

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

1.1 A bill for an act

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1.27 subdivision 4; 122A.50; 122A.59; 122A.63, by adding a subdivision; 122A.635;

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

1.29 123B.595, subdivisions 1, 2, 3, 4, 7, 8, 8a, 9, 10, 11; 123B.71, subdivisions 9, 12;

1.30 123B.86, 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 2a,

1.32 5; 124D.1158, as amended; 124D.119; 124D.128, subdivisions 1, 2; 124D.151,

1.33 subdivision 6; 124D.20, subdivisions 3, 5; 124D.2211; 124D.231; 124D.42,

1.34 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

2.1 subdivision; 124D.99, subdivision 2; 124E.02; 124E.03, subdivision 2, by adding  
 2.2 a subdivision; 124E.05, subdivisions 4, 7; 124E.06, subdivisions 1, 4, 5; 124E.10,  
 2.3 subdivision 1; 124E.11; 124E.12, subdivision 1; 124E.13, subdivisions 1, 3;  
 2.4 124E.25, subdivision 1a; 125A.03; 125A.08; 125A.0942; 125A.13; 125A.15;  
 2.5 125A.51; 125A.515, subdivision 3; 125A.71, subdivision 1; 125A.76, subdivisions  
 2.6 2c, 2e, by adding a subdivision; 126C.05, subdivisions 1, 3, as amended, 19;  
 2.7 126C.10, subdivisions 2, 2a, 2d, 2e, 3, 4, 13, 13a, 14, 18a, by adding subdivisions;  
 2.8 126C.15, subdivisions 1, 2, 5; 126C.17, by adding a subdivision; 126C.40,  
 2.9 subdivisions 1, 6; 126C.43, subdivision 2; 126C.44; 127A.353, subdivisions 2, 4;  
 2.10 134.31, subdivisions 1, 4a; 134.32, subdivision 4; 134.34, subdivision 1; 134.355,  
 2.11 subdivisions 5, 6, 7; 144.4165; 179A.03, subdivisions 14, 18, 19; 256B.0625,  
 2.12 subdivision 26; 268.085, subdivision 7; 290.0679, subdivision 2; Laws 2021, First  
 2.13 Special Session chapter 13, article 1, section 10, subdivisions 2, 3, 4, 5, 6, 7, 9;  
 2.14 article 2, section 4, subdivisions 2, 3, 4, 12, 27; article 3, section 7, subdivision 7;  
 2.15 article 5, section 3, subdivisions 2, 3, 4; article 7, section 2, subdivisions 2, 3;  
 2.16 article 8, section 3, subdivisions 2, 3, 4; article 9, section 4, subdivisions 5, 6, 12;  
 2.17 article 10, section 1, subdivisions 2, 8; article 11, section 4, subdivision 2; Laws  
 2.18 2023, chapter 18, section 4, subdivisions 2, 3; proposing coding for new law in  
 2.19 Minnesota Statutes, chapters 120B; 121A; 122A; 124D; 125A; 126C; 127A;  
 2.20 repealing Minnesota Statutes 2022, sections 120B.35, subdivision 5; 122A.06,  
 2.21 subdivision 4; 122A.07, subdivision 2a; 122A.091, subdivisions 3, 6; 122A.18,  
 2.22 subdivision 7c; 122A.182, subdivision 2; 124D.095, subdivisions 1, 2, 3, 4, 5, 6,  
 2.23 7, 8; 126C.05, subdivisions 3, 16; 268.085, subdivision 8; Minnesota Rules, part  
 2.24 8710.0500, subparts 8, 11.

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

2.26 **ARTICLE 1**

2.27 **GENERAL EDUCATION**

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

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

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

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

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

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

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

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

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

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

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

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

3.17 **EFFECTIVE DATE.** This section is effective for elections conducted on or after August  
3.18 9, 2023.

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

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

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

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

4.1 (d) A school board that contracts for pupil transportation services may enter into a  
4.2 contractual arrangement with a school bus contractor according to the written plan adopted  
4.3 by the school board and the nonpublic school to transport nonpublic school students and  
4.4 retain the nonpublic pupil transportation aid attributable to that plan for the purposes of  
4.5 paying the school bus contractor. A nonpublic school may make a payment to the school  
4.6 district to cover additional transportation services agreed to in the written plan for nonpublic  
4.7 pupil transportation services included in the contract that are not required under sections  
4.8 123B.84 to 123B.87.

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

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

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

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

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

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

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

4.30 Subdivision 1. **Definition.** "Career and technical education (CTE) consortium" means  
4.31 a voluntary collaboration of the Minnesota Service Cooperatives and other regional public  
4.32 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

6.1 of the legislative committees with jurisdiction over secondary and postsecondary education.  
6.2 The annual report must contain a financial report for the preceding fiscal year.

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

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

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

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

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

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

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

7.1 (c) Notwithstanding paragraphs (a) and (b), a pupil in early childhood special education  
 7.2 or prekindergarten under section 124D.151, through grade 12 shall not be counted as an  
 7.3 English learner in calculating English learner pupil units under section 126C.05, subdivision  
 7.4 17, and shall not generate state English learner aid under section 124D.65, subdivision 5,  
 7.5 if:

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

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

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

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

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

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

7.17 (2) \$250 times the English learner pupil units under section 126C.05, subdivision 17;  
 7.18 and

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

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

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

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

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

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

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

8.2 Subd. 2. **Basic revenue.** (a) The basic revenue for each district equals the formula  
8.3 allowance times the adjusted pupil units for the school year. ~~The formula allowance for~~  
8.4 fiscal year 2021 is \$6,567. ~~The formula allowance for fiscal year 2022 is \$6,728.~~ The formula  
8.5 allowance for fiscal year 2023 ~~and later~~ is \$6,863. The formula allowance for fiscal year  
8.6 2024 is \$7,138. The formula allowance for fiscal year 2025 is \$7,281. The formula allowance  
8.7 for fiscal year 2026 and later must be determined as follows:

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

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

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

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

8.20 Subd. 2a. **Extended time revenue.** (a) A school district's extended time allowance equals  
8.21 \$5,117 for fiscal year 2023 and later.

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

8.26 ~~(b)~~ (c) Extended time revenue for pupils placed in an on-site education program at the  
8.27 Prairie Lakes Education Center or the Lake Park School, located within the borders of  
8.28 Independent School District No. 347, Willmar, for instruction provided after the end of the  
8.29 preceding regular school year and before the beginning of the following regular school year  
8.30 equals membership hours divided by the minimum annual instructional hours in section  
8.31 126C.05, subdivision 15, not to exceed 0.20, times the pupil unit weighting in section  
8.32 126C.05, subdivision 1, times \$5,117 ~~the~~ extended time allowance in paragraph (a).



9.1 (d) A school district qualifies for extended time revenue for instruction provided after  
9.2 the end of the preceding regular school year and before the beginning of the following  
9.3 regular school year for (1) every pupil attending a day treatment program, and (2) every  
9.4 pupil placed in a children's residential facility, whether the education services are provided  
9.5 on-site or off-site. Extended time revenue under this paragraph equals total membership  
9.6 hours in summer instruction divided by the minimum annual instructional hours in section  
9.7 126C.05, subdivision 15, not to exceed 0.20, times the pupil unit weighting in section  
9.8 126C.05, subdivision 1, times the extended time allowance.

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

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

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

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

9.19 ~~(e)~~ (g) A school district's extended time revenue may be used for extended day programs,  
9.20 extended week programs, summer school, vacation break academies such as spring break  
9.21 academies and summer term academies, and other programming authorized under the  
9.22 learning year program.

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

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

9.25 Subd. 2e. **Local optional revenue.** (a) For fiscal year 2021 and later, local optional  
9.26 revenue for a school district equals the sum of the district's first tier local optional revenue  
9.27 and second tier local optional revenue. A district's first tier local optional revenue equals  
9.28 \$300 times the adjusted pupil units of the district for that school year. A district's second  
9.29 tier local optional revenue equals \$424 times the adjusted pupil units of the district for that  
9.30 school year.

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

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

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

10.13 (e) The local optional revenue equalizing factor equals \$510,000 for fiscal year 2024,  
10.14 \$672,000 for fiscal year 2025, \$706,500 for fiscal year 2026, and \$743,000 for fiscal year  
10.15 2027 and later.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14.9 (1) to acquire land for school purposes;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15.17 (22) to lease or purchase vehicles;

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

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

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

15.24 (iii) other classroom information management needs;

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

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

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

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

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

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

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

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

16.13 (2) the sum of:

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

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

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

16.17 and

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

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

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

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

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

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



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

17.4 Subd. 2. **Legislative report.** The department must annually submit a report beginning  
17.5 December 1, 2024, to the chairs and ranking minority members of the legislative committees  
17.6 with jurisdiction over kindergarten through grade 12 education detailing the statewide  
17.7 teacher to student ratios by grade, by site, and by core subject area starting with the  
17.8 2023-2024 school year. The department may include this information in its common course  
17.9 catalog.

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

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

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

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

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

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

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

17.28 (5) comprehensive and ongoing staff development consistent with district and site plans  
17.29 according to section 122A.60 and to implement plans under section 120B.12, subdivision  
17.30 4a, for teachers, teacher aides, principals, and other personnel to improve their ability to  
17.31 identify the needs of these learners and provide appropriate remediation, intervention,  
17.32 accommodations, or modifications;

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

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

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

18.10 (9) all-day kindergarten;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26.20 (a) Notwithstanding Minnesota Statutes, section 123B.51, subdivision 4, paragraph (b),  
26.21 or any law to the contrary, any remaining net proceeds received by the district in connection  
26.22 with a lease of real property that is not needed for school purposes, or part of the property  
26.23 that is not needed for school purposes as permitted under Minnesota Statutes, section  
26.24 123B.51, subdivision 4, paragraph (a), and which the school board of Independent School  
26.25 District No. 191, Burnsville-Eagan-Savage, specifically identified in the district's open  
26.26 facilities action plan, may be deposited in the district's general unrestricted fund following  
26.27 the deposit of such proceeds, as required under Minnesota Statutes, section 123B.51,  
26.28 subdivision 4, paragraph (b).

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

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

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

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

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

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

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

27.15 **Sec. 35. APPROPRIATIONS.**

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

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

27.21	<u>\$ 8,028,259,000</u>	<u>.....</u>	<u>2024</u>
27.22	<u>\$ 8,319,353,000</u>	<u>.....</u>	<u>2025</u>

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

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

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

28.1           \$           18,000   ..... 2024

28.2           \$           19,000   ..... 2025

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

28.5           \$           2,339,000   ..... 2024

28.6           \$           2,665,000   ..... 2025

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

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

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

28.11          \$           187,000   ..... 2024

28.12          \$           290,000   ..... 2025

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

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

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

28.17          \$           22,354,000   ..... 2024

28.18          \$           23,902,000   ..... 2025

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

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

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

28.23          \$           22,248,000   ..... 2024

28.24          \$           23,624,000   ..... 2025

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

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

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

28.29          \$           65,000   ..... 2024

28.30          \$           65,000   ..... 2025

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

29.3 \$ 1,512,000 ..... 2024

29.4 \$ 761,000 ..... 2025

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

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

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

29.10 \$ 55,000 ..... 2024

29.11 \$ 55,000 ..... 2025

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

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

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

29.19 \$ 5,000,000 ..... 2024

29.20 \$ 5,000,000 ..... 2025

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

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

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

29.26 \$ 450,000 ..... 2024

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

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

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

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

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

30.10 \$ 500,000 ..... 2024

30.11 \$ 500,000 ..... 2025

30.12 (b) A school district, charter school, or cooperative unit under Minnesota Statutes, section  
 30.13 123A.24, subdivision 2, may apply for a grant under this section to offer enrolled students  
 30.14 emergency medical services courses approved by the Minnesota Emergency Medical Services  
 30.15 Regulatory Board to prepare students to take the emergency medical technician certification  
 30.16 test, including an emergency medical services course that is a prerequisite to an emergency  
 30.17 medical technician course.

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

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

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

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

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

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

30.31 \$ 1,000,000 ..... 2024

30.32 \$ 1,000,000 ..... 2025

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

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

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

31.6 \$ 2,000,000 ..... 2024

31.7 \$ 2,000,000 ..... 2025

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

31.9 Sec. 36. **REPEALER.**

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

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

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

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

31.14 **ARTICLE 2**  
 31.15 **EDUCATION EXCELLENCE**

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

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

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

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

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

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

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

31.25 ~~(6)~~ (5) be the parent of a child who is assessed according to the procedures in subdivision  
 31.26 11.

31.27 Any person providing instruction in a public school must meet the requirements of clause  
 31.28 (1).

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

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

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

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

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

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

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

32.18 (1) language arts;

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

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

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

32.27 (5) physical education;

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

35.6 (7) a minimum of seven elective credits.

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

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

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

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

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

35.23 (b) An agriculture science or career and technical education credit may fulfill the elective  
35.24 science credit required under subdivision 1, clause (4), if the credit meets the state physical  
35.25 science, life science, earth and space science, chemistry, or physics academic standards or  
35.26 a combination of these academic standards as approved by the district. An agriculture or  
35.27 career and technical education credit may fulfill the credit in chemistry or physics required  
35.28 under subdivision 1, clause (4), if the credit meets the state chemistry or physics academic  
35.29 standards as approved by the district. A student must satisfy either all of the chemistry  
35.30 academic standards or all of the physics academic standards prior to graduation. An  
35.31 agriculture science or career and technical education credit may not fulfill the required  
35.32 biology credit under subdivision 1, clause (4).

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

36.3 (d) An ~~agriculture~~ agricultural, food, and natural resources education teacher is not  
36.4 required to meet the requirements of Minnesota Rules, part 3505.1150, subpart ~~1~~ 2, item  
36.5 B, to meet the credit equivalency requirements of paragraph (b) above.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

37.27 (3) a system to periodically review and evaluate the effectiveness of all instruction and  
37.28 curriculum, including ethnic studies curriculum, taking into account strategies and best  
37.29 practices, student outcomes, school principal evaluations under section 123B.147, subdivision  
37.30 3, students' access to effective teachers who are members of populations underrepresented  
37.31 among the licensed teachers in the district or school and who reflect the diversity of enrolled  
37.32 students under section 120B.35, subdivision 3, paragraph (b), clause (2), and teacher  
37.33 evaluations under section 122A.40, subdivision 8, or 122A.41, subdivision 5;

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

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

38.23 updated after June 30, 2024.

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

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

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

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

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

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

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

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

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

39.1 needs, from young children to adults, consistent with section 124D.59, subdivisions 2 and  
39.2 2a. The district may establish site teams as subcommittees of the district advisory committee  
39.3 under subdivision 4. The district advisory committee ~~shall~~ must recommend to the school  
39.4 board: rigorous academic standards; student achievement goals and measures consistent  
39.5 with subdivision 1a and sections 120B.022, subdivisions 1a and 1b, and 120B.35; district  
39.6 assessments; means to improve students' equitable access to effective and more diverse  
39.7 teachers; strategies to ensure the curriculum is rigorous, accurate, antiracist, and culturally  
39.8 sustaining; strategies to ensure that curriculum and learning and work environments validate,  
39.9 affirm, embrace, and integrate the cultural and community strengths of all racial and ethnic  
39.10 groups; and program evaluations. School sites may expand upon district evaluations of  
39.11 instruction, curriculum, assessments, or programs. Whenever possible, parents and other  
39.12 community residents shall must comprise at least two-thirds of advisory committee members.

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

39.14 **120B.15 GIFTED AND TALENTED STUDENTS PROGRAMS AND SERVICES.**

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

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

39.22 (1) multiple and objective criteria; and

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

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

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

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

40.1 (d) School districts must adopt procedures consistent with section 124D.02, subdivision  
40.2 1, for early admission to kindergarten or first grade of gifted and talented learners consistent  
40.3 with section 120B.11, subdivision 2, clause (2). The procedures must be sensitive to  
40.4 underrepresented groups.

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

42.11 (b) "Holocaust" means the systematic, state-sponsored persecution and murder of  
42.12 6,000,000 Jews by the Nazi regime and its allies and collaborators.

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

42.17 (1) killing members of the group;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

44.9 Subdivision 1. **Statewide testing.** (a) The commissioner, with advice from experts with  
44.10 appropriate technical qualifications and experience and stakeholders, consistent with  
44.11 subdivision 1a, must include in the comprehensive assessment system, for each grade level  
44.12 to be tested, state-constructed tests developed as computer-adaptive reading and mathematics  
44.13 assessments for students that are aligned with the state's required academic standards under  
44.14 section 120B.021, include multiple choice questions, and are administered annually to all  
44.15 students in grades 3 through 8. State-developed high school tests aligned with the state's  
44.16 required academic standards under section 120B.021 and administered to all high school  
44.17 students in a subject other than writing must include multiple choice questions. The  
44.18 commissioner must establish a testing period as late as possible each school year during  
44.19 which schools must administer the Minnesota Comprehensive Assessments to students. The  
44.20 commissioner must publish the testing schedule at least two years before the beginning of  
44.21 the testing period.

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

44.24 (1) mathematics;

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

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

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

44.29 (3) language arts and reading; grades 3 through 8 and high school level beginning in the  
44.30 2012-2013 school year.

44.31 (c) For students enrolled in grade 8 in the 2012-2013 school year and later, students'  
44.32 state graduation requirements, based on a longitudinal, systematic approach to student

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

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

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

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

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

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

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

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

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

46.23 (g) Districts and schools, on an annual basis, must use career exploration elements to  
46.24 help students, beginning no later than grade 9, and their families explore and plan for  
46.25 postsecondary education or careers based on the students' interests, aptitudes, and aspirations.  
46.26 Districts and schools must use timely regional labor market information and partnerships,  
46.27 among other resources, to help students and their families successfully develop, pursue,  
46.28 review, and revise an individualized plan for postsecondary education or a career. This  
46.29 process must help increase students' engagement in and connection to school, improve  
46.30 students' knowledge and skills, and deepen students' understanding of career pathways as  
46.31 a sequence of academic and career courses that lead to an industry-recognized credential,  
46.32 an associate's degree, or a bachelor's degree and are available to all students, whatever their  
46.33 interests and career goals.

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

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

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

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

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

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

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

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

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

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

48.5 (1) uniform statewide computer-adaptive assessments of all students in grades 3 through  
48.6 8 and testing at the high school levels that provides appropriate, technically sound  
48.7 accommodations or alternate assessments;

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

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

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

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

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

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

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

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

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



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

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

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

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

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

49.25 (1) annual computer-adaptive reading and mathematics assessments in grades 3 through  
49.26 8, and high school reading, writing, and mathematics tests; and

49.27 (2) annual science assessments in one grade in the grades 3 through 5 span, the grades  
49.28 6 through 8 span, and a life sciences assessment in the grades 9 through 12 span, and the  
49.29 commissioner must not require students to achieve a passing score on high school science  
49.30 assessments as a condition of receiving a high school diploma.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 54.1 (ii) providing successful prevention and intervention strategies for at-risk students;
- 54.2 (iii) providing successful recuperative and recovery or reenrollment strategies for off-track
- 54.3 students; and
- 54.4 (iv) improving the graduation outcomes of at-risk and off-track students.

54.5 The commissioner may include in the annual report summary data on other education

54.6 providers serving a majority of students eligible to participate in a learning year program.

54.7 (f) The commissioner, in consultation with recognized experts with knowledge and

54.8 experience in assessing the language proficiency and academic performance of all English

54.9 learners enrolled in a Minnesota public school course or program who are currently or were

54.10 previously counted as an English learner under section 124D.59, must identify and report

54.11 appropriate and effective measures to improve current categories of language difficulty and

54.12 assessments, and monitor and report data on students' English proficiency levels, program

54.13 placement, and academic language development, including oral academic language.

54.14 (g) When reporting four- and six-year graduation rates, the commissioner or school

54.15 district must disaggregate the data by student categories according to paragraph (a), clause

54.16 (2).

54.17 (h) A school district must inform parents and guardians that volunteering information

54.18 on student categories not required by the most recent reauthorization of the Elementary and

54.19 Secondary Education Act is optional and will not violate the privacy of students or their

54.20 families, parents, or guardians. The notice must state the purpose for collecting the student

54.21 data.

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

54.23 Subd. 2. **Student progress and other data.** (a) All data the department receives, collects,

54.24 or creates under section 120B.11, governing the world's best workforce, or uses to determine

54.25 federal expectations under the most recently reauthorized Elementary and Secondary

54.26 Education Act, ~~set state growth targets,~~ and determine student growth, learning, and outcomes

54.27 under section 120B.35 are nonpublic data under section 13.02, subdivision 9, until the

54.28 commissioner publicly releases the data.

54.29 (b) Districts must provide parents sufficiently detailed summary data to permit parents

54.30 to appeal under the most recently reauthorized federal Elementary and Secondary Education

54.31 Act. The commissioner shall annually post federal expectations and state student growth,

54.32 learning, and outcome data to the department's public website no later than September 1,

54.33 except that in years when data or federal expectations reflect new performance standards,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

56.16 (c) The policy must apply to students, independent contractors, teachers, administrators,  
56.17 and other school personnel; must include at a minimum the components under section  
56.18 121A.031, subdivision 4, paragraph (a); and must include disciplinary actions for each  
56.19 violation of the policy. Disciplinary actions must conform with collective bargaining  
56.20 agreements and sections 121A.41 to 121A.56.

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

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

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



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

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

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

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

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

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

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

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

58.1 social work services, referrals for special education or 504 evaluations, academic screening  
58.2 for Title 1 services or reading interventions, and alternative education services.  
58.3 Nonexclusionary disciplinary policies and practices require actions by school officials to  
58.4 intervene in, redirect, and support a pupil's behavior before beginning dismissal proceedings.  
58.5 Nonexclusionary disciplinary policies and practices include but are not limited to the policies  
58.6 and practices under sections 120B.12; 121A.575, clauses (1) and (2); 121A.031, subdivision  
58.7 4, paragraph (a), clause (1); 121A.61, subdivision 3, paragraph (r); and 122A.627, clause  
58.8 (3).

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

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

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

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

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

58.19 **121A.425 FULL AND EQUITABLE PARTICIPATION IN ~~PRESCHOOL AND~~**  
58.20 **~~PREKINDERGARTEN~~ EARLY LEARNING.**

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

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

58.27 (2) kindergarten through grade 3.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

60.27 (3) present evidence; and

60.28 (4) confront and cross-examine witnesses.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

63.10 **121A.58 CORPORAL PUNISHMENT; PRONE RESTRAINT; AND CERTAIN**  
63.11 **PHYSICAL HOLDS.**

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

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

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

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

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

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

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

63.29 Subd. 3. **Violation.** Conduct that violates subdivision 2 is not a crime under section  
63.30 645.241, but may be a crime under chapter 609 if the conduct violates a provision of chapter  
63.31 609.

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

67.16 or

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

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

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

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

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

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

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

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

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

68.21 Sec. 41. Minnesota Statutes 2022, section 124D.03, subdivision 3, is amended to read:

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

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

69.9 Sec. 42. Minnesota Statutes 2022, section 124D.03, subdivision 5, is amended to read:

69.10 Subd. 5. **Nonresident district procedures.** A district shall notify the parent or guardian  
69.11 in writing by February 15 or within 90 days for applications submitted after January 15 in  
69.12 the case of achievement and integration district transfers whether the application has been  
69.13 accepted or rejected. If an application is rejected, the district must state in the notification  
69.14 the reason for rejection. The parent or guardian must notify the nonresident district by March  
69.15 1 or within ~~45~~ ten business days whether the pupil intends to enroll in the nonresident district.  
69.16 Notice of intent to enroll in the nonresident district obligates the pupil to attend the  
69.17 nonresident district during the following school year, unless the boards of the resident and  
69.18 the nonresident districts agree in writing to allow the pupil to transfer back to the resident  
69.19 district. If the pupil's parents or guardians change residence to another district, the student  
69.20 does not lose the seat in the nonresident district but the parent or guardian must complete  
69.21 an updated enrollment options form. If a parent or guardian does not notify the nonresident  
69.22 district by the January 15 deadline, if it applies, the pupil may not enroll in that nonresident  
69.23 district during the following school year, unless the boards of the resident and nonresident  
69.24 district agree otherwise. The nonresident district must notify the resident district by March  
69.25 15 or 30 days later of the pupil's intent to enroll in the nonresident district. The same  
69.26 procedures apply to a pupil who applies to transfer from one participating nonresident district  
69.27 to another participating nonresident district.

69.28 Sec. 43. Minnesota Statutes 2022, section 124D.09, subdivision 3, is amended to read:

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

69.31 (a) "Eligible institution" means a Minnesota public postsecondary institution, a private,  
69.32 nonprofit two-year trade and technical school granting associate degrees, an opportunities  
69.33 industrialization center accredited by an accreditor recognized by the United States

70.1 Department of Education, or a private, residential, two-year or four-year, liberal arts,  
70.2 degree-granting college or university located in Minnesota. An eligible institution must not  
70.3 require a faith statement from a secondary student seeking to enroll in a postsecondary  
70.4 course under this section during the application process or base any part of the admission  
70.5 decision on a student's race, creed, ethnicity, disability, gender, or sexual orientation or  
70.6 religious beliefs or affiliations.

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

70.8 (c) "Concurrent enrollment" means nonsectarian courses in which an eligible pupil under  
70.9 subdivision 5 or 5b enrolls to earn both secondary and postsecondary credits, are taught by  
70.10 a secondary teacher or a postsecondary faculty member, and are offered at a high school  
70.11 for which the district is eligible to receive concurrent enrollment program aid under section  
70.12 124D.091.

70.13 Sec. 44. Minnesota Statutes 2022, section 124D.09, subdivision 5, is amended to read:

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

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

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

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

70.28 Sec. 45. Minnesota Statutes 2022, section 124D.09, subdivision 12, is amended to read:

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

70.31 (b) A district ~~shall~~ must grant academic credit to a pupil enrolled in a course for secondary  
70.32 credit if the pupil successfully completes the course. Seven quarter or four semester college

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

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

71.15 (d) The secondary credits granted to a pupil must be counted toward the graduation  
71.16 requirements and subject area requirements of the district. Evidence of successful completion  
71.17 of each course and secondary credits granted must be included in the pupil's secondary  
71.18 school record. A pupil ~~shall~~ must provide the school with a copy of the pupil's grade grades  
71.19 in each course taken for secondary credit under this section, including interim or nonfinal  
71.20 grades earned during the academic term. Upon the request of a pupil, the pupil's secondary  
71.21 school record must also include evidence of successful completion and credits granted for  
71.22 a course taken for postsecondary credit. In either case, the record must indicate that the  
71.23 credits were earned at a postsecondary institution.

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

71.30 (f) The Board of Trustees of the Minnesota State Colleges and Universities and the  
71.31 Board of Regents of the University of Minnesota must, and private nonprofit and proprietary  
71.32 postsecondary institutions should, award postsecondary credit for any successfully completed  
71.33 courses in a program certified by the National Alliance of Concurrent Enrollment Partnerships  
71.34 offered according to an agreement under subdivision 10. Consistent with section 135A.101,  
71.35 subdivision 3, all MnSCU institutions must give full credit to a secondary pupil who

72.1 completes for postsecondary credit a postsecondary course or program that is part or all of  
72.2 a goal area or a transfer curriculum at a MnSCU institution when the pupil enrolls in a  
72.3 MnSCU institution after leaving secondary school. Once one MnSCU institution certifies  
72.4 as completed a secondary student's postsecondary course or program that is part or all of a  
72.5 goal area or a transfer curriculum, every MnSCU institution must consider the student's  
72.6 course or program for that goal area or the transfer curriculum as completed.

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

72.8 Sec. 46. Minnesota Statutes 2022, section 124D.09, subdivision 13, is amended to read:

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

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

72.19 A postsecondary institution shall receive the following:

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

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

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



73.1 Sec. 47. [124D.094] ONLINE INSTRUCTION ACT.

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

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

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

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

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

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

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

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

73.26 (i) "Student" means a Minnesota resident enrolled in a school defined under section  
73.27 120A.22, subdivision 4, in kindergarten through grade 12 up to the age of 21.

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

73.30 (k) "Supplemental online course provider" means a school district, an intermediate school  
73.31 district, an organization of two or more school districts operating under a joint powers

74.1 agreement, or a charter school located in Minnesota that is authorized by the Department  
74.2 of Education to provide supplemental online courses under paragraph (j).

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

74.7 (b) When online instruction is provided, an online teacher as defined under subdivision  
74.8 1, paragraph (h), shall perform all duties of teacher of record under Minnesota Rules, part  
74.9 8710.0310. Unless the commissioner grants a waiver, a teacher providing online instruction  
74.10 shall not instruct more than 40 students in any one online learning course or section.

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

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

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

74.17 (f) An enrolling district providing digital instruction and a supplemental online course  
74.18 provider shall assist an enrolled student whose family qualifies for the education tax credit  
74.19 under section 290.0674 to acquire computer hardware and educational software so they  
74.20 may participate in digital instruction. Funds provided to a family to support digital instruction  
74.21 or supplemental online courses may only be used for qualifying expenses as determined by  
74.22 the provider. Nonconsumable materials purchased with public education funds remain the  
74.23 property of the provider. Records for any funds provided must be available for review by  
74.24 the public or the department.

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

74.28 Subd. 3. **Supplemental online courses.** (a) Notwithstanding sections 124D.03 and  
74.29 124D.08 and chapter 124E, procedures for applying to take supplemental online courses  
74.30 other than those offered by the student's enrolling district are as provided in this subdivision.

74.31 (b) Any kindergarten through grade 12 student may apply to take a supplemental online  
74.32 course under subdivision 1, paragraph (j). The student, or the student's parent or guardian

75.1 for a student under age 17, must submit an application for the proposed supplemental online  
75.2 course or courses. A student may:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

77.32 (f) The department may review a complaint about an enrolling district providing digital  
77.33 instruction, or a complaint about a supplemental online course provider based on the

78.1 provider's response to notice of a violation. If the department determines that an enrolling  
78.2 district providing digital instruction or a supplemental online course provider violated a law  
78.3 or rule, the department may:

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

78.5 (2) withhold funds from the provider under this section and sections 124E.25 and  
78.6 127A.42. The department must notify an online learning provider in writing about  
78.7 withholding funds and provide detailed calculations.

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

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

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

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

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

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

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

78.26 Sec. 48. Minnesota Statutes 2022, section 124D.128, subdivision 1, is amended to read:

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

79.1 Sec. 49. Minnesota Statutes 2022, section 124D.231, is amended to read:

79.2 **124D.231 FULL-SERVICE COMMUNITY SCHOOLS.**

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

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

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

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

79.13 (d) "Community-wide full-service community school leadership team" means a  
79.14 district-level team that is responsible for guiding the vision, policy, resource alignment,  
79.15 implementation, oversight, and goal setting for community school programs within the  
79.16 district. This team shall include representatives from the district, including teachers, school  
79.17 leaders, students, and family members from the eligible schools; community members;  
79.18 system-level partners that include representatives from government agencies, relevant  
79.19 unions, and nonprofit and other community-based partners; and, if applicable, the full-service  
79.20 community school initiative director.

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

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

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

79.32 ~~(f)~~ (h) "Site coordinator" ~~is an individual~~ means a full-time staff member serving one  
79.33 eligible school who is responsible for ~~aligning~~ the identification, implementation, and

80.1 coordination of programming with to address the needs of the school community identified  
80.2 in the baseline analysis.

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

80.7 (1) the school is on a development plan for continuous improvement under section  
80.8 120B.35, subdivision 2; or

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

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

80.13 (1) \$100,000 for each eligible school available for up to one year to fund planning  
80.14 activities, including convening a full-service community school leadership team, facilitating  
80.15 family and community stakeholder engagement, conducting a baseline analysis, and creating  
80.16 a full-service community school plan. At the end of this period, the school must submit a  
80.17 full-service community school plan pursuant to paragraphs (d) and (e); and

80.18 (2) \$200,000 annually for each eligible school for up to three years of implementation  
80.19 of a full-service community school plan, pursuant to paragraphs (f) and (g). School sites  
80.20 receiving funding under this section shall hire or contract with a partner agency to hire a  
80.21 site coordinator to coordinate services at each covered school site. Districts or charter schools  
80.22 receiving funding under this section for three or more schools shall provide or contract with  
80.23 a partner agency to provide a full-service community school initiative director.

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

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



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

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

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

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

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

81.21 (i) identification of challenges facing the school;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

83.1 (D) collaborative leadership and practices that build a culture of professional learning,  
 83.2 collective trust, and shared responsibility and include a school-based full-service community  
 83.3 school leadership team, a full-service community school site coordinator, a full-service  
 83.4 community school initiative director, a community-wide leadership team, other leadership  
 83.5 or governance teams, teacher learning communities, or other staff to manage the joint work  
 83.6 of school and community organizations;

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

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

- 83.14 (i) the need for high-quality, full-day child care and early childhood education programs;
- 83.15 (ii) the need for physical and mental health care services for children and adults; and
- 83.16 (iii) the need for job training and other adult education programming.

83.17 ~~(g)~~ (f) Each school site receiving funding under this section must ~~establish~~ develop a  
 83.18 full-service community school plan that utilizes and aligns district and community assets  
 83.19 and establishes services in at least two of the following types of programming:

83.20 (1) early childhood:

- 83.21 (i) early childhood education; and
- 83.22 (ii) child care services;

83.23 (2) academic:

- 83.24 (i) academic support and enrichment activities, including expanded learning time;
- 83.25 (ii) summer or after-school enrichment and learning experiences;
- 83.26 (iii) job training, internship opportunities, and career counseling services;
- 83.27 (iv) programs that provide assistance to students who have been chronically absent,  
 83.28 truant, suspended, or expelled; and
- 83.29 (v) specialized instructional support services;

83.30 (3) parental involvement:

- 84.1 (i) programs that promote parental involvement and family literacy;
- 84.2 (ii) parent leadership development activities that empower and strengthen families and
- 84.3 communities, provide volunteer opportunities, or promote inclusion in school-based
- 84.4 leadership teams; and
- 84.5 (iii) parenting education activities;
- 84.6 (4) mental and physical health:
- 84.7 (i) mentoring and other youth development programs, including peer mentoring and
- 84.8 conflict mediation;
- 84.9 (ii) juvenile crime prevention and rehabilitation programs;
- 84.10 (iii) home visitation services by teachers and other professionals;
- 84.11 (iv) developmentally appropriate physical education;
- 84.12 (v) nutrition services;
- 84.13 (vi) primary health and dental care; and
- 84.14 (vii) mental health counseling services;
- 84.15 (5) community involvement:
- 84.16 (i) service and service-learning opportunities;
- 84.17 (ii) adult education, including instruction in English as a second language; and
- 84.18 (iii) homeless prevention services;
- 84.19 (6) positive discipline practices; and
- 84.20 (7) other programming designed to meet school and community needs identified in the
- 84.21 baseline analysis and reflected in the full-service community school plan.
- 84.22 ~~(h)~~ (g) The full-service community school leadership team at each school site must
- 84.23 develop a full-service community school plan detailing the steps the school leadership team
- 84.24 will take, including:
- 84.25 (1) timely establishment and consistent operation of the school leadership team;
- 84.26 (2) maintenance of attendance records in all programming components;
- 84.27 (3) maintenance of measurable data showing annual participation and the impact of
- 84.28 programming on the participating children and adults;

85.1 (4) documentation of meaningful and sustained collaboration between the school and  
85.2 community stakeholders, including local governmental units, civic engagement organizations,  
85.3 businesses, and social service providers;

85.4 (5) establishment and maintenance of partnerships with institutions, such as universities,  
85.5 hospitals, museums, or not-for-profit community organizations to further the development  
85.6 and implementation of community school programming;

85.7 (6) ensuring compliance with the district nondiscrimination policy; and

85.8 (7) plan for school leadership team development.

85.9 Subd. 3. **Full-service community school review.** (a) ~~Every three years,~~ A full-service  
85.10 community school site must submit to the commissioner, and make available at the school  
85.11 site and online, a report describing efforts to integrate community school programming at  
85.12 each covered school site and the effect of the transition to a full-service community school  
85.13 on participating children and adults. This report shall include, but is not limited to, the  
85.14 following:

85.15 (1) an assessment of the effectiveness of the school site in development or implementing  
85.16 the community school plan;

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

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

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

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

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

85.28 (7) improvement in retention among students who receive community school  
85.29 programming;

85.30 (8) improvement in academic achievement among students who receive community  
85.31 school programming;

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

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

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

86.8 (12) assessment of community stakeholder satisfaction;

86.9 (13) assessment of institutional partner satisfaction;

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

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

86.13 (16) the degree of increased collaboration among participating agencies and private  
86.14 partners.

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

86.17 (1) the effectiveness of the school or the community school consortium in implementing  
86.18 the full-service community school plan, including the degree to which the school site  
86.19 navigated difficulties encountered in the design and operation of the full-service community  
86.20 school plan, including identification of any federal, state, or local statute or regulation  
86.21 impeding program implementation;

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

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

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

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

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

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

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

87.4 (9) the degree of increased collaboration among participating agencies and private  
87.5 partners.

