14 124D.1158:

298.15 ~~25,731,000~~
298.16 \$ 25,912,000 2024

298.17 ~~26,538,000~~
298.18 \$ 26,719,000 2025

298.19 Sec. 18. **APPROPRIATIONS.**

298.20 Subdivision 1. **Department of Education.** The sums indicated in this section are
298.21 appropriated from the general fund to the Department of Education for the fiscal years
298.22 designated. Any balance in the first year does not cancel but is available in the second year.

298.23 Subd. 2. **Basic system support.** (a) For basic system support aid under Minnesota
298.24 Statutes, section 134.355:

298.25 \$ 17,570,000 2024

298.26 \$ 17,570,000 2025

298.27 (b) The 2024 appropriation includes \$1,357,000 for 2023 and \$16,213,000 for 2024.

298.28 (c) The 2025 appropriation includes \$1,801,000 for 2024 and \$15,769,000 for 2025.

298.29 Subd. 3. **Electronic library for Minnesota.** For statewide licenses to online databases
298.30 selected in cooperation with the Minnesota Office of Higher Education for school media

299.1 centers, public libraries, state government agency libraries, and public or private college or
299.2 university libraries:

299.3 \$ 900,000 2024

299.4 \$ 900,000 2025

299.5 Subd. 4. **Kindergarten milk.** For kindergarten milk aid under Minnesota Statutes,
299.6 section 124D.118:

299.7 \$ 659,000 2024

299.8 \$ 659,000 2025

299.9 Subd. 5. **Licensed library media specialists.** (a) For aid to multicounty, multitype
299.10 library systems to increase the number of licensed library media specialists:

299.11 \$ 1,000,000 2024

299.12 \$ 0 2025

299.13 (b) The aid awarded under this subdivision must be used for activities associated with
299.14 increasing the number of licensed library media specialists, including but not limited to
299.15 conducting a census of licensed library media specialists currently working in Minnesota
299.16 schools, conducting a needs-based assessment to identify gaps in licensed library media
299.17 specialist services, providing professional development opportunities for licensed library
299.18 media specialists, and providing tuition support to candidates seeking to attain school library
299.19 media specialist licensure.

299.20 (c) This is a onetime appropriation.

299.21 Subd. 6. **Multicounty, multitype library systems.** (a) For aid under Minnesota Statutes,
299.22 sections 134.353 and 134.354, to multicounty, multitype library systems:

299.23 \$ 2,000,000 2024

299.24 \$ 2,000,000 2025

299.25 (b) The 2024 appropriation includes \$130,000 for 2023 and \$1,870,000 for 2024.

299.26 (c) The 2025 appropriation includes \$208,000 for 2024 and \$1,792,000 for 2025.

299.27 Subd. 7. **Regional library telecommunications.** (a) For regional library
299.28 telecommunications aid under Minnesota Statutes, section 134.355:

299.29 \$ 2,300,000 2024

299.30 \$ 2,300,000 2025

299.31 (b) The 2024 appropriation includes \$230,000 for 2023 and \$2,070,000 for 2024.

300.1 (c) The 2025 appropriation includes \$230,000 for 2024 and \$2,070,000 for 2025.

300.2 Subd. 8. **School library aid.** (a) For school library aid under Minnesota Statutes, section
300.3 134.356:

300.4 \$ 21,435,000 2024

300.5 \$ 23,799,000 2025

300.6 (b) The 2024 appropriation includes \$0 for 2023 and \$21,435,000 for 2024.

300.7 (c) The 2025 appropriation includes \$2,382,000 for 2024 and \$21,417,000 for 2025.

300.8 Subd. 9. **Summer school food service replacement.** For summer school food service
300.9 replacement aid under Minnesota Statutes, section 124D.119:

300.10 \$ 150,000 2024

300.11 \$ 150,000 2025

300.12 Sec. 19. **REVISOR INSTRUCTION.**

300.13 The revisor of statutes shall replace the terms "free lunch," "reduced price lunch,"
300.14 "reduced-price lunch," and "free or reduced price lunch" with "free meals," "reduced-price
300.15 meals," and "free or reduced-price meals" wherever they appear in Minnesota Statutes when
300.16 used in context with the national school lunch and breakfast programs.

300.17 **ARTICLE 10**

300.18 **EARLY CHILDHOOD EDUCATION**

300.19 Section 1. Minnesota Statutes 2022, section 124D.151, subdivision 6, is amended to read:

300.20 Subd. 6. **Participation limits.** (a) Notwithstanding section 126C.05, subdivision 1,
300.21 paragraph (d), the pupil units for a voluntary prekindergarten program for an eligible school
300.22 district or charter school must not exceed 60 percent of the kindergarten pupil units for that
300.23 school district or charter school under section 126C.05, subdivision 1, paragraph (e).

300.24 (b) In reviewing applications under subdivision 5, the commissioner must limit the total
300.25 number of participants in the voluntary prekindergarten and school readiness plus programs
300.26 under Laws 2017, First Special Session chapter 5, article 8, section 9, to not more than 7,160
300.27 participants for fiscal years ~~2019, 2020, 2021, 2022, and 2023,~~ and 3,160 participants for
300.28 ~~fiscal years 2024 and later~~ 2023, 2024, and 2025, and 12,360 participants for fiscal year
300.29 2026 and later.

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

301.1 Sec. 2. Minnesota Statutes 2022, section 126C.05, subdivision 3, as amended by Laws
301.2 2023, chapter 18, section 3, is amended to read:

301.3 Subd. 3. **Compensation revenue pupil units.** Compensation revenue pupil units must
301.4 be computed according to this subdivision.

301.5 (a) The compensation revenue concentration percentage for each building in a district
301.6 equals the product of 100 times the ratio of:

301.7 (1) the sum of the number of pupils enrolled in the building eligible to receive free lunch
301.8 plus one-half of the pupils eligible to receive reduced priced lunch on October 1 of the
301.9 previous fiscal year; to

301.10 (2) the number of pupils enrolled in the building on October 1 of the previous fiscal
301.11 year.

301.12 (b) The compensation revenue pupil weighting factor for a building equals the lesser of
301.13 one or the quotient obtained by dividing the building's compensation revenue concentration
301.14 percentage by 80.0.

301.15 (c) The compensation revenue pupil units for a building equals the product of:

301.16 (1) the sum of the number of pupils enrolled in the building eligible to receive free lunch
301.17 and one-half of the pupils eligible to receive reduced priced lunch on October 1 of the
301.18 previous fiscal year; times

301.19 (2) the compensation revenue pupil weighting factor for the building; times

301.20 (3) .60.

301.21 (d) Notwithstanding paragraphs (a) to (c), for voluntary prekindergarten programs under
301.22 section 124D.151, charter schools, and contracted alternative programs in the first year of
301.23 operation, compensation revenue pupil units shall be computed using data for the current
301.24 fiscal year. If the voluntary prekindergarten program, charter school, or contracted alternative
301.25 program begins operation after October 1, compensatory revenue pupil units shall be
301.26 computed based on pupils enrolled on an alternate date determined by the commissioner,
301.27 and the compensation revenue pupil units shall be prorated based on the ratio of the number
301.28 of days of student instruction to 170 days.

301.29 ~~(e) Notwithstanding paragraphs (a) to (c), for voluntary prekindergarten seats discontinued~~
301.30 ~~in fiscal year 2024 due to the reduction in the participation limit under section 124D.151,~~
301.31 ~~subdivision 6, those discontinued seats must not be used to calculate compensation revenue~~
301.32 ~~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. 3. 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.

~~(b) Notwithstanding paragraph (a), for fiscal year 2024 only, prekindergarten pupil units under section 126C.05, subdivision 1, paragraph (d), must be excluded from the calculation of declining enrollment revenue.~~

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

Sec. 4. **APPROPRIATION; VOLUNTARY PREKINDERGARTEN RESERVE.**

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

Subd. 2. Voluntary prekindergarten reserve. (a) The commissioner must reserve the following amount for future allocation towards 3,000 voluntary prekindergarten seats:

\$ 0 2024

\$ 50,000,000 2025

(b) The 2024 legislature must provide direction to the commissioner on allocating the money reserved under paragraph (a).