87.6 Sec. 50. Minnesota Statutes 2022, section 124D.59, subdivision 2a, is amended to read:

87.7 Subd. 2a. **English learner; limited or interrupted formal education.** Consistent with  
87.8 subdivision 2, an English learner ~~includes an English learner with an limited or interrupted~~  
87.9 ~~formal education is an English learner under subdivision 2 who meets three of the following~~  
87.10 ~~five requirements:~~

87.11 ~~(1) comes from a home where the language usually spoken is other than English, or~~  
87.12 ~~usually speaks a language other than English;~~

87.13 ~~(2) enters school in the United States after grade 6;~~

87.14 ~~(3) has at least two years less schooling than the English learner's peers;~~

87.15 ~~(4) functions at least two years below expected grade level in reading and mathematics;~~  
87.16 ~~and~~

87.17 ~~(5) may be preliterate in the English learner's native language. has at least two fewer~~  
87.18 ~~years of schooling than the English learner's peers when entering school in the United States.~~

87.19 Sec. 51. Minnesota Statutes 2022, section 124D.68, subdivision 2, is amended to read:

87.20 Subd. 2. **Eligible pupils.** (a) A pupil under the age of 21 or who meets the requirements  
87.21 of section 120A.20, subdivision 1, paragraph (c), is eligible to participate in the graduation  
87.22 incentives program, if the pupil:

87.23 (1) performs substantially below the performance level for pupils of the same age in a  
87.24 locally determined achievement test;

87.25 (2) is behind in satisfactorily completing coursework or obtaining credits for graduation;

87.26 (3) is pregnant or is a parent;

87.27 (4) has been assessed as having substance use disorder;

87.28 (5) has been excluded or expelled according to sections 121A.40 to 121A.56;

88.1 (6) has been referred by a school district for enrollment in an eligible program or a  
88.2 program pursuant to section 124D.69;

88.3 (7) is a victim of physical or sexual abuse;

88.4 (8) has experienced mental health problems;

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

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

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

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

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

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

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

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

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

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

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

88.29 Sec. 52. Minnesota Statutes 2022, section 124D.68, subdivision 3, is amended to read:

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



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

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

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

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

89.13 Sec. 53. Minnesota Statutes 2022, section 124D.861, subdivision 2, is amended to read:

89.14 Subd. 2. **Plan implementation; components.** (a) The school board of each eligible  
89.15 district must formally develop and implement a long-term plan under this section. The plan  
89.16 must be incorporated into the district's comprehensive strategic plan under section 120B.11.  
89.17 ~~Plan components may include: innovative and integrated prekindergarten through grade 12~~  
89.18 ~~learning environments that offer students school enrollment choices; family engagement~~  
89.19 ~~initiatives that involve families in their students' academic life and success; professional~~  
89.20 ~~development opportunities for teachers and administrators focused on improving the academic~~  
89.21 ~~achievement of all students, including teachers and administrators who are members of~~  
89.22 ~~populations underrepresented among the licensed teachers or administrators in the district~~  
89.23 ~~or school and who reflect the diversity of students under section 120B.35, subdivision 3,~~  
89.24 ~~paragraph (b), clause (2), who are enrolled in the district or school; increased programmatic~~  
89.25 ~~opportunities and effective and more diverse instructors focused on rigor and college and~~  
89.26 ~~career readiness for underserved students, including students enrolled in alternative learning~~  
89.27 ~~centers under section 123A.05, public alternative programs under section 126C.05,~~  
89.28 ~~subdivision 15, and contract alternative programs under section 124D.69, among other~~  
89.29 ~~underserved students; or recruitment and retention of teachers and administrators with~~  
89.30 ~~diverse racial and ethnic backgrounds.~~

89.31 (b) The plan must contain goals for:

89.32 (1) reducing the disparities in academic achievement and in equitable access to effective  
89.33 and more diverse teachers among all students and specific categories of students under

90.1 section 120B.35, subdivision 3, paragraph (b), excluding the student categories of gender,  
90.2 disability, and English learners; and

90.3 (2) increasing racial and economic diversity and integration in schools and districts.

90.4 (c) The plan must include strategies to validate, affirm, embrace, and integrate cultural  
90.5 and community strengths of all students, families, and employees in the district's curriculum  
90.6 as well as learning and work environments. The plan must address issues of institutional  
90.7 racism as defined in section 120B.11, subdivision 1, in schools that create opportunity and  
90.8 achievement gaps for students, families, and staff who are of color or who are American  
90.9 Indian. Examples of institutional racism experienced by students who are of color or who  
90.10 are American Indian include policies and practices that intentionally or unintentionally  
90.11 result in disparate discipline referrals and suspension, inequitable access to advanced  
90.12 coursework, overrepresentation in lower-level coursework, inequitable participation in  
90.13 cocurricular activities, inequitable parent involvement, and lack of equitable access to  
90.14 racially and ethnically diverse teachers who reflect the racial or ethnic diversity of students  
90.15 because it has not been a priority to hire or retain such teachers.

90.16 (d) School districts must use local data, to the extent practicable, to develop plan  
90.17 components and strategies. Plans may include:

90.18 (1) innovative and integrated prekindergarten through grade 12 learning environments  
90.19 that offer students school enrollment choices;

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

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

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

90.31 (5) recruitment and retention of teachers, administrators, cultural and family liaisons,  
90.32 paraprofessionals, and other staff from racial, ethnic, and linguistic backgrounds represented

91.1 in the student population to strengthen relationships with all students, families, and other  
 91.2 members of the community;

91.3 (6) collection, examination, and evaluation of academic and discipline data for  
 91.4 institutional racism as defined in section 120B.11, subdivision 1, in structures, policies, and  
 91.5 practices that result in the education disparities, in order to propose antiracist changes as  
 91.6 defined in section 120B.11, subdivision 1, that increase access, meaningful participation,  
 91.7 representation, and positive outcomes for students of color and American Indian students;

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

91.14 (8) ethnic studies curriculum as defined in section 120B.11, subdivision 1, to provide  
 91.15 all students with opportunities to learn about their own and others' cultures and historical  
 91.16 experiences; or

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

91.21 ~~(b)~~ (e) Among other requirements, an eligible district must implement effective,  
 91.22 research-based interventions that include ~~formative~~ multiple measures of assessment practices  
 91.23 and engagement in order to reduce the eliminate academic disparities in student academic  
 91.24 performance among the specific categories of students as measured by student progress and  
 91.25 growth on state reading and math assessments and for students impacted by racial, gender,  
 91.26 linguistic, and economic inequities as aligned with section 120B.11.

91.27 ~~(e)~~ (f) Eligible districts must create efficiencies and eliminate duplicative programs and  
 91.28 services under this section, which may include forming collaborations or a single,  
 91.29 seven-county metropolitan areawide partnership of eligible districts for this purpose.

91.30 **EFFECTIVE DATE.** This section is effective for all plans reviewed and updated after  
 91.31 the day following final enactment.

92.1 Sec. 54. Minnesota Statutes 2022, section 124D.862, subdivision 8, is amended to read:

92.2 Subd. 8. **Commissioner authority to withhold revenue.** (a) The commissioner must  
92.3 review the results of each district's integration and achievement plan by August 1 at the end  
92.4 of the third year of implementing the plan and determine if the district met its goals.

92.5 (b) If a district met its goals, it may submit a new three-year plan to the commissioner  
92.6 for review.

92.7 (c) If a district has not met its goals, the commissioner must:

92.8 (1) ~~develop a guide the district in the development of an~~ improvement plan and timeline;  
92.9 ~~in consultation with the affected district,~~ that identifies strategies and practices designed to  
92.10 meet the district's goals under this section and section 120B.11; and

92.11 (2) use up to 20 percent of the district's integration revenue, until the district's goals are  
92.12 reached, to implement the improvement plan.

92.13 Sec. 55. Minnesota Statutes 2022, section 125A.08, is amended to read:

92.14 **125A.08 INDIVIDUALIZED EDUCATION PROGRAMS.**

92.15 (a) At the beginning of each school year, each school district shall have in effect, for  
92.16 each child with a disability, an individualized education program.

92.17 (b) As defined in this section, every district must ensure the following:

92.18 (1) all students with disabilities are provided the special instruction and services which  
92.19 are appropriate to their needs. Where the individualized education program team has  
92.20 determined appropriate goals and objectives based on the student's needs, including the  
92.21 extent to which the student can be included in the least restrictive environment, and where  
92.22 there are essentially equivalent and effective instruction, related services, or assistive  
92.23 technology devices available to meet the student's needs, cost to the district may be among  
92.24 the factors considered by the team in choosing how to provide the appropriate services,  
92.25 instruction, or devices that are to be made part of the student's individualized education  
92.26 program. The individualized education program team shall consider and may authorize  
92.27 services covered by medical assistance according to section 256B.0625, subdivision 26.  
92.28 Before a school district evaluation team makes a determination of other health disability  
92.29 under Minnesota Rules, part 3525.1335, subparts 1 and 2, item A, subitem (1), the evaluation  
92.30 team must seek written documentation of the student's medically diagnosed chronic or acute  
92.31 health condition signed by a licensed physician or a licensed health care provider acting  
92.32 within the scope of the provider's practice. The student's needs and the special education

93.1 instruction and services to be provided must be agreed upon through the development of  
93.2 an individualized education program. The program must address the student's need to develop  
93.3 skills to live and work as independently as possible within the community. The individualized  
93.4 education program team must consider positive behavioral interventions, strategies, and  
93.5 supports that address behavior needs for children. During grade 9, the program must address  
93.6 the student's needs for transition from secondary services to postsecondary education and  
93.7 training, employment, community participation, recreation, and leisure and home living. In  
93.8 developing the program, districts must inform parents of the full range of transitional goals  
93.9 and related services that should be considered. The program must include a statement of  
93.10 the needed transition services, including a statement of the interagency responsibilities or  
93.11 linkages or both before secondary services are concluded. If the individualized education  
93.12 program meets the plan components in section 120B.125, the individualized education  
93.13 program satisfies the requirement and no additional transition plan is needed;

93.14 (2) children with a disability under age five and their families are provided special  
93.15 instruction and services appropriate to the child's level of functioning and needs;

93.16 (3) children with a disability and their parents or guardians are guaranteed procedural  
93.17 safeguards and the right to participate in decisions involving identification, assessment  
93.18 including assistive technology assessment, and educational placement of children with a  
93.19 disability;

93.20 (4) eligibility and needs of children with a disability are determined by an initial  
93.21 evaluation or reevaluation, which may be completed using existing data under United States  
93.22 Code, title 20, section 33, et seq.;

93.23 (5) to the maximum extent appropriate, children with a disability, including those in  
93.24 public or private institutions or other care facilities, are educated with children who are not  
93.25 disabled, and that special classes, separate schooling, or other removal of children with a  
93.26 disability from the regular educational environment occurs only when and to the extent that  
93.27 the nature or severity of the disability is such that education in regular classes with the use  
93.28 of supplementary services cannot be achieved satisfactorily;

93.29 (6) in accordance with recognized professional standards, testing and evaluation materials,  
93.30 and procedures used for the purposes of classification and placement of children with a  
93.31 disability are selected and administered so as not to be racially or culturally discriminatory;  
93.32 and

93.33 (7) the rights of the child are protected when the parents or guardians are not known or  
93.34 not available, or the child is a ward of the state.

94.1 (c) For all paraprofessionals employed to work in programs whose role in part is to  
94.2 provide direct support to students with disabilities, the school board in each district shall  
94.3 ensure that:

94.4 (1) before or beginning at the time of employment, each paraprofessional must develop  
94.5 sufficient knowledge and skills in emergency procedures, building orientation, roles and  
94.6 responsibilities, confidentiality, vulnerability, and reportability, among other things, to begin  
94.7 meeting the needs, especially disability-specific and behavioral needs, of the students with  
94.8 whom the paraprofessional works;

94.9 (2) within five days of beginning to work alone with an individual student with a  
94.10 disability, the assigned paraprofessional must be either given paid time, or time during the  
94.11 school day, to review a student's individualized education program or be briefed on the  
94.12 student's specific needs by appropriate staff;

94.13 ~~(2)~~ (3) annual training opportunities are required to enable the paraprofessional to  
94.14 continue to further develop the knowledge and skills that are specific to the students with  
94.15 whom the paraprofessional works, including understanding disabilities, the unique and  
94.16 individual needs of each student according to the student's disability and how the disability  
94.17 affects the student's education and behavior, following lesson plans, and implementing  
94.18 follow-up instructional procedures and activities; and

94.19 ~~(3)~~ (4) a districtwide process obligates each paraprofessional to work under the ongoing  
94.20 direction of a licensed teacher and, where appropriate and possible, the supervision of a  
94.21 school nurse.

94.22 (d) A school district may conduct a functional behavior assessment as defined in  
94.23 Minnesota Rules, part 3525.0210, subpart 22, as a stand-alone evaluation without conducting  
94.24 a comprehensive evaluation of the student in accordance with prior written notice provisions  
94.25 in section 125A.091, subdivision 3a. A parent or guardian may request that a school district  
94.26 conduct a comprehensive evaluation of the parent's or guardian's student.

94.27 Sec. 56. Minnesota Statutes 2022, section 179A.03, subdivision 14, is amended to read:

94.28 Subd. 14. **Public employee or employee.** (a) "Public employee" or "employee" means  
94.29 any person appointed or employed by a public employer except:

94.30 (1) elected public officials;

94.31 (2) election officers;

94.32 (3) commissioned or enlisted personnel of the Minnesota National Guard;

95.1 (4) emergency employees who are employed for emergency work caused by natural  
95.2 disaster;

95.3 (5) part-time employees whose service does not exceed the lesser of 14 hours per week  
95.4 or 35 percent of the normal work week in the employee's appropriate unit;

95.5 (6) employees whose positions are basically temporary or seasonal in character and: (i)  
95.6 are not for more than 67 working days in any calendar year; ~~or~~ (ii) are not working for a  
95.7 school district or charter school; or (iii) are not for more than 100 working days in any  
95.8 calendar year and the employees are under the age of 22, are full-time students enrolled in  
95.9 a nonprofit or public educational institution prior to being hired by the employer, and have  
95.10 indicated, either in an application for employment or by being enrolled at an educational  
95.11 institution for the next academic year or term, an intention to continue as students during  
95.12 or after their temporary employment;

95.13 (7) employees providing services for not more than two consecutive quarters to the  
95.14 Board of Trustees of the Minnesota State Colleges and Universities under the terms of a  
95.15 professional or technical services contract as defined in section 16C.08, subdivision 1;

95.16 (8) employees of charitable hospitals as defined by section 179.35, subdivision 3, except  
95.17 that employees of charitable hospitals as defined by section 179.35, subdivision 3, are public  
95.18 employees for purposes of sections 179A.051, 179A.052, and 179A.13;

95.19 (9) full-time undergraduate students employed by the school which they attend under a  
95.20 work-study program or in connection with the receipt of financial aid, irrespective of number  
95.21 of hours of service per week;

95.22 (10) an individual who is employed for less than 300 hours in a fiscal year as an instructor  
95.23 in an adult vocational education program;

95.24 (11) an individual hired by the Board of Trustees of the Minnesota State Colleges and  
95.25 Universities to teach one course for three or fewer credits for one semester in a year;

95.26 (12) with respect to court employees:

95.27 (i) personal secretaries to judges;

95.28 (ii) law clerks;

95.29 (iii) managerial employees;

95.30 (iv) confidential employees; and

95.31 (v) supervisory employees;

96.1 (13) with respect to employees of Hennepin Healthcare System, Inc., managerial,  
96.2 supervisory, and confidential employees.

96.3 (b) The following individuals are public employees regardless of the exclusions of  
96.4 paragraph (a), clauses (5) and (6):

96.5 (1) an employee hired by a school district or the Board of Trustees of the Minnesota  
96.6 State Colleges and Universities except at the university established in the Twin Cities  
96.7 metropolitan area under section 136F.10 or for community services or community education  
96.8 instruction offered on a noncredit basis: (i) to replace an absent teacher or faculty member  
96.9 who is a public employee, where the replacement employee is employed more than 30  
96.10 working days as a replacement for that teacher or faculty member; or (ii) to take a teaching  
96.11 position created due to increased enrollment, curriculum expansion, courses which are a  
96.12 part of the curriculum whether offered annually or not, or other appropriate reasons;

96.13 (2) an employee hired for a position under paragraph (a), clause (6), item (i), if that same  
96.14 position has already been filled under paragraph (a), clause (6), item (i), in the same calendar  
96.15 year and the cumulative number of days worked in that same position by all employees  
96.16 exceeds 67 calendar days in that year. For the purpose of this paragraph, "same position"  
96.17 includes a substantially equivalent position if it is not the same position solely due to a  
96.18 change in the classification or title of the position; and

96.19 (3) an early childhood family education teacher employed by a school district.

96.20 **Sec. 57. ETHNIC STUDIES WORKING GROUP.**

96.21 Subdivision 1. Working group established. (a) The Ethnic Studies Working Group is  
96.22 established to advise the commissioner of education on ethnic studies standards and resources  
96.23 necessary to implement ethnic studies requirements under Minnesota Statutes, section  
96.24 120B.251. The commissioner must appoint members of the working group by April 1, 2024,  
96.25 with input from the Minnesota Ethnic Studies Coalition.

96.26 (b) The Ethnic Studies Working Group must have 25 members with a demonstrated  
96.27 commitment to ethnic studies, as follows:

96.28 (1) five community members with a demonstrated commitment to ethnic studies or  
96.29 education about Minnesota's racial, ethnic, religious, national origin, gender, sexual  
96.30 orientation, or cultural diversity;

96.31 (2) four public school students in grades 9 to 12;

96.32 (3) three parents or guardians of public kindergarten through grade 12 students;



- 97.1 (4) three Minnesota-based, college-level faculty experts in ethnic studies;
- 97.2 (5) three ethnic studies high school teachers;
- 97.3 (6) four teachers with experience teaching ethnic studies to students in kindergarten to
- 97.4 grade 8; and
- 97.5 (7) three school board members or school administrators.
- 97.6 (c) Demographics of the working group must be inclusive and represent the diversity
- 97.7 of the state, including racial, ethnic, and geographic diversity, and diversity related to gender
- 97.8 and sexual orientation, immigrant status, disability status, and religious and linguistic
- 97.9 background.
- 97.10 Subd. 2. **Duties.** (a) The working group must review available ethnic studies instructional
- 97.11 resources in order to:
- 97.12 (1) develop ethnic studies standards to propose to the commissioner for adoption;
- 97.13 (2) recommend professional learning requirements for educators and staff to facilitate
- 97.14 the successful implementation of ethnic studies courses;
- 97.15 (3) recommend resources and materials school districts and charter schools may use to
- 97.16 implement ethnic studies standards; and
- 97.17 (4) identify or develop instructional resources that school districts and charter schools
- 97.18 may use in accordance with Minnesota Statutes, section 120B.251.
- 97.19 (b) By October 31, 2024, the working group must provide the ethnic studies standards
- 97.20 and recommendations to the commissioner of education.
- 97.21 Subd. 3. **Meetings.** The working group must convene on at least a bimonthly basis and
- 97.22 must hold the first meeting no later than October 15, 2023.
- 97.23 Subd. 4. **Administration.** The commissioner must provide meeting space and technical
- 97.24 assistance for the working group.
- 97.25 Subd. 5. **Statewide academic standards.** The commissioner must use the expedited
- 97.26 rulemaking process in Minnesota Statutes, section 14.389, to adopt academic standards for
- 97.27 ethnic studies developed in accordance with this section, subject to the notice and public
- 97.28 hearing provisions of Minnesota Statutes, section 14.389, subdivision 5.
- 97.29 **EFFECTIVE DATE.** This section is effective the day following final enactment.

98.1 **Sec. 58. COMPUTER SCIENCE EDUCATION ADVANCEMENT PROGRAM.**

98.2 **Subdivision 1. Definitions.** (a) "Computer science" means the study of computers and  
98.3 algorithmic processes, including their principles, their hardware and software designs, their  
98.4 implementation, and their impact on society.

98.5 (b) "Computer science courses and content" means courses at:

98.6 (1) elementary and middle schools that teach computer science as standalone  
98.7 implementations or embedded in other subjects; and

98.8 (2) high schools that teach computer science as standalone courses and focus on teaching  
98.9 students how to create new technologies.

98.10 (c) "High-quality computer science educator training" means activities that:

98.11 (1) clarify the conceptual foundations of computer science;

98.12 (2) teach research-based practices, including hands-on and inquiry-based learning;

98.13 (3) are primarily intended for existing teachers with or without prior exposure to computer  
98.14 science with options for advanced training for teachers; and

98.15 (4) align to existing integrated computer science standards in Minnesota or nationally  
98.16 recognized standards, including the Computer Science Teachers' Association's kindergarten  
98.17 through grade 12 computer science education standards.

98.18 (d) "High-quality computer science professional learning providers" means institutions  
98.19 of higher education, nonprofits, other state-funded entities, or private entities that have  
98.20 successfully designed, implemented, and scaled high-quality computer science professional  
98.21 learning for teachers as defined in paragraph (c).

98.22 (e) "STEAM" means science, technology, engineering, arts, and mathematics.

98.23 **Subd. 2. Computer science education supervisor.** The Department of Education must  
98.24 employ a computer science supervisor dedicated to:

98.25 (1) the implementation of this section and the implementation of the computer science  
98.26 education strategic plan developed by the working group under subdivision 3;

98.27 (2) outreach to districts that need additional supports to create or advance their computer  
98.28 science programs; and

98.29 (3) supporting districts in using existing and available resources for districts to create  
98.30 and advance their computer science programs.

99.1 Subd. 3. Computer science working group. (a) The Department of Education shall  
99.2 establish a computer science education working group to develop a state strategic plan for  
99.3 long-term and sustained growth of computer science education in all kindergarten through  
99.4 grade 12 school districts and charter schools. The commissioner of education must appoint  
99.5 members of the working group by July 1, 2023.

99.6 (b) Demographics of the working group must be inclusive and represent the diversity  
99.7 of the state, including but not limited to racial, ethnic, and geographic diversity, and diversity  
99.8 related to gender and sexual orientation.

99.9 (c) Meetings of the advisory committee are subject to the Open Meeting Law under  
99.10 Minnesota Statutes, chapter 13D.

99.11 (d) The computer science education advisory committee shall consist of the following  
99.12 members:

99.13 (1) the commissioner of education or the commissioner's designee;

99.14 (2) the commissioner of higher education or the commissioner's designee;

99.15 (3) one representative of the Professional Educator Licensing and Standards Board;

99.16 (4) one representative of the Computer Science Teachers Association of Minnesota;

99.17 (5) one representative from the business community employing computer scientists or  
99.18 technologists;

99.19 (6) one representative from the Minnesota Technology Association;

99.20 (7) one representative from a nonprofit organization working with students and teachers  
99.21 in computer science;

99.22 (8) one representative from the Minnesota Association of School Administrators;

99.23 (9) one representative from Education Minnesota;

99.24 (10) one representative from the Minnesota Association of Colleges for Teacher  
99.25 Education;

99.26 (11) one representative from CSforAll Minnesota;

99.27 (12) one licensed library media specialist;

99.28 (13) one representative from the Minnesota School Boards Association;

99.29 (14) one representative from SciMathMN;

99.30 (15) one representative from the Tribal Nations Education Committee;

100.1 (16) one high school student enrolled in a school with fewer than 1,000 students and  
100.2 one high school student enrolled in a school with more than 1,000 students; and

100.3 (17) four computer science teachers that teach at schools of different sizes, including at  
100.4 least one teacher of students in kindergarten to grade 5, one teacher of students in grades 6  
100.5 to 8, and one teacher of students in grades 9 to 12, and one career and technical education  
100.6 teacher.

100.7 (e) The computer science education working group shall develop a state strategic plan  
100.8 for a statewide computer science education program that includes but is not limited to:

100.9 (1) a statement of purpose that describes the objectives or goals the Department of  
100.10 Education will accomplish by implementing a computer science education program, the  
100.11 strategies by which those goals will be achieved, and a timeline for achieving those goals;

100.12 (2) a summary of the current state landscape for kindergarten through grade 12 computer  
100.13 science education, including diversity of students taking these courses;

100.14 (3) the creation or expansion of flexible options to license computer science teachers,  
100.15 which may include approval codes, technical permits, ancillary licenses, and standard  
100.16 licenses;

100.17 (4) a description of how the state will support the expansion of computer science  
100.18 education opportunities in every public school and public charter school in the state within  
100.19 five years, with a focus on ensuring equitable access;

100.20 (5) identifying high-quality computer science professional learning providers for teachers;

100.21 (6) an ongoing evaluation process that is overseen by the Department of Education;

100.22 (7) proposed rules that incorporate the principles of the state strategic plan into the state's  
100.23 public education system as a whole;

100.24 (8) recommendations for long-term expansion and sustainability of computer science  
100.25 education, including:

100.26 (i) implementation of a requirement that every kindergarten through grade 12 public  
100.27 school and public charter school employs at least one certified or endorsed computer science  
100.28 teacher, which may be met through multiple approved processes for certification and  
100.29 endorsement, including but not limited to endorsing a certified teacher as determined by  
100.30 the Professional Educator Licensing and Standards Board endorsed in another subject area;

100.31 (ii) expansion of a high school credit equivalency for computer science;

101.1 (iii) the development of standalone kindergarten through grade 12 standards for computer  
101.2 science; and

101.3 (iv) training preservice teachers in computer science education; and

101.4 (9) a description of existing gaps in computer science education access, participation,  
101.5 and success by geography and subgroup of students and a description of how to equitably  
101.6 address these gaps.

101.7 (f) By December 31, 2023, the Department of Education shall publish the proposed state  
101.8 strategic plan for public feedback.

101.9 (g) By February 28, 2024, the Department of Education shall present the adopted state  
101.10 strategic plan described in paragraph (c) to the chairs of the legislative committees with  
101.11 jurisdiction over education.

101.12 (h) The commissioner of education, or the commissioner of education's designee, may  
101.13 approve updates and changes to the state strategic plan described in paragraph (c) as necessary  
101.14 for the successful implementation of kindergarten through grade 12 computer science  
101.15 education.

101.16 (i) The Department of Education shall update the legislative committees with jurisdiction  
101.17 over education on all changes to the strategic plan described in paragraph (c) approved by  
101.18 the commissioner of education's designee since the last presentation to each respective  
101.19 entity.

101.20 **Subd. 4. Computer science educator training and capacity building.** (a) The  
101.21 Department of Education shall develop and implement, or award grants or subcontract with  
101.22 eligible entities, for the development and implementation of high-quality, coordinated  
101.23 teacher recruitment and educator training programs for computer science courses and content  
101.24 as defined in subdivision 1 and aligned to the state strategic plan as developed under  
101.25 subdivision 3.

101.26 (b) For the purposes of this subdivision, eligible entities include:

101.27 (1) a consortium of local educational agencies in the state; and

101.28 (2) high-quality computer science professional learning providers, including institutions  
101.29 of higher education in the state that are reasonably accessible geographically to all Minnesota  
101.30 educators, nonprofits, other state-funded entities, or private entities working in partnership  
101.31 with a consortium of local educational agencies.

101.32 (c) For purposes of this subdivision, eligible uses of funding include:

- 102.1 (1) high-quality professional learning opportunities for kindergarten through grade 12  
102.2 computer science content that:
- 102.3 (i) are created and delivered in a consistent manner across the state;
- 102.4 (ii) are made available with no out-of-pocket expenses to educators, including teachers,  
102.5 counselors, administrators, and other district employees as approved by the Department of  
102.6 Education, schools, and school districts;
- 102.7 (iii) are made available asynchronously online, in person, and online or hybrid as  
102.8 determined appropriate by the Department of Education; and
- 102.9 (iv) include introductory, intermediate, and advanced trainings aligned to the kindergarten  
102.10 through grade 12 academic standards or, as necessary, other standards approved by the  
102.11 Department of Education, specified for each of the grade bands kindergarten through grade  
102.12 2, grades 3 to 5, grades 6 to 8, and grades 9 to 12;
- 102.13 (2) professional learning opportunities for educators of students in grades 9 to 12 that  
102.14 may include trainings for advanced placement, international baccalaureate, and concurrent  
102.15 enrollment credit computer science courses;
- 102.16 (3) travel expenses for kindergarten through grade 12 computer science teachers:
- 102.17 (i) for attending training opportunities under clauses (1) and (2); and
- 102.18 (ii) deemed appropriate and approved by the commissioner of education, or the  
102.19 commissioner of education's designee;
- 102.20 (4) any future credentialing for kindergarten through grade 12 computer science teachers,  
102.21 including Career and Technical Education and academic endorsements;
- 102.22 (5) supports for kindergarten through grade 12 computer science professional learning,  
102.23 including mentoring and coaching;
- 102.24 (6) creation and deployment of resources to promote training opportunities and  
102.25 recruitment of kindergarten through grade 12 computer science teachers;
- 102.26 (7) creation or purchase of resources to support implementation approved by the  
102.27 commissioner of education, or the commissioner of education's designee;
- 102.28 (8) creation and deployment of resources to promote learning opportunities or recruit  
102.29 students to engage in the learning opportunities;
- 102.30 (9) development of teacher credentialing programs;

103.1 (10) planning for districts to implement or expand computer science education  
103.2 opportunities; and

103.3 (11) employment, or grant for employment, of personnel or contractors to oversee the  
103.4 statewide initiative, develop programs and trainings, and deliver training opportunities under  
103.5 clause (1).

103.6 (d) As a condition of receiving any funding through grants or subcontracts, eligible  
103.7 entities must submit an application to the Department of Education. The application must,  
103.8 at a minimum, address how the entity will:

103.9 (1) reach new and existing teachers with little to no computer science background;

103.10 (2) attract and support educators from schools that currently do not have established  
103.11 computer science education programs;

103.12 (3) use research- or evidence-based practices for high-quality professional development;

103.13 (4) focus the professional learning on the conceptual foundations of computer science;

103.14 (5) reach and support subgroups underrepresented in computer science;

103.15 (6) provide teachers with concrete experience through hands-on, inquiry-based practices;

103.16 (7) accommodate the particular teacher and student needs in each district and school;

103.17 and

103.18 (8) ensure that participating districts begin offering courses or content within the same  
103.19 or subsequent school year after the teacher receives the professional learning.

103.20 (e) The Department of Education shall prioritize the following applications:

103.21 (1) consortiums of local educational agencies that are working in partnership with  
103.22 providers of high-quality professional learning for kindergarten through grade 12 computer  
103.23 science;

103.24 (2) proposals that describe strategies to increase enrollment overall, including but not  
103.25 limited to subgroups of students that are traditionally underrepresented in computer science;  
103.26 and

103.27 (3) proposals from rural or urban areas with a low penetration of kindergarten through  
103.28 grade 12 computer science offerings, including local education consortiums within these  
103.29 areas.

103.30 (f) The award recipient shall report, for all funding received under this section annually,  
103.31 at a minimum:

104.1 (1) the number of teachers:

104.2 (i) trained within each elementary, middle, and high school; and

104.3 (ii) trained within trainings offered as outlined in paragraph (c), clause (1), item (iv);

104.4 (2) the number of trainings offered in advanced placement, international baccalaureate,

104.5 and concurrent enrollment credit computer science courses; and

104.6 (3) the number of teachers, and percentage of teachers trained, that started implementing

104.7 computer science courses limited to middle and high school implementation.

104.8 (g) The Department of Education shall make these reports public. The publicly released

104.9 data shall not include student-level personally identifiable information.

104.10 Subd. 5. **Teacher preparation.** On and after July 1, 2027, any program of teacher

104.11 preparation leading to professional certification shall include, as part of the curriculum,

104.12 instruction in computer science as applied to student learning and classroom instruction that

104.13 are grade-level and subject-area appropriate.

104.14 Subd. 6. **Computer science education data collection.** (a) The Department of Education

104.15 shall require all high schools to report data and information about computer science course

104.16 offerings and enrollment.

104.17 (b) The Department of Education shall develop a plan for the secure and regular reporting

104.18 of computer science course offerings and enrollment data from schools with kindergarten

104.19 to grade 8 bands within 90 days of enactment of this act.

104.20 (c) Data collected in processes described in paragraphs (a) and (b) should be disaggregated

104.21 by gender, race, ethnicity, free and reduced-price lunch status, Individuals with Disabilities

104.22 Education Act status, 504 status, and English language learner status.

104.23 Subd. 7. **Adoption of rules.** The Department of Education and Professional Educator

104.24 Standards and Licensing Board may adopt rules under this section, including rules for

104.25 flexible options to license computer science teachers, approval codes, technical permits,

104.26 ancillary licenses, and standard licenses.

104.27 Sec. 59. **PILOT PROGRAM TO IMPROVE EDUCATIONAL OUTCOMES AND**

104.28 **ACCOUNTABILITY.**

104.29 Subdivision 1. **Program goal.** (a) A pilot program is established to support Pillsbury

104.30 United Communities in developing a framework to evaluate school performance in improving

104.31 educational outcomes for students. Participation in the pilot program is limited to high

104.32 schools. The framework must:



105.1 (1) establish goals for each participating school based on engagement with students,  
105.2 families, and community leaders;

105.3 (2) support schools in continuing improvement efforts; and

105.4 (3) use data to measure performance of students beyond tests scores, graduation rates,  
105.5 and the world's best workforce goals.

105.6 (b) The department must support Pillsbury United Communities in implementing the  
105.7 framework by reviewing data measuring student outcomes based on the goals established  
105.8 for each school, and reporting the results of the pilot program to the legislature in accordance  
105.9 with subdivision 3.

105.10 (c) The performance measures under Minnesota Statutes, section 120B.11, subdivision  
105.11 1a, do not apply to a school participating in the pilot program. A school participating in the  
105.12 pilot must continue to administer the Minnesota Comprehensive Assessments in accordance  
105.13 with Minnesota Statutes, section 120B.30.

105.14 (d) School goals established under the framework may include, but are not limited to:

105.15 (1) student attendance or engagement with coursework;

105.16 (2) reading or math growth as measured by a locally adopted assessment;

105.17 (3) participation in college-level coursework or an industry-recognized program;

105.18 (4) student participation in community engagement activities;

105.19 (5) family participation in conferences with teachers; and

105.20 (6) school board completion of training to improve governance.

105.21 Subd. 2. **Performance measures.** For each school in the pilot program, the equity-focused  
105.22 framework must:

105.23 (1) measure total enrollment, including the percentage of enrolled students disaggregated  
105.24 by characteristics of race and ethnicity, gender, age, economic disadvantage, disability,  
105.25 homelessness, home language, number of schools attended, foster-system involvement, or  
105.26 other categories required by the department;

105.27 (2) describe basic needs support provided by the school to students, family members,  
105.28 and community members;

105.29 (3) measure the number of students who receive support of the following types of  
105.30 social-emotional and mental health support: (i) individual meetings with licensed mental

- 106.1 health professionals; (ii) peer support groups; (iii) referrals to community resources; and  
106.2 (iv) other social-emotional and mental health services provided by the school;
- 106.3 (4) describe flexible, personalized, and innovative instruction provided by the school;
- 106.4 (5) describe culturally and real-life relevant curriculum provided by the school, including  
106.5 students learning about the experiences of People of Color through a contextually accurate  
106.6 history of Minnesota's Indigenous people;
- 106.7 (6) measure the number and percentage of students provided opportunities for student  
106.8 identity development, including cultural identity;
- 106.9 (7) measure the number and percentage of students provided opportunities for student  
106.10 career exploration and preparation;
- 106.11 (8) measure the number and percentage of students participating in at least one  
106.12 extracurricular activity;
- 106.13 (9) measure the number of restorative-justice interventions and the number of referrals,  
106.14 suspensions, and expulsions per school;
- 106.15 (10) describe family engagement practices by the school;
- 106.16 (11) describe community engagement practices by the school; and
- 106.17 (12) describe teacher and staff training about antiracism, anti-bias, or equity, and the  
106.18 average weekly time provided for teacher and staff collaboration.
- 106.19 Subd. 3. **Report.** (a) By September 1, 2025, Pillsbury United Communities must report  
106.20 to the Department of Education data on school and student performance measurements  
106.21 based on the goals established for each participating school. The report must identify the  
106.22 percentage of each goal that each school attained.
- 106.23 (b) By December 15, 2025, the Department of Education must review the data and report  
106.24 to the legislative committees with jurisdiction over kindergarten through grade 12 education  
106.25 on the effectiveness of the framework in measuring growth by identifying school actions  
106.26 to implement the framework, how well the school implemented the framework, and how  
106.27 students were affected by the school's implementation of the framework.
- 106.28 **EFFECTIVE DATE.** This section is effective July 1, 2023.

107.1 Sec. 60. **WORKING GROUP ON EDUCATION ON THE HOLOCAUST,**  
107.2 **GENOCIDE OF INDIGENOUS PEOPLES, AND OTHER GENOCIDES.**

107.3 **Subdivision 1. Working group established.** (a) The Working Group on Education on  
107.4 the Holocaust, Genocide of Indigenous Peoples, and Other Genocides is established to  
107.5 advise the commissioner of education and develop resources necessary to implement  
107.6 requirements for education on the Holocaust, genocide of Indigenous Peoples, and other  
107.7 genocides under Minnesota Statutes, section 120B.252. The commissioner must appoint  
107.8 members of the working group by April 1, 2024, based on the guidance and recommendations  
107.9 from the cochairs of the working group.

107.10 (b) The Working Group on Education on the Holocaust, Genocide of Indigenous Peoples,  
107.11 and Other Genocides must have a minimum of 12 members, but no more than 21 members,  
107.12 consisting of the following members:

107.13 (1) at least one representative, who shall cochair the working group, from the Center for  
107.14 Holocaust and Genocide Studies;

107.15 (2) at least one representative, who shall cochair the working group, with expertise in  
107.16 training middle and high school teachers in Holocaust and other genocide education;

107.17 (3) at least one representative from the Tribal Nations Education Committee;

107.18 (4) at least one representative from a Minnesota college or university with academic  
107.19 expertise in the genocide of Indigenous Peoples in Minnesota or in the Americas and  
107.20 throughout the world;

107.21 (5) at least one additional representative from a Minnesota college or university other  
107.22 than the Center for Holocaust and Genocide Studies with academic expertise in the Holocaust  
107.23 and genocide studies;

107.24 (6) at least one representative from a Minnesota teacher licensure program with expertise  
107.25 in the Holocaust, genocide of Indigenous Peoples, and other genocide studies;

107.26 (7) at least three representatives from Minnesota-based nonprofit organizations,  
107.27 community groups, sovereign nations, or institutions of higher education whose missions  
107.28 include educating about and honoring the victims and survivors of the displacement and  
107.29 genocide of Indigenous Peoples in the Americas and throughout the world; Black genocide  
107.30 in the United States and the Americas; the genocide in German Southwest Africa; Armenian  
107.31 genocide; the genocide of the Ukrainian people from 1932 to 1933, also known as the  
107.32 Holodomor; the Holocaust, including non-Jewish victims of Nazi persecution and genocide;  
107.33 Cambodian genocide; Guatemalan genocide; Rwandan genocide; genocide in the former

108.1 Yugoslavia; genocide in Darfur; Rohingya genocide; and other historical and contemporary  
108.2 cases of genocide;

108.3 (8) at least one public middle or high school social studies teacher with experience  
108.4 teaching the Holocaust, genocide of Indigenous Peoples, or other genocides in the classroom;

108.5 (9) at least one public middle or high school English language arts teacher with experience  
108.6 teaching the Holocaust, genocide of Indigenous Peoples, or other genocides in the classroom;

108.7 and

108.8 (10) at least one public middle or high school student with a demonstrated interest in  
108.9 learning about the Holocaust, genocide of Indigenous Peoples, or other genocides.

108.10 (c) At the discretion of the commissioner and in consultation with the working group  
108.11 cochairs, the working group may include additional experts in the fields of Holocaust and  
108.12 genocide studies, genocide of Indigenous Peoples or other genocides, Minnesota history,  
108.13 social studies education, or English language arts education, and community members with  
108.14 a particular interest in education on the Holocaust, genocide of Indigenous Peoples, and  
108.15 other genocides.

108.16 Subd. 2. Working group duties. (a) The working group must:

108.17 (1) advise the commissioner during the development of the social studies glossary  
108.18 regarding the definitions of "Holocaust," "genocide," and "incidents of mass violence";

108.19 (2) identify professional learning opportunities for teachers and public school district  
108.20 staff, including opportunities for continuing education to facilitate implementation of  
108.21 education requirements under Minnesota Statutes, section 120B.252;

108.22 (3) identify training materials, strategies, skills, content, and resources for teachers and  
108.23 public school district staff to successfully implement the education requirements under  
108.24 Minnesota Statutes, section 120B.252;

108.25 (4) develop model lesson plans that teachers and public school district staff may use to  
108.26 successfully implement the education requirements under Minnesota Statutes, section  
108.27 120B.252;

108.28 (5) create a work plan that outlines the timeline to fulfill the duties of the working group  
108.29 under this subdivision;

108.30 (6) provide to the commissioner of education a list of recommended professional learning  
108.31 opportunities, resources, strategies, skills, content, model lesson plans, and other materials  
108.32 developed under this subdivision by May 1, 2025;

109.1 (7) coordinate with the commissioner to update the material and resources. The  
109.2 commissioner must make all reasonable efforts to make the recommended materials publicly  
109.3 available on the department's website by September 1, 2025, and in coordination with the  
109.4 working group, must update the materials and resources; and

109.5 (8) by November 15, 2025, submit to the chairs and ranking minority members of the  
109.6 committees of the senate and the house of representatives with primary jurisdiction over  
109.7 kindergarten through grade 12 education policy and finance a report containing a list of  
109.8 resources and materials provided to the commissioner of education for the commissioner  
109.9 to make available to public school districts implementing requirements for education on  
109.10 the Holocaust, genocide of Indigenous Peoples, and other genocides.

109.11 (b) The working group may:

109.12 (1) conduct a survey of the current state of education on the Holocaust, genocide of  
109.13 Indigenous Peoples, and other genocides in Minnesota public school districts with a focus  
109.14 on teacher preparedness, access and utilization of resources, and additional surveys of the  
109.15 state of education on the Holocaust, genocide of Indigenous Peoples, and other genocides  
109.16 following the conclusion of the 2024-2025 school year;

109.17 (2) carry out any other tasks that it considers pertinent to support the ability of teachers  
109.18 and public school district staff to facilitate the successful implementation of education  
109.19 requirements under Minnesota Statutes, section 120B.252; and

109.20 (3) apply for and accept grants and receive gifts, donations, and other financial support  
109.21 from private sources for the purposes of carrying out its work under this section.

109.22 Subd. 3. **Working group meetings.** The working group must convene on at least a  
109.23 bimonthly basis and must hold the first meeting no later than September 1, 2024.

109.24 Subd. 4. **Administration.** The commissioner must provide meeting space and technical  
109.25 assistance for the working group.

109.26 Subd. 5. **Expiration.** This section expires November 15, 2025, or the date upon which  
109.27 the working group report required under subdivision 2 is submitted to the legislature,  
109.28 whichever is later.

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

110.1 Sec. 61. **APPROPRIATIONS.**

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

110.5 Subd. 2. **Achievement and integration aid.** (a) For achievement and integration aid  
 110.6 under Minnesota Statutes, section 124D.862:

110.7 \$ 83,330,000 ..... 2024

110.8 \$ 84,512,000 ..... 2025

110.9 (b) The 2024 appropriation includes \$8,172,000 for 2023 and \$75,158,000 for 2024.

110.10 (c) The 2025 appropriation includes \$8,350,000 for 2024 and \$76,162,000 for 2025.

110.11 Subd. 3. **Alternative programs.** For a grant to the Minnesota Association of Alternative  
 110.12 Programs STARS (Success, Teamwork, Achievement, Recognition, and Self-Esteem)  
 110.13 program to help students in alternative programs develop employment, academic, and social  
 110.14 skills and support student participation in trainings and conferences:

110.15 \$ 50,000 ..... 2024

110.16 Subd. 4. **BARR Center.** (a) For grants to the Building Assets, Reducing Risks (BARR)  
 110.17 Center, to deliver an evidence-based, research-validated program to schools:

110.18 \$ 5,000,000 ..... 2024

110.19 (b) Consistent with Minnesota Statutes, section 127A.20, the BARR Center must apply  
 110.20 for the grants in the form and manner specified by the commissioner of education. The  
 110.21 BARR Center must deliver an evidence-based, research-validated program that provides  
 110.22 school coaching support, professional development, and curriculum and resources over a  
 110.23 three-year period to each qualifying school site.

110.24 (c) The BARR Center must select at least 18 schools to participate in the program. The  
 110.25 schools must be geographically balanced among urban, suburban, and rural schools, and  
 110.26 serve high concentrations of students in poverty or high concentrations of underrepresented  
 110.27 students, including students who are from Black, Indigenous, and People of Color  
 110.28 communities.

110.29 (d) The grants to the BARR Center must be directed toward:

110.30 (1) improving student social and emotional skills and engagement in school;

110.31 (2) increasing opportunity and academic achievement for students of color and those  
 110.32 experiencing poverty;

111.1 (3) improving teacher satisfaction and effectiveness; and

111.2 (4) increasing the number of students who earn a high school diploma.

111.3 (e) This is a onetime appropriation and is available until June 30, 2026.

111.4 Subd. 5. Charter school building lease aid. (a) For building lease aid under Minnesota  
 111.5 Statutes, section 124E.22:

111.6 \$ 94,320,000 ..... 2024

111.7 \$ 98,764,000 ..... 2025

111.8 (b) The 2024 appropriation includes \$9,047,000 for 2023 and \$85,273,000 for 2024.

111.9 (c) The 2025 appropriation includes \$9,474,000 for 2024 and \$89,290,000 for 2025.

111.10 Subd. 6. College entrance examination reimbursement. (a) To reimburse districts for  
 111.11 the costs of college entrance examination fees for students who are eligible for free or  
 111.12 reduced-price meals who take the ACT or SAT test under Minnesota Statutes, section  
 111.13 120B.30, subdivision 1, paragraph (e):

111.14 \$ 1,011,000 ..... 2024

111.15 \$ 1,011,000 ..... 2025

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

111.17 Subd. 7. COMPASS and MTSS. (a) To support the development and implementation  
 111.18 of the MTSS framework and the Collaborative Minnesota Partnerships to Advance Student  
 111.19 Success (COMPASS) school improvement model:

111.20 \$ 18,250,000 ..... 2024

111.21 \$ 18,250,000 ..... 2025

111.22 (b) Of this amount, \$7,000,000 in fiscal year 2024 and \$7,000,000 in fiscal year 2025  
 111.23 are to support implementation of MTSS and COMPASS. Funds must be used to support  
 111.24 increased capacity at the Department of Education and the Minnesota Service Cooperatives  
 111.25 for implementation supports.

111.26 (c) Of this amount, \$5,000,000 each year is reserved for grants to school districts, charter  
 111.27 schools, and cooperative units as defined in Minnesota Statutes, section 123A.24, subdivision  
 111.28 2, for implementation of MTSS, including: hiring local MTSS coordinators; deferring costs  
 111.29 for personnel to participate in cohort activities and professional learning; and piloting a  
 111.30 Department of Education One Plan, the consolidation of multiple reporting structures to  
 111.31 streamline various applications, reports, and submissions by school districts and charter  
 111.32 schools. Up to five percent of this amount is available for program and grant administration.

112.1 (d) Of this amount, \$5,250,000 each year must be used to develop a regional network  
112.2 focusing on mathematics to provide dedicated mathematics trainers and coaches to train  
112.3 regional support staff from the Minnesota Service Cooperatives to support school leaders  
112.4 and teachers to implement evidence-based instructional strategies in mathematics. Funds  
112.5 may also be used to host an annual Mathematics Standards-Based Instructional Institute.

112.6 (e) Of this amount, \$1,000,000 each year is for the University of Minnesota Center for  
112.7 Applied Research and Educational Improvement to support implementation and evaluation  
112.8 of the MTSS framework.

112.9 (f) Support for school districts, charter schools, and cooperative units under this  
112.10 subdivision may include but is not limited to:

112.11 (1) partnering with the Minnesota Service Cooperatives to support districts in  
112.12 implementing COMPASS to support schools in the areas of literacy, math, social-emotional  
112.13 learning, and mental health using the MTSS framework;

112.14 (2) providing support to districts and charter schools identified under Minnesota Statutes,  
112.15 section 120B.11;

112.16 (3) providing support to districts and charter schools in streamlining various applications,  
112.17 reports, and submissions to the Department of Education through One Plan;

112.18 (4) providing training, guidance, and implementation resources for MTSS, including a  
112.19 universal screening process approved by the Department of Education to identify students  
112.20 who may be at risk of experiencing academic, behavioral, and social-emotional development  
112.21 difficulties;

112.22 (5) providing guidance to convene school-based teams to analyze data provided by  
112.23 screenings and resources for related identification, instruction, and intervention methods;

112.24 (6) dyslexia screening and intervention that are evidence-based;

112.25 (7) requiring school districts and charter schools to provide parents of students identified  
112.26 in screenings with notice of screening findings and related support information;

112.27 (8) requiring districts and charter schools to provide at-risk students with interventions  
112.28 and to monitor the effectiveness of these interventions and student progress; and

112.29 (9) developing and annually reporting findings regarding the implementation of MTSS.

112.30 (g) This is a onetime appropriation.

112.31 (h) Up to five percent of the funds identified for grants is available for grant  
112.32 administration costs.



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

113.2 Subd. 8. **Computer science education advancement.** (a) For computer science  
 113.3 advancement:

113.4 \$ 500,000 ..... 2024

113.5 \$ 500,000 ..... 2025

113.6 (b) Of this amount, \$150,000 is for the computer science supervisor.

113.7 (c) Eligible uses of the appropriation include expenses related to the implementation of  
 113.8 article 2, section 58, and expenses related to the development, advancement, and promotion  
 113.9 of kindergarten through grade 12 computer science education.

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

113.11 Subd. 9. **Computer science STEAM grants.** (a) For grants to STEAM-focused programs  
 113.12 that work directly with students providing additional STEAM education through after-school  
 113.13 programming or new in-school programs:

113.14 \$ 500,000 ..... 2024

113.15 \$ 500,000 ..... 2025

113.16 (b) Eligible grant recipients are schools and school districts or nonprofits that are currently  
 113.17 offering computer science courses or STEAM-focused programming for kindergarten  
 113.18 through grade 12 students in after-school programs. Preference must be given to programs  
 113.19 servng high free and reduced-priced lunch populations, students from Tribal Nations, or  
 113.20 programs in schools or districts receiving sparsity revenue under Minnesota Statutes, section  
 113.21 126C.10.

113.22 (c) Grant awards to nonprofits must not exceed \$50,000 per recipient.

113.23 (d) At the conclusion of the grant, recipients must submit to the commissioner of  
 113.24 education student enrollment data disaggregated by gender, race, ethnicity, free and  
 113.25 reduced-price lunch status, Individuals with Disabilities Education Act status, 504 status,  
 113.26 and English language learner status.

113.27 (e) Any balance in the first year does not cancel and is available in the second year.

113.28 Subd. 10. **Concurrent enrollment aid.** (a) For concurrent enrollment aid under  
 113.29 Minnesota Statutes, section 124D.091:

113.30 \$ 4,000,000 ..... 2024

113.31 \$ 4,000,000 ..... 2025

114.1 (b) If the appropriation is insufficient, the commissioner must proportionately reduce  
 114.2 the aid payment to each school district.

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

114.4 Subd. 11. **Early childhood literacy programs.** (a) For early childhood literacy programs  
 114.5 under Minnesota Statutes, section 119A.50, subdivision 3:

114.6 \$ 7,950,000 ..... 2024

114.7 \$ 7,950,000 ..... 2025

114.8 (b) Up to \$7,950,000 each year is for leveraging federal and private funding to support  
 114.9 AmeriCorps members serving in the Minnesota reading corps program established by  
 114.10 ServeMinnesota, including costs associated with training and teaching early literacy skills  
 114.11 to children ages three through grade 3 and evaluating the impact of the program under  
 114.12 Minnesota Statutes, sections 124D.38, subdivision 2, and 124D.42, subdivision 6.

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

114.14 Subd. 12. **Educational outcomes and accountability pilot program.** (a) For a grant  
 114.15 to Pillsbury United Communities to implement a framework to improve educational outcomes  
 114.16 and accountability in accordance with article 2, section 59:

114.17 \$ 90,000 ..... 2024

114.18 \$ 90,000 ..... 2025

114.19 (b) The department may retain up to five percent of the appropriation to administer the  
 114.20 grant and report on the program in accordance with article 2, section 59, subdivision 3.

114.21 (c) This is a onetime appropriation.

114.22 (d) The appropriation is available until June 30, 2026.

114.23 Subd. 13. **Ethnic studies community consultation.** To consult with community members  
 114.24 throughout Minnesota on the development of ethnic studies curricula, resources, and  
 114.25 implementation support:

114.26 \$ 150,000 ..... 2024

114.27 \$ 150,000 ..... 2025

114.28 Subd. 14. **Ethnic studies school grants.** (a) For competitive grants to school districts  
 114.29 and charter schools to develop, evaluate, and implement ethnic studies courses:

114.30 \$ 700,000 ..... 2024

114.31 \$ 700,000 ..... 2025

115.1 (b) The commissioner must consult with the Ethnic Studies Working Group to develop  
 115.2 criteria for the grants.

115.3 Subd. 15. Examination fees; teacher training and support programs. (a) For students'  
 115.4 advanced placement and international baccalaureate examination fees under Minnesota  
 115.5 Statutes, section 120B.13, subdivision 3, and the training and related costs for teachers and  
 115.6 other interested educators under Minnesota Statutes, section 120B.13, subdivision 1:

115.7 \$ 4,500,000 ..... 2024

115.8 \$ 4,500,000 ..... 2025

115.9 (b) The advanced placement program shall receive 75 percent of the appropriation each  
 115.10 year and the international baccalaureate program shall receive 25 percent of the appropriation  
 115.11 each year. The department, in consultation with representatives of the advanced placement  
 115.12 and international baccalaureate programs selected by the Advanced Placement Advisory  
 115.13 Council and International Baccalaureate Minnesota, respectively, shall determine the amounts  
 115.14 of the expenditures each year for examination fees and training and support programs for  
 115.15 each program.

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

115.22 (d) The commissioner shall pay all examination fees for all students of low-income  
 115.23 families under Minnesota Statutes, section 120B.13, subdivision 3, and to the extent of  
 115.24 available appropriations, shall also pay examination fees for students sitting for an advanced  
 115.25 placement examination, international baccalaureate examination, or both.

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

115.27 Subd. 16. Full-service community schools. (a) For grants to plan or expand the  
 115.28 full-service community schools program under Minnesota Statutes, section 124D.231:

115.29 \$ 11,208,000 ..... 2024

115.30 \$ 11,208,000 ..... 2025

115.31 (b) Of this amount, priority must be given to programs in the following order:

115.32 (1) current grant recipients issued under Minnesota Statutes, section 124D.231;

116.1 (2) schools identified as low-performing under the federal Every Student Succeeds Act;  
116.2 and

116.3 (3) any other applicants.

116.4 (c) Up to two percent of the appropriation is available for grant administration.

116.5 (d) The base for fiscal year 2026 is \$8,154,000 and the base for fiscal year 2027 and  
116.6 later is \$8,155,000.

116.7 Subd. 17. **Girls Taking Action.** (a) For a grant to the Girls Taking Action program to  
116.8 enable Girls Taking Action to continue to provide and expand metropolitan-area school and  
116.9 community-based programs that encourage and support low-income girls of color:

116.10     \$      1,500,000      .....  2024

116.11 (b) Of the appropriated funds, \$1,000,000 must be used to sustain 16 current Girls Taking  
116.12 Action program sites, and to expand an additional four sites in inner-ring suburban  
116.13 communities with growing ethnic diversity among students.

116.14 (c) Of the appropriated funds, \$500,000 must be used to sustain three community-based  
116.15 Girls Taking Action programs for Asian, East African, and Latina girls in Hennepin, Ramsey,  
116.16 and Dakota Counties, and to expand an additional two community-based programs in these  
116.17 counties to reach Native American and African American girls.

116.18 (d) Girls Taking Action programs supported by these funds must include programs  
116.19 focused on:

116.20 (1) increasing academic performance, high school graduation rates, and enrollment in  
116.21 postsecondary education for girls faced with social, demographic, racial, and economic  
116.22 barriers and challenges;

116.23 (2) increasing mentoring opportunities, literacy, career development, positive community  
116.24 engagement, and the number of qualified female employees of color in the workforce  
116.25 pipeline, particularly in science, technology, engineering, and mathematics fields;

116.26 (3) providing coaching, mentoring, health and wellness counseling, resources to girls  
116.27 whose experience with sexual assault has negatively impacted their academics and behavior,  
116.28 and culturally sensitive therapy resources and counseling services to sexual assault victims;  
116.29 and

116.30 (4) increasing financial literacy and knowledge of options for financing college or  
116.31 postsecondary education.

117.1 (e) This is a onetime appropriation. Any balance in the first year does not cancel but is  
 117.2 available in the second year.

117.3 **Subd. 18. Grants to increase science, technology, engineering, and math course**  
 117.4 **offerings.** (a) For grants to schools to encourage low-income and other underserved students  
 117.5 to participate in advanced placement and international baccalaureate programs according  
 117.6 to Minnesota Statutes, section 120B.132:

117.7 \$ 250,000 ..... 2024

117.8 \$ 250,000 ..... 2025

117.9 (b) To the extent practicable, the commissioner must distribute grant funds equitably  
 117.10 among geographic areas in the state, including schools located in greater Minnesota and in  
 117.11 the seven-county metropolitan area.

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

117.13 **Subd. 19. Implementation of education on the Holocaust, genocide of Indigenous**  
 117.14 **Peoples, and other genocides.** For implementation of requirements for education on the  
 117.15 Holocaust, genocide of Indigenous Peoples, and other genocides under Minnesota Statutes,  
 117.16 section 120B.252:

117.17 \$ 75,000 ..... 2024

117.18 \$ 75,000 ..... 2025

117.19 **Subd. 20. Interdistrict desegregation or integration transportation grants.** For  
 117.20 interdistrict desegregation or integration transportation grants under Minnesota Statutes,  
 117.21 section 124D.87:

117.22 \$ 14,992,000 ..... 2024

117.23 \$ 16,609,000 ..... 2025

117.24 **Subd. 21. Literacy incentive aid.** (a) For literacy incentive aid under Minnesota Statutes,  
 117.25 section 124D.98:

117.26 \$ 42,234,000 ..... 2024

117.27 \$ 42,502,000 ..... 2025

117.28 (b) The 2024 appropriation includes \$4,606,000 for 2023 and \$37,628,000 for 2024.

117.29 (c) The 2025 appropriation includes \$4,180,000 for 2024 and \$38,322,000 for 2025.

117.30 **Subd. 22. Minnesota Alliance of Boys and Girls Clubs.** (a) For a grant to the Minnesota  
 117.31 Alliance of Boys and Girls Clubs to support the establishment and expansion of Boys and

118.1 Girls Clubs in Minnesota beyond existing service areas to support after-school and summer  
 118.2 programming that address learning loss:

118.3        \$        1,250,000   ..... 2024

118.4        \$        1,250,000   ..... 2025

118.5        (b) The grant recipient must take into consideration multiple factors, including need,  
 118.6 feasibility, and community engagement when determining where to establish and expand  
 118.7 Boys and Girls Clubs programming. Need may be analyzed using available data from the  
 118.8 department. Feasibility must be determined by proximity to supporting organizations, staffing  
 118.9 capabilities, and access to adequate facilities. The grant recipient must take into consideration  
 118.10 community engagement and interest in programming as important elements for the desired  
 118.11 sustainability of programming beyond the project's funding period.

118.12       (c) To receive a grant under this section, the Minnesota Alliance of Boys and Girls Clubs  
 118.13 must receive a 25 percent match from nonstate funds.

118.14       (d) This is a onetime appropriation.

118.15       Subd. 23. **Minnesota Center for the Book programming.** For grants to the entity  
 118.16 designated by the Library of Congress as the Minnesota Center for the Book to provide  
 118.17 statewide programming related to the Minnesota Book Awards and for additional  
 118.18 programming throughout the state related to the Center for the Book designation:

118.19        \$        200,000   ..... 2024

118.20        \$        200,000   ..... 2025

118.21       Subd. 24. **Minnesota Independence College and Community.** (a) For transfer to the  
 118.22 Office of Higher Education for grants to Minnesota Independence College and Community  
 118.23 for tuition reduction and institutional support:

118.24        \$        625,000   ..... 2024

118.25        \$        625,000   ..... 2025

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

118.27       Subd. 25. **Minnesota math corps.** (a) For the Minnesota math corps program under  
 118.28 Minnesota Statutes, section 124D.42, subdivision 9:

118.29        \$        1,000,000   ..... 2024

118.30        \$        1,000,000   ..... 2025

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

119.1 Subd. 26. Minnesota Principals Academy. (a) For grants to the University of Minnesota  
 119.2 College of Education and Human Development for the operation of the Minnesota Principals  
 119.3 Academy:

119.4 \$ 200,000 ..... 2024

119.5 \$ 200,000 ..... 2025

119.6 (b) Of these amounts, \$50,000 must be used to pay the costs of attendance for principals  
 119.7 and school leaders from schools identified for intervention under the state's accountability  
 119.8 system as implemented to comply with the federal Every Student Succeeds Act. To the  
 119.9 extent funds are available, the Department of Education is encouraged to use up to \$200,000  
 119.10 of federal Title II funds to support additional participation in the Principals Academy by  
 119.11 principals and school leaders from schools identified for intervention under the state's  
 119.12 accountability system as implemented to comply with the federal Every Student Succeeds  
 119.13 Act.

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

119.15 Subd. 27. Museums and education centers. (a) For grants to museums and education  
 119.16 centers:

119.17 \$ 460,000 ..... 2024

119.18 \$ 460,000 ..... 2025

119.19 (b) \$269,000 each year is for the Minnesota Children's Museum.

119.20 (c) \$50,000 each year is for the Minnesota Children's Museum, Rochester.

119.21 (d) \$50,000 each year is for the Duluth Children's Museum.

119.22 (e) \$41,000 each year is for the Minnesota Academy of Science.

119.23 (f) \$50,000 each year is for the Headwaters Science Center.

119.24 (g) A recipient of a grant under this subdivision must use the funds to encourage and  
 119.25 increase access for historically underserved communities.

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

119.27 Subd. 28. Nonexclusionary discipline. (a) For grants to school districts and charter  
 119.28 schools to provide training for school staff on nonexclusionary disciplinary practices:

119.29 \$ 1,750,000 ..... 2024

119.30 \$ 1,750,000 ..... 2025

120.1 (b) Grants are to develop training and to work with schools to train staff on  
 120.2 nonexclusionary disciplinary practices that maintain the respect, trust, and attention of  
 120.3 students and help keep students in classrooms. These funds may also be used for grant  
 120.4 administration.

120.5 (c) Eligible grantees include school districts, charter schools, intermediate school districts,  
 120.6 and cooperative units as defined in section 123A.24, subdivision 2.

120.7 (d) Up to five percent of the appropriation is available for grant administration.

120.8 Subd. 29. P-TECH schools. (a) For P-TECH support grants under Minnesota Statutes,  
 120.9 section 124D.093, subdivision 5:

120.10 \$ 791,000 ..... 2024

120.11 \$ 791,000 ..... 2025

120.12 (b) The amounts in this subdivision are for grants, including to a public-private  
 120.13 partnership that includes Independent School District No. 535, Rochester.

120.14 (c) Any balance in the first year does not cancel but is available in the second year.

120.15 Subd. 30. Paraprofessional training. (a) For compensation associated with paid  
 120.16 orientation and professional development for paraprofessionals under Minnesota Statutes,  
 120.17 section 121A.642:

120.18 \$ 7,836,000 ..... 2024

120.19 \$ 8,033,000 ..... 2025

120.20 (b) The base for fiscal year 2026 is \$8,233,000 and for fiscal year 2027 is \$8,439,000.

120.21 Subd. 31. Recovery program grants. (a) For recovery program grants under Minnesota  
 120.22 Statutes, section 124D.695:

120.23 \$ 750,000 ..... 2024

120.24 \$ 750,000 ..... 2025

120.25 (b) Any balance in the first year does not cancel but is available in the second year.

120.26 Subd. 32. Sanneh Foundation. (a) For grants to the Sanneh Foundation for purposes  
 120.27 of subdivision 3:

120.28 \$ 1,500,000 ..... 2024

120.29 \$ 1,500,000 ..... 2025

120.30 (b) Any balance in the first year does not cancel but is available in the second year.



121.1 Subd. 33. **ServeMinnesota program.** (a) For funding ServeMinnesota programs under  
 121.2 Minnesota Statutes, sections 124D.37 to 124D.45:

121.3 \$ 900,000 ..... 2024

121.4 \$ 900,000 ..... 2025

121.5 (b) A grantee organization may provide health and child care coverage to the dependents  
 121.6 of each participant enrolled in a full-time ServeMinnesota program to the extent such  
 121.7 coverage is not otherwise available.

121.8 (c) Any balance in the first year does not cancel but is available in the second year.

121.9 Subd. 34. **Starbase MN.** (a) For a grant to Starbase MN for a rigorous science,  
 121.10 technology, engineering, and math program providing students in grades 4 through 6 with  
 121.11 a multisensory learning experience and a hands-on curriculum in an aerospace environment  
 121.12 using state-of-the-art technology:

121.13 \$ 500,000 ..... 2024

121.14 \$ 500,000 ..... 2025

121.15 (b) Any balance in the first year does not cancel but is available in the second year.

121.16 Subd. 35. **Statewide testing and reporting system.** (a) For the statewide testing and  
 121.17 reporting system under Minnesota Statutes, section 120B.30:

121.18 \$ 10,892,000 ..... 2024

121.19 \$ 10,892,000 ..... 2025

121.20 (b) Any balance in the first year does not cancel but is available in the second year.

121.21 Subd. 36. **Student organizations.** (a) For student organizations:

121.22 \$ 1,084,000 ..... 2024

121.23 \$ 1,084,000 ..... 2025

121.24 (b) \$68,000 each year is for student organizations serving health occupations (HOSA).

121.25 (c) \$100,000 each year is for student organizations serving trade and industry occupations  
 121.26 (Skills USA, secondary and postsecondary).

121.27 (d) \$122,000 each year is for student organizations serving business occupations (BPA,  
 121.28 secondary and postsecondary).

121.29 (e) \$322,000 each year is for student organizations serving agriculture occupations (FFA,  
 121.30 PAS).

122.1 (f) \$185,000 each year is for student organizations serving family and consumer science  
 122.2 occupations (FCCLA). Notwithstanding Minnesota Rules, part 3505.1000, subparts 28 and  
 122.3 31, the student organizations serving FCCLA shall continue to serve students younger than  
 122.4 grade 9.

122.5 (g) \$202,000 each year is for student organizations serving marketing occupations (DECA  
 122.6 and DECA collegiate).

122.7 (h) \$85,000 each year is for the Minnesota Foundation for Student Organizations. Of  
 122.8 this amount, \$30,000 each year must be used for direct support of underserved and special  
 122.9 student populations.

122.10 (i) Any balance in the first year does not cancel but is available in the second year.

122.11 **Sec. 62. REVISOR INSTRUCTION.**

122.12 The revisor of statutes shall renumber each section of Minnesota Statutes listed in column  
 122.13 A with the number listed in column B. The revisor shall also make necessary cross-reference  
 122.14 changes consistent with the renumbering. The revisor shall also make any technical language  
 122.15 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>	
<u>120B.30, subdivision 1a, paragraph (h)</u>	<u>120B.30, subdivision 1</u>
<u>120B.30, subdivision 1, paragraph (q)</u>	<u>120B.30, subdivision 2</u>
<u>120B.30, subdivision 1a, paragraph (g)</u>	<u>120B.30, subdivision 3</u>
<u>120B.30, subdivision 1b</u>	<u>120B.30, subdivision 4</u>
<u>120B.30, subdivision 1, paragraph (n)</u>	<u>120B.30, subdivision 5, paragraph (a)</u>
<u>120B.30, subdivision 1, paragraph (a)</u>	<u>120B.30, subdivision 5, paragraph (b)</u>
<u>120B.30, subdivision 1a, paragraph (e)</u>	<u>120B.30, subdivision 6, paragraph (a)</u>
<u>120B.30, subdivision 2, paragraph (a)</u>	<u>120B.30, subdivision 6, paragraph (b)</u>
<u>120B.30, subdivision 2, paragraph (b),</u> <u>clauses (1) and (2)</u>	<u>120B.30, subdivision 6, paragraph (c)</u>
<u>120B.30, subdivision 2</u>	<u>120B.30, subdivision 6, paragraph (d)</u>
<u>120B.30, subdivision 4</u>	<u>120B.30, subdivision 7</u>
<u>120B.30, subdivision 5</u>	<u>120B.30, subdivision 8</u>
<u>120B.30, subdivision 6</u>	<u>120B.30, subdivision 9</u>
<u>120B.30, subdivision 1, paragraph (e)</u>	<u>120B.30, subdivision 10</u>
<u>General Requirements Test Design</u>	
<u>120B.30, subdivision 1a, paragraph (a),</u> <u>clauses (1) to (5)</u>	<u>120B.301, subdivision 1</u>

- 123.1 120B.30, subdivision 1, paragraph (a) 120B.301, subdivision 2
- 123.2 120B.30, subdivision 1, paragraph (b) 120B.301, subdivision 3, paragraph (a)
- 123.3 120B.30, subdivision 1, paragraph (n) 120B.301, subdivision 3, paragraph (b)
- 123.4 120B.30, subdivision 1a, paragraph (b) 120B.301, subdivision 3, paragraph (c)
- 123.5 120B.30, subdivision 1a, paragraph (c), 120B.301, subdivision 3, paragraph (d)
- 123.6 clauses (1) and (2)
- 123.7 Assessment Graduation Requirements
- 123.8 120B.30, subdivision 1, paragraph (c), 120B.304, subdivision 1
- 123.9 clauses (1) and (2)
- 123.10 120B.30, subdivision 1, paragraph (d) 120B.304, subdivision 2
- 123.11 120B.30, subdivision 1, paragraph (i) 120B.304, subdivision 3
- 123.12 Assessment Reporting Requirements
- 123.13 120B.30, subdivision 1a, paragraph (f), 120B.305, subdivision 1
- 123.14 clauses (1) to (3)
- 123.15 120B.30, subdivision 1a, paragraph (d), 120B.305, subdivision 2, paragraph (a)
- 123.16 clauses (1) to (4)
- 123.17 120B.30, subdivision 1, paragraph (m) 120B.305, subdivision 2, paragraph (b)
- 123.18 120B.30, subdivision 1, paragraph (n) 120B.305, subdivision 2, paragraph (c)
- 123.19 120B.30, subdivision 1, paragraph (o), 120B.305, subdivision 3, paragraph (a)
- 123.20 clauses (1) to (4)
- 123.21 120B.30, subdivision 3 120B.305, subdivision 3, paragraph (b)
- 123.22 District Assessment Requirements
- 123.23 120B.301, paragraphs (a) to (c) 120B.306, subdivision 1
- 123.24 120B.304, paragraphs (a) and (b) 120B.306, subdivision 2
- 123.25 College and Career Readiness
- 123.26 120B.30, subdivision 1, paragraph (p) 120B.307, subdivision 1
- 123.27 120B.30, subdivision 1, paragraph (d) 120B.307, subdivision 2
- 123.28 120B.30, subdivision 1, paragraph (f) 120B.307, subdivision 3
- 123.29 120B.30, subdivision 1, paragraph (g) 120B.307, subdivision 4, paragraph (a)
- 123.30 120B.30, subdivision 1, paragraph (h) 120B.307, subdivision 4, paragraph (b)
- 123.31 120B.30, subdivision 1, paragraph (j) 120B.307, subdivision 4, paragraph (c)
- 123.32 120B.30, subdivision 1, paragraph (k) 120B.307, subdivision 4, paragraph (d)
- 123.33 120B.30, subdivision 1, paragraph (l) 120B.307, subdivision 4, paragraph (e)
- 123.34 **Sec. 63. REPEALER.**
- 123.35 Minnesota Statutes 2022, sections 120B.35, subdivision 5; and 124D.095, subdivisions
- 123.36 1, 2, 3, 4, 5, 6, 7, and 8, are repealed.

124.1 **ARTICLE 3**  
124.2 **READ ACT**

124.3 Section 1. Minnesota Statutes 2022, section 120B.11, subdivision 1, is amended to read:

124.4 Subdivision 1. **Definitions.** For the purposes of this section and section 120B.10, the  
124.5 following terms have the meanings given them.

124.6 (a) "Instruction" means methods of providing learning experiences that enable a student  
124.7 to meet state and district academic standards and graduation requirements including applied  
124.8 and experiential learning.

124.9 (b) "Curriculum" means district or school adopted programs and written plans for  
124.10 providing students with learning experiences that lead to expected knowledge and skills  
124.11 and career and college readiness.

124.12 (c) "World's best workforce" means striving to: meet school readiness goals; ~~have all~~  
124.13 ~~third grade students achieve grade-level literacy;~~ close the academic achievement gap among  
124.14 all racial and ethnic groups of students and between students living in poverty and students  
124.15 not living in poverty; have all students attain career and college readiness before graduating  
124.16 from high school; and have all students graduate from high school.

124.17 (d) "Experiential learning" means learning for students that includes career exploration  
124.18 through a specific class or course or through work-based experiences such as job shadowing,  
124.19 mentoring, entrepreneurship, service learning, volunteering, internships, other cooperative  
124.20 work experience, youth apprenticeship, or employment.