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

ARTICLE 11

COMMUNITY EDUCATION AND LIFELONG LEARNING

Section 1. Minnesota Statutes 2022, section 124D.20, subdivision 3, is amended to read:

Subd. 3. **General community education revenue.** The general community education revenue for a district equals ~~\$5.23 for fiscal years 2005 and 2006 and \$5.42 for fiscal year 2007~~ through fiscal year 2024 and \$6.35 for fiscal year 2025 and later, times the greater of 1,335 or the population of the district. The population of the district is determined according to section 275.14.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2025 and later.

Sec. 2. Minnesota Statutes 2022, section 124D.20, subdivision 5, is amended to read:

Subd. 5. **Total community education levy.** To obtain total community education revenue, a district may levy the amount raised by a maximum tax rate of 0.94 percent through fiscal year 2024, 0.375 percent in fiscal year 2025, 0.3298 percent in fiscal year 2026, and 0.3128 percent in fiscal year 2027 and later, times the adjusted net tax capacity of the district. If the amount of the total community education levy would exceed the total community education revenue, the total community education levy shall be determined according to subdivision 6.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2025 and later.

Sec. 3. Minnesota Statutes 2022, section 124D.2211, is amended to read:

124D.2211 AFTER-SCHOOL COMMUNITY LEARNING PROGRAMS.

Subdivision 1. **Establishment.** A competitive statewide after-school community learning grant program is established to provide grants to ~~community or nonprofit organizations, political subdivisions, for-profit or nonprofit child care centers, or school-based programs that serve~~ support eligible organizations to provide culturally affirming and enriching after-school and summer learning programs for school-age youth after school or during nonschool hours. Grants must be used to offer a broad array of academic enrichment activities that promote positive after-school and summer learning activities, including art, music, community engagement, literacy, science, technology, engineering, math, health, and recreation programs. The commissioner shall develop criteria for after-school community learning programs that promote partnerships and active collaboration with the schools that participating students attend. The commissioner may award grants under this section to community or nonprofit organizations, culturally specific organizations, American Indian

304.1 organizations, Tribal Nations, political subdivisions, public libraries, or school-based
304.2 programs that serve youth after school, during the summer, or during nonschool hours.

304.3 Subd. 2. ~~Program outcomes~~ Objectives. The ~~expected outcomes~~ objectives of the
304.4 after-school community learning programs are to ~~increase~~:

304.5 ~~(1) school connectedness of participants;~~

304.6 ~~(2) academic achievement of participating students in one or more core academic areas;~~

304.7 ~~(3) the capacity of participants to become productive adults; and~~

304.8 ~~(4) prevent truancy from school and prevent juvenile crime.~~

304.9 (1) increase access to comprehensive and culturally affirming after-school and summer
304.10 learning and enrichment opportunities that meet the academic, social, and emotional needs
304.11 of historically underserved students;

304.12 (2) promote engagement in learning and connections to school and community; and

304.13 (3) encourage school attendance and improve academic performance.

304.14 Subd. 3. **Grants.** (a) An applicant ~~shall~~ must submit an after-school community learning
304.15 program proposal to the commissioner. The submitted ~~plan~~ proposal must include:

304.16 ~~(1) collaboration with and leverage of existing community resources that have~~
304.17 ~~demonstrated effectiveness;~~

304.18 ~~(2) outreach to children and youth; and~~

304.19 ~~(3) involvement of local governments, including park and recreation boards or schools,~~
304.20 ~~unless no government agency is appropriate.~~

304.21 ~~Proposals will be reviewed and approved by the commissioner.~~

304.22 (1) an assessment of the needs and available resources for the after-school community
304.23 learning program and a description of how the proposed program will address the needs
304.24 identified, including how students and families were engaged in the process;

304.25 (2) a description of the partnership between a school and another eligible entity;

304.26 (3) an explanation of how the proposal will support the objectives identified in subdivision
304.27 2, including the use of best practices;

304.28 (4) a plan to implement effective after-school and summer learning practices and provide
304.29 staff access to professional development opportunities; and

304.30 (5) a description of the data they will use to evaluate the impact of the program.

(b) The commissioner must review proposals and award grants to programs that:

(1) primarily serve historically underserved students; and

(2) provide opportunities for academic enrichment and a broad array of additional services and activities to meet program objectives.

(c) To the extent practicable, the commissioner must award grants equitably among the geographic areas of Minnesota, including rural, suburban, and urban communities.

Subd. 4. **Technical assistance and continuous improvement.** (a) The commissioner must monitor and evaluate the performance of grant recipients to assess the effectiveness of after-school community learning programs in meeting the objectives identified in subdivision 2.

(b) The commissioner must provide technical assistance, capacity building, and professional development to grant recipients, including guidance on effective practices for after-school and summer learning programs.

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

Sec. 4. Minnesota Statutes 2022, section 124D.531, subdivision 1, is amended to read:

Subdivision 1. **State total adult basic education aid.** (a) The state total adult basic education aid for fiscal year ~~2011~~ 2024 equals ~~\$44,419,000~~ \$52,759,000, plus any amount that is not paid during the previous fiscal year as a result of adjustments under subdivision 4, paragraph (a), or section 124D.52, subdivision 3. The state total adult basic education aid for later fiscal years equals:

(1) the state total adult basic education aid for the preceding fiscal year plus any amount that is not paid for during the previous fiscal year, as a result of adjustments under subdivision 4, paragraph (a), or section 124D.52, subdivision 3; times

(2) the lesser of:

(i) 1.03; or

(ii) the greater of: (A) one plus the percent change in the formula allowance under section 126C.10, subdivision 2, from the previous fiscal year to the current fiscal year; or (B) the average growth in state total contact hours over the prior ten program years.

Three percent of the state total adult basic education aid must be set aside for adult basic education supplemental service grants under section 124D.522.

(b) The state total adult basic education aid, excluding basic population aid, equals the difference between the amount computed in paragraph (a), and the state total basic population aid under subdivision 2.

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

Sec. 5. Minnesota Statutes 2022, section 124D.531, subdivision 4, is amended to read:

Subd. 4. **Adult basic education program aid limit.** (a) Notwithstanding subdivisions 2 and 3, the total adult basic education aid for a program per prior year contact hour must not exceed ~~\$22~~ \$30 per prior year contact hour computed under subdivision 3, clause (2).

(b) The aid for a program under subdivision 3, clause (2), adjusted for changes in program membership, must not exceed the aid for that program under subdivision 3, clause (2), for the first preceding fiscal year by more than the greater of 11 percent or \$10,000.

(c) Adult basic education aid is payable to a program for unreimbursed costs occurring in the program year as defined in section 124D.52, subdivision 3.

(d) Any adult basic education aid that is not paid to a program because of the program aid limitation under paragraph (a) must be added to the state total adult basic education aid for the next fiscal year under subdivision 1. Any adult basic education aid that is not paid to a program because of the program aid limitations under paragraph (b) must be reallocated among programs by adjusting the rate per contact hour under subdivision 3, clause (2).

Sec. 6. Minnesota Statutes 2022, section 124D.55, is amended to read:

124D.55 COMMISSIONER-SELECTED HIGH SCHOOL EQUIVALENCY TEST FEES.

(a) The commissioner shall pay 60 percent of the fee that is charged to an eligible individual for the full battery of the commissioner-selected high school equivalency tests, but not more than \$40 for an eligible individual.

(b) Notwithstanding paragraph (a), for fiscal years ~~2020 and 2021~~ 2023 through 2027 only, subject to the availability of funds, the commissioner shall pay 100 percent of the fee charged to an eligible individual for the full battery of the commissioner-selected high school equivalency tests, but not more than the cost of one full battery of tests per year for any individual.

307.1 Sec. 7. Minnesota Statutes 2022, section 124D.56, is amended to read:

307.2 **124D.56 COMMUNITY EDUCATION PROGRAM REVENUE; ADULTS WITH**
307.3 **DISABILITIES.**

307.4 Subdivision 1. **Revenue amount.** A district that is eligible according to section 124D.20,
307.5 subdivision 2, may receive revenue for a program for adults with disabilities. Revenue for
307.6 the program for adults with disabilities for a district ~~or a group of districts~~ equals the lesser
307.7 of:

307.8 (1) the actual expenditures for approved programs and budgets; or

307.9 (2) ~~\$60,000~~ the greater of (i) \$0.34 times the population of the school district as
307.10 determined according to section 275.14, or (ii) the district's adults with disabilities revenue
307.11 for fiscal year 2023. If the district does not levy the entire amount permitted, the district's
307.12 adults with disabilities aid is reduced in proportion to the actual amount levied.