124.21 Sec. 2. Minnesota Statutes 2022, section 120B.11, subdivision 2, is amended to read:

124.22 Subd. 2. **Adopting plans and budgets.** (a) A school board, at a public meeting, shall  
124.23 adopt a comprehensive, long-term strategic plan to support and improve teaching and  
124.24 learning that is aligned with creating the world's best workforce and includes:

124.25 (1) clearly defined district and school site goals and benchmarks for instruction and  
124.26 student achievement for all student subgroups identified in section 120B.35, subdivision 3,  
124.27 paragraph (b), clause (2);

124.28 (2) a process to assess and evaluate each student's progress toward meeting state and  
124.29 local academic standards, assess and identify students to participate in gifted and talented  
124.30 programs and accelerate their instruction, and adopt early-admission procedures consistent  
124.31 with section 120B.15, and identifying the strengths and weaknesses of instruction in pursuit

125.1 of student and school success and curriculum affecting students' progress and growth toward  
 125.2 career and college readiness and leading to the world's best workforce;

125.3 (3) a system to periodically review and evaluate the effectiveness of all instruction and  
 125.4 curriculum, taking into account strategies and best practices, student outcomes, school  
 125.5 principal evaluations under section 123B.147, subdivision 3, students' access to effective  
 125.6 teachers who are members of populations underrepresented among the licensed teachers in  
 125.7 the district or school and who reflect the diversity of enrolled students under section 120B.35,  
 125.8 subdivision 3, paragraph (b), clause (2), and teacher evaluations under section 122A.40,  
 125.9 subdivision 8, or 122A.41, subdivision 5;

125.10 (4) strategies for improving instruction, curriculum, and student achievement, including  
 125.11 the English and, where practicable, the native language development and the academic  
 125.12 achievement of English learners;

125.13 (5) a process to examine the equitable distribution of teachers and strategies to ensure  
 125.14 low-income and minority children are not taught at higher rates than other children by  
 125.15 inexperienced, ineffective, or out-of-field teachers;

125.16 (6) education effectiveness practices that integrate high-quality instruction, rigorous  
 125.17 curriculum, technology, and a collaborative professional culture that develops and supports  
 125.18 teacher quality, performance, and effectiveness; and

125.19 (7) an annual budget for continuing to implement the district plan.

125.20 (b) A school district is not required to include information regarding literacy in a plan  
 125.21 or report required under this section, except with regard to the academic achievement of  
 125.22 English learners.

125.23 Sec. 3. [120B.1119] TITLE; THE READ ACT.

125.24 Sections 120B.12 to 120B.124 may be cited as the "Reading to Ensure Academic  
 125.25 Development Act," or the "Read Act."

125.26 Sec. 4. Minnesota Statutes 2022, section 120B.12, is amended to read:

125.27 ~~120B.12 READING PROFICIENTLY NO LATER THAN THE END OF GRADE~~  
 125.28 ~~3 READ ACT GOAL AND INTERVENTIONS.~~

125.29 Subdivision 1. **Literacy goal.** (a) The legislature seeks to have every child reading at  
 125.30 or above grade level no later than the end of grade 3, every year, beginning in kindergarten,  
 125.31 including English multilingual learners, and that teachers provide comprehensive,

126.1 ~~scientifically based~~ and students receiving special education services. By the 2026-2027  
126.2 school year, school leaders and educators must provide evidence-based reading instruction  
126.3 ~~consistent with section 122A.06, subdivision 4~~ through a focus on student mastery of the  
126.4 foundational reading skills of phonemic awareness, phonics, and fluency, as well as the  
126.5 development of oral language, vocabulary, and reading comprehension skills. Students must  
126.6 receive evidence-based instruction that is proven to effectively teach children to read,  
126.7 consistent with sections 120B.12 to 120B.124.

126.8 (b) To meet this goal, each district must provide teachers and instructional support staff  
126.9 with responsibility for teaching reading with training on evidence-based reading instruction  
126.10 that is approved by the Department of Education. By July 1, 2025, a district must provide  
126.11 the training to intervention teachers working with students in kindergarten through grade  
126.12 12, special education teachers, curriculum directors, instructional support staff who provide  
126.13 reading instruction, employees who select literacy instructional materials for a district, and  
126.14 all classroom teachers of students in kindergarten through grade 3 and children in  
126.15 prekindergarten programs. All teachers and instructional staff required to receive training  
126.16 under the Read Act must complete the training no later than July 1, 2027. The commissioner  
126.17 may grant a district an extension to the deadlines in this paragraph.

126.18 (c) Districts are strongly encouraged to adopt a MTSS framework. The framework should  
126.19 include a process for monitoring student progress, evaluating program fidelity, and analyzing  
126.20 student outcomes and needs in order to design and implement ongoing evidenced-based  
126.21 instruction and interventions.

126.22 **Subd. 2. Identification; report.** ~~(a) Each school district must identify before the end of~~  
126.23 Twice per year, each school district must screen every student enrolled in kindergarten,  
126.24 grade 1, and grade 2 all students who are not reading at grade level, and grade 3 using a  
126.25 screening tool approved by the Department of Education. Students identified as not reading  
126.26 at grade level by the end of enrolled in kindergarten, grade 1, and grade 2, and grade 3,  
126.27 including multilingual learners and students receiving special education services, must be  
126.28 universally screened, in a locally determined manner, for mastery of foundational reading  
126.29 skills, including phonemic awareness, phonics, decoding, fluency, oral language, and for  
126.30 characteristics of dyslexia as measured by a screening tool approved by the Department of  
126.31 Education. The screening for characteristics of dyslexia may be integrated with universal  
126.32 screening for mastery of foundational skills and oral language. A district must submit data  
126.33 on student performance in kindergarten, grade 1, grade 2, and grade 3 on foundational  
126.34 reading skills, including phonemic awareness, phonics, decoding, fluency, and oral language  
126.35 to the Department of Education in the annual local literacy plan.

127.1 (b) Students in ~~grade 3 or higher who demonstrate a reading difficulty to a classroom~~  
127.2 ~~teacher~~ grades 4 and above, including multilingual learners and students receiving special  
127.3 education services, who do not demonstrate mastery of foundational reading skills, including  
127.4 phonemic awareness, phonics, decoding, fluency, and oral language, must be screened, in  
127.5 ~~a locally determined manner,~~ using a screening tool approved by the Department of Education  
127.6 ~~for characteristics of dyslexia, unless a different reason for the reading difficulty has been~~  
127.7 ~~identified,~~ and must continue to receive evidence-based instruction, interventions, and  
127.8 progress monitoring until the students achieve grade-level proficiency. A parent, in  
127.9 consultation with two fellow literacy teachers, may opt a student out of the literacy screener  
127.10 if the parent believes that continuing to screen would not be beneficial to the student. In  
127.11 such limited cases, the student must continue to receive progress monitoring and literacy  
127.12 interventions.

127.13 (c) Reading ~~assessments~~ screeners in English, and in the predominant languages of  
127.14 district students where practicable, must identify and evaluate students' areas of academic  
127.15 need related to literacy. The district also must monitor the progress and provide reading  
127.16 instruction appropriate to the specific needs of ~~English~~ multilingual learners. The district  
127.17 must use a locally adopted, developmentally appropriate, and culturally responsive ~~assessment~~  
127.18 screener and annually report summary ~~assessment~~ screener results to the commissioner by  
127.19 ~~July 1~~ June 15 in the form and manner determined by the commissioner.

127.20 (d) The district also must ~~annually report to the commissioner by July 1~~ include in its  
127.21 literacy plan under subdivision 4a, a summary of the district's efforts to screen and, identify,  
127.22 and provide interventions to students who demonstrate characteristics of dyslexia using as  
127.23 measured by a screening tools such as those recommended by the department's dyslexia  
127.24 ~~specialist~~ tool approved by the Department of Education. Districts are strongly encouraged  
127.25 to use the MTSS framework. With respect to students screened or identified under paragraph  
127.26 (a), the report must include:

127.27 (1) a summary of the district's efforts to screen for dyslexia;

127.28 (2) the number of students universally screened for that reporting year; ~~and~~

127.29 (3) the number of students demonstrating characteristics of dyslexia for that year; and

127.30 ~~(e) A student~~ (4) an explanation of how students identified under this subdivision ~~must~~  
127.31 ~~be~~ are provided with alternate instruction and interventions under section 125A.56,  
127.32 subdivision 1.

128.1 Subd. 2a. **Parent notification and involvement.** Schools, at least annually, must give  
128.2 the parent of each student who is not reading at or above grade level timely information  
128.3 about:

128.4 (1) the student's reading proficiency as measured by a ~~locally adopted assessment~~ screeener  
128.5 approved by the Department of Education;

128.6 (2) reading-related services currently being provided to the student and the student's  
128.7 progress; and

128.8 (3) strategies for parents to use at home in helping their student succeed in becoming  
128.9 grade-level proficient in reading in English and in their native language.

128.10 A district may not use this section to deny a student's right to a special education  
128.11 evaluation.

128.12 Subd. 3. **Intervention.** (a) For each student identified under subdivision 2, the district  
128.13 shall provide reading intervention to accelerate student growth and reach the goal of reading  
128.14 at or above grade level by the end of the current grade and school year. A district is  
128.15 encouraged to provide reading intervention through a MTSS framework. If a student does  
128.16 not read at or above grade level by the end of ~~grade 3~~ the current school year, the district  
128.17 must continue to provide reading intervention until the student reads at grade level. District  
128.18 intervention methods shall encourage family engagement and, where possible, collaboration  
128.19 with appropriate school and community programs. Intervention methods that specialize in  
128.20 evidence-based instructional practices and measure mastery of foundational reading skills,  
128.21 including phonemic awareness, phonics, decoding, fluency, and oral language. By July 1,  
128.22 2025, Tier 2 and Tier 3 intervention programs must be taught by an intervention teacher or  
128.23 special education teacher who has successfully completed training in evidence-based reading  
128.24 instruction approved by the Department of Education. Intervention may include, but ~~are~~ is  
128.25 not limited to, requiring student attendance in summer school, intensified reading instruction  
128.26 that may require that the student be removed from the regular classroom for part of the  
128.27 school day, extended-day programs, or programs that strengthen students' cultural  
128.28 connections.

128.29 (b) ~~A school district or charter school is strongly encouraged to~~ must provide a personal  
128.30 learning plan for a student who is unable to demonstrate grade-level proficiency, as measured  
128.31 by the statewide reading assessment in grade 3 or a screener identified by the Department  
128.32 of Education under section 120B.123. The district or charter school must determine the  
128.33 format of the personal learning plan in collaboration with the student's educators and other  
128.34 appropriate professionals. The school must develop the learning plan in consultation with



129.1 the student's parent or guardian. The personal learning plan must include targeted instruction  
129.2 that is evidence-based and ongoing progress monitoring, and address knowledge gaps and  
129.3 skill deficiencies through strategies such as specific exercises and practices during and  
129.4 outside of the regular school day, group interventions, periodic assessments or screeners,  
129.5 and reasonable timelines. The personal learning plan may include grade retention, if it is in  
129.6 the student's best interest; a student may not be retained solely due to delays in literacy or  
129.7 not demonstrating grade-level proficiency. A school must maintain and regularly update  
129.8 and modify the personal learning plan until the student reads at grade level. This paragraph  
129.9 does not apply to a student under an individualized education program.

129.10 Subd. 4. **Staff development.** (a) A district must provide training on evidence-based  
129.11 reading instruction to teachers and instructional staff in accordance with subdivision 1,  
129.12 paragraph (b). The training must include teaching in the areas of phonemic awareness,  
129.13 phonics, vocabulary development, reading fluency, reading comprehension, and culturally  
129.14 and linguistically responsive pedagogy.

129.15 (b) Each district shall use the data under subdivision 2 to identify the staff development  
129.16 needs so that:

129.17 (1) elementary teachers are able to implement ~~comprehensive, scientifically based reading~~  
129.18 ~~and oral language~~ explicit, systematic, evidence-based instruction on foundational reading  
129.19 skills in the five reading areas of phonemic awareness, phonics, fluency, vocabulary, and  
129.20 comprehension as defined in section ~~122A.06, subdivision 4,~~ 120B.121 and other  
129.21 literacy-related areas including writing until the student achieves grade-level reading and  
129.22 writing proficiency;

129.23 (2) elementary teachers have sufficient training to provide ~~comprehensive, scientifically~~  
129.24 ~~based reading~~ students with evidence-based reading and oral language instruction that meets  
129.25 students' developmental, linguistic, and literacy needs using the intervention methods or  
129.26 programs selected by the district for the identified students;

129.27 (3) licensed teachers employed by the district have regular opportunities to improve  
129.28 reading and writing instruction;

129.29 (4) licensed teachers recognize students' diverse needs in cross-cultural settings and are  
129.30 able to serve the oral language and linguistic needs of students who are English multilingual  
129.31 learners by maximizing strengths in their native languages in order to cultivate students'  
129.32 English language development, including oral academic language development, and build  
129.33 academic literacy; and

130.1 (5) licensed teachers are well trained in culturally responsive pedagogy that enables  
130.2 students to master content, develop skills to access content, and build relationships.

130.3 (c) A district must provide staff in early childhood programs sufficient training to provide  
130.4 children in early childhood programs with explicit, systematic instruction in phonological  
130.5 and phonemic awareness; oral language, including listening comprehension; vocabulary;  
130.6 and letter-sound correspondence.

130.7 Subd. 4a. **Local literacy plan.** (a) Consistent with this section, a school district must  
130.8 adopt a local literacy plan to have every child ~~reading at or above grade level no later than~~  
130.9 ~~the end of grade 3~~, including ~~English learners~~ multilingual learners and students receiving  
130.10 special education services, demonstrate mastery of foundational literacy skills and read  
130.11 proficiently, at or above grade level, at every grade. The plan must be updated by June 15  
130.12 each year. The plan must be consistent with ~~section 122A.06, subdivision 4~~ the Read Act,  
130.13 and include the following:

130.14 (1) a process to assess students' foundational reading skills, oral language, and level of  
130.15 reading proficiency and data to support the effectiveness of an assessment used to screen  
130.16 and identify a student's level of reading proficiency the screeners used, by school site and  
130.17 grade level, under section 120B.123;

130.18 (2) a process to notify and involve parents;

130.19 (3) a description of how schools in the district will determine the ~~proper~~ targeted reading  
130.20 instruction that is evidence-based and includes an intervention strategy for a student and  
130.21 the process for intensifying or modifying the reading strategy in order to obtain measurable  
130.22 reading progress;

130.23 (4) evidence-based intervention methods for students who are not reading at or above  
130.24 grade level and progress monitoring to provide information on the effectiveness of the  
130.25 intervention; ~~and~~

130.26 (5) identification of staff development needs, including a program to meet those needs;;

130.27 (6) the literacy, intervention, and special education literacy curricula used by school site  
130.28 and grade level;

130.29 (7) a statement of whether the district has adopted a MTSS framework;

130.30 (8) student data using the measures of foundational literacy skills and mastery identified  
130.31 by the Department of Education; and

131.1 (9) a summary of the district's efforts to screen, identify, and provide interventions to  
131.2 students who demonstrate characteristics of dyslexia, in accordance with subdivision 2.

131.3 (b) The district must post its literacy plan on the official school district website and  
131.4 submit it to the commissioner of education using the template developed by the commissioner  
131.5 of education once it is available.

131.6 (c) By March 1, 2024, the commissioner of education must develop a streamlined template  
131.7 for local literacy plans that meets the requirements of this subdivision and requires all  
131.8 reading instruction and teacher training in reading instruction to be evidence-based. The  
131.9 template must require a district to report information using the student categories required  
131.10 in the commissioner's report under paragraph (d). The template must focus district resources  
131.11 on improving students' foundational reading skills while reducing paperwork requirements  
131.12 for teachers.

131.13 (d) By December 1, 2025, the commissioner of education must submit a report to the  
131.14 legislative committees with jurisdiction over prekindergarten through grade 12 education  
131.15 summarizing the local literacy plans submitted to the commissioner. The summary must  
131.16 include the following information:

131.17 (1) the number of teachers and other staff that have completed training approved by the  
131.18 Department of Education;

131.19 (2) by school site and grade, the screeners used at the beginning and end of the school  
131.20 year and the reading curriculum used; and

131.21 (3) by school site and grade, using the measurements of foundational literacy skills and  
131.22 mastery identified by the department, both aggregated data and disaggregated data using  
131.23 the student categories under section 120B.35, subdivision 3, paragraph (a), clause (2).

131.24 Subd. 5. **Commissioner Approved screeners.** The commissioner ~~shall~~ must recommend  
131.25 to districts multiple ~~assessment~~ screening tools to assist districts and teachers with identifying  
131.26 students under subdivision 2 and to assess students' reading proficiency. The commissioner  
131.27 must identify screeners that may be used for both purposes. The commissioner shall also  
131.28 ~~make available examples of nationally recognized and research-based instructional methods~~  
131.29 ~~or programs to districts to provide comprehensive, scientifically based reading instruction~~  
131.30 ~~and intervention under this section.~~

131.31 **EFFECTIVE DATE.** This section is effective July 1, 2023.

132.1 Sec. 5. **[120B.121] READ ACT DEFINITIONS.**

132.2 **Subdivision 1. Read Act.** For purposes of sections 120B.12 to 120B.124, the following  
132.3 terms have the meanings given.

132.4 **Subd. 2. CAREI.** "CAREI" means the Center for Applied Research and Educational  
132.5 Improvement at the University of Minnesota.

132.6 **Subd. 3. District.** "District" means a school district, charter school, or cooperative unit  
132.7 as defined in section 123A.24, subdivision 2.

132.8 **Subd. 4. Evidence-based.** "Evidence-based" means the instruction or item described is  
132.9 based on reliable, trustworthy, and valid evidence and has demonstrated a record of success  
132.10 in increasing students' reading competency in the areas of phonological and phonemic  
132.11 awareness, phonics, vocabulary development, reading fluency, and reading comprehension.  
132.12 Evidence-based literacy instruction is explicit, systematic, and includes phonological and  
132.13 phonemic awareness, phonics and decoding, spelling, fluency, vocabulary, oral language,  
132.14 and comprehension that can be differentiated to meet the needs of individual students.  
132.15 Evidence-based instruction does not include the three-cueing system, as defined in  
132.16 subdivision 16.

132.17 **Subd. 5. Fluency.** "Fluency" means the ability of students to read text accurately,  
132.18 automatically, and with proper expression.

132.19 **Subd. 6. Foundational reading skills.** "Foundational reading skills" includes  
132.20 phonological and phonemic awareness, phonics and decoding, and fluency. Foundational  
132.21 reading skills appropriate to each grade level must be mastered in kindergarten, grade 1,  
132.22 grade 2, and grade 3. Struggling readers in grades 4 and above who do not demonstrate  
132.23 mastery of grade-level foundational reading skills must continue to receive explicit,  
132.24 systematic instruction to reach mastery.

132.25 **Subd. 7. Literacy specialist.** "Literacy specialist" means a person licensed by the  
132.26 Professional Educator Licensing and Standards Board as a teacher of reading, a special  
132.27 education teacher, or a kindergarten through grade 6 teacher, who has completed professional  
132.28 development approved by the Department of Education in structured literacy.

132.29 **Subd. 8. Literacy lead.** "Literacy lead" means a literacy specialist with expertise in  
132.30 working with educators as adult learners. A district literacy lead must support the district's  
132.31 implementation of the Read Act; provide school-based coaching; support the implementation  
132.32 of structured literacy, interventions, curriculum delivery, and teacher training; assist with  
132.33 the development of personal learning plans; and train paraprofessionals and other support

133.1 staff to support classroom literacy instruction. A literacy lead may be employed by one  
133.2 district, jointly by two or more districts, or may provide services to districts through a  
133.3 partnership with the regional service cooperatives or another district.

133.4 Subd. 9. **MTSS.** "Multitiered system of support" or "MTSS" means a systemic, continuous  
133.5 improvement framework for ensuring positive social, emotional, behavioral, developmental,  
133.6 and academic outcomes for every student. The MTSS framework provides access to layered  
133.7 tiers of culturally and linguistically responsive, evidence-based practices and relies on the  
133.8 understanding and belief that every student can learn and thrive. Through a MTSS at the  
133.9 core (Tier 1), supplemental (Tier 2), and intensive (Tier 3) levels, educators provide high  
133.10 quality, evidence-based instruction and intervention that is matched to a student's needs;  
133.11 progress is monitored to inform instruction and set goals and data is used for educational  
133.12 decision making.

133.13 Subd. 10. **Oral language.** "Oral language," also called "spoken language," includes  
133.14 speaking and listening, and consists of five components: phonology, morphology, syntax,  
133.15 semantics, and pragmatics.

133.16 Subd. 11. **Phonemic awareness.** "Phonemic awareness" means the ability to notice,  
133.17 think about, and manipulate individual sounds in spoken syllables and words.

133.18 Subd. 12. **Phonics instruction.** "Phonics instruction" means the explicit, systematic,  
133.19 and direct instruction of the relationships between letters and the sounds they represent and  
133.20 the application of this knowledge in reading and spelling.

133.21 Subd. 13. **Progress monitoring.** "Progress monitoring" means using data collected to  
133.22 inform whether interventions are working. Progress monitoring involves ongoing monitoring  
133.23 of progress that quantifies rates of improvement and informs instructional practice and the  
133.24 development of individualized programs using state-approved screening that is reliable and  
133.25 valid for the intended purpose.

133.26 Subd. 14. **Reading comprehension.** "Reading comprehension" means a function of  
133.27 word recognition skills and language comprehension skills. It is an active process that  
133.28 requires intentional thinking during which meaning is constructed through interactions  
133.29 between the text and reader. Comprehension skills are taught explicitly by demonstrating,  
133.30 explaining, modeling, and implementing specific cognitive strategies to help beginning  
133.31 readers derive meaning through intentional, problem-solving thinking processes.

133.32 Subd. 15. **Structured literacy.** "Structured literacy" means an approach to reading  
133.33 instruction in which teachers carefully structure important literacy skills, concepts, and the  
133.34 sequence of instruction to facilitate children's literacy learning and progress. Structured

134.1 literacy is characterized by the provision of systematic, explicit, sequential, and diagnostic  
134.2 instruction in phonemic awareness, phonics, fluency, vocabulary and oral language  
134.3 development, and reading comprehension.

134.4 Subd. 16. **Three-cueing system.** "Three-cueing system," also known as "meaning  
134.5 structure visual (MSV)," means a method that teaches students to use meaning, structure  
134.6 and syntax, and visual cues when attempting to read an unknown word.

134.7 Subd. 17. **Vocabulary development.** "Vocabulary development" means the process of  
134.8 acquiring new words. A robust vocabulary improves all areas of communication, including  
134.9 listening, speaking, reading, and writing. Vocabulary growth is directly related to school  
134.10 achievement and is a strong predictor for reading success.

134.11 Sec. 6. Minnesota Statutes 2022, section 120B.122, subdivision 1, is amended to read:

134.12 Subdivision 1. **Purpose.** The department must employ a dyslexia specialist to provide  
134.13 technical assistance for dyslexia and related disorders and to serve as the primary source of  
134.14 information and support for schools in addressing the needs of students with dyslexia and  
134.15 related disorders. The dyslexia specialist shall also act to increase professional awareness  
134.16 and instructional competencies to meet the educational needs of students with dyslexia or  
134.17 identified with risk characteristics associated with dyslexia and shall develop implementation  
134.18 guidance and make recommendations to the commissioner consistent with ~~section 122A.06,~~  
134.19 ~~subdivision 4~~ sections 120B.12 to 120B.124, to be used to assist general education teachers  
134.20 and special education teachers to recognize educational needs and to improve literacy  
134.21 outcomes for students with dyslexia or identified with risk characteristics associated with  
134.22 dyslexia, including recommendations related to increasing the availability of online and  
134.23 asynchronous professional development programs and materials.

134.24 Sec. 7. **[120B.123] READ ACT IMPLEMENTATION.**

134.25 Subdivision 1. **Screeners.** A district must administer a reading screener to students in  
134.26 kindergarten through grade 3 within the first six weeks of the school year, and again within  
134.27 the last six weeks of the school year. The screener must be one of the screening tools  
134.28 approved by the Department of Education. A district must identify the screeners it uses in  
134.29 the district's annual literacy plan.

134.30 Subd. 2. **Progress monitoring.** For a student not reading at grade level, a district must  
134.31 develop an intervention plan that meets the requirements of section 120B.12, subdivision  
134.32 3. A district may use screening tools to monitor students' progress.

135.1 Subd. 3. **Curriculum.** A district is encouraged to use evidence-based curriculum at each  
135.2 grade level that is designed to ensure student mastery of phonemic awareness, phonics,  
135.3 vocabulary development, reading fluency, and reading comprehension.

135.4 Subd. 4. **MTSS Framework.** A district is encouraged to use a data-based decision-making  
135.5 process within the MTSS framework to determine the evidence-based core reading instruction  
135.6 and Tier 2 or Tier 3 intervention required to meet a student's identified needs.

135.7 Subd. 5. **Professional development.** A district must provide training from a menu of  
135.8 approved evidence-based training programs to all reading intervention teachers, literacy  
135.9 specialists, and other teachers and staff identified in section 120B.12, subdivision 1, paragraph  
135.10 (b), by July 1, 2025; and by June 15, 2026, to other teachers in the district, prioritizing  
135.11 teachers who work with students with disabilities, English learners, and students who qualify  
135.12 for the graduation incentives program under section 124D.68. The commissioner of education  
135.13 may grant a district an extension to the deadlines in this subdivision.

135.14 Subd. 6. **Literacy lead.** (a) By August 30, 2025, a district must employ or contract with  
135.15 a literacy lead, or be actively supporting a designated literacy specialist through the process  
135.16 of becoming a literacy lead. A board may satisfy the requirements of this subdivision by  
135.17 contracting with another school board or cooperative unit under section 123A.24 for the  
135.18 services of a literacy lead by August 30, 2025.

135.19 (b) A district literacy lead must collaborate with district administrators and staff to  
135.20 support the district's implementation of requirements under the Read Act.

135.21 Subd. 7. **Department of Education.** (a) By July 1, 2023, the department must make  
135.22 available to districts a list of approved evidence-based screeners in accordance with section  
135.23 120B.12. A district must use an approved screener to assess students' mastery of foundational  
135.24 reading skills in accordance with section 120B.12.

135.25 (b) The Department of Education must partner with CAREI as required under section  
135.26 120B.124 to approve professional development programs, subject to final determination by  
135.27 the department. After the implementation partnership under section 120B.124 ends, the  
135.28 department must continue to regularly provide districts with information about professional  
135.29 development opportunities available throughout the state on reading instruction that is  
135.30 evidence-based.

135.31 (c) The department must identify training required for a literacy specialist position under  
135.32 this section.

136.1 (d) The department must employ a literacy specialist to provide support to districts  
136.2 implementing the Read Act and coordinate duties assigned to the department under the  
136.3 Read Act. The literacy specialist must work on state efforts to improve literacy tracking  
136.4 and implementation.

136.5 (e) The department must develop a template for a local literacy plan in accordance with  
136.6 section 120B.12, subdivision 4a.

136.7 **EFFECTIVE DATE.** This section is effective the day following final enactment.

136.8 **Sec. 8. [120B.124] READ ACT IMPLEMENTATION PARTNERSHIP.**

136.9 Subdivision 1. **Resources.** The Department of Education must partner with CAREI for  
136.10 two years beginning June 1, 2023, until August 30, 2025, to support implementation of the  
136.11 Read Act. The department and CAREI must jointly:

136.12 (1) identify at least five literacy curricula and supporting materials that are evidence-based  
136.13 or focused on structured literacy by January 1, 2024, and post a list of the curricula on the  
136.14 department website. The list must include curricula that use culturally and linguistically  
136.15 responsive materials that reflect diverse populations and, to the extent practicable, curricula  
136.16 that reflect the experiences of students from diverse backgrounds, including multilingual  
136.17 learners, biliterate students, and students who are Black, Indigenous, and People of Color.  
136.18 A district is not required to use an approved curriculum, unless the curriculum was purchased  
136.19 with state grant funds that require a curriculum to be selected from a list of approved  
136.20 curricula;

136.21 (2) identify at least three professional development programs that focus on the five pillars  
136.22 of literacy and the components of structured literacy by July 15, 2023, subject to final  
136.23 approval by the department. The department must post a list of the programs on the  
136.24 department website. The programs may include a program offered by CAREI. The  
136.25 requirements of section 16C.08 do not apply to the selection of a provider under this section;

136.26 (3) identify evidence-based literacy intervention materials for students in kindergarten  
136.27 through grade 12;

136.28 (4) develop an evidence-based literacy lead training program that trains literacy specialists  
136.29 throughout Minnesota to support schools' efforts in screening, measuring growth, monitoring  
136.30 progress, and implementing interventions in accordance with subdivision 1;

136.31 (5) identify measures of foundational literacy skills and mastery that a district must  
136.32 report on a local literacy plan;



137.1 (6) provide guidance to districts about best practices in literacy instruction, and practices  
 137.2 that are not evidence-based;

137.3 (7) develop MTSS model plans that districts may adopt to support efforts to screen,  
 137.4 identify, intervene, and monitor the progress of students not reading at grade level; and

137.5 (8) ensure that teacher professional development options and MTSS framework trainings  
 137.6 are geographically equitable by supporting trainings through the regional service  
 137.7 cooperatives.

137.8 Subd. 2. **Reconsideration.** The department and CAREI must provide districts an  
 137.9 opportunity to request that the department and CAREI add to the list of curricula or  
 137.10 professional development programs a specific curriculum or professional development  
 137.11 program. The department must publish the request for reconsideration procedure on the  
 137.12 department website. A request for reconsideration must demonstrate that the curriculum or  
 137.13 professional development program meets the requirements of the Read Act, is  
 137.14 evidence-based, and has structured literacy components; or that the screener accurately  
 137.15 measures literacy growth, monitors progress, and accurately assesses effective reading,  
 137.16 including phonemic awareness, phonics, fluency, vocabulary, and comprehension. The  
 137.17 department and CAREI must review the request for reconsideration and approve or deny  
 137.18 the request within 60 days.

137.19 Subd. 3. **Support.** The department and CAREI must support district efforts to implement  
 137.20 the Read Act by:

137.21 (1) issuing guidance for teachers on implementing curriculum that is evidence-based,  
 137.22 or focused on structured literacy;

137.23 (2) providing teachers accessible options for evidence-based professional development  
 137.24 focused on structured literacy;

137.25 (3) providing districts with guidance on adopting MTSS; and

137.26 (4) providing districts with literacy implementation guidance and support.

137.27 **EFFECTIVE DATE.** This section is effective the day following final enactment.

137.28 Sec. 9. Minnesota Statutes 2022, section 122A.092, subdivision 5, is amended to read:

137.29 Subd. 5. **Reading strategies.** (a) A teacher preparation provider approved by the  
 137.30 Professional Educator Licensing and Standards Board to prepare persons for classroom  
 137.31 teacher licensure must include in its teacher preparation programs ~~research-based~~  
 137.32 evidence-based best practices in reading, consistent with ~~section 122A.06, subdivision 4~~

138.1 sections 120B.12 to 120B.124, that enable the licensure candidate to teach reading in the  
138.2 candidate's content areas. Teacher candidates must be instructed in using students' native  
138.3 languages as a resource in creating effective differentiated instructional strategies for English  
138.4 learners developing literacy skills. A teacher preparation provider also must prepare early  
138.5 childhood and elementary teacher candidates for Tier 3 and Tier 4 teaching licenses under  
138.6 sections 122A.183 and 122A.184, respectively, for the portion of the examination under  
138.7 section 122A.185, subdivision 1, paragraph (c), covering assessment of reading instruction.

138.8 (b) Board-approved teacher preparation programs for teachers of elementary education  
138.9 must require instruction in applying comprehensive, scientifically based or evidence-based,  
138.10 and structured reading instruction programs that:

138.11 (1) teach students to read using foundational knowledge, practices, and strategies  
138.12 consistent with ~~section 122A.06, subdivision 4~~ sections 120B.12 to 120B.124, so that all  
138.13 students achieve continuous progress in reading; and

138.14 (2) teach specialized instruction in reading strategies, interventions, and remediations  
138.15 that enable students of all ages and proficiency levels to become proficient readers.

138.16 (c) Board-approved teacher preparation programs for teachers of elementary education,  
138.17 early childhood education, special education, and reading intervention must include  
138.18 instruction on dyslexia, as defined in section 125A.01, subdivision 2. Teacher preparation  
138.19 programs may consult with the Department of Education, including the dyslexia specialist  
138.20 under section 120B.122, to develop instruction under this paragraph. Instruction on dyslexia  
138.21 must be modeled on practice standards of the International Dyslexia Association, and must  
138.22 address:

138.23 (1) the nature and symptoms of dyslexia;

138.24 (2) resources available for students who show characteristics of dyslexia;

138.25 (3) evidence-based instructional strategies for students who show characteristics of  
138.26 dyslexia, including the structured literacy approach; and

138.27 (4) outcomes of intervention and lack of intervention for students who show  
138.28 characteristics of dyslexia.

138.29 (d) Nothing in this section limits the authority of a school district to select a school's  
138.30 reading program or curriculum.

139.1 Sec. 10. Minnesota Statutes 2022, section 122A.185, subdivision 1, is amended to read:

139.2 Subdivision 1. **Tests.** (a) The Professional Educator Licensing and Standards Board  
139.3 must adopt rules requiring a candidate to demonstrate a passing score on a board-adopted  
139.4 examination of skills in reading, writing, and mathematics before being granted a Tier 4  
139.5 teaching license under section 122A.184 to provide direct instruction to pupils in elementary,  
139.6 secondary, or special education programs. Candidates may obtain a Tier 1, Tier 2, or Tier  
139.7 3 license to provide direct instruction to pupils in elementary, secondary, or special education  
139.8 programs if candidates meet the other requirements in section 122A.181, 122A.182, or  
139.9 122A.183, respectively.

139.10 (b) The board must adopt rules requiring candidates for Tier 3 and Tier 4 licenses to  
139.11 pass an examination of general pedagogical knowledge and examinations of licensure field  
139.12 specific content. The content examination requirement does not apply if no relevant content  
139.13 exam exists.

139.14 (c) Candidates for initial Tier 3 and Tier 4 licenses to teach elementary students must  
139.15 pass test items assessing the candidates' knowledge, skill, and ability in ~~comprehensive,~~  
139.16 ~~scientifically based reading~~ evidence-based literacy instruction under ~~section 122A.06,~~  
139.17 ~~subdivision 4~~ sections 120B.12 to 120B.124, knowledge and understanding of the foundations  
139.18 of reading development, development of reading comprehension and reading assessment  
139.19 and instruction, and the ability to integrate that knowledge and understanding into instruction  
139.20 strategies under ~~section 122A.06, subdivision 4~~ sections 120B.12 to 120B.124.

139.21 (d) The requirement to pass a board-adopted reading, writing, and mathematics skills  
139.22 examination does not apply to nonnative English speakers, as verified by qualified Minnesota  
139.23 school district personnel or Minnesota higher education faculty, who, after meeting the  
139.24 content and pedagogy requirements under this subdivision, apply for a teaching license to  
139.25 provide direct instruction in their native language or world language instruction under section  
139.26 120B.022, subdivision 1.

139.27 Sec. 11. Minnesota Statutes 2022, section 122A.187, subdivision 5, is amended to read:

139.28 Subd. 5. **Reading preparation.** The Professional Educator Licensing and Standards  
139.29 Board must adopt rules that require all licensed teachers who are renewing a Tier 3 or Tier  
139.30 4 teaching license under sections 122A.183 and 122A.184, respectively, to include in the  
139.31 renewal requirements further reading preparation, consistent with ~~section 122A.06,~~  
139.32 ~~subdivision 4~~ sections 120B.12 to 120B.124. The rules do not take effect until they are  
139.33 approved by law. Teachers who do not provide direct instruction including, at least,

140.1 counselors, school psychologists, school nurses, school social workers, audiovisual directors  
140.2 and coordinators, and recreation personnel are exempt from this section.

140.3 Sec. 12. Minnesota Statutes 2022, section 124D.42, subdivision 8, is amended to read:

140.4 Subd. 8. **Minnesota reading corps program.** (a) A Minnesota reading corps program  
140.5 is established to provide ServeMinnesota AmeriCorps members with a data-based  
140.6 problem-solving model of literacy instruction to use in helping to train local Head Start  
140.7 program providers, other prekindergarten program providers, and staff in schools with  
140.8 students in kindergarten through grade 3 to evaluate and teach early literacy skills, including  
140.9 ~~comprehensive, scientifically based reading~~ evidence-based literacy instruction under section  
140.10 ~~122A.06, subdivision 4~~ sections 120B.12 to 120B.124, to children age 3 to grade 3.

140.11 (b) Literacy programs under this subdivision must comply with the provisions governing  
140.12 literacy program goals and data use under section 119A.50, subdivision 3, paragraph (b).

140.13 (c) The commission must submit a biennial report to the committees of the legislature  
140.14 with jurisdiction over kindergarten through grade 12 education that records and evaluates  
140.15 program data to determine the efficacy of the programs under this subdivision.

140.16 Sec. 13. Minnesota Statutes 2022, section 124D.98, is amended by adding a subdivision  
140.17 to read:

140.18 Subd. 5. **Literacy incentive aid uses.** A school district must use its literacy incentive  
140.19 aid to support implementation of evidence-based reading instruction. The following are  
140.20 eligible uses of literacy incentive aid:

140.21 (1) training for kindergarten through grade 3 teachers, early childhood educators, special  
140.22 education teachers, reading intervention teachers working with students in kindergarten  
140.23 through grade 12, curriculum directors, and instructional support staff that provide reading  
140.24 instruction, on using evidence-based screening and progress monitoring tools;

140.25 (2) evidence-based training using a training program approved by the Department of  
140.26 Education;

140.27 (3) employing or contracting with a literacy lead, as defined in section 120B.121; and

140.28 (4) materials, training, and ongoing coaching to ensure reading interventions under  
140.29 section 125A.56, subdivision 1, are evidence-based.

140.30 **EFFECTIVE DATE.** This section is effective July 1, 2023.

141.1 **Sec. 14. APPROPRIATIONS; READ ACT.**

141.2 **Subdivision 1. Department of Education.** The sums indicated in this section are  
 141.3 appropriated from the general fund to the Department of Education for the fiscal years  
 141.4 designated.

141.5 **Subd. 2. CAREI.** (a) To contract with the Center for Applied Research and Educational  
 141.6 Improvement at the University of Minnesota for the Read Act implementation partnership  
 141.7 under section 120B.124:

141.8 \$ 4,200,000 ..... 2024

141.9 \$ 0 ..... 2025

141.10 (b) This appropriation is available until June 30, 2026.

141.11 (c) The base for fiscal year 2026 and later is \$0.

141.12 **Subd. 3. Read Act curriculum and intervention materials reimbursement.** (a) To  
 141.13 reimburse school districts, charter schools, and cooperatives for evidence-based literacy  
 141.14 supports for children in prekindergarten through grade 12 based on structured literacy:

141.15 \$ 40,000,000 ..... 2024

141.16 (b) The commissioner must use this appropriation to reimburse school districts, charter  
 141.17 schools, and cooperatives for approved evidence-based, structured literacy curriculum and  
 141.18 supporting materials, and intervention materials purchased after July 1, 2021. An applicant  
 141.19 must apply for the reimbursement in the form and manner determined by the commissioner.

141.20 (c) The commissioner must report to the legislative committees with jurisdiction over  
 141.21 kindergarten through grade 12 education the districts and charter schools that receive literacy  
 141.22 grants and the amounts of each grant, by January 15, 2025, according to Minnesota Statutes,  
 141.23 section 3.195.

141.24 (d) A school district or charter school is encouraged to purchase curriculum and  
 141.25 instructional materials that are culturally responsive and reflect diverse populations.

141.26 (e) Of this amount, up to \$250,000 is available for grant administration.

141.27 (f) This appropriation is available until June 30, 2028.

141.28 **Subd. 4. Read Act professional development.** (a) For evidence-based training on  
 141.29 structured literacy for teachers working in school districts, charter schools, and cooperatives:

141.30 \$ 27,450,000 ..... 2024

141.31 \$ 0 ..... 2025

142.1 (b) Of this amount, \$18,000,000 is to fund the development of regional literacy networks.  
 142.2 The regional literacy networks must focus on the implementation of comprehensive literacy  
 142.3 reform efforts based on structured literacy. A Minnesota service cooperative must add a  
 142.4 literacy director position and establish a team of trained literacy coaches to facilitate  
 142.5 evidence-based training opportunities and ongoing supports to school districts and charter  
 142.6 schools in each of their regions.

142.7 (c) Of this amount, \$9,200,000 is for one or more contracts to develop statewide training  
 142.8 based in structured literacy to be offered free to school districts and charter schools and  
 142.9 facilitated by the regional literacy networks and Minnesota Service Cooperatives.

142.10 (d) Of this amount, \$250,000 is for administration.

142.11 (e) If funds remain unspent on July 1, 2026, the commissioner must expand eligibility  
 142.12 for approved training to include principals and other district, charter school, or cooperative  
 142.13 administrators.

142.14 (f) The commissioner must report to the legislative committees with jurisdiction over  
 142.15 kindergarten through grade 12 education the number of teachers from each district who  
 142.16 received approved training using funds under this subdivision, and the amounts awarded to  
 142.17 districts, charter schools, or cooperatives under paragraph (c).

142.18 (g) This appropriation is available until June 30, 2028.

142.19 (h) The base for fiscal year 2026 and later is \$3,000,000 for the regional literacy networks  
 142.20 and staff at the Department of Education to provide ongoing support to school districts,  
 142.21 charter schools, and cooperatives implementing evidence-based literacy instruction.

142.22 **Subd. 5. Read Act teacher training supplemental funds.** (a) For supplemental teacher  
 142.23 training funds:

142.24	<u>\$</u>	<u>1,000,000</u>	<u>.....</u>	<u>2024</u>
142.25	<u>\$</u>	<u>0</u>	<u>.....</u>	<u>2025</u>

142.26 (b) The commissioner must allocate to each school district, charter school, and cooperative  
 142.27 unit \$1.15 per enrolled student based on the fall 2022 student count.

142.28 (c) Any balance in the first year does not cancel but is available in the second year.

142.29 (d) One hundred percent of the aid for fiscal year 2024 must be paid in fiscal year 2024.

142.30 **Subd. 6. Department literacy specialist.** (a) For a full-time literacy specialist at the  
 142.31 Department of Education:



144.1 (i) to appropriate authorities as provided in United States Code, title 20, section  
144.2 1232g(b)(1)(E)(ii), if the data concern the juvenile justice system and the ability of the  
144.3 system to effectively serve, prior to adjudication, the student whose records are released;  
144.4 provided that the authorities to whom the data are released submit a written request for the  
144.5 data that certifies that the data will not be disclosed to any other person except as authorized  
144.6 by law without the written consent of the parent of the student and the request and a record  
144.7 of the release are maintained in the student's file;

144.8 (j) to volunteers who are determined to have a legitimate educational interest in the data  
144.9 and who are conducting activities and events sponsored by or endorsed by the educational  
144.10 agency or institution for students or former students;

144.11 (k) to provide student recruiting information, from educational data held by colleges  
144.12 and universities, as required by and subject to Code of Federal Regulations, title 32, section  
144.13 216;

144.14 (l) to the juvenile justice system if information about the behavior of a student who poses  
144.15 a risk of harm is reasonably necessary to protect the health or safety of the student or other  
144.16 individuals;

144.17 (m) with respect to Social Security numbers of students in the adult basic education  
144.18 system, to Minnesota State Colleges and Universities and the Department of Employment  
144.19 and Economic Development for the purpose and in the manner described in section 124D.52,  
144.20 subdivision 7;

144.21 (n) to the commissioner of education for purposes of an assessment or investigation of  
144.22 a report of alleged maltreatment of a student as mandated by chapter 260E. Upon request  
144.23 by the commissioner of education, data that are relevant to a report of maltreatment and are  
144.24 from charter school and school district investigations of alleged maltreatment of a student  
144.25 must be disclosed to the commissioner, including, but not limited to, the following:

144.26 (1) information regarding the student alleged to have been maltreated;

144.27 (2) information regarding student and employee witnesses;

144.28 (3) information regarding the alleged perpetrator; and

144.29 (4) what corrective or protective action was taken, if any, by the school facility in response  
144.30 to a report of maltreatment by an employee or agent of the school or school district;

144.31 (o) when the disclosure is of the final results of a disciplinary proceeding on a charge  
144.32 of a crime of violence or nonforcible sex offense to the extent authorized under United



145.1 States Code, title 20, section 1232g(b)(6)(A) and (B), and Code of Federal Regulations,  
145.2 title 34, sections 99.31(a)(13) and (14);

145.3 (p) when the disclosure is information provided to the institution under United States  
145.4 Code, title 42, section 14071, concerning registered sex offenders to the extent authorized  
145.5 under United States Code, title 20, section 1232g(b)(7); ~~or~~

145.6 (q) when the disclosure is to a parent of a student at an institution of postsecondary  
145.7 education regarding the student's violation of any federal, state, or local law or of any rule  
145.8 or policy of the institution, governing the use or possession of alcohol or of a controlled  
145.9 substance, to the extent authorized under United States Code, title 20, section 1232g(i), and  
145.10 Code of Federal Regulations, title 34, section 99.31(a)(15), and provided the institution has  
145.11 an information release form signed by the student authorizing disclosure to a parent. The  
145.12 institution must notify parents and students about the purpose and availability of the  
145.13 information release forms. At a minimum, the institution must distribute the information  
145.14 release forms at parent and student orientation meetings; or

145.15 (r) with Tribal Nations about Tribally enrolled or descendant students to the extent  
145.16 necessary for the Tribal Nation and school district or charter school to support the educational  
145.17 attainment of the student.

145.18 Sec. 2. Minnesota Statutes 2022, section 120A.42, is amended to read:

145.19 **120A.42 CONDUCT OF SCHOOL ON CERTAIN HOLIDAYS.**

145.20 (a) The governing body of any district may contract with any of the teachers of the  
145.21 district for the conduct of schools, and may conduct schools, on either, or any, of the  
145.22 following holidays, provided that a clause to this effect is inserted in the teacher's contract:  
145.23 Martin Luther King's birthday, Lincoln's and Washington's birthdays, ~~Columbus Day~~,  
145.24 Indigenous Peoples Day, and Veterans' Day. On Martin Luther King's birthday, Washington's  
145.25 birthday, Lincoln's birthday, and Veterans' Day at least one hour of the school program  
145.26 must be devoted to a patriotic observance of the day. On Indigenous Peoples Day, at least  
145.27 one hour of the school program must be devoted to observance of the day. As part of its  
145.28 observance of Indigenous Peoples Day, a district may provide professional development to  
145.29 teachers and staff, or instruction to students, on the following topics:

145.30 (1) the history of treaties between the United States and Indigenous peoples;

145.31 (2) the history of federal boarding schools for Indigenous children;

145.32 (3) Indigenous languages;

146.1 (4) Indigenous traditional medicines and cultural or spiritual practices;

146.2 (5) the sovereignty of Tribal nations;

146.3 (6) the contributions of Indigenous people to American culture, literature, and society;

146.4 and

146.5 (7) current issues affecting Indigenous communities.

146.6 (b) A district may conduct a school program to honor Constitution Day and Citizenship  
146.7 Day by providing opportunities for students to learn about the principles of American  
146.8 democracy, the American system of government, American citizens' rights and  
146.9 responsibilities, American history, and American geography, symbols, and holidays. Among  
146.10 other activities under this paragraph, districts may administer to students the test questions  
146.11 United States Citizenship and Immigration Services officers pose to applicants for  
146.12 naturalization.

146.13 Sec. 3. Minnesota Statutes 2022, section 120B.021, subdivision 2, is amended to read:

146.14 Subd. 2. **Standards development.** (a) The commissioner must consider advice from at  
146.15 least the following stakeholders in developing statewide rigorous core academic standards  
146.16 in language arts, mathematics, science, social studies, including history, geography,  
146.17 economics, government and citizenship, and the arts:

146.18 (1) parents of school-age children and members of the public throughout the state;

146.19 (2) teachers throughout the state currently licensed and providing instruction in language  
146.20 arts, mathematics, science, social studies, or the arts and licensed elementary and secondary  
146.21 school principals throughout the state currently administering a school site;

146.22 (3) currently serving members of local school boards and charter school boards throughout  
146.23 the state;

146.24 (4) faculty teaching core subjects at postsecondary institutions in Minnesota; ~~and~~

146.25 (5) representatives of the Minnesota business community; and

146.26 (6) representatives from the Tribal Nations Education Committee and Minnesota's Tribal  
146.27 Nations and communities, including both Anishinaabe and Dakota.

146.28 (b) Academic standards must:

146.29 (1) be clear, concise, objective, measurable, and grade-level appropriate;

146.30 (2) not require a specific teaching methodology or curriculum; and

147.1 (3) be consistent with the Constitutions of the United States and the state of Minnesota.

147.2 Sec. 4. Minnesota Statutes 2022, section 120B.021, subdivision 4, as amended by Laws  
147.3 2023, chapter 17, section 1, is amended to read:

147.4 Subd. 4. **Revisions and reviews required.** (a) The commissioner of education must  
147.5 revise ~~and appropriately embed technology and information literacy standards consistent~~  
147.6 ~~with recommendations from school media specialists into~~ the state's academic standards  
147.7 and graduation requirements and implement a ten-year cycle to review and, consistent with  
147.8 the review, revise state academic standards and related benchmarks, consistent with this  
147.9 subdivision. During each ten-year review and revision cycle, the commissioner also must  
147.10 examine the alignment of each required academic standard and related benchmark with the  
147.11 knowledge and skills students need for career and college readiness and advanced work in  
147.12 the particular subject area. The commissioner must include the contributions of Minnesota  
147.13 American Indian Tribes and communities, including urban Indigenous communities, as  
147.14 related to the academic standards during the review and revision of the required academic  
147.15 standards. The commissioner must embed Indigenous education for all students consistent  
147.16 with recommendations from Minnesota's Tribal Nations and urban Indigenous communities  
147.17 regarding the contributions of Minnesota American Indian Tribes and communities into the  
147.18 state's academic standards during the review and revision of the required academic standards.  
147.19 The recommendations to embed Indigenous education for all students includes but is not  
147.20 limited to American Indian experiences in Minnesota, including Tribal histories, Indigenous  
147.21 languages, sovereignty issues, cultures, treaty rights, governments, socioeconomic  
147.22 experiences, contemporary issues, and current events.

147.23 (b) The commissioner must ensure that the statewide mathematics assessments  
147.24 administered to students in grades 3 through 8 and 11 are aligned with the state academic  
147.25 standards in mathematics, consistent with section 120B.30, subdivision 1, paragraph (b).  
147.26 The commissioner must implement a review of the academic standards and related  
147.27 benchmarks in mathematics beginning in the 2021-2022 school year and every ten years  
147.28 thereafter.

147.29 (c) The commissioner must implement a review of the academic standards and related  
147.30 benchmarks in arts beginning in the 2017-2018 school year and every ten years thereafter.

147.31 (d) The commissioner must implement a review of the academic standards and related  
147.32 benchmarks in science beginning in the 2018-2019 school year and every ten years thereafter.

148.1 (e) The commissioner must implement a review of the academic standards and related  
148.2 benchmarks in language arts beginning in the 2019-2020 school year and every ten years  
148.3 thereafter.

148.4 (f) The commissioner must implement a review of the academic standards and related  
148.5 benchmarks in social studies beginning in the 2020-2021 school year and every ten years  
148.6 thereafter.

148.7 (g) The commissioner must implement a review of the academic standards and related  
148.8 benchmarks in physical education beginning in the 2026-2027 school year and every ten  
148.9 years thereafter.

148.10 (h) School districts and charter schools must revise and align local academic standards  
148.11 and high school graduation requirements in health, world languages, and career and technical  
148.12 education to require students to complete the revised standards beginning in a school year  
148.13 determined by the school district or charter school. School districts and charter schools must  
148.14 formally establish a periodic review cycle for the academic standards and related benchmarks  
148.15 in health, world languages, and career and technical education.

148.16 (i) The commissioner of education must embed technology and information literacy  
148.17 standards consistent with recommendations from school media specialists into the state's  
148.18 academic standards and graduation requirements.

148.19 (j) The commissioner of education must embed ethnic studies as related to the academic  
148.20 standards during the review and revision of the required academic standards.

148.21 Sec. 5. Minnesota Statutes 2022, section 120B.021, is amended by adding a subdivision  
148.22 to read:

148.23 Subd. 5. **Indigenous education for all students.** To support implementation of  
148.24 Indigenous education for all students, the commissioner must:

148.25 (1) provide historically accurate, Tribally endorsed, culturally relevant, community-based,  
148.26 contemporary, and developmentally appropriate resources. Resources to implement standards  
148.27 must include professional development and must demonstrate an awareness and  
148.28 understanding of the importance of accurate, high-quality materials about the histories,  
148.29 languages, cultures, and governments of local Tribes;

148.30 (2) provide resources to support all students learning about the histories, languages,  
148.31 cultures, governments, and experiences of their American Indian peers and neighbors.  
148.32 Resources to implement standards across content areas must be developed to authentically  
148.33 engage all students and support successful learning; and

149.1 (3) conduct a needs assessment by December 31, 2023. The needs assessment must fully  
149.2 inform the development of future resources for Indigenous education for all students by  
149.3 using information from Minnesota's American Indian Tribes and communities, including  
149.4 urban Indigenous communities, Minnesota's Tribal Nations Education Committee, schools  
149.5 and districts, students, and educational organizations. The commissioner must submit a  
149.6 report on the findings and recommendations from the needs assessment to the chairs and  
149.7 ranking minority members of legislative committees with jurisdiction over education; to  
149.8 the American Indian Tribes and communities in Minnesota, including urban Indigenous  
149.9 communities; and to all schools and districts in the state by February 1, 2024.

149.10 **EFFECTIVE DATE.** This section is effective the day following final enactment.

149.11 Sec. 6. **[121A.041] AMERICAN INDIAN MASCOTS PROHIBITED.**

149.12 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have  
149.13 the meanings given.

149.14 (b) "American Indian" means an individual who is:

149.15 (1) a member of an Indian Tribe or band, as membership is defined by the Tribe or band,  
149.16 including:

149.17 (i) any Tribe or band terminated since 1940; and

149.18 (ii) any Tribe or band recognized by the state in which the Tribe or band resides;

149.19 (2) a descendant, in the first or second degree, of an individual described in clause (1);

149.20 (3) considered by the Secretary of the Interior to be an Indian for any purpose;

149.21 (4) an Eskimo, Aleut, or other Alaska Native; or

149.22 (5) a member of an organized Indian group that received a grant under the Indian  
149.23 Education Act of 1988 as in effect the day preceding October 20, 1994.

149.24 (c) "District" means a district under section 120A.05, subdivision 8.

149.25 (d) "Mascot" means any human, nonhuman animal, or object used to represent a school  
149.26 and its population.

149.27 (e) "Public school" or "school" means a public school under section 120A.05, subdivisions  
149.28 9, 11, 13, and 17, and a charter school under chapter 124E.

149.29 Subd. 2. **Prohibition on American Indian mascots.** (a) A public school may not have  
149.30 or adopt a name, symbol, or image that depicts or refers to an American Indian Tribe,

150.1 individual, custom, or tradition to be used as a mascot, nickname, logo, letterhead, or team  
150.2 name of the district or school within the district.

150.3 (b) A public school may seek an exemption to paragraph (a) by submitting a request in  
150.4 writing to all eleven federally recognized Tribal Nations in Minnesota and to the Tribal  
150.5 Nations Education Committee. The exemption is denied if any of the eleven Tribal Nations  
150.6 or the Tribal Nations Education Committee opposes the exemption. A public school whose  
150.7 exemption is denied must comply with paragraph (a) by September 1 of the following  
150.8 calendar year after which the exemption request was made.

150.9 **EFFECTIVE DATE.** This section is effective June 30, 2024.

150.10 Sec. 7. Minnesota Statutes 2022, section 122A.63, is amended by adding a subdivision to  
150.11 read:

150.12 Subd. 10. **Minnesota Indian teacher training program account.** (a) An account is  
150.13 established in the special revenue fund known as the "Minnesota Indian teacher training  
150.14 program account."

150.15 (b) Funds appropriated for the Minnesota Indian teacher training program under this  
150.16 section must be transferred to the Minnesota Indian teacher training program account in the  
150.17 special revenue fund.

150.18 (c) Money in the account is annually appropriated to the commissioner for the Minnesota  
150.19 Indian teacher training program under this section. Any returned funds are available to be  
150.20 regranted. Grant recipients may apply to use grant money over a period of up to 60 months.

150.21 (d) Up to \$75,000 annually is appropriated to the commissioner for costs associated with  
150.22 administering and monitoring the program under this section.

150.23 Sec. 8. Minnesota Statutes 2022, section 124D.73, is amended by adding a subdivision to  
150.24 read:

150.25 Subd. 5. **American Indian student.** "American Indian student" means a student who  
150.26 identifies as American Indian or Alaska Native, as defined by the state on October 1 of the  
150.27 previous school year.

150.28 Sec. 9. Minnesota Statutes 2022, section 124D.74, subdivision 1, is amended to read:

150.29 Subdivision 1. **Program described.** American Indian education programs are programs  
150.30 in public elementary and secondary schools, nonsectarian nonpublic, community, Tribal,  
150.31 charter, or alternative schools enrolling American Indian children designed to:

- 151.1 (1) support postsecondary preparation for American Indian pupils;
- 151.2 (2) support the academic achievement of American Indian ~~students~~ pupils;
- 151.3 (3) make the curriculum relevant to the needs, interests, and cultural heritage of American
- 151.4 Indian pupils;
- 151.5 (4) provide positive reinforcement of the self-image of American Indian pupils;
- 151.6 (5) develop intercultural awareness among pupils, parents, and staff; and
- 151.7 (6) supplement, not supplant, state and federal educational and cocurricular programs.

151.8 Program services designed to increase completion and graduation rates of American Indian

151.9 students must emphasize academic achievement, retention, and attendance; development

151.10 of support services for staff, including in-service training and technical assistance in methods

151.11 of teaching American Indian pupils; research projects, including innovative teaching

151.12 approaches and evaluation of methods of relating to American Indian pupils; provision of

151.13 career counseling to American Indian pupils; modification of curriculum, instructional

151.14 methods, and administrative procedures to meet the needs of American Indian pupils; and

151.15 ~~supplemental~~ instruction in American Indian language, literature, history, and culture.

151.16 Districts offering programs may make contracts for the provision of program services by

151.17 establishing cooperative liaisons with Tribal programs and American Indian social service

151.18 agencies. These programs may also be provided as components of early childhood and

151.19 family education programs.

151.20 Sec. 10. Minnesota Statutes 2022, section 124D.74, subdivision 3, is amended to read:

151.21 Subd. 3. **Enrollment of other children; shared time enrollment.** To the extent it is

151.22 economically feasible, a district or participating school may make provision for the voluntary

151.23 enrollment of non-American Indian children in the instructional components of an American

151.24 Indian education program in order that they may acquire an understanding of the cultural

151.25 heritage of the American Indian children for whom that particular program is designed.

151.26 However, in determining eligibility to participate in a program, priority must be given to

151.27 American Indian children. American Indian children ~~and other children~~ enrolled in an

151.28 existing nonpublic school system may be enrolled on a shared time basis in American Indian

151.29 education programs.

151.30 Sec. 11. Minnesota Statutes 2022, section 124D.74, subdivision 4, is amended to read:

151.31 Subd. 4. **Location of programs.** American Indian education programs must be located

151.32 in ~~facilities~~ educational settings in which regular classes in a variety of subjects are offered

152.1 on a daily basis. Programs may operate on an extended day or extended year basis, including  
 152.2 school districts, charter schools, and Tribal contract schools that offer virtual learning  
 152.3 environments.

152.4 Sec. 12. Minnesota Statutes 2022, section 124D.74, is amended by adding a subdivision  
 152.5 to read:

152.6 Subd. 7. **American Indian culture and language classes.** A district or participating  
 152.7 school that conducts American Indian education programs under sections 124D.71 to  
 152.8 124D.82 must provide American Indian culture and language classes if: (1) at least five  
 152.9 percent of enrolled students meet the definition of American Indian students; or (2) 100 or  
 152.10 more enrolled students meet the definition of American Indian students.

152.11 Sec. 13. Minnesota Statutes 2022, section 124D.76, is amended to read:

152.12 ~~124D.76 COMMUNITY COORDINATORS, INDIAN HOME/SCHOOL LIAISONS~~  
 152.13 AMERICAN INDIAN EDUCATION PROGRAM COORDINATORS,  
 152.14 PARAPROFESSIONALS.

152.15 In addition to employing American Indian language and culture education teachers, each  
 152.16 district or participating school providing programs pursuant to sections 124D.71 to 124D.82  
 152.17 may employ paraprofessionals. Paraprofessionals must not be employed for the purpose of  
 152.18 supplanting American Indian language and culture education teachers.

152.19 Any district or participating school ~~which~~ that conducts American Indian education  
 152.20 programs pursuant to sections 124D.71 to 124D.82 must employ one or more full-time or  
 152.21 part-time ~~community coordinators or Indian home/school liaisons if there are~~ dedicated  
 152.22 American Indian education program coordinators in a district with 100 or more  
 152.23 state-identified American Indian students enrolled in the district. ~~Community coordinators~~  
 152.24 ~~shall~~ A dedicated American Indian education program coordinator must promote  
 152.25 communication, understanding, and cooperation between the schools and the community  
 152.26 and shall must visit the homes of children who are to be enrolled in an American Indian  
 152.27 education program in order to convey information about the program.

152.28 Sec. 14. Minnesota Statutes 2022, section 124D.78, is amended to read:

152.29 **124D.78 PARENT AND COMMUNITY PARTICIPATION.**

152.30 Subdivision 1. **Parent committee.** ~~School boards and American Indian schools~~ School  
 152.31 districts, charter schools, Tribal contract schools, and the respective school boards must  
 152.32 provide for the maximum involvement of parents of American Indian children enrolled in



153.1 American Indian education programs, programs for elementary and secondary grades,  
153.2 special education programs, and support services. Accordingly, ~~the board of a school district~~  
153.3 school districts, charter schools, and Tribal contract schools in which there are ten or more  
153.4 state-identified American Indian students enrolled ~~and each American Indian school~~ must  
153.5 establish an American Indian ~~education~~ Parent Advisory Committee. If a committee whose  
153.6 membership consists of a majority of parents of American Indian children has been or is  
153.7 established according to federal, Tribal, or other state law, that committee may serve as the  
153.8 committee required by this section and is subject to, at least, the requirements of this  
153.9 subdivision and subdivision 2.

153.10 The American Indian ~~education~~ Parent Advisory Committee must develop its  
153.11 recommendations in consultation with the curriculum advisory committee required by  
153.12 section 120B.11, subdivision 3. This committee must afford parents the necessary information  
153.13 and the opportunity effectively to express their views concerning all aspects of American  
153.14 Indian education and the educational needs of the American Indian children enrolled in the  
153.15 school or program. ~~The school board or American Indian school~~ School districts, charter  
153.16 schools, and Tribal contract schools must ensure that programs are planned, operated, and  
153.17 evaluated with the involvement of and in consultation with parents of the American Indian  
153.18 students served by the programs.

153.19 Subd. 2. ~~Resolution of concurrence~~ Annual compliance. Prior to March 1, the ~~school~~  
153.20 ~~board or American Indian school~~ must submit to the department a copy of a resolution  
153.21 ~~adopted by the American Indian education parent advisory committee. The copy must be~~  
153.22 ~~signed by the chair of the committee and must state whether the committee concurs with~~  
153.23 ~~the educational programs for American Indian students offered by the school board or~~  
153.24 ~~American Indian school. If the committee does not concur with the educational programs,~~  
153.25 ~~the reasons for nonconcurrence and recommendations shall be submitted directly to the~~  
153.26 ~~school board with the resolution. By resolution, the board must respond in writing within~~  
153.27 ~~60 days, in cases of nonconcurrence, to each recommendation made by the committee and~~  
153.28 ~~state its reasons for not implementing the recommendations.~~ American Indian Parent  
153.29 Advisory Committee must meet to discuss whether or not they concur with the educational  
153.30 offerings that have been extended by the district to American Indian students. If the  
153.31 committee finds that the district, charter school, Tribal contract school, and the school board  
153.32 have been meeting the needs of American Indian students, they issue a vote and resolution  
153.33 of concurrence. If they find that the needs of American Indian students are not being met,  
153.34 they issue a vote and resolution of nonconcurrence. The vote and resolution must be presented  
153.35 to the school board by one or more members of the American Indian Parent Advisory

154.1 Committee. The vote is formally reflected on documentation provided by the Department  
 154.2 of Education and must be submitted annually on March 1.

154.3 If the vote is one of nonconcurrency, the committee must provide written  
 154.4 recommendations for improvement to the school board at the time of the presentation. In  
 154.5 the case of nonconcurrency, the school board is given 60 days in which to respond, in writing,  
 154.6 to the committee's recommendations. The board response must be signed by the entire  
 154.7 school board and submitted to both the American Indian Parent Advisory Committee and  
 154.8 to the Department of Education. The resolution must be accompanied by Parent Advisory  
 154.9 Committee meeting minutes that show they have been appraised by the district on the goals  
 154.10 of the Indian Education Program Plan and the measurement of progress toward those goals.

154.11 Subd. 3. **Membership.** The American Indian ~~education~~ Parent Advisory Committee  
 154.12 must be composed of parents or guardians of American Indian children eligible to be enrolled  
 154.13 in American Indian education programs; American Indian secondary students ~~eligible to~~  
 154.14 ~~be served~~; American Indian family members of students eligible to be enrolled in American  
 154.15 Indian education programs; American Indian language and culture education teachers and  
 154.16 paraprofessionals; American Indian teachers; American Indian district employees; American  
 154.17 Indian counselors; adult American Indian people enrolled in educational programs; and  
 154.18 ~~representatives from community groups. A~~ American Indian community members. The  
 154.19 majority of each committee must be the parents or guardians of the American Indian children  
 154.20 enrolled or eligible to be enrolled in the programs. ~~The number of parents of American~~  
 154.21 ~~Indian and non-American Indian children shall reflect approximately the proportion of~~  
 154.22 ~~children of those groups enrolled in the programs.~~

154.23 Subd. 4. **Alternate committee.** If the organizational membership or the board of directors  
 154.24 ~~of an American Indian school~~ a Tribal contract school consists of parents of children attending  
 154.25 the school, that membership or board may serve also as the American Indian ~~education~~  
 154.26 Parent Advisory Committee.

154.27 Subd. 5. **State-identified American Indian.** For the purposes of sections 124D.71 to  
 154.28 124D.82, the number of students who identify as American Indian or Alaska Native, as  
 154.29 defined by the state of Minnesota on October 1 of the previous school year, will be used to  
 154.30 determine the state-identified American Indian student counts for school districts, charter  
 154.31 schools, and Tribal contract schools for the subsequent school year.

154.32 Sec. 15. Minnesota Statutes 2022, section 124D.79, subdivision 2, is amended to read:

154.33 Subd. 2. **Technical assistance.** The commissioner shall provide technical assistance to  
 154.34 districts, schools and postsecondary institutions for preservice and in-service training for

155.1 teachers, American Indian education teachers and paraprofessionals specifically designed  
155.2 to implement culturally responsive teaching methods, culturally based curriculum  
155.3 development, testing and testing mechanisms, ~~and~~ the development of materials for American  
155.4 Indian education programs, and the annual report of American Indian student data using  
155.5 the state count.

155.6 Sec. 16. Minnesota Statutes 2022, section 124D.791, subdivision 4, is amended to read:

155.7 Subd. 4. **Duties; powers.** The American Indian education director shall:

155.8 (1) ~~serve as the liaison for the department~~ work collaboratively and in conjunction with  
155.9 the Tribal Liaison, the Tribal Nations Education Committee, the 11 Tribal communities  
155.10 nations in Minnesota, the Minnesota Chippewa Tribe, and the Minnesota Indian Affairs  
155.11 Council;

155.12 (2) evaluate the state of American Indian education in Minnesota;

155.13 (3) engage the Tribal bodies, community groups, parents of children eligible to be served  
155.14 by American Indian education programs, American Indian administrators and teachers,  
155.15 persons experienced in the training of teachers for American Indian education programs,  
155.16 the Tribally controlled schools, and other persons knowledgeable in the field of American  
155.17 Indian education and seek their advice on policies that can improve the quality of American  
155.18 Indian education;

155.19 (4) advise the commissioner on American Indian education issues, including:

155.20 (i) issues facing American Indian students;

155.21 (ii) policies for American Indian education;

155.22 (iii) awarding scholarships to eligible American Indian students and in administering  
155.23 the commissioner's duties regarding awarding of American Indian education grants to school  
155.24 districts; and

155.25 (iv) administration of the commissioner's duties under sections 124D.71 to 124D.82 and  
155.26 other programs for the education of American Indian people;

155.27 (5) propose to the commissioner legislative changes that will improve the quality of  
155.28 American Indian education;

155.29 (6) develop a strategic plan and a long-term framework for American Indian education,  
155.30 in conjunction with the Minnesota Indian Affairs Council, that is updated every five years  
155.31 and implemented by the commissioner, with goals to:

- 156.1 (i) increase American Indian student achievement, including increased levels of  
156.2 proficiency and growth on statewide accountability assessments;
- 156.3 (ii) increase the number of American Indian teachers in public schools;
- 156.4 (iii) close the achievement gap between American Indian students and their more  
156.5 advantaged peers;
- 156.6 (iv) increase the statewide graduation rate for American Indian students; and
- 156.7 (v) increase American Indian student placement in postsecondary programs and the  
156.8 workforce; and
- 156.9 (7) keep the American Indian community informed about the work of the department  
156.10 by reporting to the Tribal Nations Education Committee at each committee meeting.

156.11 Sec. 17. **[124D.792] GRADUATION CEREMONIES; TRIBAL REGALIA AND**  
156.12 **OBJECTS OF CULTURAL SIGNIFICANCE.**

156.13 A school district or charter school must not prohibit an American Indian student from  
156.14 wearing American Indian regalia, Tribal regalia, or objects of cultural significance at a  
156.15 graduation ceremony.

156.16 **EFFECTIVE DATE.** This section is effective the day following final enactment.

156.17 Sec. 18. Minnesota Statutes 2022, section 124D.81, is amended to read:

156.18 **124D.81 AMERICAN INDIAN EDUCATION AID.**

156.19 Subdivision 1. **Procedures.** A school district, charter school, cooperative unit as defined  
156.20 in section 123A.24, subdivision 2, or American Indian-controlled Tribal contract or grant  
156.21 school enrolling at least 20 American Indian students identified by the state count on October  
156.22 1 of the previous school year ~~and operating an American Indian education program according~~  
156.23 ~~to section 124D.74~~ is eligible for American Indian education aid if it meets the requirements  
156.24 of this section. Programs may provide for contracts for the provision of program components  
156.25 by nonsectarian nonpublic, community, Tribal, charter, or alternative schools. The  
156.26 commissioner shall prescribe the form and manner of application for aids, and no aid shall  
156.27 be made for a program not complying with the requirements of sections 124D.71 to 124D.82.

156.28 Subd. 2. **Plans.** To ~~qualify for~~ receive aid, an eligible district, charter school, cooperative  
156.29 unit as defined in section 123A.24, subdivision 2, or Tribal contract school must develop  
156.30 and submit a plan for approval by the Indian education director that shall:

157.1 (a) Identify the measures to be used to meet the requirements of sections 124D.71 to  
157.2 124D.82;

157.3 (b) Identify the activities, methods and programs to meet the identified educational needs  
157.4 of the children to be enrolled in the program;

157.5 (c) Describe how district goals and objectives as well as the objectives of sections  
157.6 124D.71 to 124D.82 are to be achieved;

157.7 (d) Demonstrate that required and elective courses as structured do not have a  
157.8 discriminatory effect within the meaning of section 124D.74, subdivision 5;

157.9 (e) Describe how each school program will be organized, staffed, coordinated, and  
157.10 monitored; and

157.11 (f) Project expenditures for programs under sections 124D.71 to 124D.82.

157.12 Subd. 2a. **American Indian education aid.** (a) The American Indian education aid for  
157.13 an eligible district, cooperative unit, or Tribal contract school equals the greater of (1) the  
157.14 sum of ~~\$20,000~~ \$40,000 plus the product of ~~\$358~~ \$500 times the difference between the  
157.15 number of American Indian students enrolled on October 1 of the previous school year and  
157.16 20; or (2) if the district or school received a grant under this section for fiscal year 2015,  
157.17 the amount of the grant for fiscal year 2015.

157.18 (b) Notwithstanding paragraph (a), the American Indian education aid must not exceed  
157.19 the district, cooperative unit, or Tribal contract school's actual expenditure according to the  
157.20 approved plan under subdivision 2, except as provided in subdivision 2b.

157.21 Subd. 2b. **Carry forward of funds.** If a school district or Tribal contract school does  
157.22 not expend the full amount of its aid described in its plan and received under this section  
157.23 in the designated fiscal year, the school district or Tribal contract school may carry forward  
157.24 the remaining funds to the following fiscal year and is not subject to an aid reduction only  
157.25 if:

157.26 (1) the district is otherwise adhering to the plan developed under subdivision 2;

157.27 (2) the American Indian education parent advisory committee for that school has approved  
157.28 the carry forward; and

157.29 (3) the school district reports the reason for the carry forward and describes the district's  
157.30 intended actions to ensure the funds are expended in the following fiscal year. The district  
157.31 must report this information to the Department of Education in the form and manner and  
157.32 according to the timelines specified by the commissioner.

158.1 Subd. 3. **Additional requirements.** Each district or cooperative unit receiving aid under  
158.2 this section must each year conduct a count of American Indian children in the schools of  
158.3 the district; test for achievement; identify the extent of other educational needs of the children  
158.4 to be enrolled in the American Indian education program; and classify the American Indian  
158.5 children by grade, level of educational attainment, age and achievement. Participating  
158.6 schools must maintain records concerning the needs and achievements of American Indian  
158.7 children served.

158.8 Subd. 4. **Nondiscrimination; testing.** In accordance with recognized professional  
158.9 standards, all testing and evaluation materials and procedures utilized for the identification,  
158.10 testing, assessment, and classification of American Indian children must be selected and  
158.11 administered so as not to be racially or culturally discriminatory and must be valid for the  
158.12 purpose of identifying, testing, assessing, and classifying American Indian children.