307.13 Subd. 2. **Aid.** Program aid for adults with disabilities equals the ~~lesser of:~~

307.14 ~~(1) one-half of the actual expenditures for approved programs and budgets; or~~

307.15 ~~(2) \$30,000~~ difference between the district's adults with disabilities revenue and the
307.16 district's adults with disabilities levy.

307.17 Subd. 3. **Levy.** A district may levy for a program for adults with disabilities in an amount
307.18 ~~up to the amount designated in subdivision 2. In the case of a program offered by a group~~
307.19 ~~of districts, the levy amount must be apportioned among the districts according to the~~
307.20 ~~agreement submitted to the department.~~ not to exceed the lesser of:

307.21 (1) the district's revenue under subdivision 1; or

307.22 (2) the product of a tax rate not to exceed .006 percent in fiscal year 2025, .0053 percent
307.23 in fiscal year 2026, and .005 percent in fiscal year 2027 and later, times the district's adjusted
307.24 net tax capacity for the year prior to the year the levy is certified.

307.25 Subd. 4. **Outside revenue.** A district may receive money from public or private sources
307.26 to supplement revenue for the program for adults with disabilities. Aid may not be reduced
307.27 as a result of receiving money from these sources.

307.28 Subd. 5. **Use of revenue.** Revenue for the program for adults with disabilities may be
307.29 used only to provide programs for adults with disabilities.

307.30 Subd. 6. **Cooperation encouraged.** A school district offering programming for adults
307.31 with disabilities is encouraged to provide programming in cooperation with other school

308.1 districts and other public and private organizations providing services to adults with
308.2 disabilities.

308.3 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2025 and later.

308.4 Sec. 8. Minnesota Statutes 2022, section 124D.99, subdivision 2, is amended to read:

308.5 Subd. 2. **Definitions.** (a) For purposes of this section the terms defined in this subdivision
308.6 have the meanings given them.

308.7 (b) ~~"Tier 1 grant"~~ "Neighborhood partnership grant" means a sustaining grant for the
308.8 ongoing operation, stability, and expansion of existing education partnership program
308.9 locations serving a defined geographic area within a single municipality.

308.10 (c) ~~"Tier 2 grant"~~ "Regional neighborhood partnership grant" means an implementation
308.11 grant for ~~expanding activity in~~ the ongoing operation, stability, and expansion of activity
308.12 of existing education partnership program locations serving a defined geographic area
308.13 encompassing an entire municipality or part of or all of multiple municipalities.

308.14 Sec. 9. Minnesota Statutes 2022, section 124D.99, subdivision 3, is amended to read:

308.15 Subd. 3. **Administration; design.** (a) The commissioner shall establish program
308.16 requirements, an application process and timeline for each ~~tier of grants~~ grant specified in
308.17 subdivision 4, criteria for evaluation of applications, and a grant awards process. The
308.18 commissioner's process must minimize administrative costs, minimize burdens for applicants
308.19 and grant recipients, and provide a framework that permits flexibility in program design
308.20 and implementation among grant recipients.

308.21 (b) To the extent practicable, the commissioner shall design the program to align with
308.22 programs implemented or proposed by organizations in Minnesota that:

308.23 (1) identify and increase the capacity of organizations that are focused on achieving
308.24 data-driven, locally controlled positive outcomes for children and youth throughout an entire
308.25 neighborhood or geographic area through programs such as Strive Together, Promise
308.26 Neighborhood, and the Education Partnerships Coalition members;

308.27 (2) build a continuum of educational family and community supports with academically
308.28 rigorous schools at the center;

308.29 (3) maximize program efficiencies by integrating programmatic activities and eliminating
308.30 administrative barriers;

- 309.1 (4) develop local infrastructure needed to sustain and scale ~~up~~ proven and effective
309.2 solutions beyond the initial neighborhood or geographic area;
- 309.3 (5) utilize appropriate outcome measures based on unique community needs and interests
309.4 and apply rigorous evaluation on a periodic basis to be used to both monitor outcomes and
309.5 allow for continuous improvements to systems;
- 309.6 (6) collect and utilize data to improve student outcomes;
- 309.7 (7) share disaggregated performance data with the community to set community-level
309.8 outcomes;
- 309.9 (8) employ continuous improvement processes;
- 309.10 (9) have a Tribal entity, community foundation, higher education institution, or
309.11 community-based organization as an anchor entity managing the partnership;
- 309.12 (10) convene a cross-sector leadership group and have a documented accountability
309.13 structure; and
- 309.14 (11) demonstrate use of nonstate funds, from multiple sources, including in-kind
309.15 contributions.
- 309.16 (c) A grant recipient's supportive services programming must address:
- 309.17 (1) kindergarten readiness and youth development;
- 309.18 (2) grade 3 reading proficiency;
- 309.19 (3) middle school mathematics;
- 309.20 (4) high school graduation;
- 309.21 (5) postsecondary educational enrollment;
- 309.22 (6) postsecondary education completion or attainment;
- 309.23 (7) physical and mental health;
- 309.24 (8) development of career skills and readiness;
- 309.25 (9) parental engagement and development;
- 309.26 (10) community engagement and programmatic alignment; and
- 309.27 (11) reduction of remedial education.
- 309.28 (d) The commissioner, in consultation with grant recipients, must:

310.1 (1) develop and revise core indicators of progress toward outcomes specifying impacts
310.2 ~~for each tier~~ identified under subdivision 4;

310.3 (2) establish a reporting system for grant recipients to measure program outcomes using
310.4 data sources and program goals; and

310.5 (3) evaluate effectiveness based on the core indicators established by each partnership
310.6 ~~for each tier.~~

310.7 Sec. 10. Minnesota Statutes 2022, section 124D.99, subdivision 5, is amended to read:

310.8 Subd. 5. **Grants.** The commissioner shall award ~~Tier 1 and Tier 2~~ grants to qualifying
310.9 recipients that can demonstrate a nonstate source of funds, including in-kind contributions.

310.10 Sec. 11. **APPROPRIATIONS.**

310.11 Subdivision 1. Department of Education. The sums indicated in this section are
310.12 appropriated from the general fund to the Department of Education for the fiscal years
310.13 designated. Any balance in the first year does not cancel but is available in the second year.

310.14 Subd. 2. Adult basic education aid. (a) For adult basic education aid under Minnesota
310.15 Statutes, section 124D.531:

310.16 \$ 52,663,000 2024

310.17 \$ 53,717,000 2025

310.18 (b) The 2024 appropriation includes \$5,179,000 for 2023 and \$47,484,000 for 2024.

310.19 (c) The 2025 appropriation includes \$5,275,000 for 2024 and \$48,442,000 for 2025.

310.20 Subd. 3. Adults with disabilities program aid. (a) For adults with disabilities programs
310.21 under Minnesota Statutes, section 124D.56:

310.22 \$ 710,000 2024

310.23 \$ 1,782,000 2025

310.24 (b) The 2024 appropriation includes \$71,000 for 2023 and \$639,000 for 2024.

310.25 (c) The 2025 appropriation includes \$71,000 for 2024 and \$1,711,000 for 2025.

310.26 Subd. 4. After school community learning grant program. (a) For grants for after
310.27 school community learning programs in accordance with Minnesota Statutes, section
310.28 124D.2211:

310.29 \$ 30,000,000 2024

310.30 \$ 0 2025

311.1 (b) Up to three percent of the appropriation is for an organization serving as the statewide
311.2 after-school network to assist with the requirements of Minnesota Statutes, section
311.3 124D.2211, subdivision 4, paragraph (b).

311.4 (c) Up to \$2,250,000 is available for grant administration, monitoring, providing technical
311.5 assistance, and program evaluation.

311.6 (d) This is a onetime appropriation and is available until June 30, 2027.

311.7 Subd. 5. **Community education aid.** (a) For community education aid under Minnesota
311.8 Statutes, section 124D.20:

311.9 \$ 98,000 2024

311.10 \$ 8,030,000 2025

311.11 (b) The 2024 appropriation includes \$14,000 for 2023 and \$84,000 for 2024.

311.12 (c) The 2025 appropriation includes \$9,000 for 2024 and \$8,021,000 for 2025.