158.13 Subd. 5. **Records.** Participating schools ~~and~~, districts, and cooperative units must keep  
158.14 records and afford access to them as the commissioner finds necessary to ensure that  
158.15 American Indian education programs are implemented in conformity with sections 124D.71  
158.16 to 124D.82. Each school district, cooperative unit, or participating school must keep accurate,  
158.17 detailed, and separate revenue and expenditure accounts for ~~pilot~~ American Indian education  
158.18 programs funded under this section.

158.19 Subd. 6. **Money from other sources.** A district, cooperative unit, or participating school  
158.20 providing American Indian education programs shall be eligible to receive moneys for these  
158.21 programs from other government agencies and from private sources when the moneys are  
158.22 available.

158.23 Subd. 7. **Exceptions.** Nothing in sections 124D.71 to 124D.82 shall be construed as  
158.24 prohibiting a district, cooperative unit, or school from implementing an American Indian  
158.25 education program which is not in compliance with sections 124D.71 to 124D.82 if the  
158.26 proposal and plan for that program is not funded pursuant to this section.

158.27 **EFFECTIVE DATE.** This section is effective the day following final enactment for  
158.28 aid for fiscal year 2024 and later.

158.29 Sec. 19. Minnesota Statutes 2022, section 126C.05, subdivision 19, is amended to read:

158.30 Subd. 19. **Online learning students.** (a) The average daily membership for a public  
158.31 school pupil or a pupil enrolled in a school authorized to receive Tribal contract or grant  
158.32 aid under section 124D.83 generating online learning average daily membership according  
158.33 to section 124D.095, subdivision 8, paragraph (b), equals the sum of: (1) the ratio of the

159.1 sum of the number of instructional hours the pupil is enrolled in a regular classroom setting  
159.2 at the enrolling school to the actual number of instructional hours in the school year at the  
159.3 enrolling school, plus (2) .12 times the initial online learning average daily membership  
159.4 according to section 124D.095, subdivision 8, paragraph (b).

159.5 (b) When the sum of the average daily membership under paragraph (a) and the adjusted  
159.6 online learning average daily membership under section 124D.095, subdivision 8, paragraph  
159.7 (b), exceeds the maximum allowed for the student under subdivision 8 or 15, as applicable,  
159.8 the average daily membership under paragraph (a) shall be reduced by the excess over the  
159.9 maximum, but shall not be reduced below .12. The adjusted online learning average daily  
159.10 membership according to section 124D.095, subdivision 8, paragraph (b), shall be reduced  
159.11 by any remaining excess over the maximum.

159.12 Sec. 20. Minnesota Statutes 2022, section 144.4165, is amended to read:

159.13 **144.4165 TOBACCO PRODUCTS PROHIBITED IN PUBLIC SCHOOLS.**

159.14 (a) No person shall at any time smoke, chew, or otherwise ingest tobacco, or carry or  
159.15 use an activated electronic delivery device as defined in section 609.685, subdivision 1, in  
159.16 a public school, as defined in section 120A.05, subdivisions 9, 11, and 13, or in a charter  
159.17 school governed by chapter 124E. This prohibition extends to all facilities, whether owned,  
159.18 rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or  
159.19 controls.

159.20 (b) Nothing in this section shall prohibit the lighting of tobacco by an adult as a part of  
159.21 a traditional Indian spiritual or cultural ceremony. An American Indian student may carry  
159.22 a medicine pouch containing loose tobacco intended as observance of traditional spiritual  
159.23 or cultural practices. For purposes of this section, an Indian is a person who is a member  
159.24 of an Indian Tribe as defined in section 260.755, subdivision 12.

159.25 **EFFECTIVE DATE.** This section is effective the day following final enactment.

159.26 Sec. 21. **APPROPRIATIONS.**

159.27 Subdivision 1. Department of Education. The sums indicated in this section are  
159.28 appropriated from the general fund to the Department of Education for the fiscal years  
159.29 designated.

159.30 Subd. 2. American Indian education aid. (a) For American Indian education aid under  
159.31 Minnesota Statutes, section 124D.81, subdivision 2a:

160.1           \$       17,949,000   ..... 2024

160.2           \$       19,266,000   ..... 2025

160.3           (b) The 2024 appropriation includes \$1,159,000 for 2023 and \$16,790,000 for 2024.

160.4           (c) The 2025 appropriation includes \$1,865,000 for 2024 and \$17,401,000 for 2025.

160.5           Subd. 3. **Minnesota Indian teacher training program grants.** (a) For joint grants to  
 160.6 assist people who are American Indian to become teachers under Minnesota Statutes, section  
 160.7 122A.63:

160.8           \$       2,210,000   ..... 2024

160.9           \$       600,000       ..... 2025

160.10          (b) This appropriation is subject to the requirements under Minnesota Statutes, section  
 160.11 122A.63, subdivision 10.

160.12          Subd. 4. **Native language revitalization grants to schools.** (a) For grants to school  
 160.13 districts and charter schools to offer language instruction in Dakota and Anishinaabe  
 160.14 languages or another language indigenous to the United States or Canada:

160.15          \$       7,500,000   ..... 2024

160.16          \$       7,500,000   ..... 2025

160.17          (b) Grant amounts are to be determined based upon the number of schools within a  
 160.18 district implementing language courses. Eligible expenses include costs for teachers, program  
 160.19 supplies, and curricular resources.

160.20          (c) Up to five percent of the grant amount is available for grant administration and  
 160.21 monitoring.

160.22          (d) Up to \$300,000 each year is for administrative and programmatic capacity at the  
 160.23 Department of Education.

160.24          (e) Any balance in the first year does not cancel but is available in the second year.

160.25          Subd. 5. **Tribal contract school aid.** (a) For Tribal contract school aid under Minnesota  
 160.26 Statutes, section 124D.83:

160.27          \$       2,585,000   ..... 2024

160.28          \$       2,804,000   ..... 2025

160.29          (b) The 2024 appropriation includes \$255,000 for 2023 and \$2,330,000 for 2024.

160.30          (c) The 2025 appropriation includes \$258,000 for 2024 and \$2,546,000 for 2025.



161.1

**ARTICLE 5**

161.2

**TEACHERS**

161.3 Section 1. Minnesota Statutes 2022, section 120A.414, subdivision 2, is amended to read:

161.4 Subd. 2. **Plan.** A school board, including the board of a charter school, may adopt an  
161.5 e-learning day plan after consulting meeting and negotiating with the exclusive representative  
161.6 of the teachers. ~~A~~ If a charter school's teachers are not represented by an exclusive  
161.7 representative, the charter school may adopt an e-learning day plan after consulting with  
161.8 its teachers. The plan must include accommodations for students without Internet access at  
161.9 home and for digital device access for families without the technology or an insufficient  
161.10 amount of technology for the number of children in the household. A school's e-learning  
161.11 day plan must provide accessible options for students with disabilities under chapter 125A.

161.12 Sec. 2. **[120B.101] CURRICULUM.**

161.13 No school district or charter school may discriminate against or discipline a teacher or  
161.14 principal on the basis of incorporating into curriculum contributions of persons in a federally  
161.15 protected class or state protected class, when the contribution is in alignment with standards  
161.16 and benchmarks adopted under sections 120B.021 and 120B.023.

161.17 Sec. 3. **[120B.117] INCREASING PERCENTAGE OF TEACHERS OF COLOR**  
161.18 **AND AMERICAN INDIAN TEACHERS IN MINNESOTA.**

161.19 Subdivision 1. **Purpose.** This section sets short-term and long-term attainment goals for  
161.20 increasing the percentage of teachers of color and who are American Indian teachers in  
161.21 Minnesota and for ensuring all students have equitable access to effective and racially and  
161.22 ethnically diverse teachers who reflect the diversity of students. The goals and report required  
161.23 under this section are important for meeting attainment goals for the world's best workforce  
161.24 under section 120B.11, achievement and integration under section 124D.861, and higher  
161.25 education attainment under section 135A.012, all of which have been established to close  
161.26 persistent opportunity and achievement gaps that limit students' success in school and life  
161.27 and impede the state's economic growth.

161.28 Subd. 2. **Equitable access to racially and ethnically diverse teachers.** The percentage  
161.29 of teachers in Minnesota who are of color or who are American Indian should increase at  
161.30 least two percentage points per year to have a teaching workforce that more closely reflects  
161.31 the state's increasingly diverse student population and to ensure all students have equitable  
161.32 access to effective and diverse teachers by 2040.

162.1 Subd. 3. **Rights not created.** The attainment goal in this section is not to the exclusion  
162.2 of any other goals and does not confer a right or create a claim for any person.

162.3 Subd. 4. **Reporting.** Beginning in 2024 and every even-numbered year thereafter, the  
162.4 Professional Educator Licensing and Standards Board must collaborate with the Department  
162.5 of Education and the Office of Higher Education to publish a summary report of each of  
162.6 the programs they administer and any other programs receiving state appropriations that  
162.7 have or include an explicit purpose of increasing the racial and ethnic diversity of the state's  
162.8 teacher workforce to more closely reflect the diversity of students. The report must include  
162.9 programs under sections 122A.59, 122A.63, 122A.635, 122A.70, 122A.73, 124D.09,  
162.10 124D.861, 136A.1274, 136A.1276, and 136A.1791, along with any other programs or  
162.11 initiatives that receive state appropriations to address the shortage of teachers of color and  
162.12 American Indian teachers. The board must, in coordination with the Office of Higher  
162.13 Education and Department of Education, provide policy and funding recommendations  
162.14 related to state-funded programs to increase the recruitment, preparation, licensing, hiring,  
162.15 and retention of racially and ethnically diverse teachers and the state's progress toward  
162.16 meeting or exceeding the goals of this section. The report must include recommendations  
162.17 for state policy and funding needed to achieve the goals of this section, plans for sharing  
162.18 the report and activities of grant recipients, and opportunities among grant recipients of  
162.19 various programs to share effective practices with each other. The 2024 report must include  
162.20 a recommendation of whether a state advisory council should be established to address the  
162.21 shortage of racially and ethnically diverse teachers and what the composition and charge  
162.22 of such an advisory council would be if established. The board must consult with the Indian  
162.23 Affairs Council and other ethnic councils along with other community partners, including  
162.24 students of color and American Indian students, in developing the report. By November 3  
162.25 of each odd-numbered year, the board must submit the report to the chairs and ranking  
162.26 minority members of the legislative committees with jurisdiction over education and higher  
162.27 education policy and finance. The report must be available to the public on the board's  
162.28 website.

162.29 **EFFECTIVE DATE.** This section is effective the day following final enactment.

162.30 Sec. 4. **[122A.04] LICENSE REQUIRED.**

162.31 Pursuant to section 120A.22, subdivision 10, a teacher must hold a field license or a  
162.32 permission aligned to the content area and scope of the teacher's assignment to provide  
162.33 instruction in a public school, including a charter school.

163.1 Sec. 5. Minnesota Statutes 2022, section 122A.06, subdivision 1, is amended to read:

163.2 Subdivision 1. **Scope.** For the purpose of sections ~~122A.05~~ 122A.04 to 122A.093; and  
163.3 122A.15 to 122A.33, the terms defined in this section have the meanings given them, unless  
163.4 another meaning is clearly indicated.

163.5 Sec. 6. Minnesota Statutes 2022, section 122A.06, subdivision 2, is amended to read:

163.6 Subd. 2. **Teacher.** "Teacher" means a classroom teacher or other similar professional  
163.7 employee required by law to hold a license from the Professional Educator Licensing and  
163.8 Standards Board.

163.9 Sec. 7. Minnesota Statutes 2022, section 122A.06, subdivision 5, is amended to read:

163.10 Subd. 5. **Field.** A "field," "licensure area," or "subject area" means the content area in  
163.11 which a teacher may become licensed to teach.

163.12 Sec. 8. Minnesota Statutes 2022, section 122A.06, subdivision 6, is amended to read:

163.13 Subd. 6. **Shortage area.** "Shortage area" means:

163.14 (1) licensure fields and economic development regions reported by the ~~commissioner~~  
163.15 ~~of education~~ Office of Higher Education or the Professional Educator Licensing and  
163.16 Standards Board as experiencing a teacher shortage; and

163.17 (2) economic development regions where ~~there is a shortage of licensed teachers who~~  
163.18 ~~reflect the racial or ethnic diversity of students in the region.~~ the aggregate percentage of  
163.19 Indigenous teachers and teachers of color in the region is lower than the aggregate percentage  
163.20 of kindergarten through grade 12 Indigenous students and students of color in that region.  
163.21 Only individuals who close the gap between these percentages qualify as filling a shortage  
163.22 by this definition.

163.23 Sec. 9. Minnesota Statutes 2022, section 122A.06, subdivision 7, is amended to read:

163.24 Subd. 7. **Teacher preparation program.** "Teacher preparation program" means a  
163.25 program approved by the Professional Educator Licensing and Standards Board for the  
163.26 purpose of preparing individuals for a specific teacher licensure field in Minnesota. ~~Teacher~~  
163.27 ~~preparation programs include traditional programs delivered by postsecondary institutions,~~  
163.28 ~~alternative teacher preparation programs, and nonconventional teacher preparation programs.~~

164.1 Sec. 10. Minnesota Statutes 2022, section 122A.06, subdivision 8, is amended to read:

164.2 Subd. 8. **Teacher preparation program provider.** "Teacher preparation program  
164.3 provider" or "unit" means an entity that has primary responsibility for overseeing and  
164.4 delivering a teacher preparation program. Teacher preparation program providers include  
164.5 institutes of higher education, school districts, charter schools, or nonprofit corporations  
164.6 organized under chapter 317A.

164.7 Sec. 11. Minnesota Statutes 2022, section 122A.06, is amended by adding a subdivision  
164.8 to read:

164.9 Subd. 9. **District.** "District" means a school district or charter school.

164.10 Sec. 12. Minnesota Statutes 2022, section 122A.06, is amended by adding a subdivision  
164.11 to read:

164.12 Subd. 10. **Transfer pathway.** "Transfer pathway" means an established pathway to  
164.13 licensure between a two-year college or Tribal college, and a board-approved teacher  
164.14 preparation provider.

164.15 Sec. 13. Minnesota Statutes 2022, section 122A.09, subdivision 4, is amended to read:

164.16 Subd. 4. **Licensing and approval.** (a) The Professional Educator Licensing and Standards  
164.17 Board must license teachers, as defined in section 122A.15, subdivision 1, except for  
164.18 supervisory personnel, as defined in section 122A.15, subdivision 2. The board must not  
164.19 delegate its authority to make all licensing decisions with respect to ~~candidates~~ applicants  
164.20 for teacher licensure. The board must evaluate ~~candidates~~ applicants for compliance with  
164.21 statutory or rule requirements for licensure and develop licensure verification requirements.

164.22 (b) The Professional Educator Licensing and Standards Board must approve teacher  
164.23 preparation providers seeking to prepare applicants for teacher licensure in Minnesota.

164.24 Sec. 14. Minnesota Statutes 2022, section 122A.09, subdivision 6, is amended to read:

164.25 Subd. 6. **Register of persons licensed.** ~~The executive director of the Professional~~  
164.26 ~~Educator Licensing and Standards Board must keep a record of the proceedings of and a~~  
164.27 ~~register of all persons licensed pursuant to the provisions of this chapter. The register must~~  
164.28 ~~show the name, address, licenses and permissions held, including renewals, and license~~  
164.29 ~~number and the renewal of the license. The board must on July 1, of each year or as soon~~  
164.30 ~~thereafter as is practicable, compile a list of such duly licensed teachers. A copy of the~~

165.1 ~~register~~ This list must be available ~~during business hours at the office of the board to any~~  
165.2 ~~interested person~~ on the board's website.

165.3 Sec. 15. Minnesota Statutes 2022, section 122A.09, subdivision 9, is amended to read:

165.4 Subd. 9. **Professional Educator Licensing and Standards Board must adopt rules.** (a)

165.5 The Professional Educator Licensing and Standards Board must adopt rules subject to the  
165.6 provisions of chapter 14 to implement sections 120B.363, 122A.05 to 122A.09, 122A.092,  
165.7 122A.16, 122A.17, 122A.18, 122A.181, 122A.182, 122A.183, 122A.184, 122A.185,  
165.8 122A.187, 122A.188, 122A.19, 122A.20, 122A.21, 122A.23, 122A.26, 122A.28, ~~and~~  
165.9 122A.29, and 124D.72.

165.10 (b) The board must adopt rules relating to fields of licensure and grade levels that a  
165.11 licensed teacher may teach, including a process for granting permission to a licensed teacher  
165.12 to teach in a field that is different from the teacher's field of licensure without change to the  
165.13 teacher's license tier level.

165.14 ~~(e) The board must adopt rules relating to the grade levels that a licensed teacher may~~  
165.15 ~~teach.~~

165.16 ~~(d)~~ (c) If a rule adopted by the board is in conflict with a session law or statute, the law  
165.17 or statute prevails. Terms adopted in rule must be clearly defined and must not be construed  
165.18 to conflict with terms adopted in statute or session law.

165.19 ~~(e)~~ (d) The board must include a description of a proposed rule's probable effect on  
165.20 teacher supply and demand in the board's statement of need and reasonableness under section  
165.21 14.131.

165.22 ~~(f)~~ (e) The board must adopt rules only under the specific statutory authority.

165.23 Sec. 16. Minnesota Statutes 2022, section 122A.09, subdivision 10, is amended to read:

165.24 Subd. 10. **Permissions.** (a) Notwithstanding subdivision 9 and sections 14.055 and  
165.25 14.056, the Professional Educator Licensing and Standards Board may grant waivers to its  
165.26 rules upon application by a school district or a charter school for purposes of implementing  
165.27 experimental programs in learning or management.

165.28 (b) To enable a school district or a charter school to meet the needs of students enrolled  
165.29 in an alternative education program and to enable licensed teachers instructing those students  
165.30 to satisfy content area licensure requirements, the Professional Educator Licensing and  
165.31 Standards Board ~~annually~~ may permit a licensed teacher teaching in an alternative education

166.1 program to instruct students in a content area for which the teacher is not licensed, consistent  
166.2 with paragraph (a).

166.3 (c) A special education license permission issued by the Professional Educator Licensing  
166.4 and Standards Board for a primary employer's low-incidence region is valid in all  
166.5 low-incidence regions.

166.6 (d) ~~A candidate~~ An applicant that has obtained career and technical education certification  
166.7 may apply for a Tier 1 license under section 122A.181. Consistent with section 136F.361,  
166.8 the Professional Educator Licensing and Standards Board must strongly encourage approved  
166.9 ~~college or university-based~~ teacher preparation programs throughout Minnesota to develop  
166.10 alternative pathways for certifying and licensing high school career and technical education  
166.11 instructors and teachers, allowing such ~~candidates~~ applicants to meet certification and  
166.12 licensure standards that demonstrate their content knowledge, classroom experience, and  
166.13 pedagogical practices and their qualifications based on a combination of occupational testing,  
166.14 professional certification or licensure, and long-standing work experience.

166.15 Sec. 17. Minnesota Statutes 2022, section 122A.091, subdivision 1, is amended to read:

166.16 Subdivision 1. **Teacher and administrator preparation and performance data;**  
166.17 **report.** (a) The Professional Educator Licensing and Standards Board and the Board of  
166.18 School Administrators, in cooperation with ~~board-adopted~~ board-approved teacher or  
166.19 administrator preparation programs, annually must collect and report summary data on  
166.20 teacher and administrator preparation and performance outcomes, consistent with this  
166.21 subdivision. The Professional Educator Licensing and Standards Board and the Board of  
166.22 School Administrators annually by ~~June~~ July 1 must update and post the reported summary  
166.23 preparation and performance data on teachers and administrators from the preceding school  
166.24 years on a ~~website hosted jointly by the boards~~ their respective websites.

166.25 (b) Publicly reported summary data on teacher preparation ~~programs~~ providers must  
166.26 include:

166.27 ~~(1) student entrance requirements for each Professional Educator Licensing and Standards~~  
166.28 ~~Board-approved program, including grade point average for enrolling students in the~~  
166.29 ~~preceding year;~~

166.30 ~~(2) the average board-adopted skills examination or ACT or SAT scores of students~~  
166.31 ~~entering the program in the preceding year;~~

167.1 ~~(3)~~ (1) summary data on ~~faculty~~ teacher educator qualifications, ~~including at least the~~  
167.2 ~~content areas of faculty undergraduate and graduate degrees~~ and their years of experience  
167.3 either as ~~kindergarten~~ birth through grade 12 classroom teachers or school administrators;

167.4 ~~(4) the average time resident and nonresident program graduates in the preceding year~~  
167.5 ~~needed to complete the program;~~

167.6 (2) the current number and percentage of enrolled candidates who entered the program  
167.7 through a transfer pathway disaggregated by race, except when disaggregation would not  
167.8 yield statistically reliable results or would reveal personally identifiable information about  
167.9 an individual;

167.10 ~~(5)~~ (3) the current number and percentage of ~~students~~ program completers by program  
167.11 who ~~graduated~~, received a ~~standard Minnesota teaching license~~, and Tier 3 or Tier 4 license  
167.12 disaggregated by race, except when disaggregation would not yield statistically reliable  
167.13 results or would reveal personally identifiable information about an individual;

167.14 (4) the current number and percentage of program completers who entered the program  
167.15 through a transfer pathway and received a Tier 3 or Tier 4 license disaggregated by race,  
167.16 except when disaggregation would not yield statistically reliable results or would reveal  
167.17 personally identifiable information about an individual;

167.18 (5) the current number and percentage of program completers who were hired to teach  
167.19 full time in their licensure field in a Minnesota district or school in the preceding year  
167.20 disaggregated by race, except when disaggregation would not yield statistically reliable  
167.21 results or would reveal personally identifiable information about an individual;

167.22 ~~(6) the number of content area credits and other credits by undergraduate program that~~  
167.23 ~~students in the preceding school year needed to complete to graduate~~ the current number  
167.24 and percentage of program completers who entered the program through a transfer pathway  
167.25 and who were hired to teach full time in their licensure field in a Minnesota district or school  
167.26 in the preceding year disaggregated by race, except when disaggregation would not yield  
167.27 statistically reliable results or would reveal personally identifiable information about an  
167.28 individual;

167.29 ~~(7) students' pass rates on skills and subject matter exams required for graduation in~~  
167.30 ~~each program and licensure area in the preceding school year;~~

167.31 ~~(8)~~ (7) board-adopted survey results measuring ~~student and graduate satisfaction with~~  
167.32 ~~the program~~ initial licensure program quality and structure in the preceding school year

168.1 disaggregated by race, except when disaggregation would not yield statistically reliable  
168.2 results or would reveal personally identifiable information about an individual;

168.3 ~~(9) a standard measure of the satisfaction of (8) board-adopted survey results from school~~  
168.4 ~~principals or supervising teachers with the student teachers assigned to a school or supervising~~  
168.5 ~~teacher supervisors on initial licensure program quality and structure; and~~

168.6 ~~(10) information under subdivision 3, paragraphs (a) and (b) (9) the number and~~  
168.7 ~~percentage of program completers who met or exceeded the state threshold score on the~~  
168.8 ~~board-adopted teacher performance assessment.~~

168.9 Program reporting must be consistent with subdivision 2.

168.10 (c) Publicly reported summary data on administrator preparation programs approved by  
168.11 the Board of School Administrators must include:

168.12 (1) summary data on faculty qualifications, including at least the content areas of faculty  
168.13 undergraduate and graduate degrees and the years of experience either as kindergarten  
168.14 through grade 12 classroom teachers or school administrators;

168.15 (2) the average time program graduates in the preceding year needed to complete the  
168.16 program;

168.17 (3) the current number and percentage of students who graduated, received a standard  
168.18 Minnesota administrator license, and were employed as an administrator in a Minnesota  
168.19 school district or school in the preceding year disaggregated by race, except when  
168.20 disaggregation would not yield statistically reliable results or would reveal personally  
168.21 identifiable information about an individual;

168.22 (4) the number of credits by graduate program that students in the preceding school year  
168.23 needed to complete to graduate;

168.24 (5) survey results measuring student, graduate, and employer satisfaction with the  
168.25 program in the preceding school year disaggregated by race, except when disaggregation  
168.26 would not yield statistically reliable results or would reveal personally identifiable  
168.27 information about an individual; and

168.28 (6) information under subdivision 3, paragraphs (c) and (d).

168.29 Program reporting must be consistent with section 122A.14, subdivision 10.



169.1 Sec. 18. Minnesota Statutes 2022, section 122A.091, subdivision 2, is amended to read:

169.2 Subd. 2. **Teacher preparation program reporting.** ~~(a)~~ By December 31, 2018, and  
169.3 annually thereafter, the Professional Educator Licensing and Standards Board shall report  
169.4 and publish on its website the cumulative summary results of at least three consecutive  
169.5 years of data reported to the board under subdivision 1, paragraph (b). Where the data are  
169.6 sufficient to yield statistically reliable information and the results would not reveal personally  
169.7 identifiable information about an individual teacher, the board shall report the data by teacher  
169.8 preparation program.

169.9 ~~(b) The Professional Educator Licensing and Standards Board must report annually to~~  
169.10 ~~the chairs and ranking minority members of the legislative committees with jurisdiction~~  
169.11 ~~over kindergarten through grade 12 education, the following information:~~

169.12 ~~(1) the total number of teacher candidates during the most recent school year taking a~~  
169.13 ~~board-adopted skills examination;~~

169.14 ~~(2) the number who achieve a qualifying score on the examination;~~

169.15 ~~(3) the number who do not achieve a qualifying score on the examination; and~~

169.16 ~~(4) the candidates who have not passed a content or pedagogy exam.~~

169.17 ~~The information reported under this paragraph must be disaggregated by categories of race,~~  
169.18 ~~ethnicity, and eligibility for financial aid. The report must be submitted in accordance with~~  
169.19 ~~section 3.195.~~

169.20 Sec. 19. Minnesota Statutes 2022, section 122A.15, subdivision 1, is amended to read:

169.21 Subdivision 1. **Teachers.** The term "teachers" for the purpose of licensure, means all  
169.22 persons employed in a public school or education district or by a service cooperative as  
169.23 members of the instructional, supervisory, and support staff including superintendents,  
169.24 principals, supervisors, secondary vocational and other classroom teachers, librarians, school  
169.25 counselors, school psychologists, school nurses, school social workers, audio-visual directors  
169.26 and coordinators, recreation personnel, media generalists, media supervisors, and speech  
169.27 therapists school speech-language pathologists. This definition does not apply to sections  
169.28 122A.05 to 122A.093.

170.1 Sec. 20. Minnesota Statutes 2022, section 122A.18, subdivision 1, is amended to read:

170.2 Subdivision 1. **Authority to license.** (a) The Professional Educator Licensing and  
170.3 Standards Board must issue the following teacher licenses to ~~candidates~~ applicants who  
170.4 meet the qualifications prescribed by this chapter:

170.5 (1) Tier 1 license under section 122A.181;

170.6 (2) Tier 2 license under section 122A.182;

170.7 (3) Tier 3 license under section 122A.183; and

170.8 (4) Tier 4 license under section 122A.184.

170.9 (b) The Board of School Administrators must license supervisory personnel as defined  
170.10 in section 122A.15, subdivision 2, except for athletic coaches.

170.11 (c) The Professional Educator Licensing and Standards Board and the Department of  
170.12 Education must enter into a data sharing agreement to share:

170.13 (1) educational data at the E-12 level for the limited purpose of program approval and  
170.14 improvement for teacher education programs. The program approval process must include  
170.15 targeted redesign of teacher preparation programs to address identified E-12 student areas  
170.16 of concern; and

170.17 (2) data in the staff automated reporting system for the limited purpose of managing and  
170.18 processing funding to school districts and other entities.

170.19 (d) The Board of School Administrators and the Department of Education must enter  
170.20 into a data sharing agreement to share educational data at the E-12 level for the limited  
170.21 purpose of program approval and improvement for education administration programs. The  
170.22 program approval process must include targeted redesign of education administration  
170.23 preparation programs to address identified E-12 student areas of concern.

170.24 (e) For purposes of the data sharing agreements under paragraphs (c) and (d), the  
170.25 Professional Educator Licensing and Standards Board, Board of School Administrators,  
170.26 and Department of Education may share private data, as defined in section 13.02, subdivision  
170.27 12, on teachers and school administrators. The data sharing agreements must not include  
170.28 educational data, as defined in section 13.32, subdivision 1, but may include summary data,  
170.29 as defined in section 13.02, subdivision 19, derived from educational data.

171.1 Sec. 21. Minnesota Statutes 2022, section 122A.18, subdivision 2, is amended to read:

171.2 Subd. 2. **Support personnel qualifications.** The Professional Educator Licensing and  
171.3 Standards Board must issue licenses and credentials under its jurisdiction to persons the  
171.4 board finds to be qualified and competent for support personnel positions in accordance  
171.5 with section ~~120B.36~~ 120B.363.

171.6 Sec. 22. Minnesota Statutes 2022, section 122A.18, subdivision 10, is amended to read:

171.7 Subd. 10. **Licensure via portfolio.** (a) The Professional Educator Licensing and Standards  
171.8 Board must adopt rules establishing a process for an eligible ~~candidate~~ applicant to obtain  
171.9 ~~any teacher~~ an initial Tier 3 license under subdivision 1, or to add a licensure field, to a Tier  
171.10 3 or Tier 4 license via portfolio. The portfolio licensure application process must be consistent  
171.11 with the requirements in this subdivision.

171.12 (b) ~~A candidate~~ An applicant for a an initial Tier 3 license via portfolio must submit to  
171.13 the board one portfolio demonstrating pedagogical competence and one portfolio  
171.14 demonstrating content competence.

171.15 (c) ~~A candidate~~ An applicant seeking to add a licensure field via portfolio must submit  
171.16 to the board one portfolio demonstrating content competence for each licensure field the  
171.17 candidate seeks to add.

171.18 (d) The board must notify a ~~candidate~~ an applicant who submits a portfolio under  
171.19 paragraph (b) or (c) within 90 calendar days after the portfolio is received whether or not  
171.20 the portfolio is approved. If the portfolio is not approved, the board must ~~immediately~~ inform  
171.21 the ~~candidate~~ applicant how to revise the portfolio to successfully demonstrate the requisite  
171.22 competence. The ~~candidate~~ applicant may resubmit a revised portfolio at any time and the  
171.23 board must approve or disapprove the revised portfolio within 60 calendar days of receiving  
171.24 it.

171.25 (e) ~~A candidate~~ An applicant must pay a fee for a portfolio in accordance with section  
171.26 122A.21, subdivision 4.

171.27 Sec. 23. Minnesota Statutes 2022, section 122A.18, is amended by adding a subdivision  
171.28 to read:

171.29 Subd. 11. **Staff Automated Reporting.** The Professional Educator Licensing and  
171.30 Standards Board shall collect data on educators' employment and assignments from all  
171.31 school districts and charter schools. The report may include data on educators' demographics  
171.32 and licensure.

172.1 Sec. 24. Minnesota Statutes 2022, section 122A.181, subdivision 1, is amended to read:

172.2 Subdivision 1. **Application requirements.** The Professional Educator Licensing and  
 172.3 Standards Board must approve ~~a request from a district or charter school to issue a Tier 1~~  
 172.4 ~~license in a specified content area to a candidate~~ an application for a Tier 1 license in a  
 172.5 specified content area if:

172.6 (1) the application has been submitted jointly by the applicant and the district;

172.7 (2) the application has been paid for by the district or the applicant;

172.8 ~~(1)~~ (3) the ~~candidate~~ applicant meets the professional requirement in subdivision 2;

172.9 ~~(2)~~ (4) the district or charter school affirms that the ~~candidate~~ applicant has the necessary  
 172.10 skills and knowledge to teach in the specified content area; ~~and~~

172.11 ~~(3)~~ (5) the district or charter school demonstrates that:

172.12 ~~(i)~~ a criminal background check under section 122A.18, subdivision 8, has been completed  
 172.13 on the ~~candidate~~ applicant; and

172.14 ~~(ii)~~ (6) the district or charter school has posted the teacher position but was unable to  
 172.15 hire an acceptable teacher with a Tier 2, 3, or 4 license for the position.

172.16 Sec. 25. Minnesota Statutes 2022, section 122A.181, subdivision 2, is amended to read:

172.17 Subd. 2. **Professional requirements.** (a) ~~A candidate~~ An applicant for a Tier 1 license  
 172.18 must have a bachelor's degree to teach a class or course outside a career and technical  
 172.19 education or career pathways course of study.

172.20 (b) ~~A candidate~~ An applicant for a Tier 1 license must have one of the following  
 172.21 credentials in a relevant content area to teach a class in a career and technical education or  
 172.22 career pathways course of study:

172.23 (1) an associate's degree;

172.24 (2) a professional certification; or

172.25 (3) five years of relevant work experience.

172.26 Sec. 26. Minnesota Statutes 2022, section 122A.181, is amended by adding a subdivision  
 172.27 to read:

172.28 Subd. 2a. Exemptions from a bachelor's degree. (a) The following applicants for a  
 172.29 Tier 1 license are exempt from the requirement to hold a bachelor's degree in subdivision  
 172.30 2:

173.1 (1) an applicant for a Tier 1 license to teach career and technical education or career  
173.2 pathways courses of study if the applicant has:

173.3 (i) an associate's degree;

173.4 (ii) a professional certification; or

173.5 (iii) five years of relevant work experience;

173.6 (2) an applicant for a Tier 1 license to teach world languages and culture pursuant to  
173.7 Minnesota Rules, part 8710.4950, if the applicant is a native speaker of the language; and

173.8 (3) an applicant for a Tier 1 license in the performing or visual arts pursuant to Minnesota  
173.9 Rules, parts 8710.4300, dance and theatre; 8710.4310, dance; 8710.4320, theatre; 8710.4650,  
173.10 vocal music and instrumental music; and 8710.4900, visual arts, if the applicant has at least  
173.11 five years of relevant work experience.

173.12 (b) The Professional Educator Licensing and Standards Board must adopt rules regarding  
173.13 the qualifications and determinations for applicants exempt from paragraph (a).

173.14 Sec. 27. Minnesota Statutes 2022, section 122A.181, subdivision 3, is amended to read:

173.15 **Subd. 3. Term of license and renewal.** (a) The Professional Educator Licensing and  
173.16 Standards Board must issue an initial Tier 1 license for a term of one year. A Tier 1 license  
173.17 may be renewed subject to paragraphs (b) and (c). ~~The board may submit written comments~~  
173.18 ~~to the district or charter school that requested the renewal regarding the candidate.~~

173.19 (b) The Professional Educator Licensing and Standards Board must renew a Tier 1  
173.20 license if:

173.21 (1) the district or charter school requesting the renewal demonstrates that it has posted  
173.22 the teacher position but was unable to hire an acceptable teacher with a Tier 2, 3, or 4 license  
173.23 for the position;

173.24 (2) the teacher holding the Tier 1 license took a content examination in accordance with  
173.25 section 122A.185 and submitted the examination results to the teacher's employing district  
173.26 or charter school within one year of the board approving the request for the initial Tier 1  
173.27 license;

173.28 (3) the teacher holding the Tier 1 license participated in cultural competency training  
173.29 consistent with section 120B.30, subdivision 1, paragraph (q), within one year of the board  
173.30 approving the request for the initial Tier 1 license; and

174.1 (4) the teacher holding the Tier 1 license met the mental illness training renewal  
174.2 requirement under section 122A.187, subdivision 6.

174.3 The requirement in clause (2) does not apply to a teacher that teaches a class in a career and  
174.4 technical education or career pathways course of study.

174.5 (c) A Tier 1 license must not be renewed more than three times, unless the requesting  
174.6 district or charter school can show good cause for additional renewals. A Tier 1 license  
174.7 issued to teach (1) a class or course in a career and technical education or career pathway  
174.8 course of study or (2) in a shortage area, as defined in section 122A.06, subdivision 6, may  
174.9 be renewed without limitation.

174.10 Sec. 28. Minnesota Statutes 2022, section 122A.181, subdivision 4, is amended to read:

174.11 Subd. 4. **Application.** The Professional Educator Licensing and Standards Board must  
174.12 accept and review applications for a Tier 1 teaching license beginning July 1 of the school  
174.13 year for which the license is requested ~~and must issue or deny the Tier 1 teaching license~~  
174.14 ~~within 30 days of receiving the completed application;~~ at the board's discretion, the board  
174.15 may begin to accept and review applications before July 1.

174.16 **EFFECTIVE DATE.** This section is effective the day following final enactment.

174.17 Sec. 29. Minnesota Statutes 2022, section 122A.181, subdivision 5, is amended to read:

174.18 Subd. 5. **Limitations on license.** (a) A Tier 1 license is limited to the content matter  
174.19 indicated on the application for the initial Tier 1 license under subdivision 1, clause (2), and  
174.20 limited to the district or charter school that requested the initial Tier 1 license.

174.21 (b) A Tier 1 license does not bring an individual within the definition of a teacher for  
174.22 purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1, clause (a).

174.23 ~~(c) A Tier 1 license does not bring an individual within the definition of a teacher under~~  
174.24 ~~section 179A.03, subdivision 18.~~

174.25 Sec. 30. Minnesota Statutes 2022, section 122A.182, subdivision 1, is amended to read:

174.26 Subdivision 1. **Requirements.** ~~(a)~~ The Professional Educator Licensing and Standards  
174.27 Board must approve ~~a request from a district or charter school to issue~~ an application for a  
174.28 Tier 2 license in a specified content area ~~to a candidate~~ if:

174.29 ~~(1) the candidate meets the educational or professional requirements in paragraph (b)~~  
174.30 ~~or (c);~~

- 175.1 ~~(2) the candidate:~~
- 175.2 ~~(i) has completed the coursework required under subdivision 2;~~
- 175.3 ~~(ii) is enrolled in a Minnesota-approved teacher preparation program; or~~
- 175.4 ~~(iii) has a master's degree in the specified content area; and~~
- 175.5 ~~(3) the district or charter school demonstrates that a criminal background check under~~
- 175.6 ~~section 122A.18, subdivision 8, has been completed on the candidate.~~
- 175.7 ~~(b) A candidate for a Tier 2 license must have a bachelor's degree to teach a class outside~~
- 175.8 ~~a career and technical education or career pathways course of study.~~
- 175.9 ~~(c) A candidate for a Tier 2 license must have one of the following credentials in a~~
- 175.10 ~~relevant content area to teach a class or course in a career and technical education or career~~
- 175.11 ~~pathways course of study:~~
- 175.12 ~~(1) an associate's degree;~~
- 175.13 ~~(2) a professional certification; or~~
- 175.14 ~~(3) five years of relevant work experience.~~
- 175.15 (1) the application has been submitted jointly by the applicant and the district;
- 175.16 (2) the application has been paid for by the district or the applicant;
- 175.17 (3) the applicant holds a bachelor's degree, unless specifically exempt by statute or rule;
- 175.18 (4) the district demonstrates that a criminal background check under section 122A.18,
- 175.19 subdivision 8, has been completed for the applicant; and
- 175.20 (5) the applicant:
- 175.21 (i) has completed a state-approved teacher preparation program;
- 175.22 (ii) is enrolled in a Minnesota-approved teacher preparation program; or
- 175.23 (iii) has a master's degree in the specified content area.

175.24 Sec. 31. Minnesota Statutes 2022, section 122A.182, is amended by adding a subdivision

175.25 to read:

175.26 Subd. 2a. Exemptions from a bachelor's degree. (a) The following applicants for a

175.27 Tier 2 license are exempt from the requirement to hold a bachelor's degree in subdivision

175.28 1:

176.1 (1) an applicant for a Tier 2 license to teach career and technical education or career  
176.2 pathways courses of study when the applicant has:

176.3 (i) an associate's degree;

176.4 (ii) a professional certification; or

176.5 (iii) five years of relevant work experience;

176.6 (2) an applicant for a Tier 2 license to teach world languages and culture pursuant to  
176.7 Minnesota Rules, part 8710.4950, when the applicant is a native speaker of the language;  
176.8 and

176.9 (3) an applicant for a Tier 2 license in the performing or visual arts pursuant to Minnesota  
176.10 Rules, parts 8710.4300, dance and theatre; 8710.4310, dance; 8710.4320, theatre; 8710.4650,  
176.11 vocal music and instrumental music; and 8710.4900, visual arts, when the applicant has at  
176.12 least five years of relevant work experience.

176.13 (b) The Professional Educator Licensing and Standards Board must adopt rules regarding  
176.14 the qualifications and determinations for applicants exempt from the requirement to hold a  
176.15 bachelor's degree in subdivision 1.

176.16 Sec. 32. Minnesota Statutes 2022, section 122A.182, is amended by adding a subdivision  
176.17 to read:

176.18 Subd. 2b. **Temporary eligibility for renewal.** For the 2023-2024, 2024-2025, and  
176.19 2025-2026 school years only, the Professional Educator Licensing and Standards Board  
176.20 must approve an application to renew a Tier 2 license for an applicant that met the Tier 2  
176.21 requirements in effect at the time the first Tier 2 license was issued. Nothing in this  
176.22 subdivision modifies the renewal requirements in subdivision 3.

176.23 Sec. 33. Minnesota Statutes 2022, section 122A.182, subdivision 4, is amended to read:

176.24 Subd. 4. **Application.** The Professional Educator Licensing and Standards Board must  
176.25 accept applications for a Tier 2 teaching license beginning July 1 of the school year for  
176.26 which the license is requested and must issue or deny the Tier 2 teaching license within 30  
176.27 days of receiving the completed application. At the board's discretion, the board may begin  
176.28 to accept and review applications before July 1.

176.29 **EFFECTIVE DATE.** This section is effective the day following final enactment.



177.1 Sec. 34. Minnesota Statutes 2022, section 122A.183, subdivision 1, is amended to read:

177.2 Subdivision 1. **Requirements.** (a) The Professional Educator Licensing and Standards  
177.3 Board must issue a Tier 3 license to ~~a candidate~~ an applicant who provides information  
177.4 sufficient to demonstrate all of the following:

177.5 ~~(1) the candidate meets the educational or professional requirements in paragraphs (b)~~  
177.6 ~~and (c);~~

177.7 ~~(2) (1) the candidate applicant~~ has obtained a passing score on the required licensure  
177.8 exams under section 122A.185; ~~and~~

177.9 ~~(2) the applicant holds a bachelor's degree, unless specifically exempt by statute or rule;~~  
177.10 ~~and~~

177.11 ~~(3) the candidate applicant~~ has completed the coursework required under subdivision 2.

177.12 ~~(b) A candidate for a Tier 3 license must have a bachelor's degree to teach a class or~~  
177.13 ~~course outside a career and technical education or career pathways course of study.~~

177.14 ~~(c) A candidate for a Tier 3 license must have one of the following credentials in a~~  
177.15 ~~relevant content area to teach a class or course in a career and technical education or career~~  
177.16 ~~pathways course of study:~~

177.17 ~~(1) an associate's degree;~~

177.18 ~~(2) a professional certification; or~~

177.19 ~~(3) five years of relevant work experience.~~

177.20 ~~In consultation with the governor's Workforce Development Board established under section~~  
177.21 ~~116L.665, the board must establish a list of qualifying certifications, and may add additional~~  
177.22 ~~professional certifications in consultation with school administrators, teachers, and other~~  
177.23 ~~stakeholders.~~

177.24 (b) The board must issue a Tier 3 license to an applicant who has completed student  
177.25 teaching comparable to the student teaching expectations in Minnesota, and has completed  
177.26 either: a teacher preparation program from a culturally specific Minority Serving Institution  
177.27 in the United States, such as Historically Black Colleges and Universities, Tribal Colleges  
177.28 and Universities, or Hispanic-Serving Institutions, including those in Puerto Rico; or a  
177.29 university teacher preparation program in another country, and has taught at least two years.  
177.30 An applicant who qualifies for a Tier 3 license under this paragraph is not required to obtain  
177.31 a passing score on licensure exams under section 122A.185.

178.1 Sec. 35. Minnesota Statutes 2022, section 122A.183, subdivision 2, is amended to read:

178.2 Subd. 2. **Coursework.** ~~A candidate~~ An applicant for a Tier 3 license must meet the  
178.3 coursework requirement by demonstrating one of the following:

178.4 (1) completion of a Minnesota-approved teacher preparation program;

178.5 (2) completion of a state-approved teacher preparation program that includes field-specific  
178.6 student teaching equivalent to field-specific student teaching in Minnesota-approved teacher  
178.7 preparation programs. The field-specific student teaching requirement does not apply to a  
178.8 ~~candidate~~ applicant that has two years of field-specific teaching experience;

178.9 (3) submission of a content-specific licensure portfolio; or

178.10 (4) a professional teaching license from another state, evidence that the ~~candidate's~~  
178.11 applicant's license is in good standing, and two years of field-specific teaching experience;  
178.12 ~~or~~.

178.13 ~~(5) three years of teaching experience under a Tier 2 license and evidence of summative~~  
178.14 ~~teacher evaluations that did not result in placing or otherwise keeping the teacher on an~~  
178.15 ~~improvement process pursuant to section 122A.40, subdivision 8, or section 122A.41,~~  
178.16 ~~subdivision 5.~~

178.17 Sec. 36. Minnesota Statutes 2022, section 122A.183, is amended by adding a subdivision  
178.18 to read:

178.19 Subd. 2a. **Exemptions from a bachelor's degree.** (a) The following applicants for a  
178.20 Tier 3 license are exempt from the requirement to hold a bachelor's degree in subdivision  
178.21 1:

178.22 (1) an applicant for a Tier 3 license to teach career and technical education or career  
178.23 pathways courses of study when the applicant has:

178.24 (i) an associate's degree;

178.25 (ii) a professional certification; or

178.26 (iii) five years of relevant work experience;

178.27 (2) an applicant for a Tier 3 license to teach world languages and culture pursuant to  
178.28 Minnesota Rules, part 8710.4950, when the applicant is a native speaker of the language;  
178.29 and

178.30 (3) an applicant for a Tier 3 license in the performing or visual arts pursuant to Minnesota  
178.31 Rules, parts 8710.4300, dance and theatre; 8710.4310, dance; 8710.4320, theatre; 8710.4650,

179.1 vocal music and instrumental music; and 8710.4900, visual arts, when the applicant has at  
179.2 least five years of relevant work experience.

179.3 (b) The Professional Educator Licensing and Standards Board must adopt rules regarding  
179.4 the qualifications and determinations for applicants exempt from the requirement to hold a  
179.5 bachelor's degree in subdivision 1.

179.6 Sec. 37. Minnesota Statutes 2022, section 122A.183, is amended by adding a subdivision  
179.7 to read:

179.8 Subd. 2b. **Temporary eligibility.** A candidate for a Tier 3 license may meet the  
179.9 coursework requirement under subdivision 2 if the candidate demonstrates three years of  
179.10 teaching experience under a Tier 2 license and evidence of summative teacher evaluations  
179.11 that did not result in placing or otherwise keeping the teacher on an improvement process  
179.12 pursuant to section 122A.40, subdivision 8, or section 122A.41, subdivision 5. This  
179.13 subdivision expires on December 31, 2026.

179.14 Sec. 38. Minnesota Statutes 2022, section 122A.184, subdivision 1, is amended to read:

179.15 Subdivision 1. **Requirements.** The Professional Educator Licensing and Standards  
179.16 Board must issue a Tier 4 license to ~~a candidate~~ an applicant who provides information  
179.17 sufficient to demonstrate all of the following:

179.18 (1) the ~~candidate~~ applicant meets all requirements for a Tier 3 license under section  
179.19 122A.183, and has completed a teacher preparation program under section 122A.183,  
179.20 subdivision 2, clause (1) or (2);

179.21 (2) the ~~candidate~~ applicant has at least three years of field-specific teaching experience  
179.22 ~~in Minnesota~~ as a teacher of record;

179.23 (3) the ~~candidate~~ applicant has obtained a passing score on all required licensure exams  
179.24 under section 122A.185; and

179.25 ~~(4) the candidate's most recent summative teacher evaluation did not result in placing~~  
179.26 ~~or otherwise keeping the teacher in an improvement process pursuant to section 122A.40,~~  
179.27 ~~subdivision 8, or 122A.41, subdivision 5.~~

179.28 (4) if the applicant previously held a Tier 3 license under section 122A.183, the applicant  
179.29 has completed the renewal requirements in section 122A.187.

180.1 Sec. 39. Minnesota Statutes 2022, section 122A.185, subdivision 1, is amended to read:

180.2 Subdivision 1. **Tests.** ~~(a) The Professional Educator Licensing and Standards Board~~  
180.3 ~~must adopt rules requiring a candidate to demonstrate a passing score on a board-adopted~~  
180.4 ~~examination of skills in reading, writing, and mathematics before being granted a Tier 4~~  
180.5 ~~teaching license under section 122A.184 to provide direct instruction to pupils in elementary,~~  
180.6 ~~secondary, or special education programs. Candidates may obtain a Tier 1, Tier 2, or Tier~~  
180.7 ~~3 license to provide direct instruction to pupils in elementary, secondary, or special education~~  
180.8 ~~programs if candidates meet the other requirements in section 122A.181, 122A.182, or~~  
180.9 ~~122A.183, respectively.~~

180.10 ~~(b)~~ (a) The board must adopt rules requiring ~~candidates~~ applicants for Tier 3 and Tier 4  
180.11 licenses to pass an examination or performance assessment of general pedagogical knowledge  
180.12 and examinations of licensure field specific content. An applicant is exempt from the  
180.13 examination requirements if the applicant completed:

180.14 (1) a board-approved teacher preparation program;

180.15 (2) licensure via portfolio pursuant to section 122A.18, subdivision 10, and the portfolio  
180.16 has been approved; or

180.17 (3) a state-approved teacher preparation (3) program in another state and passed licensure  
180.18 examinations in that state, if applicable. The content examination requirement does not  
180.19 apply if no relevant content exam exists.

180.20 ~~(c) Candidates for initial Tier 3 and Tier 4 licenses to teach elementary students must~~  
180.21 ~~pass test items assessing the candidates' knowledge, skill, and ability in comprehensive,~~  
180.22 ~~scientifically based reading instruction under section 122A.06, subdivision 4, knowledge~~  
180.23 ~~and understanding of the foundations of reading development, development of reading~~  
180.24 ~~comprehension and reading assessment and instruction, and the ability to integrate that~~  
180.25 ~~knowledge and understanding into instruction strategies under section 122A.06, subdivision~~  
180.26 ~~4.~~

180.27 ~~(d) The requirement to pass a board-adopted reading, writing, and mathematics skills~~  
180.28 ~~examination does not apply to nonnative English speakers, as verified by qualified Minnesota~~  
180.29 ~~school district personnel or Minnesota higher education faculty, who, after meeting the~~  
180.30 ~~content and pedagogy requirements under this subdivision, apply for a teaching license to~~  
180.31 ~~provide direct instruction in their native language or world language instruction under section~~  
180.32 ~~120B.022, subdivision 1.~~

181.1 (b) All testing centers in the state must provide monthly opportunities for untimed content  
181.2 and pedagogy examinations. These opportunities must be advertised on the test registration  
181.3 website. The board must require the exam vendor to provide other equitable opportunities  
181.4 to pass exams, including: (1) waiving testing fees for test takers who qualify for federal  
181.5 grants; (2) providing free, multiple, full-length practice tests for each exam and free,  
181.6 comprehensive study guides on the test registration website; (3) making content and pedagogy  
181.7 exams available in languages other than English for teachers seeking licensure to teach in  
181.8 language immersion programs; and (4) providing free, detailed exam results analysis by  
181.9 test objective to assist applicants who do not pass an exam in identifying areas for  
181.10 improvement. Any applicant who has not passed a required exam after two attempts must  
181.11 be allowed to retake the exam, including new versions of the exam, without being charged  
181.12 an additional fee.

181.13 Sec. 40. Minnesota Statutes 2022, section 122A.185, subdivision 4, is amended to read:

181.14 Subd. 4. **Remedial assistance.** ~~(a) A board-approved teacher preparation program must~~  
181.15 ~~make available upon request remedial assistance that includes a formal diagnostic component~~  
181.16 ~~to persons enrolled in their institution who did not achieve a qualifying score on a~~  
181.17 ~~board-adopted skills examination, including those for whom English is a second language.~~  
181.18 ~~The teacher preparation programs must make available assistance in the specific academic~~  
181.19 ~~areas of candidates' deficiency.~~

181.20 ~~(b)~~ School districts may make available upon request similar, appropriate, and timely  
181.21 remedial assistance that includes a formal diagnostic component to those persons employed  
181.22 by the district who completed their teacher education program, who did not achieve a  
181.23 qualifying score on a board-adopted skills examination, and who received a Tier 1, Tier 2,  
181.24 or Tier 3 license under section 122A.181, 122A.182, or 122A.183, respectively, to teach in  
181.25 Minnesota.

181.26 Sec. 41. Minnesota Statutes 2022, section 122A.187, subdivision 1, is amended to read:

181.27 Subdivision 1. **License form requirements.** Each license issued under this chapter must  
181.28 bear the date of issue and the name of the state-approved teacher training provider or  
181.29 alternative teaching program, as applicable. Licenses must expire and be renewed according  
181.30 to rules adopted by the Professional Educator Licensing and Standards Board or the Board  
181.31 of School Administrators. ~~The rules adopted by the Professional Educator Licensing and~~  
181.32 ~~Standards Board for renewing a Tier 3 or Tier 4 license under sections 122A.183 and~~  
181.33 ~~122A.184, respectively, must include showing satisfactory evidence of successful teaching~~

182.1 ~~or administrative experience for at least one school year during the period covered by the~~  
182.2 ~~license in grades or subjects for which the license is valid or completing such additional~~  
182.3 ~~preparation as required under this section, or as the Professional Educator Licensing and~~  
182.4 ~~Standards Board prescribes. The Board of School Administrators shall establish requirements~~  
182.5 ~~for renewing the licenses of supervisory personnel except athletic coaches. The Professional~~  
182.6 ~~Educator Licensing and Standards Board shall establish requirements for renewing the~~  
182.7 ~~licenses of athletic coaches.~~

182.8 Sec. 42. Minnesota Statutes 2022, section 122A.187, is amended by adding a subdivision  
182.9 to read:

182.10 Subd. 7. **American Indian history and culture.** The Professional Educator Licensing  
182.11 and Standards Board must adopt rules that require all licensed teachers renewing their license  
182.12 under sections 122A.181 to 122A.184 to include in the renewal requirements professional  
182.13 development in the cultural heritage and contemporary contributions of American Indians,  
182.14 with particular emphasis on Minnesota Tribal Nations.

182.15 Sec. 43. Minnesota Statutes 2022, section 122A.19, subdivision 4, is amended to read:

182.16 Subd. 4. **Teacher preparation programs.** (a) For the purpose of licensing bilingual  
182.17 and English as a second language teachers, the board may approve teacher preparation  
182.18 programs at colleges or universities designed for their training.

182.19 (b) Programs that prepare English as a second language teachers must provide instruction  
182.20 in implementing research-based practices designed specifically for English learners. The  
182.21 programs must focus on developing English learners' academic language proficiency in  
182.22 English, including oral academic language, giving English learners meaningful access to  
182.23 the full school curriculum, developing culturally relevant teaching practices appropriate for  
182.24 immigrant students, and providing more intensive instruction and resources to English  
182.25 learners with lower levels of academic English proficiency and varied needs, consistent  
182.26 with section 124D.59, subdivisions 2 and 2a.

182.27 Sec. 44. Minnesota Statutes 2022, section 122A.26, subdivision 2, is amended to read:

182.28 Subd. 2. **Exceptions.** (a) A person who teaches in a community education program  
182.29 ~~which~~ that qualifies for aid pursuant to section 124D.52 shall continue to meet licensure  
182.30 requirements as a teacher. A person who teaches in an early childhood and family education  
182.31 program ~~which~~ that is offered through a community education program and ~~which~~ that  
182.32 qualifies for community education aid pursuant to section 124D.20 or early childhood and

183.1 family education aid pursuant to section 124D.135 shall continue to meet licensure  
183.2 requirements as a teacher. A person who teaches in a community education course ~~which~~  
183.3 that is offered for credit for graduation to persons under 18 years of age shall continue to  
183.4 meet licensure requirements as a teacher.

183.5 (b) A person who teaches a driver training course ~~which~~ that is offered through a  
183.6 community education program to persons under 18 years of age shall be licensed by the  
183.7 Professional Educator Licensing and Standards Board or be subject to section 171.35. A  
183.8 license ~~which~~ that is required for an instructor in a community education program pursuant  
183.9 to this ~~subdivision~~ paragraph shall not be construed to bring an individual within the  
183.10 definition of a teacher for purposes of section 122A.40, subdivision 1, or 122A.41,  
183.11 subdivision 1, ~~elause~~ paragraph (a).

183.12 **EFFECTIVE DATE.** This section is effective for the 2023-2024 school year and later.

183.13 Sec. 45. Minnesota Statutes 2022, section 122A.40, subdivision 3, is amended to read:

183.14 Subd. 3. **Hiring, dismissing.** (a) School boards must hire or dismiss teachers at duly  
183.15 called meetings. Where a husband and wife, brother and sister, or two brothers or sisters,  
183.16 constitute a quorum, no contract employing a teacher shall be made or authorized except  
183.17 upon the unanimous vote of the full board. A teacher related by blood or marriage, within  
183.18 the fourth degree, computed by the civil law, to a board member shall not be employed  
183.19 except by a unanimous vote of the full board. The initial employment of the teacher in the  
183.20 district must be by written contract, signed by the teacher and by the chair and clerk. All  
183.21 subsequent employment of the teacher in the district must be by written contract, signed by  
183.22 the teacher and by the chair and clerk, except where there is a master agreement covering  
183.23 the employment of the teacher. Contracts for teaching or supervision of teaching can be  
183.24 made only with qualified teachers. A teacher shall not be required to reside within the  
183.25 employing district as a condition to teaching employment or continued teaching employment.

183.26 (b) A school district must annually report to the Professional Educator Licensing and  
183.27 Standards Board: (1) all new teacher hires and terminations, including layoffs, by race and  
183.28 ethnicity; and (2) the reasons for all teacher resignations and requested leaves of absence.  
183.29 The report must not include data that would personally identify individuals.

183.30 Sec. 46. Minnesota Statutes 2022, section 122A.40, subdivision 5, is amended to read:

183.31 Subd. 5. **Probationary period.** (a) The first three consecutive years of a teacher's first  
183.32 teaching experience in Minnesota in a single district ~~is~~ are deemed to be a probationary  
183.33 period of employment, and, the probationary period in each district in which the teacher is

184.1 thereafter employed shall be one year. The school board must adopt a plan for written  
184.2 evaluation of teachers during the probationary period that is consistent with subdivision 8.  
184.3 Evaluation must occur at least three times periodically throughout each school year for a  
184.4 teacher performing services during that school year; the first evaluation must occur within  
184.5 the first 90 days of teaching service. Days devoted to parent-teacher conferences, teachers'  
184.6 workshops, and other staff development opportunities and days on which a teacher is absent  
184.7 from school must not be included in determining the number of school days on which a  
184.8 teacher performs services. Except as otherwise provided in paragraph (b), during the  
184.9 probationary period any annual contract with any teacher may or may not be renewed as  
184.10 the school board shall see fit. However, the board must give any such teacher whose contract  
184.11 it declines to renew for the following school year written notice to that effect before July  
184.12 1. If the teacher requests reasons for any nonrenewal of a teaching contract, the board must  
184.13 give the teacher its reason in writing, including a statement that appropriate supervision  
184.14 was furnished describing the nature and the extent of such supervision furnished the teacher  
184.15 during the employment by the board, within ten days after receiving such request. The  
184.16 school board may, after a hearing held upon due notice, discharge a teacher during the  
184.17 probationary period for cause, effective immediately, under section 122A.44.

184.18 (b) A board must discharge a probationary teacher, effective immediately, upon receipt  
184.19 of notice under section 122A.20, subdivision 1, paragraph (b), that the teacher's license has  
184.20 been revoked due to a conviction for child abuse or sexual abuse.

184.21 (c) A probationary teacher whose first three years of consecutive employment are  
184.22 interrupted for active military service and who promptly resumes teaching consistent with  
184.23 federal reemployment timelines for uniformed service personnel under United States Code,  
184.24 title 38, section 4312(e), is considered to have a consecutive teaching experience for purposes  
184.25 of paragraph (a).

184.26 (d) A probationary teacher whose first three years of consecutive employment are  
184.27 interrupted for maternity, paternity, or medical leave and who resumes teaching within 12  
184.28 months of when the leave began is considered to have a consecutive teaching experience  
184.29 for purposes of paragraph (a) if the probationary teacher completes a combined total of  
184.30 three years of teaching service immediately before and after the leave.

184.31 (e) A probationary teacher must complete at least ~~120~~ 90 days of teaching service each  
184.32 year during the probationary period. Days devoted to parent-teacher conferences, teachers'  
184.33 workshops, and other staff development opportunities and days on which a teacher is absent  
184.34 from school do not count as days of teaching service under this paragraph.



185.1 (f) Notwithstanding any law to the contrary, a teacher who has taught for three  
185.2 consecutive years in a single school district or charter school in Minnesota or another state  
185.3 must serve a probationary period of no longer than one year in a Minnesota school district.

185.4 **EFFECTIVE DATE.** This section is effective for collective bargaining agreements  
185.5 effective July 1, 2023, and thereafter.

185.6 Sec. 47. Minnesota Statutes 2022, section 122A.40, subdivision 8, is amended to read:

185.7 Subd. 8. **Development, evaluation, and peer coaching for continuing contract**  
185.8 **teachers.** (a) To improve student learning and success, a school board and an exclusive  
185.9 representative of the teachers in the district, consistent with paragraph (b), may develop a  
185.10 teacher evaluation and peer review process for probationary and continuing contract teachers  
185.11 through joint agreement. If a school board and the exclusive representative of the teachers  
185.12 do not agree to an annual teacher evaluation and peer review process, then the school board  
185.13 and the exclusive representative of the teachers must implement the state teacher evaluation  
185.14 plan under paragraph (c). The process must include having trained observers serve as peer  
185.15 coaches or having teachers participate in professional learning communities, consistent with  
185.16 paragraph (b).

185.17 (b) To develop, improve, and support qualified teachers and effective teaching practices,  
185.18 improve student learning and success, and provide all enrolled students in a district or school  
185.19 with improved and equitable access to more effective and diverse teachers, the annual  
185.20 evaluation process for teachers:

185.21 (1) must, for probationary teachers, provide for all evaluations required under subdivision  
185.22 5;

185.23 (2) must establish a three-year professional review cycle for each teacher that includes  
185.24 an individual growth and development plan, a peer review process, and at least one  
185.25 summative evaluation performed by a qualified and trained evaluator such as a school  
185.26 administrator. For the years when a tenured teacher is not evaluated by a qualified and  
185.27 trained evaluator, the teacher must be evaluated by a peer review;

185.28 (3) ~~must be based on professional teaching standards established in rule~~ include a rubric  
185.29 of performance standards for teacher practice that: (i) is based on professional teaching  
185.30 standards established in rule; (ii) includes culturally responsive methodologies; and (iii)  
185.31 provides common descriptions of effectiveness using at least three levels of performance;

185.32 (4) must coordinate staff development activities under sections 122A.60 and 122A.61  
185.33 with this evaluation process and teachers' evaluation outcomes;

186.1 (5) may provide time during the school day and school year for peer coaching and teacher  
186.2 collaboration;

186.3 (6) may include job-embedded learning opportunities such as professional learning  
186.4 communities;

186.5 (7) may include mentoring and induction programs for teachers, including teachers who  
186.6 are members of populations underrepresented among the licensed teachers in the district or  
186.7 school and who reflect the diversity of students under section 120B.35, subdivision 3,  
186.8 paragraph (b), clause (2), who are enrolled in the district or school;

186.9 (8) must include an option for teachers to develop and present a portfolio demonstrating  
186.10 evidence of reflection and professional growth, consistent with section 122A.187, subdivision  
186.11 3, and include teachers' own performance assessment based on student work samples and  
186.12 examples of teachers' work, which may include video among other activities for the  
186.13 summative evaluation;

186.14 (9) must use data from valid and reliable assessments aligned to state and local academic  
186.15 standards and must use state and local measures of student growth and literacy that may  
186.16 include value-added models or student learning goals to determine 35 percent of teacher  
186.17 evaluation results;

186.18 (10) must use longitudinal data on student engagement and connection, and other student  
186.19 outcome measures explicitly aligned with the elements of curriculum for which teachers  
186.20 are responsible, including academic literacy, oral academic language, and achievement of  
186.21 content areas of English learners;

186.22 (11) must require qualified and trained evaluators such as school administrators to  
186.23 perform summative evaluations and ensure school districts and charter schools provide for  
186.24 effective evaluator training specific to teacher development and evaluation;

186.25 (12) must give teachers not meeting professional teaching standards under clauses (3)  
186.26 through (11) support to improve through a teacher improvement process that includes  
186.27 established goals and timelines; and

186.28 (13) must discipline a teacher for not making adequate progress in the teacher  
186.29 improvement process under clause (12) that may include a last chance warning, termination,  
186.30 discharge, nonrenewal, transfer to a different position, a leave of absence, or other discipline  
186.31 a school administrator determines is appropriate.

187.1 Data on individual teachers generated under this subdivision are personnel data under  
187.2 section 13.43. The observation and interview notes of peer coaches may only be disclosed  
187.3 to other school officials with the consent of the teacher being coached.

187.4 (c) The department, in consultation with parents who may represent parent organizations  
187.5 and teacher and administrator representatives appointed by their respective organizations,  
187.6 representing the Professional Educator Licensing and Standards Board, the Minnesota  
187.7 Association of School Administrators, the Minnesota School Boards Association, the  
187.8 Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and  
187.9 representatives of the Minnesota Assessment Group, the Minnesota Business Partnership,  
187.10 the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with  
187.11 research expertise in teacher evaluation, must create and publish a teacher evaluation process  
187.12 that complies with the requirements in paragraph (b) and applies to all teachers under this  
187.13 section and section 122A.41 for whom no agreement exists under paragraph (a) for an annual  
187.14 teacher evaluation and peer review process. The teacher evaluation process created under  
187.15 this subdivision does not create additional due process rights for probationary teachers under  
187.16 subdivision 5.

187.17 (d) Consistent with the measures of teacher effectiveness under this subdivision:

187.18 (1) for students in kindergarten through grade 4, a school administrator must not place  
187.19 or approve the placement of a student in the classroom of a teacher who is in the improvement  
187.20 process referenced in paragraph (b), clause (12), or has not had a summative evaluation if,  
187.21 in the prior year, that student was in the classroom of a teacher who received discipline  
187.22 pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that  
187.23 grade; and

187.24 (2) for students in grades 5 through 12, a school administrator must not place or approve  
187.25 the placement of a student in the classroom of a teacher who is in the improvement process  
187.26 referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the  
187.27 prior year, that student was in the classroom of a teacher who received discipline pursuant  
187.28 to paragraph (b), clause (13), unless no other teacher at the school teaches that subject area  
187.29 and grade.

187.30 All data created and used under this paragraph retains its classification under chapter 13.

187.31 **EFFECTIVE DATE.** This section is effective July 1, 2025.

188.1 Sec. 48. Minnesota Statutes 2022, section 122A.41, subdivision 2, is amended to read:

188.2 Subd. 2. **Probationary period; discharge or demotion.** (a) ~~All teachers in the public~~  
188.3 ~~schools in cities of the first class during the first three years of consecutive employment~~  
188.4 ~~shall be deemed to be in a probationary period of employment during which period any~~  
188.5 ~~annual contract with any teacher may, or may not, be renewed as the school board, after~~  
188.6 ~~consulting with the peer review committee charged with evaluating the probationary teachers~~  
188.7 ~~under subdivision 3, shall see fit.~~ The first three consecutive years of a teacher's first teaching  
188.8 experience in Minnesota in a single district are deemed to be a probationary period of  
188.9 employment, and the probationary period in each district in which the teacher is thereafter  
188.10 employed shall be one year. The school site management team or the school board if there  
188.11 is no school site management team, shall adopt a plan for a written evaluation of teachers  
188.12 during the probationary period according to subdivisions 3 and 5. Evaluation by the peer  
188.13 review committee charged with evaluating probationary teachers under subdivision 3 shall  
188.14 occur at least three times periodically throughout each school year for a teacher performing  
188.15 services during that school year; the first evaluation must occur within the first 90 days of  
188.16 teaching service. Days devoted to parent-teacher conferences, teachers' workshops, and  
188.17 other staff development opportunities and days on which a teacher is absent from school  
188.18 shall not be included in determining the number of school days on which a teacher performs  
188.19 services. The school board may, during such probationary period, discharge or demote a  
188.20 teacher for any of the causes as specified in this code. A written statement of the cause of  
188.21 such discharge or demotion shall be given to the teacher by the school board at least 30  
188.22 days before such removal or demotion shall become effective, and the teacher so notified  
188.23 shall have no right of appeal therefrom.

188.24 (b) A probationary teacher whose first three years of consecutive employment are  
188.25 interrupted for active military service and who promptly resumes teaching consistent with  
188.26 federal reemployment timelines for uniformed service personnel under United States Code,  
188.27 title 38, section 4312(e), is considered to have a consecutive teaching experience for purposes  
188.28 of paragraph (a).

188.29 (c) A probationary teacher whose first three years of consecutive employment are  
188.30 interrupted for maternity, paternity, or medical leave and who resumes teaching within 12  
188.31 months of when the leave began is considered to have a consecutive teaching experience  
188.32 for purposes of paragraph (a) if the probationary teacher completes a combined total of  
188.33 three years of teaching service immediately before and after the leave.

188.34 (d) A probationary teacher must complete at least ~~120~~ 90 days of teaching service each  
188.35 year during the probationary period. Days devoted to parent-teacher conferences, teachers'

189.1 workshops, and other staff development opportunities and days on which a teacher is absent  
189.2 from school do not count as days of teaching service under this paragraph.

189.3 (e) Notwithstanding any law to the contrary, a teacher who has taught for three  
189.4 consecutive years in a single school district or charter school in Minnesota or another state  
189.5 must serve a probationary period of no longer than one year in a Minnesota school district.

189.6 **EFFECTIVE DATE.** This section is effective for collective bargaining agreements  
189.7 effective July 1, 2023, and thereafter.

189.8 Sec. 49. Minnesota Statutes 2022, section 122A.41, subdivision 5, is amended to read:

189.9 Subd. 5. **Development, evaluation, and peer coaching for continuing contract**  
189.10 **teachers.** (a) To improve student learning and success, a school board and an exclusive  
189.11 representative of the teachers in the district, consistent with paragraph (b), may develop an  
189.12 annual teacher evaluation and peer review process for probationary and nonprobationary  
189.13 teachers through joint agreement. If a school board and the exclusive representative of the  
189.14 teachers in the district do not agree to an annual teacher evaluation and peer review process,  
189.15 then the school board and the exclusive representative of the teachers must implement the  
189.16 state teacher evaluation plan developed under paragraph (c). The process must include  
189.17 having trained observers serve as peer coaches or having teachers participate in professional  
189.18 learning communities, consistent with paragraph (b).

189.19 (b) To develop, improve, and support qualified teachers and effective teaching practices  
189.20 and improve student learning and success, and provide all enrolled students in a district or  
189.21 school with improved and equitable access to more effective and diverse teachers, the annual  
189.22 evaluation process for teachers:

189.23 (1) must, for probationary teachers, provide for all evaluations required under subdivision  
189.24 2;

189.25 (2) must establish a three-year professional review cycle for each teacher that includes  
189.26 an individual growth and development plan, a peer review process, and at least one  
189.27 summative evaluation performed by a qualified and trained evaluator such as a school  
189.28 administrator;

189.29 (3) ~~must be based on professional teaching standards established in rule~~ include a rubric  
189.30 of performance standards for teacher practice that: (i) is based on professional teaching  
189.31 standards established in rule; (ii) includes culturally responsive methodologies; and (iii)  
189.32 provides common descriptions of effectiveness using at least three levels of performance;

190.1 (4) must coordinate staff development activities under sections 122A.60 and 122A.61  
190.2 with this evaluation process and teachers' evaluation outcomes;

190.3 (5) may provide time during the school day and school year for peer coaching and teacher  
190.4 collaboration;

190.5 (6) may include job-embedded learning opportunities such as professional learning  
190.6 communities;

190.7 (7) may include mentoring and induction programs for teachers, including teachers who  
190.8 are members of populations underrepresented among the licensed teachers in the district or  
190.9 school and who reflect the diversity of students under section 120B.35, subdivision 3,  
190.10 paragraph (b), clause (2), who are enrolled in the district or school;

190.11 (8) must include an option for teachers to develop and present a portfolio demonstrating  
190.12 evidence of reflection and professional growth, consistent with section 122A.187, subdivision  
190.13 3, and include teachers' own performance assessment based on student work samples and  
190.14 examples of teachers' work, which may include video among other activities for the  
190.15 summative evaluation;

190.16 (9) must use data from valid and reliable assessments aligned to state and local academic  
190.17 standards and must use state and local measures of student growth and literacy that may  
190.18 include value-added models or student learning goals to determine 35 percent of teacher  
190.19 evaluation results;

190.20 (10) must use longitudinal data on student engagement and connection and other student  
190.21 outcome measures explicitly aligned with the elements of curriculum for which teachers  
190.22 are responsible, including academic literacy, oral academic language, and achievement of  
190.23 English learners;

190.24 (11) must require qualified and trained evaluators such as school administrators to  
190.25 perform summative evaluations and ensure school districts and charter schools provide for  
190.26 effective evaluator training specific to teacher development and evaluation;

190.27 (12) must give teachers not meeting professional teaching standards under clauses (3)  
190.28 through (11) support to improve through a teacher improvement process that includes  
190.29 established goals and timelines; and

190.30 (13) must discipline a teacher for not making adequate progress in the teacher  
190.31 improvement process under clause (12) that may include a last chance warning, termination,  
190.32 discharge, nonrenewal, transfer to a different position, a leave of absence, or other discipline  
190.33 a school administrator determines is appropriate.

191.1 Data on individual teachers generated under this subdivision are personnel data under  
191.2 section 13.43. The observation and interview notes of peer coaches may only be disclosed  
191.3 to other school officials with the consent of the teacher being coached.