311.13 Subd. 6. **Deaf, deafblind, and hard-of-hearing adults.** For programs for deaf, deafblind,
311.14 and hard-of-hearing adults under Minnesota Statutes, section 124D.57:

311.15 \$ 70,000 2024

311.16 \$ 70,000 2025

311.17 Subd. 7. **High school equivalency tests.** (a) For payment of the costs of the
311.18 commissioner-selected high school equivalency tests under Minnesota Statutes, section
311.19 124D.55:

311.20 \$ 615,000 2024

311.21 \$ 125,000 2025

311.22 (b) Of the amounts in paragraph (a), \$490,000 in fiscal year 2024 is available until June
311.23 30, 2027.

311.24 Subd. 8. **Neighborhood partnership grants.** (a) For neighborhood partnership grants
311.25 under Minnesota Statutes, section 124D.99:

311.26 \$ 2,600,000 2024

311.27 \$ 2,600,000 2025

311.28 (b) Of the amounts in paragraph (a), \$1,300,000 each year is for the Northside
311.29 Achievement Zone and \$1,300,000 each year is for the St. Paul Promise Neighborhood.

311.30 Subd. 9. **Regional neighborhood partnership grants.** (a) For regional neighborhood
311.31 partnership grants under Minnesota Statutes, section 124D.99:

312.1 \$ 1,400,000 2024

312.2 \$ 1,400,000 2025

312.3 (b) Of the amounts in paragraph (a), \$200,000 each year is for the following programs:

312.4 (1) Northfield Healthy Community Initiative in Northfield;

312.5 (2) Red Wing Youth Outreach Program in Red Wing;

312.6 (3) United Way of Central Minnesota in St. Cloud;

312.7 (4) Austin Aspires in Austin;

312.8 (5) Rochester Area Foundation in Rochester;

312.9 (6) Greater Twin Cities United Way for Generation Next; and

312.10 (7) Children First and Partnership for Success in St. Louis Park.

312.11 Subd. 10. **School-age care aid.** (a) For school-age care aid under Minnesota Statutes,
312.12 section 124D.22:

312.13 \$ 1,000 2024

312.14 \$ 1,000 2025

312.15 (b) The 2024 appropriation includes \$0 for 2023 and \$1,000 for 2024.

312.16 (c) The 2025 appropriation includes \$0 for 2024 and \$1,000 for 2025.

312.17 **ARTICLE 12**

312.18 **STATE AGENCIES**

312.19 Section 1. Minnesota Statutes 2022, section 121A.04, subdivision 1, is amended to read:

312.20 Subdivision 1. **Purpose.** The legislature recognizes certain past inequities in access to
312.21 athletic programs and in the various degrees of athletic opportunity previously afforded
312.22 members of each sex, race, and ethnicity. The purpose of this section is to provide an equal
312.23 opportunity for members of ~~both sexes~~ each sex and members of all races and ethnicities
312.24 to participate in athletic programs.

312.25 Sec. 2. Minnesota Statutes 2022, section 121A.04, subdivision 2, is amended to read:

312.26 Subd. 2. **Equal opportunity in athletic programs.** Each educational institution or public
312.27 service shall provide equal opportunity for members of ~~both sexes~~ each sex and members
312.28 of all races and ethnicities to participate in its athletic program. In determining whether
312.29 equal opportunity to participate in athletic programs is available for the purposes of this

313.1 section, at least the following factors shall be considered to the extent that they are applicable
313.2 to a given situation: whether the opportunity for males and females to participate in the
313.3 athletic program reflects the demonstrated interest in athletics of the males and females in
313.4 the student body of the educational institution or the population served by the public service;
313.5 whether the opportunity for members of all races and ethnicities to participate in the athletic
313.6 program reflects the demonstrated interest in athletics of members of all races and ethnicities
313.7 in the student body of the educational institution or the population served by the public
313.8 service; whether the variety and selection of sports and levels of competition effectively
313.9 accommodate the demonstrated interests of members of ~~both sexes~~ each sex; whether the
313.10 variety and selection of sports and levels of competition effectively accommodate the
313.11 demonstrated interests of members of all races and ethnicities; the provision of equipment
313.12 and supplies; scheduling of games and practice times; assignment of coaches; provision of
313.13 locker rooms; practice and competitive facilities; and the provision of necessary funds for
313.14 teams of one sex.

313.15 Sec. 3. **[121A.20] LICENSED SCHOOL NURSE.**

313.16 Subdivision 1. Purpose and duties. (a) The Department of Education must employ a
313.17 school health services specialist to:

313.18 (1) provide technical assistance to school districts and charter schools for the
313.19 education-related health needs of students;

313.20 (2) serve as the primary source of information and support for schools in addressing
313.21 emergency readiness, public health, and the needs of children and youth with acute and
313.22 chronic health conditions and related disorders; and

313.23 (3) serve as the primary liaison to the Department of Health and other state agencies to
313.24 coordinate school-based, health-related services for students.

313.25 (b) The school health services specialist's duties include:

313.26 (1) increasing professional awareness and competencies of school nurses and other
313.27 specialized instructional support personnel, using the competencies defined in the most
313.28 recent edition of the document jointly prepared by the American Nurses Association and
313.29 the National Association of School Nurses identified as "School Nursing; Scope and
313.30 Standards of Practice" to meet the educational needs of students with acute or chronic health
313.31 conditions or students identified with risk characteristics associated with health and mental
313.32 health;

(2) developing implementation guidance to assist general education and special education teachers in (i) recognizing health-related educational needs of children and youth, and (ii) improving students' attendance and full participation in instruction and other school activities;

(3) developing implementation guidance to assist teachers, specialized instructional support personnel, and school administrators in prevention of and intervention with health-harming behavior and mental health; and

(4) increasing the availability of online and asynchronous professional development programs and materials for school staff.

Subd. 2. **Definition.** For purposes of this section, "health services specialist" means a professional registered nurse who:

(1) is licensed as a public health nurse in Minnesota;

(2) is licensed as a school nurse in Minnesota;

(3) has a minimum of three years of experience in school nursing services or as a public health nurse serving schools;

(4) has experience in managing a districtwide health policy, overseeing a budget, and supervising personnel; and

(5) has a graduate degree in nursing, public health, education, or a related field.

Subd. 3. **Requirements for position.** The Department of Education's school health services specialist must be highly trained in school nursing, which includes knowledge about child growth and development; public health; health education; and special education with a focus on the impact of health on learning, comprehensive assessment of learning-related health using interventions that are evidence-based, and documentation and evaluation of child health knowledge, skills, status, and education implications. The specialist must have knowledge of section 504 plans, health insurance and third-party reimbursement, health privacy, and emergency preparedness. The specialist must also have skills in interdisciplinary collaboration, policy development, parent involvement, health teaching and learning, and staff development.

Sec. 4. Minnesota Statutes 2022, section 121A.582, subdivision 1, is amended to read:

Subdivision 1. **Reasonable force standard.** (a) A teacher or school principal, in exercising the person's lawful authority, may use reasonable force when it is necessary under the circumstances to correct or restrain a student ~~or~~ to prevent imminent bodily harm or death to the student or to another.

(b) A school employee, school bus driver, or other agent of a district, in exercising the person's lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student ~~or to~~ prevent bodily harm or death to the student or to another.

(c) Paragraphs (a) and (b) do not authorize conduct prohibited under section 125A.0942.

(d) Districts must report data on their use of any reasonable force used on a student with a disability 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), as outlined in section 125A.0942, subdivision 3, paragraph (b).

(e) Beginning with the 2024-2025 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. 5. 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. 6. 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;

316.1 (ii) ~~one teacher~~ two teachers from a school located in the seven-county metropolitan
316.2 area, as defined in section 473.121, subdivision 2;

316.3 (iii) ~~one teacher~~ two teachers from a school located outside the seven-county metropolitan
316.4 area;

316.5 (iv) one teacher from a related service category licensed by the board; and

316.6 (v) one special education teacher; ~~and~~

316.7 ~~(vi) one teacher from a teacher preparation program;~~

316.8 (2) two teachers currently teaching in a board-approved teacher preparation program;

316.9 ~~(2)~~ (3) one superintendent that alternates, alternating each term between a superintendent
316.10 from a school district in the seven-county metropolitan area, as defined in section 473.121,
316.11 subdivision 2, and a superintendent from a school district outside the metropolitan area;

316.12 ~~(3) one school district human resources director;~~

316.13 ~~(4) one administrator of a cooperative unit under section 123A.24, subdivision 2, educator~~
316.14 who oversees a special education program and who works closely with a cooperative unit
316.15 under section 123A.24, subdivision 2;

316.16 ~~(5) one principal that alternates, alternating~~ each term between an elementary and a
316.17 secondary school principal; and

316.18 (6) one member of the public that may be a current or former school board member.

316.19 Sec. 7. Minnesota Statutes 2022, section 122A.07, subdivision 4, is amended to read:

316.20 Subd. 4. **Terms, compensation; removal; vacancies.** (a) The review and processing
316.21 of complaints; the setting of fees; the selection and duties of an executive director to serve
316.22 the board; and other provisions relating to board operations not provided in this chapter are
316.23 as provided in chapter 214. Membership terms, except as provided in subdivision 2a,
316.24 ~~compensation of members,~~ removal of members, the filling of membership vacancies, and
316.25 fiscal year and reporting requirements are as provided in sections 214.07 to 214.09.

316.26 (b) Board members must receive a stipend of up to \$4,800 annually, prorated monthly,
316.27 during each year of service on the board.

316.28 Sec. 8. Minnesota Statutes 2022, section 122A.07, subdivision 4a, is amended to read:

316.29 Subd. 4a. **Administration.** (a) The executive director of the board shall be the chief
316.30 administrative officer for the board but shall not be a member of the board. The executive

317.1 director shall maintain the records of the board, account for all fees received by the board,
317.2 supervise and direct employees servicing the board, and perform other services as directed
317.3 by the board.

317.4 (b) The Department of Administration must provide administrative support in accordance
317.5 with section 16B.371. The commissioner of administration must assess the board for services
317.6 it provides under this section.

317.7 ~~(c) The Department of Education must provide suitable offices and other space to the~~
317.8 ~~board at reasonable cost until January 1, 2020. Thereafter, the board may contract with~~
317.9 ~~either the Department of Education or the Department of Administration for the provision~~
317.10 ~~of suitable offices and other space, joint conference and hearing facilities, and examination~~
317.11 ~~rooms.~~

317.12 Sec. 9. Minnesota Statutes 2022, section 122A.07, subdivision 5, is amended to read:

317.13 Subd. 5. **District reimbursement for costs of substitute teachers.** The Professional
317.14 Educator Licensing and Standards Board ~~may~~ must reimburse local school districts for the
317.15 costs of substitute teachers employed when regular teachers are providing professional
317.16 assistance to the state by serving on the board or on a committee or task force appointed by
317.17 the board and charged to make recommendations concerning standards for teacher licensure
317.18 in this state.

317.19 Sec. 10. Minnesota Statutes 2022, section 122A.07, subdivision 6, is amended to read:

317.20 Subd. 6. **Public employer compensation reduction prohibited.** (a) The public employer
317.21 of a member must not reduce the member's compensation or benefits because of the member's
317.22 absence from employment when engaging in the business of the board.

317.23 (b) The public employer of a member must grant the member time off to join board
317.24 meetings, committee meetings, and board retreats.

317.25 Sec. 11. Minnesota Statutes 2022, section 125A.71, subdivision 1, is amended to read:

317.26 Subdivision 1. **Rental income; appropriation.** Rental income, ~~excluding rent for land~~
317.27 ~~and living residences,~~ must be deposited in the state treasury and credited to a revolving
317.28 fund of the academies. Money in the revolving fund for rental income is annually
317.29 appropriated to the academies for staff development purposes. Payment from the revolving
317.30 fund for rental income may be made only according to vouchers authorized by the
317.31 administrator of the academies.

318.1 **Sec. 12. [127A.21] OFFICE OF THE INSPECTOR GENERAL.**

318.2 **Subdivision 1. Establishment of Office of the Inspector General; powers; duties.** The
318.3 commissioner must establish within the department an Office of the Inspector General. The
318.4 Office of the Inspector General is charged with protecting the integrity of the department
318.5 and the state by detecting and preventing fraud, waste, and abuse in department programs.
318.6 The Office of the Inspector General must conduct independent and objective investigations
318.7 to promote the integrity of the department's programs and operations. When fraud or other
318.8 misuse of public funds is detected, the Office of the Inspector General must report it to the
318.9 appropriate law enforcement entity and collaborate and cooperate with law enforcement to
318.10 assist in the investigation and any subsequent civil and criminal prosecution.

318.11 **Subd. 2. Data practices; hiring; reporting.** The Office of the Inspector General has
318.12 access to all program data, regardless of classification under chapter 13, held by the
318.13 department, school districts or charter schools, grantees, and any other recipient of funds
318.14 from the department. The commissioner, or the commissioner's designee, must hire an
318.15 inspector general to lead the Office of the Inspector General. The inspector general must
318.16 hire a deputy inspector general and, at the discretion of the inspector general, sufficient
318.17 assistant inspectors general to carry out the duties of the office. In a form and manner
318.18 determined by the inspector general, the Office of the Inspector General must develop a
318.19 public platform for the public to report instances of potential fraud, waste, or abuse of public
318.20 funds administered by the department.

318.21 **Sec. 13. [127A.215] COMPREHENSIVE SCHOOL MENTAL HEALTH SERVICES**
318.22 **LEAD.**

318.23 **Subdivision 1. Lead position established.** The department must employ a comprehensive
318.24 school mental health services lead to serve as a source of information and support for schools
318.25 in addressing the mental health needs of students, teachers, and school staff and developing
318.26 comprehensive school mental health systems in school districts and charter schools.

318.27 **Subd. 2. Assistance to districts.** (a) The lead must, upon request, assist schools in
318.28 assessing the quality of their comprehensive school mental health systems and developing
318.29 improvement plans to implement evidence-based mental health resources, tools, and practices
318.30 in school districts and charter schools throughout Minnesota.

318.31 (b) The lead must establish a clearinghouse and provide information and resources for
318.32 school districts, charter schools, teachers, school staff, and families to support students',
318.33 teachers', and school staff's mental health needs.

319.1 (c) The lead must work with school districts and charter schools to improve mental
319.2 health infrastructure support by:

319.3 (1) developing guidance and sharing resources on improving the quality of comprehensive
319.4 school mental health systems;

319.5 (2) developing and sharing resources on evidence-based strategies, behavioral
319.6 interventions, and practices or techniques for addressing mental health needs, including
319.7 implementing a comprehensive approach to suicide prevention;

319.8 (3) facilitating coordination and cooperation to enable school districts and charter schools
319.9 to share strategies, challenges, and successes associated with supporting the mental health
319.10 needs of students, teachers, and staff;

319.11 (4) providing advice, upon request, to schools on implementing trauma-informed and
319.12 culturally responsive school-based programs that provide prevention or intervention services
319.13 to students, teachers, and staff;

319.14 (5) aligning resources among the different state agencies, including the Department of
319.15 Education, Department of Human Services, and Department of Health, to ensure school
319.16 mental health systems can efficiently access state resources; and

319.17 (6) maintaining a comprehensive list of resources on the Department of Education website
319.18 that schools may use to address students', teachers', and staff's mental health needs, including
319.19 grant opportunities; community-based prevention and intervention services; model policies;
319.20 written publications that schools may distribute to students, teachers, and staff; professional
319.21 development opportunities; best practices; and other resources for mental health education
319.22 under section 120B.21.

319.23 (d) The lead may report to the legislature as necessary regarding students', teachers', and
319.24 school staff's mental health needs; challenges in developing comprehensive school mental
319.25 health services; successful strategies and outcomes; and recommendations for integrating
319.26 mental health services and supports in schools.

319.27 Subd. 3. **Coordination with other agencies.** The comprehensive school mental health
319.28 services lead must consult with the Regional Centers of Excellence, the Department of
319.29 Health, the Department of Human Services, the Minnesota School Safety Center, and other
319.30 federal, state, and local agencies as necessary to identify or develop information, training,
319.31 and resources to help school districts and charter schools support students', teachers', and
319.32 school staff's mental health needs.

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

320.1 Sec. 14. Laws 2021, First Special Session chapter 13, article 11, section 4, subdivision 2,
320.2 is amended to read:

320.3 Subd. 2. **Department.** (a) For the Department of Education:

320.4 \$ 30,837,000 2022

320.5 \$ 26,287,000 2023

320.6 Of these amounts:

320.7 (1) \$319,000 each year is for the Board of School Administrators;

320.8 (2) \$1,000,000 each year is for regional centers of excellence under Minnesota Statutes,
320.9 section 120B.115;

320.10 (3) \$250,000 each year is for the School Finance Division to enhance financial data
320.11 analysis;

320.12 (4) \$720,000 each year is for implementing Minnesota's Learning for English Academic
320.13 Proficiency and Success Act under Laws 2014, chapter 272, article 1, as amended;

320.14 (5) \$123,000 each year is for a dyslexia specialist;

320.15 (6) \$480,000 each year is for the Department of Education's mainframe update;

320.16 (7) \$4,500,000 in fiscal year 2022 only is for legal fees and costs associated with
320.17 litigation; and

320.18 (8) \$340,000 in fiscal years 2022 and 2023 only are for voluntary prekindergarten
320.19 programs.

320.20 (b) None of the amounts appropriated under this subdivision may be used for Minnesota's
320.21 Washington, D.C., office.

320.22 (c) The expenditures of federal grants and aids as shown in the biennial budget document
320.23 and its supplements are approved and appropriated and must be spent as indicated.

320.24 (d) This appropriation includes funds for information technology project services and
320.25 support subject to the provisions of Minnesota Statutes, section 16E.21. Any ongoing
320.26 information technology costs will be incorporated into the service level agreement and will
320.27 be paid to the Office of MN.IT Services by the Department of Education under the rates
320.28 and mechanisms specified in that agreement.

320.29 (e) To account for the base adjustments provided in Laws 2018, chapter 211, article 21,
320.30 section 1, paragraph (a), and section 3, paragraph (a), the base for fiscal year 2024 and later
320.31 is \$25,965,000.

321.1 (f) On the effective date of this act, \$1,500,000 from the fiscal year 2022 appropriation
321.2 for legal fees and costs associated with litigation is canceled to the general fund.

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

321.4 Sec. 15. Laws 2023, chapter 18, section 4, subdivision 4, is amended to read:

321.5 Subd. 4. **Administrative costs.** (a) For onetime and ongoing administrative costs
321.6 necessary to implement the free school meals program:

321.7 \$ 400,000 2023

321.8 \$ 0 2024

321.9 202,000

321.10 \$ 0 2025

321.11 (b) The fiscal year 2023 appropriation does not cancel but is available until June 30,
321.12 2025.

321.13 ~~(c) The base for fiscal year 2026 and later is \$202,000.~~

321.14 Sec. 16. **PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD**
321.15 **MEMBERSHIP.**

321.16 By July 15, 2023, the governor must nominate members to the Professional Educator
321.17 Licensing and Standards Board to ensure the board consists of 13 members. Notwithstanding
321.18 any law to the contrary, the term of the school district human resources director serving on
321.19 the board as of March 1, 2023, ends December 31, 2023. By January 1, 2024, the governor
321.20 must nominate a member to the board to ensure the board consists of the 13 members
321.21 required under Minnesota Statutes, section 122A.07, subdivision 2.

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

321.23 Sec. 17. **APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

321.24 Subdivision 1. **Department of Education.** Unless otherwise indicated, the sums indicated
321.25 in this section are appropriated from the general fund to the Department of Education for
321.26 the fiscal years designated. Any balance in the first year does not cancel but is available in
321.27 the second year.

321.28 Subd. 2. **Department.** (a) For the Department of Education:

321.29 \$ 47,005,000 2024

321.30 \$ 39,922,000 2025

322.1 Of these amounts:

322.2 (1) \$405,000 each year is for the Board of School Administrators;

322.3 (2) \$1,000,000 each year is for regional centers of excellence under Minnesota Statutes,
322.4 section 120B.115;

322.5 (3) \$720,000 each year is for implementing Minnesota's Learning for English Academic
322.6 Proficiency and Success Act (LEAPS) under Laws 2014, chapter 272, article 1, as amended;

322.7 (4) \$480,000 each year is for the Department of Education's mainframe update;

322.8 (5) \$7,500,000 in fiscal year 2024 only is for legal fees and costs associated with
322.9 litigation;

322.10 (6) \$595,000 in fiscal year 2024 and \$2,609,000 in fiscal year 2025 are for modernizing
322.11 district data submissions. The base for fiscal year 2026 and later is \$2,359,000;

322.12 (7) \$573,000 each year is for engagement and rulemaking related to Specific Learning
322.13 Disability;

322.14 (8) \$150,000 each year is for an ethnic studies specialist in the academic standards
322.15 division to provide support to the ethnic studies working group and to school districts seeking
322.16 to establish or strengthen ethnic studies courses;

322.17 (9) \$150,000 each year is for the comprehensive school mental health services lead under
322.18 Minnesota Statutes, section 127A.215;

322.19 (10) \$150,000 each year is for a school health services specialist under Minnesota
322.20 Statutes, section 121A.20;

322.21 (11) \$2,000,000 each year is for the Office of the Inspector General established under
322.22 Minnesota Statutes, section 127A.21;

322.23 (12) \$800,000 each year is for audit and internal control resources;

322.24 (13) \$2,000,000 in fiscal year 2024 only is for information technology infrastructure
322.25 and portfolio resources;

322.26 (14) \$2,000,000 each year is for staffing the Equity, Diversity and Inclusion (EDI) Center
322.27 at the Department of Education; and

322.28 (15) \$275,000 in fiscal year 2024 and \$175,000 in fiscal year 2025 are for administrative
322.29 expenses for unemployment aid.

322.30 (b) None of the amounts appropriated under this subdivision may be used for Minnesota's
322.31 Washington, D.C., office.

323.1 (c) The expenditures of federal grants and aids as shown in the biennial budget document
323.2 and its supplements are approved and appropriated and must be spent as indicated.

323.3 (d) The base for fiscal year 2026 and later is \$39,667,000.

323.4 Sec. 18. **APPROPRIATIONS; MINNESOTA STATE ACADEMIES.**

323.5 (a) The sums indicated in this section are appropriated from the general fund to the
323.6 Minnesota State Academies for the Deaf and the Blind for the fiscal years designated:

323.7 \$ 17,766,000 2024

323.8 \$ 17,189,000 2025

323.9 Of these amounts:

323.10 (1) \$125,000 in fiscal year 2024 only is for an audiology booth and related testing
323.11 equipment;

323.12 (2) \$445,000 in fiscal year 2024 and \$185,000 in fiscal year 2025 are for a mental health
323.13 day treatment program. These funds are available until June 30, 2027. The base amount for
323.14 the allocation under this clause is \$185,000 in fiscal year 2026 and later; and

323.15 (3) \$321,000 each year is for unemployment costs.

323.16 (b) The base for fiscal year 2026 is \$17,436,000 and the base for fiscal year 2027 and
323.17 later is \$17,193,000.

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

323.19 Sec. 19. **APPROPRIATIONS; PERPICH CENTER FOR ARTS EDUCATION.**

323.20 (a) The sums indicated in this section are appropriated from the general fund to the
323.21 Perpich Center for Arts Education for the fiscal years designated:

323.22 \$ 9,243,000 2024

323.23 \$ 8,435,000 2025

323.24 Of these amounts:

323.25 (1) \$1,150,000 in fiscal year 2024 only is for furniture replacement in the agency's
323.26 dormitory and classrooms, including costs associated with moving and disposal; and

323.27 (2) \$24,000 each year is for unemployment costs.

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

324.1 Sec. 20. **APPROPRIATIONS; PROFESSIONAL EDUCATOR LICENSING AND**
324.2 **STANDARDS BOARD.**

324.3 Subdivision 1. Professional Educator Licensing and Standards Board. (a) The sums
324.4 indicated in this section are appropriated from the general fund to the Professional Educator
324.5 Licensing and Standards Board for the fiscal years designated:

324.6 \$ 3,484,000 2024

324.7 \$ 3,628,000 2025

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

324.9 Subd. 2. Licensure by portfolio. (a) For licensure by portfolio:

324.10 \$ 34,000 2024

324.11 \$ 34,000 2025

324.12 (b) This appropriation is from the education licensure portfolio account in the special
324.13 revenue fund.

324.14 **ARTICLE 13**

324.15 **FORECAST**

324.16 **A. GENERAL EDUCATION**

324.17 Section 1. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision
324.18 2, is amended to read:

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

324.21 \$ 7,569,266,000 2022

324.22 ~~7,804,527,000~~

324.23 \$ 7,538,983,000 2023

324.24 The 2022 appropriation includes \$717,326,000 for 2021 and \$6,851,940,000 for 2022.

324.25 The 2023 appropriation includes \$734,520,000 for 2022 and ~~\$7,070,007,000~~

324.26 \$6,804,463,000 for 2023.

324.27 Sec. 2. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 3,
324.28 is amended to read:

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

325.1 \$ 12,000 2022

325.2 ~~13,000~~

325.3 \$ 16,000 2023

325.4 Sec. 3. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 4,
325.5 is amended to read:

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

325.7 \$ 2,897,000 2022

325.8 ~~3,558,000~~

325.9 \$ 1,434,000 2023

325.10 The 2022 appropriation includes \$269,000 for 2021 and \$2,628,000 for 2022.

325.11 The 2023 appropriation includes \$291,000 for 2022 and ~~\$3,267,000~~ \$1,143,000 for
325.12 2023.

325.13 Sec. 4. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 5,
325.14 is amended to read:

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

325.17 \$ 309,000 2022

325.18 ~~373,000~~

325.19 \$ 95,000 2023

325.20 The 2022 appropriation includes \$30,000 for 2021 and \$279,000 for 2022.

325.21 The 2023 appropriation includes \$31,000 for 2022 and ~~\$342,000~~ \$64,000 for 2023.

325.22 Sec. 5. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 6,
325.23 is amended to read:

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

325.26 \$ 16,991,000 2022

325.27 ~~17,450,000~~

325.28 \$ 19,003,000 2023

325.29 The 2022 appropriation includes \$1,903,000 for 2021 and \$15,088,000 for 2022.

325.30 The 2023 appropriation includes \$1,676,000 for 2022 and ~~\$15,774,000~~ \$17,327,000 for
325.31 2023.

326.1 Sec. 6. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 7,
326.2 is amended to read:

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

326.5 \$ 19,770,000 2022

326.6 ~~19,906,000~~

326.7 \$ 21,027,000 2023

326.8 The 2022 appropriation includes \$1,910,000 for 2021 and \$17,860,000 for 2022.

326.9 The 2023 appropriation includes \$1,984,000 for 2022 and ~~\$17,922,000~~ \$19,043,000 for
326.10 2023.

326.11 Sec. 7. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 9,
326.12 is amended to read:

326.13 Subd. 9. **Career and technical aid.** For career and technical aid under Minnesota
326.14 Statutes, section 124D.4531, subdivision 1b:

326.15 \$ 2,668,000 2022

326.16 ~~2,279,000~~

326.17 \$ 1,914,000 2023

326.18 The 2022 appropriation includes \$323,000 for 2021 and \$2,345,000 for 2022.

326.19 The 2023 appropriation includes \$260,000 for 2022 and ~~\$2,019,000~~ \$1,654,000 for
326.20 2023.

326.21 **B. EDUCATION EXCELLENCE**

326.22 Sec. 8. Laws 2021, First Special Session chapter 13, article 2, section 4, subdivision 2, is
326.23 amended to read:

326.24 Subd. 2. **Achievement and integration aid.** For achievement and integration aid under
326.25 Minnesota Statutes, section 124D.862:

326.26 \$ 84,057,000 2022

326.27 ~~83,431,000~~

326.28 \$ 81,579,000 2023

326.29 The 2022 appropriation includes \$8,868,000 for 2021 and \$75,189,000 for 2022.

326.30 The 2023 appropriation includes \$8,353,000 for 2022 and ~~\$75,078,000~~ \$73,226,000 for
326.31 2023.

327.1 Sec. 9. Laws 2021, First Special Session chapter 13, article 2, section 4, subdivision 3, is
327.2 amended to read:

327.3 Subd. 3. **American Indian education aid.** For American Indian education aid under
327.4 Minnesota Statutes, section 124D.81, subdivision 2a:

327.5 \$ 11,351,000 2022

327.6 ~~11,775,000~~

327.7 \$ 11,575,000 2023

327.8 The 2022 appropriation includes \$1,102,000 for 2021 and \$10,249,000 for 2022.

327.9 The 2023 appropriation includes \$1,138,000 for 2022 and ~~\$10,637,000~~ \$10,437,000 for
327.10 2023.

327.11 Sec. 10. Laws 2021, First Special Session chapter 13, article 2, section 4, subdivision 4,
327.12 is amended to read:

327.13 Subd. 4. **Charter school building lease aid.** For building lease aid under Minnesota
327.14 Statutes, section 124E.22:

327.15 \$ 93,547,000 2022

327.16 ~~99,819,000~~

327.17 \$ 90,864,000 2023

327.18 The 2022 appropriation includes \$8,617,000 for 2021 and \$84,930,000 for 2022.

327.19 The 2023 appropriation includes \$9,436,000 for 2022 and ~~\$90,383,000~~ \$81,428,000 for
327.20 2023.

327.21 Sec. 11. Laws 2021, First Special Session chapter 13, article 2, section 4, subdivision 12,
327.22 is amended to read:

327.23 Subd. 12. **Interdistrict desegregation or integration transportation grants.** For
327.24 interdistrict desegregation or integration transportation grants under Minnesota Statutes,
327.25 section 124D.87:

327.26 \$ 12,310,000 2022

327.27 ~~14,823,000~~

327.28 \$ 13,785,000 2023

328.1 Sec. 12. Laws 2021, First Special Session chapter 13, article 2, section 4, subdivision 27,
328.2 is amended to read:

328.3 Subd. 27. **Tribal contract school aid.** For Tribal contract school aid under Minnesota
328.4 Statutes, section 124D.83:

328.5 \$ 2,743,000 2022

328.6 ~~3,160,000~~

328.7 \$ 2,581,000 2023

328.8 The 2022 appropriation includes \$240,000 for 2021 and \$2,503,000 for 2022.

328.9 The 2023 appropriation includes \$278,000 for 2022 and ~~\$2,882,000~~ \$2,303,000 for
328.10 2023.

328.11 **C. TEACHERS**

328.12 Sec. 13. Laws 2021, First Special Session chapter 13, article 3, section 7, subdivision 7,
328.13 is amended to read:

328.14 Subd. 7. **Alternative teacher compensation aid.** (a) For alternative teacher compensation
328.15 aid under Minnesota Statutes, section 122A.415, subdivision 4:

328.16 \$ 88,896,000 2022

328.17 ~~88,898,000~~

328.18 \$ 88,308,000 2023

328.19 (b) The 2022 appropriation includes \$8,877,000 for 2021 and \$80,019,000 for 2022.

328.20 (c) The 2023 appropriation includes \$8,891,000 for 2022 and ~~\$80,007,000~~ \$79,417,000
328.21 for 2023.

328.22 **D. SPECIAL EDUCATION**

328.23 Sec. 14. Laws 2021, First Special Session chapter 13, article 5, section 3, subdivision 2,
328.24 is amended to read:

328.25 Subd. 2. **Special education; regular.** For special education aid under Minnesota Statutes,
328.26 section 125A.75:

328.27 \$ 1,822,998,000 2022

328.28 ~~1,945,533,000~~

328.29 \$ 1,859,205,000 2023

328.30 The 2022 appropriation includes \$215,125,000 for 2021 and \$1,607,873,000 for 2022.

329.1 The 2023 appropriation includes \$226,342,000 for 2022 and ~~\$1,719,191,000~~
329.2 \$1,632,863,000 for 2023.

329.3 Sec. 15. Laws 2021, First Special Session chapter 13, article 5, section 3, subdivision 3,
329.4 is amended to read:

329.5 Subd. 3. **Aid for children with disabilities.** For aid under Minnesota Statutes, section
329.6 125A.75, subdivision 3, for children with disabilities placed in residential facilities within
329.7 the district boundaries for whom no district of residence can be determined:

329.8 \$ 1,818,000 2022

329.9 ~~2,010,000~~

329.10 \$ 1,484,000 2023

329.11 If the appropriation for either year is insufficient, the appropriation for the other year is
329.12 available.

329.13 Sec. 16. Laws 2021, First Special Session chapter 13, article 5, section 3, subdivision 4,
329.14 is amended to read:

329.15 Subd. 4. **Travel for home-based services.** For aid for teacher travel for home-based
329.16 services under Minnesota Statutes, section 125A.75, subdivision 1:

329.17 \$ 465,000 2022

329.18 ~~512,000~~

329.19 \$ 337,000 2023

329.20 The 2022 appropriation includes \$23,000 for 2021 and \$442,000 for 2022.

329.21 The 2023 appropriation includes \$49,000 for 2022 and ~~\$463,000~~ \$288,000 for 2023.

329.22 **E. FACILITIES**

329.23 Sec. 17. Laws 2021, First Special Session chapter 13, article 7, section 2, subdivision 2,
329.24 is amended to read:

329.25 Subd. 2. **Debt service equalization aid.** For debt service equalization aid under
329.26 Minnesota Statutes, section 123B.53, subdivision 6:

329.27 \$ 25,001,000 2022

329.28 ~~24,286,000~~

329.29 \$ 24,315,000 2023

329.30 The 2022 appropriation includes \$2,588,000 for 2021 and \$22,413,000 for 2022.

330.1 The 2023 appropriation includes \$2,490,000 for 2022 and ~~\$21,796,000~~ \$21,825,000 for
330.2 2023.

330.3 Sec. 18. Laws 2021, First Special Session chapter 13, article 7, section 2, subdivision 3,
330.4 is amended to read:

330.5 Subd. 3. **Long-term facilities maintenance equalized aid.** For long-term facilities
330.6 maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

330.7 \$ 108,582,000 2022

330.8 ~~111,077,000~~

330.9 \$ 108,269,000 2023

330.10 The 2022 appropriation includes \$10,660,000 for 2021 and \$97,922,000 for 2022.

330.11 The 2023 appropriation includes \$10,880,000 for 2022 and ~~\$100,197,000~~ \$97,389,000
330.12 for 2023.

330.13 **F. NUTRITION**

330.14 Sec. 19. Laws 2021, First Special Session chapter 13, article 8, section 3, subdivision 2,
330.15 is amended to read:

330.16 Subd. 2. **School lunch.** For school lunch aid under Minnesota Statutes, section 124D.111,
330.17 and Code of Federal Regulations, title 7, section 210.17:

330.18 \$ 16,661,000 2022

330.19 ~~16,954,000~~

330.20 \$ 15,984,000 2023

330.21 Sec. 20. Laws 2021, First Special Session chapter 13, article 8, section 3, subdivision 3,
330.22 is amended to read:

330.23 Subd. 3. **School breakfast.** For traditional school breakfast aid under Minnesota Statutes,
330.24 section 124D.1158:

330.25 \$ 11,848,000 2022

330.26 ~~12,200,000~~

330.27 \$ 10,802,000 2023

330.28 Sec. 21. Laws 2021, First Special Session chapter 13, article 8, section 3, subdivision 4,
330.29 is amended to read:

330.30 Subd. 4. **Kindergarten milk.** For kindergarten milk aid under Minnesota Statutes,
330.31 section 124D.118:

331.1 \$ 656,000 2022

331.2 ~~658,000~~

331.3 \$ 659,000 2023

331.4 **G. EARLY EDUCATION**

331.5 **Sec. 22.** Laws 2021, First Special Session chapter 13, article 9, section 4, subdivision 5,
331.6 is amended to read:

331.7 Subd. 5. **Early childhood family education aid.** (a) For early childhood family education
331.8 aid under Minnesota Statutes, section 124D.135:

331.9 \$ 35,003,000 2022

331.10	36,478,000
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331.11 \$ 35,180,000 2023

331.12 (b) The 2022 appropriation includes \$3,341,000 for 2021 and \$31,662,000 for 2022.

331.13 (c) The 2023 appropriation includes \$3,518,000 for 2022 and ~~\$32,960,000~~ \$31,662,000
331.14 for 2023.

331.15 Sec. 23. Laws 2021, First Special Session chapter 13, article 9, section 4, subdivision 6,
331.16 is amended to read:

331.17 Subd. 6. **Developmental screening aid.** (a) For developmental screening aid under
331.18 Minnesota Statutes, sections 121A.17 and 121A.19:

331.19 \$ 3,582,000 2022

331.20	3,476,000
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331.21	\$	3,503,000		2023
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331.22 (b) The 2022 appropriation includes \$360,000 for 2021 and \$3,222,000 for 2022.

331.23 (c) The 2023 appropriation includes \$357,000 for 2022 and ~~\$3,119,000~~ \$3,146,000 for
331.24 2023.

331.25 Sec. 24. Laws 2021, First Special Session chapter 13, article 9, section 4, subdivision 12,
331.26 is amended to read:

331.27 Subd. 12. **Home visiting aid.** (a) For home visiting aid under Minnesota Statutes, section
331.28 124D.135:

331.29 \$ 462,000 2022

331.30	444,000
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331.31	\$	415,000		2023
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331.32 (b) The 2022 appropriation includes \$47,000 for 2021 and \$415,000 for 2022.

332.1 (c) The 2023 appropriation includes \$46,000 for 2022 and ~~\$398,000~~ \$369,000 for 2023.

332.2 **H. COMMUNITY EDUCATION AND LIFELONG LEARNING**

332.3 Sec. 25. Laws 2021, First Special Session chapter 13, article 10, section 1, subdivision 2,
332.4 is amended to read:

332.5 Subd. 2. **Community education aid.** For community education aid under Minnesota
332.6 Statutes, section 124D.20:

332.7 \$ 180,000 2022

332.8 ~~155,000~~

332.9 \$ 150,000 2023

332.10 The 2022 appropriation includes \$22,000 for 2021 and \$158,000 for 2022.

332.11 The 2023 appropriation includes \$17,000 for 2022 and ~~\$138,000~~ \$133,000 for 2023.

332.12 Sec. 26. Laws 2021, First Special Session chapter 13, article 10, section 1, subdivision 8,
332.13 is amended to read:

332.14 Subd. 8. **Adult basic education aid.** For adult basic education aid under Minnesota
332.15 Statutes, section 124D.531:

332.16 \$ 53,191,000 2022

332.17 ~~54,768,000~~

332.18 \$ 51,948,000 2023

332.19 The 2022 appropriation includes \$5,177,000 for 2021 and \$48,014,000 for 2022.

332.20 The 2023 appropriation includes \$5,334,000 for 2022 and ~~\$49,434,000~~ \$46,614,000 for
332.21 2023.

120B.02 EDUCATIONAL EXPECTATIONS AND GRADUATION REQUIREMENTS FOR MINNESOTA'S STUDENTS.

Subd. 3. **Required knowledge and understanding of civics.** (a) For purposes of this subdivision, "civics test questions" means 50 of the 100 questions that, as of January 1, 2015, United States Citizenship and Immigration Services officers use to select the questions they pose to applicants for naturalization so the applicants can demonstrate their knowledge and understanding of the fundamentals of United States history and government, as required by United States Code, title 8, section 1423. The Learning Law and Democracy Foundation, in consultation with Minnesota civics teachers, must select by July 1 each year 50 of the 100 questions under this paragraph to serve as the state's civics test questions for the proximate school year and immediately transmit the 50 selected civics test questions to the department and to the Legislative Coordinating Commission, which must post the 50 questions it receives on the Minnesota's Legacy website by August 1 of that year.

(b) A student enrolled in a public school must correctly answer at least 30 of the 50 civics test questions. A school or district may record on a student's transcript that the student answered at least 30 of 50 civics test questions correctly. A school or district may exempt a student with disabilities from this requirement if the student's individualized education program team determines the requirement is inappropriate and establishes an alternative requirement. A school or district may administer the civics test questions in a language other than English to students who qualify for English learner services.

(c) Schools and districts may administer civics test questions as part of the social studies curriculum. A district must not prevent a student from graduating or deny a student a high school diploma for failing to correctly answer at least 30 of 50 civics test questions.

(d) The commissioner and public schools and school districts must not charge students any fees related to this subdivision.

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.

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(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 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.

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(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

(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 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:

APPENDIX
Repealed Minnesota Statutes: H2497-5

(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 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.

Laws 2023, chapter 18, section 4, subdivision 5

Sec. 4. APPROPRIATION; SCHOOL MEALS.

Subd. 5. Additional general education aid. (a) For additional general education aid under Minnesota Statutes, section 126C.13, subdivision 4, for compensatory revenue under section 3:

 \$ 5,434,000 2025

(b) The aid for fiscal year 2026 is \$604,000. The base for fiscal year 2027 and later is \$0.

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.