191.4 (c) The department, in consultation with parents who may represent parent organizations  
191.5 and teacher and administrator representatives appointed by their respective organizations,  
191.6 representing the Professional Educator Licensing and Standards Board, the Minnesota  
191.7 Association of School Administrators, the Minnesota School Boards Association, the  
191.8 Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and  
191.9 representatives of the Minnesota Assessment Group, the Minnesota Business Partnership,  
191.10 the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with  
191.11 research expertise in teacher evaluation, must create and publish a teacher evaluation process  
191.12 that complies with the requirements in paragraph (b) and applies to all teachers under this  
191.13 section and section 122A.40 for whom no agreement exists under paragraph (a) for an annual  
191.14 teacher evaluation and peer review process. The teacher evaluation process created under  
191.15 this subdivision does not create additional due process rights for probationary teachers under  
191.16 subdivision 2.

191.17 (d) Consistent with the measures of teacher effectiveness under this subdivision:

191.18 (1) for students in kindergarten through grade 4, a school administrator must not place  
191.19 or approve the placement of a student in the classroom of a teacher who is in the improvement  
191.20 process referenced in paragraph (b), clause (12), or has not had a summative evaluation if,  
191.21 in the prior year, that student was in the classroom of a teacher who received discipline  
191.22 pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that  
191.23 grade; and

191.24 (2) for students in grades 5 through 12, a school administrator must not place or approve  
191.25 the placement of a student in the classroom of a teacher who is in the improvement process  
191.26 referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the  
191.27 prior year, that student was in the classroom of a teacher who received discipline pursuant  
191.28 to paragraph (b), clause (13), unless no other teacher at the school teaches that subject area  
191.29 and grade.

191.30 All data created and used under this paragraph retains its classification under chapter 13.

191.31 **EFFECTIVE DATE.** This section is effective July 1, 2025.

192.1 Sec. 50. Minnesota Statutes 2022, section 122A.41, is amended by adding a subdivision  
192.2 to read:

192.3 Subd. 16. Reporting of hires and terminations. A school district must annually report  
192.4 to the Professional Educator Licensing and Standards Board: (1) all new teacher hires and  
192.5 terminations, including layoffs, by race and ethnicity; and (2) the reasons for all teacher  
192.6 resignations and requested leaves of absence. The report must not include data that would  
192.7 personally identify individuals.

192.8 Sec. 51. Minnesota Statutes 2022, section 122A.415, subdivision 4, is amended to read:

192.9 Subd. 4. **Basic alternative teacher compensation aid.** (a) The basic alternative teacher  
192.10 compensation aid for a school with a plan approved under section 122A.414, subdivision  
192.11 2b, equals 65 percent of the alternative teacher compensation revenue under subdivision 1.  
192.12 The basic alternative teacher compensation aid for a charter school with a plan approved  
192.13 under section 122A.414, subdivisions 2a and 2b, equals \$260 times the number of pupils  
192.14 enrolled in the school on October 1 of the previous year, or on October 1 of the current year  
192.15 for a charter school in the first year of operation, times the ratio of the sum of the alternative  
192.16 teacher compensation aid and alternative teacher compensation levy for all participating  
192.17 school districts to the maximum alternative teacher compensation revenue for those districts  
192.18 under subdivision 1.

192.19 (b) Notwithstanding paragraph (a) and subdivision 1, the state total basic alternative  
192.20 teacher compensation aid entitlement must not exceed ~~\$75,840,000 for fiscal year 2016 and~~  
192.21 ~~\$88,118,000 for fiscal year 2017~~ 2023; \$88,461,000 for fiscal year 2024; \$88,461,000 for  
192.22 fiscal year 2025; \$89,570,000 for fiscal year 2026; and \$89,689,000 for fiscal year 2027  
192.23 and later. The commissioner must limit the amount of alternative teacher compensation aid  
192.24 approved under this section so as not to exceed these limits by not approving new participants  
192.25 or by prorating the aid among participating districts, intermediate school districts, school  
192.26 sites, and charter schools. The commissioner may also reallocate a portion of the allowable  
192.27 aid for the biennium from the second year to the first year to meet the needs of approved  
192.28 participants.

192.29 (c) Basic alternative teacher compensation aid for an intermediate district or other  
192.30 cooperative unit equals \$3,000 times the number of licensed teachers employed by the  
192.31 intermediate district or cooperative unit on October 1 of the previous school year.



- 193.1 Sec. 52. [122A.441] SHORT-CALL SUBSTITUTE TEACHER PILOT PROGRAM.
- 193.2 (a) A school district or charter school and applicant may jointly request the Professional  
193.3 Educator Licensing and Standards Board approve an application for a short-call substitute  
193.4 teaching license. The application information must sufficiently demonstrate the following:
- 193.5 (1) the applicant:
- 193.6 (i) holds a minimum of an associate's degree or equivalent and has or will receive  
193.7 substitute training from the school district or charter school; or
- 193.8 (ii) holds a minimum of a high school diploma or equivalent and has been employed as  
193.9 an education support personnel or paraprofessional within the district or charter school for  
193.10 at least one academic year; and
- 193.11 (2) the school district or charter school has requested a background check in accordance  
193.12 with section 123B.03.
- 193.13 (b) The Professional Educator Licensing and Standards Board may issue a temporary  
193.14 teaching license pending a background check under section 122A.18, subdivision 8, and  
193.15 may immediately suspend or revoke the license upon receiving background check  
193.16 information. An applicant submitting an application for a short-call substitute teaching  
193.17 license in accordance with section 122A.18, subdivision 7a, paragraph (a), must not be  
193.18 required to complete a joint application with a district and must not be issued a license  
193.19 pending a background check under section 122A.18, subdivision 8.
- 193.20 (c) The board may prioritize short-call substitute teaching license applications to expedite  
193.21 the review process.
- 193.22 (d) A school district or charter school must provide a substitute teacher who receives a  
193.23 substitute teaching license through the pilot program with substitute teacher training. The  
193.24 board may remove a school district or charter school from the pilot program for failure to  
193.25 provide the required training.
- 193.26 (e) A school district or charter school must not require an employee to apply for a  
193.27 substitute teaching license, or retaliate against an employee that does not apply for a substitute  
193.28 teaching license under the pilot program.
- 193.29 (f) A school district or charter school must compensate an employee working as a  
193.30 short-call substitute teacher under the pilot program with the greater of \$200 per day or the  
193.31 employee's regular rate of pay.

194.1 **EFFECTIVE DATE.** This section is effective for the 2023-2024 and 2024-2025 school  
 194.2 years only.

194.3 Sec. 53. Minnesota Statutes 2022, section 122A.59, is amended to read:

194.4 **122A.59 COME TEACH IN MINNESOTA HIRING BONUSES.**

194.5 Subdivision 1. **Purpose.** This section establishes a program to support districts and  
 194.6 schools recruiting and offering hiring bonuses for ~~licensed~~ teachers who are American  
 194.7 Indian or a person of color from another state or country in order to meet staffing needs in  
 194.8 shortage areas in ~~economic development regions in~~ Minnesota.

194.9 Subd. 2. **Eligibility.** A district or school must verify that the hiring bonus is given to  
 194.10 ~~teachers licensed in~~ persons from another state or country who:

194.11 (1) immediately qualify for a Tier ~~3 or Tier 4~~ 2 or higher Minnesota license;

194.12 (2) have moved to ~~the economic development region in~~ Minnesota ~~where they were~~  
 194.13 ~~hired~~; and

194.14 (3) belong to a racial or ethnic group that is underrepresented among teachers compared  
 194.15 to students in the district or school under section 120B.35, subdivision 3, paragraph (b),  
 194.16 clause (2).

194.17 Subd. 3. **Bonus amount.** A district or school may offer a ~~signing~~ hiring and retention  
 194.18 bonus of a minimum of ~~\$2,500~~ \$4,000 and a maximum of ~~\$5,000~~ \$8,000 to a teacher who  
 194.19 meets the eligibility requirements. A teacher who meets the eligibility requirements and  
 194.20 meets a licensure shortage area in the economic development region of the state where the  
 194.21 school is located may be offered a ~~signing~~ hiring bonus of a minimum of ~~\$4,000~~ \$5,000  
 194.22 and a maximum of ~~\$8,000~~ \$10,000. A teacher must be paid half of the bonus when starting  
 194.23 employment and half after completing four years of service in the hiring district or school  
 194.24 if the teacher has demonstrated teaching effectiveness and is not on a professional  
 194.25 improvement plan under section 122A.40, subdivision 8, paragraph (b), clause (12) or (13),  
 194.26 or section 122A.41, subdivision 5, paragraph (b), clause (12) or (13), or is not being  
 194.27 considered for termination for a reason listed in section 122A.40, subdivision 9, including  
 194.28 a teacher hired by a school district located in a city of the first class. A teacher who does  
 194.29 not complete their first school year upon receiving a hiring bonus must repay the hiring  
 194.30 bonus. A teacher must have a Tier 3 or Tier 4 Minnesota teaching license to qualify for the  
 194.31 second half of the bonus. A district must prorate the second half of the bonus if the eligible  
 194.32 teacher is nonrenewed due to reasons not having to do with teaching effectiveness or  
 194.33 misconduct.

195.1 Subd. 4. **Administration.** (a) The commissioner must establish a process for districts  
195.2 or schools to seek reimbursement for hiring bonuses given to teachers in shortage areas  
195.3 moving to and working in Minnesota schools experiencing specific shortages. The  
195.4 commissioner must provide guidance for districts to seek repayment of a hiring bonus from  
195.5 a teacher who does not complete the first year of employment. The department may conduct  
195.6 a pilot program with a small number of teachers during the 2022-2023 biennium to establish  
195.7 feasibility. The department must submit a report by December 1, 2022, to the chairs and  
195.8 ranking minority members of the legislative committees with jurisdiction over kindergarten  
195.9 through grade 12 education detailing the effectiveness of the program and recommendations  
195.10 for improvement in future years.

195.11 (b) The commissioner may award participating districts and schools additional funds to  
195.12 administer the program, including out-of-state recruiting efforts and retention activities.  
195.13 The commissioner may allow participating districts and schools to reserve up to five percent  
195.14 of Come Teach in Minnesota funding to administer the program, including for out-of-state  
195.15 recruiting efforts and retention activities.

195.16 Subd. 5. **Come Teach in Minnesota Hiring Bonus program account.** (a) An account  
195.17 is established in the special revenue fund known as the "Come Teach in Minnesota Hiring  
195.18 Bonus program account."

195.19 (b) Funds appropriated for the Come Teach in Minnesota Hiring Bonus program under  
195.20 this section must be transferred to the Come Teach in Minnesota Hiring Bonus program  
195.21 account in the special revenue fund.

195.22 (c) Money in the account is annually appropriated to the commissioner for hiring bonuses  
195.23 under this section. Any returned funds are available to be regranted.

195.24 (d) Up to \$35,000 annually is appropriated to the commissioner for costs associated with  
195.25 developing and administering the program under this section.

195.26 **EFFECTIVE DATE.** The amendment to subdivision 2 is effective retroactively from  
195.27 July 1, 2022. The amendments to subdivisions 1, 3, and 4 are effective the day following  
195.28 final enactment.

195.29 Sec. 54. **[122A.631] SUPPORTING HERITAGE LANGUAGE AND CULTURE**  
195.30 **TEACHERS.**

195.31 Subdivision 1. Purpose. The purpose of this section is to increase the number of heritage  
195.32 language and culture teachers in Minnesota.

196.1 Subd. 2. **Definitions.** "Heritage language and culture teachers" means teachers with a  
196.2 connection to a community's language and culture who use this connection to support  
196.3 students as they learn academic content or the language and culture of that particular  
196.4 community.

196.5 Subd. 3. **Eligibility.** Applicants for the heritage language and culture licensure pathway  
196.6 program must:

196.7 (1) hold a current license issued by the Professional Educator Licensing and Standards  
196.8 Board or meet the criteria for licensure in 122A.181; and

196.9 (2) seek initial, dual, or additional licensure in a heritage language.

196.10 Subd. 4. **Heritage language and culture teacher licensure pathway program.** (a) The  
196.11 Professional Educator Licensing and Standards Board shall develop a program to support  
196.12 initial and additional licensure for heritage language and culture teachers. The program  
196.13 must include:

196.14 (1) a yearlong mentorship program;

196.15 (2) monthly meetings where applicants receive guidance on completing the portfolio  
196.16 process from a portfolio liaison, dedicated specifically to facilitating this program;

196.17 (3) a stipend to cover substitute teachers when meetings take place during the school  
196.18 day;

196.19 (4) a waiver for all portfolio and licensure testing fees; and

196.20 (5) a portfolio review committee created by the board.

196.21 (b) For applicants seeking an initial license in a world language and culture, the applicant  
196.22 must demonstrate meeting the standards of effective practice in Minnesota Rules, part  
196.23 8710.2000 and content-specific pedagogical standards in Minnesota Rules, part 8710.4950,  
196.24 through the portfolio process.

196.25 (c) For applicants seeking a dual license, the applicant must demonstrate meeting the  
196.26 standards of effective practice in Minnesota Rules, part 8710.2000, content-specific  
196.27 pedagogical standards in Minnesota Rules, part 8710.4950, and all standards for the chosen  
196.28 dual license through the portfolio process.

196.29 (d) For applicants seeking an additional license in a world language and culture, the  
196.30 applicant must demonstrate meeting the content-specific pedagogical standards in Minnesota  
196.31 Rules, part 8710.4950.

197.1 Subd. 5. Heritage language and culture educators seeking a world language  
 197.2 license. Heritage language and culture teachers seeking a world language and culture license  
 197.3 pursuant to Minnesota Rules, part 8710.4950, who demonstrate proficiency through one of  
 197.4 the following may use this proficiency to evidence meeting the required content-specific  
 197.5 world language and culture standards, which do not include content-specific pedagogical  
 197.6 standards, for licensure in their heritage language:

197.7 (1) passing a board-adopted assessment;

197.8 (2) holding a certificate to serve as a translator or interpreter; or

197.9 (3) completing an undergraduate or postbaccalaureate degree from an accredited  
 197.10 university where the majority of coursework was taught via the non-English instructional  
 197.11 language.

197.12 Sec. 55. Minnesota Statutes 2022, section 122A.635, is amended to read:

197.13 **122A.635 COLLABORATIVE URBAN AND GREATER MINNESOTA**  
 197.14 **EDUCATORS OF COLOR GRANT PROGRAM.**

197.15 Subdivision 1. **Establishment.** The Professional Educator Licensing and Standards  
 197.16 Board must award competitive grants to increase the number of teacher candidates who are  
 197.17 of color or who are American Indian, complete teacher preparation programs, and meet the  
 197.18 requirements for a Tier 3 license under section 122A.183. Eligibility for a grant under this  
 197.19 section is limited to public or private higher education institutions that offer a teacher  
 197.20 preparation program approved by the Professional Educator Licensing and Standards Board.

197.21 Subd. 2. **Competitive grants.** (a) The Professional Educator Licensing and Standards  
 197.22 Board must award competitive grants to a variety of higher education institution types under  
 197.23 this section. The board must require an applicant institution to submit a plan describing how  
 197.24 it would use grant funds to increase the number of teachers who are of color or who are  
 197.25 American Indian, and must award grants based on the following criteria, listed in descending  
 197.26 order of priority:

197.27 ~~(1) the number of teacher candidates being supported in the program who are of color~~  
 197.28 ~~or who are American Indian;~~

197.29 ~~(2)~~ (1) program outcomes, including graduation or program completion rates; and  
 197.30 licensure recommendation rates; and placement rates for candidates who are of color or  
 197.31 who are American Indian compared to all candidates enrolled in a teacher preparation  
 197.32 program at the institution and, for each outcome measure, the number of ~~those~~ teacher  
 197.33 candidates who are of color or who are American Indian; and

198.1 ~~(3) the percent of racially and ethnically diverse teacher candidates enrolled in the~~  
198.2 ~~institution compared to:~~

198.3 ~~(i) the total percent of students of color and American Indian students enrolled at the~~  
198.4 ~~institution, regardless of major; and~~

198.5 ~~(ii) the percent of underrepresented racially and ethnically diverse teachers in the~~  
198.6 ~~economic development region of the state where the institution is located and where a~~  
198.7 ~~shortage of diverse teachers exists, as reported under section 122A.091, subdivision 5.~~

198.8 (2) the extent to which an institution's plan is clear in describing how the institution  
198.9 would use grant funds for implementing explicit research-based practices to provide  
198.10 programmatic support to teacher candidates who are of color or who are American Indian.  
198.11 Plans for grant funds may include:

198.12 (i) recruiting more racially and ethnically diverse candidates for admission to teacher  
198.13 preparation programs;

198.14 (ii) providing differentiated advising, mentoring, or other supportive community-building  
198.15 activities in addition to what the institution provides to all candidates enrolled in the  
198.16 institution;

198.17 (iii) providing academic tutoring or support to help teacher candidates pass required  
198.18 assessments; and

198.19 (iv) providing for program staffing expenses;

198.20 (3) an institution's plan to provide direct financial assistance as scholarships or stipends  
198.21 within the allowable dollar range determined by the board under subdivision 3, paragraph  
198.22 (b), to teacher candidates who are of color or who are American Indian;

198.23 ~~(b) The board must give priority in awarding grants under this section to institutions that~~  
198.24 ~~received grants under Laws 2017, First Special Session chapter 5, article 2, section 57,~~  
198.25 ~~subdivision 27, and have demonstrated continuing success at recruiting, retaining, graduating,~~  
198.26 ~~and inducting (4) whether the institution has previously received a competitive grant under~~  
198.27 ~~this section and has demonstrated positive outcomes from the use of grant funds for efforts~~  
198.28 ~~helping teacher candidates who are of color or who are American Indian; to enroll in and~~  
198.29 ~~successfully complete teacher preparation programs and be recommended for licensure;~~

198.30 (5) geographic diversity among the institutions. In order to expand the number of grant  
198.31 recipients throughout the state, whenever there is at least a 20 percent increase in the base  
198.32 appropriation for this grant program, the board must prioritize awarding grants to institutions  
198.33 outside of the Twin Cities metropolitan area. If the board awards a competitive grant based

199.1 on the criteria in paragraph (a) to a program that has not previously received funding, the  
199.2 board must thereafter give priority to the program equivalent to other programs ~~given priority~~  
199.3 ~~under this paragraph.~~ that have received grants and demonstrated positive outcomes; and

199.4 (6) the percentage of racially and ethnically diverse teacher candidates enrolled in the  
199.5 institution compared to:

199.6 (i) the aggregate percentage of students of color and American Indian students enrolled  
199.7 in the institution, regardless of major; and

199.8 (ii) the percentage of underrepresented racially and ethnically diverse teachers in the  
199.9 economic development region of the state where the institution is located and where a  
199.10 shortage of diverse teachers exists, as reported under section 122A.091, subdivision 5.

199.11 (b) The board must not penalize an applicant institution in the grant review process for  
199.12 using grant funds only to provide direct financial support to teacher candidates if that is the  
199.13 institution's priority and the institution uses other resources to provide programmatic support  
199.14 to candidates.

199.15 (c) The board must determine award amounts for development, maintenance and, or  
199.16 expansion of programs based only on the degree to which applicants meet the criteria in  
199.17 this subdivision, the number of candidates who are of color or who are American Indian  
199.18 supported by an applicant program, ~~sustaining support for those candidates,~~ and funds  
199.19 available.

199.20 (d) The board must determine grant awards in part by multiplying the number of teacher  
199.21 candidates to be provided direct financial assistance by the average amount the institution  
199.22 proposes per candidate that is within the allowable dollar range. After assessing an  
199.23 institution's adherence to grant criteria and funds available, the board may grant an institution  
199.24 a lower average amount per candidate and the institution may decide to award less per  
199.25 candidate or provide financial assistance to fewer candidates within the allowable range.  
199.26 Additionally, an institution may use up to 25 percent of the awarded grant funds to provide  
199.27 programmatic support as described in paragraph (a), clause (3). If the board does not award  
199.28 an applicant institution's full request, the board must allow the institution to modify how it  
199.29 uses grant funds to maximize program outcomes consistent with the requirements of this  
199.30 section.

199.31 **Subd. 3. Grant program administration.** (a) The Professional Educator Licensing and  
199.32 Standards Board may enter into an interagency agreement with the Office of Higher  
199.33 Education. The agreement may include a transfer of funds to the Office of Higher Education  
199.34 to help establish and administer the competitive grant process. The board must award grants

200.1 to institutions located in various economic development regions throughout the state, but  
 200.2 must not predetermine the number of institutions to be awarded grants under this section  
 200.3 or set a limit for the amount that any one institution may receive as part of the competitive  
 200.4 grant application process.

200.5 (b) The board must establish a standard allowable dollar range for the amount of direct  
 200.6 financial assistance an applicant institution may provide to each candidate. To determine  
 200.7 the range, the board may collect de-identified data from institutions that received a grant  
 200.8 during the previous grant period and calculate the average scholarship amount awarded to  
 200.9 all candidates across all institutions using the most recent fiscal year data available. The  
 200.10 calculation may be used to determine a scholarship range that is no more than 25 percent  
 200.11 of this amount and no less than half the average of this amount. The purpose of direct  
 200.12 financial assistance is to assist candidates matriculating through completing licensure  
 200.13 programs if they demonstrate financial need after considering other grants and scholarships  
 200.14 provided.

200.15 (c) All grants must be awarded by August 15 of the fiscal year in which the grants are  
 200.16 to be used ~~except that, for initial competitive grants awarded for fiscal year 2020, grants~~  
 200.17 ~~must be awarded by September 15.~~ An institution that receives a grant under this section  
 200.18 may use the grant funds over a two- to four-year period to sustain support for teacher  
 200.19 candidates at any stage from recruitment and program admission to graduation and licensure  
 200.20 application.

200.21 Subd. 4. **Report.** (a) By ~~January~~ August 15 of each year, an institution awarded a grant  
 200.22 under this section must prepare for the ~~legislature and the board~~ a detailed report regarding  
 200.23 the expenditure of grant funds, including the amounts used to recruit, retain, and ~~instruct~~  
 200.24 support teacher candidates of color or ~~who are~~ American Indian teacher candidates to  
 200.25 complete programs and be recommended for licensure. The report must include:

200.26 (1) the total number of teacher candidates of color, disaggregated by race or ethnic group,  
 200.27 ~~who~~ and American Indian teacher candidates who:

200.28 (i) are enrolled in the institution;

200.29 (ii) are supported by grant funds with direct financial assistance during the academic  
 200.30 reporting year;

200.31 (iii) are supported with other programmatic supports;

200.32 (iv) are recruited to the institution, are and newly admitted to the a licensure program,  
 200.33 ~~are enrolled in the;~~



201.1 (v) are enrolled in a licensure program;

201.2 (vi) have completed a licensure program, ~~have completed student teaching, have~~  
201.3  ~~graduated, are licensed, and are newly employed as Minnesota teachers in their licensure~~  
201.4  ~~field. A grant recipient must report; and~~

201.5 (vii) were recommended for licensure in the field for which they were prepared;

201.6 (2) the total number of teacher candidates of color or who are American Indian teacher  
201.7  candidates at each stage from recruitment program admission to licensed teaching licensure  
201.8  recommendation as a percentage of total all candidates seeking the same licensure at the  
201.9  institution; and

201.10 (3) a brief narrative describing the successes and challenges of efforts proposed in the  
201.11  grant application to support candidates with grant funds, and lessons learned for future  
201.12  efforts.

201.13 (b) By November 1 of each year, the board must post a report on its website summarizing  
201.14  the activities and outcomes of grant recipients and results that promote sharing of effective  
201.15  practices and lessons learned among grant recipients.

201.16 Sec. 56. Minnesota Statutes 2022, section 122A.69, is amended to read:

201.17 **122A.69 PRACTICE OR STUDENT TEACHERS.**

201.18 The Professional Educator Licensing and Standards Board may, by agreements with  
201.19 teacher preparation institutions, arrange for classroom experience in the district for practice  
201.20 or student teachers ~~who have completed at least two years of~~ in an approved teacher  
201.21 preparation program. Such practice and student teachers must be appropriately supervised  
201.22 by a fully qualified teacher under rules adopted by the board. A practice or student teacher  
201.23 must be placed with a cooperating licensed teacher who has at least three years of teaching  
201.24 experience and is not in the improvement process under section 122A.40, subdivision 8,  
201.25 paragraph (b), clause (12), or 122A.41, subdivision 5, paragraph (b), clause (12). Practice  
201.26 and student teachers are employees of the school district in which they are rendering services  
201.27 for purposes of workers' compensation; liability insurance, if provided for other district  
201.28 employees under section 123B.23; and legal counsel under section 123B.25.

202.1 Sec. 57. Minnesota Statutes 2022, section 122A.70, is amended to read:

202.2 **122A.70 TEACHER MENTORSHIP AND RETENTION OF EFFECTIVE**  
202.3 **TEACHERS.**

202.4 Subdivision 1. **Teacher mentoring, induction, and retention programs.** (a) School  
202.5 districts must develop teacher mentoring programs for teachers new to the profession or  
202.6 district, including teaching residents, teachers of color, teachers who are American Indian,  
202.7 teachers in license shortage areas, teachers with special needs, or experienced teachers in  
202.8 need of peer coaching.

202.9 (b) Teacher mentoring programs must be included in or aligned with districts' teacher  
202.10 evaluation and peer review processes under sections 122A.40, subdivision 8, and 122A.41,  
202.11 subdivision 5. A district may use staff development revenue under section 122A.61, special  
202.12 grant programs established by the legislature, or another funding source to pay a stipend to  
202.13 a mentor who may be a current or former teacher who has taught at least three years and is  
202.14 not on an improvement plan. ~~Other initiatives using such funds or funds available under~~  
202.15 ~~sections 124D.861 and 124D.862 may include:~~

202.16 ~~(1) additional stipends as incentives to mentors of color or who are American Indian;~~

202.17 ~~(2) financial supports for professional learning community affinity groups across schools~~  
202.18 ~~within and between districts for teachers from underrepresented racial and ethnic groups to~~  
202.19 ~~come together throughout the school year. For purposes of this section, "affinity groups"~~  
202.20 ~~are groups of educators who share a common racial or ethnic identity in society as persons~~  
202.21 ~~of color or who are American Indian;~~

202.22 ~~(3) programs for induction aligned with the district or school mentorship program during~~  
202.23 ~~the first three years of teaching, especially for teachers from underrepresented racial and~~  
202.24 ~~ethnic groups; or~~

202.25 ~~(4) grants supporting licensed and nonlicensed educator participation in professional~~  
202.26 ~~development, such as workshops and graduate courses, related to increasing student~~  
202.27 ~~achievement for students of color and American Indian students in order to close opportunity~~  
202.28 ~~and achievement gaps.~~

202.29 ~~(c) A school or district that receives a grant must negotiate additional retention strategies~~  
202.30 ~~or protection from unrequested leave of absences in the beginning years of employment for~~  
202.31 ~~teachers of color and teachers who are American Indian. Retention strategies may include~~  
202.32 ~~providing financial incentives for teachers of color and teachers who are American Indian~~  
202.33 ~~to work in the school or district for at least five years and placing American Indian educators~~

203.1 ~~at sites with other American Indian educators and educators of color at sites with other~~  
 203.2 ~~educators of color to reduce isolation and increase opportunity for collegial support.~~

203.3 Subd. 2. **Board grants.** The Professional Educator Licensing and Standards Board must  
 203.4 make grant application forms available to sites interested in developing, sustaining, or  
 203.5 expanding a mentorship program. A school district, ~~a~~ or group of school districts, ~~a coalition~~  
 203.6 ~~of districts, teachers, and teacher education institutions;~~ or, a school or coalition of schools,  
 203.7 or a coalition of teachers, ~~or nonlicensed educators~~ may apply for a program grant. A higher  
 203.8 education institution or nonprofit organization may partner with a grant applicant but is not  
 203.9 eligible as a sole applicant for grant funds. The Professional Educator Licensing and  
 203.10 Standards Board, in consultation with the teacher mentoring task force, must approve or  
 203.11 disapprove the applications. To the extent possible, the approved applications must reflect  
 203.12 effective mentoring, professional development, and retention components, and be  
 203.13 geographically distributed throughout the state. The Professional Educator Licensing and  
 203.14 Standards Board must encourage the selected sites to consider the use of its assessment  
 203.15 procedures.

203.16 Subd. 2a. **Funded work.** (a) Grant funds may be used for the following:

203.17 (1) additional stipends as incentives to mentors who are of color or who are American  
 203.18 Indian;

203.19 (2) financial supports for professional learning community affinity groups across schools  
 203.20 within and between districts for educators from underrepresented racial and ethnic groups  
 203.21 to come together throughout the school year. For purposes of this section, "affinity groups"  
 203.22 means groups of licensed and nonlicensed educators who share a common racial or ethnic  
 203.23 identity in society as persons who are of color or who are American Indian;

203.24 (3) programs for induction aligned with the district or school mentorship program during  
 203.25 the first three years of teaching, especially for teachers from underrepresented racial and  
 203.26 ethnic groups;

203.27 (4) professional development focused on ways to close opportunity and achievement  
 203.28 gaps for students of color and American Indian students; or

203.29 (5) for teachers of color and American Indian teachers, graduate courses toward a first  
 203.30 master's degree in a field related to their licensure or toward an additional license.

203.31 (b) A charter school or district that receives a grant must negotiate additional retention  
 203.32 strategies or protection from unrequested leaves of absence in the beginning years of  
 203.33 employment for teachers who are of color or who are American Indian. Retention strategies

204.1 may include providing financial incentives for teachers of color and teachers who are  
204.2 American Indian to work in the school or district for at least five years and placing American  
204.3 Indian educators at sites with other American Indian educators and educators of color at  
204.4 sites with other educators of color to reduce isolation and increase opportunity for collegial  
204.5 support.

204.6 Subd. 3. **Criteria for selection.** (a) At a minimum, applicants for grants under subdivision  
204.7 2 must express commitment to:

204.8 (1) allow staff participation;

204.9 (2) assess skills of both beginning and mentor teachers;

204.10 (3) provide appropriate in-service to needs identified in the assessment;

204.11 (4) provide leadership to the effort;

204.12 (5) cooperate with higher education institutions or teacher educators;

204.13 (6) provide facilities and other resources;

204.14 (7) share findings, materials, and techniques with other school districts; and

204.15 (8) retain teachers of color and teachers who are American Indian.

204.16 (b) The Professional Educator Licensing and Standards Board must give priority to  
204.17 applications to fund programs to induct, mentor, and retain Tier 2 or Tier 3 teachers who  
204.18 are of color or who are American Indian, and Tier 2 or Tier 3 teachers in licensure shortage  
204.19 areas within the applicant's economic development region.

204.20 Subd. 4. **Additional funding.** Grant applicants must seek additional funding and  
204.21 assistance from sources such as school districts, postsecondary institutions, foundations,  
204.22 and the private sector.

204.23 Subd. 5. **Program implementation.** A grant recipient may use grant funds on  
204.24 implementing activities over a period of time up to 24 months. New and expanding  
204.25 mentorship sites that receive a board grant under subdivision 2 to design, develop, implement,  
204.26 and evaluate their program must participate in activities that support program development  
204.27 and implementation.

204.28 Subd. 5a. **Grant program administration.** The Professional Educator Licensing and  
204.29 Standards Board may enter into an interagency agreement with the Office of Higher  
204.30 Education or the Department of Education. The agreement may include a transfer of funds  
204.31 to the Office of Higher Education or the Department of Education to help administer the  
204.32 competitive grant process.

205.1 Subd. 6. **Report.** By ~~June~~ September 30 of each year after receiving a grant, recipients  
205.2 must submit a report to the Professional Educator Licensing and Standards Board on program  
205.3 efforts that describes mentoring and induction activities and assesses the impact of these  
205.4 programs on teacher effectiveness and retention. The board must publish a summary report  
205.5 for the public and submit the report to the committees of the legislature with jurisdiction  
205.6 over kindergarten through grade 12 education policy and finance in accordance with section  
205.7 3.302 by November 30 of each year.

205.8 **EFFECTIVE DATE.** This section is effective July 1, 2023.

205.9 Sec. 58. Minnesota Statutes 2022, section 122A.73, subdivision 2, is amended to read:

205.10 Subd. 2. **Grow Your Own district programs.** (a) A school district, charter school, or  
205.11 cooperative unit under section 123A.24, subdivision 2, may apply for a grant for a  
205.12 Professional Educator Licensing and Standards Board-approved teacher preparation program  
205.13 to establish a Grow Your Own pathway for adults to obtain their first professional teaching  
205.14 license. Grantees must partner with a Professional Educator Licensing and Standards  
205.15 Board-approved teacher preparation program. Partnerships may also include institutions  
205.16 that have an articulated transfer pathway with a board-approved teacher preparation program.  
205.17 The grant recipient must use at least 80 percent of grant funds to provide tuition scholarships  
205.18 or stipends to enable school district employees or community members affiliated with a  
205.19 school district, who are of color or American Indian and who seek a teaching license, to  
205.20 participate in the teacher preparation program. Grant funds may also be used to pay for  
205.21 teacher licensure exams and licensure fees.

205.22 (b) A district using grant funds under this subdivision to provide financial support to  
205.23 teacher candidates may require a commitment as determined by the district to teach in the  
205.24 district for a reasonable amount of time that does not exceed five years.

205.25 **EFFECTIVE DATE.** This section is effective July 1, 2024.

205.26 Sec. 59. Minnesota Statutes 2022, section 122A.73, subdivision 3, is amended to read:

205.27 Subd. 3. **Grants for programs serving secondary school students.** (a) In addition to  
205.28 grants for developing and offering dual-credit postsecondary course options in schools for  
205.29 "Introduction to Teaching" or "Introduction to Education" courses under section 124D.09,  
205.30 subdivision 10, a school district or charter school may apply for grants under this section  
205.31 to offer other innovative programs that encourage secondary school students, especially  
205.32 students of color and American Indian students, to pursue teaching. A school district, charter  
205.33 school, or a cooperative unit under section 123A.24, subdivision 2, may apply for grants to

206.1 develop innovative Grow Your Own programs that encourage secondary school students,  
206.2 especially students of color and American Indian students, to pursue teaching. To be eligible  
206.3 for a grant under this subdivision, ~~a school district or charter school~~ an applicant must ensure  
206.4 that the aggregate percentage of secondary school students of color and American Indian  
206.5 students participating in the program is equal to or greater than the aggregate percentage of  
206.6 students of color and American Indian students in the school district ~~or~~, charter school, or  
206.7 cooperative unit.

206.8 (b) A grant recipient must use grant funds awarded under this subdivision for:

206.9 (1) supporting future teacher clubs or service-learning opportunities that provide middle  
206.10 and high school students with experiential learning that supports the success of younger  
206.11 students or peers and increases students' interest in pursuing a teaching career;

206.12 (2) developing and offering postsecondary enrollment options courses for "Introduction  
206.13 to Teaching" or "Introduction to Education" consistent with section 124D.09, subdivision  
206.14 10, that would meet degree requirements for teacher licensure;

206.15 ~~(2)~~ (3) providing direct support, including wrap-around services, for students who are  
206.16 of color or American Indian to enroll and be successful in postsecondary enrollment options  
206.17 courses under section 124D.09 that would meet degree requirements for teacher licensure;  
206.18 or

206.19 ~~(3)~~ (4) offering scholarships to graduating high school students who are of color or  
206.20 American Indian to enroll in board-approved undergraduate teacher preparation programs  
206.21 at a college or university in Minnesota.

206.22 (c) The maximum grant award under this subdivision is \$500,000. The commissioner  
206.23 may consider the number of participants a grant recipient intends to support when determining  
206.24 a grant amount.

206.25 **EFFECTIVE DATE.** This section is effective July 1, 2024.

206.26 Sec. 60. Minnesota Statutes 2022, section 122A.73, subdivision 5, is amended to read:

206.27 Subd. 5. **Grow Your Own program account.** (a) An account is established in the special  
206.28 revenue fund known as the "Grow Your Own program account."

206.29 (b) Funds appropriated for the Grow Your Own program under this section must be  
206.30 transferred to the Grow Your Own program account in the special revenue fund.

207.1 (c) Money in the account is annually appropriated to the commissioner for the Grow  
207.2 Your Own program under this section. Any returned funds are available to be regranted.  
207.3 Grant recipients may apply to use grant money over a period of up to 60 months.

207.4 (d) Up to ~~\$100,000~~ \$175,000 annually is appropriated to the commissioner for costs  
207.5 associated with administering and monitoring the program under this section.

207.6 Sec. 61. **[122A.731] SPECIAL EDUCATION TEACHER PIPELINE PROGRAM.**

207.7 Subdivision 1. Grant program established. The commissioner of education must  
207.8 administer a grant program to develop a pipeline of trained, licensed Tier 3 or Tier 4 special  
207.9 education teachers. A school district, charter school, or cooperative unit under section  
207.10 123A.24, subdivision 2, may apply for a grant under this section. An applicant must partner  
207.11 with a board-approved teacher preparation program.

207.12 Subd. 2. Grant uses. (a) A grant recipient must use grant funds to support participants  
207.13 who are employed by the grant recipient as either a paraprofessional or other unlicensed  
207.14 staff, or a teacher with a Tier 1 or Tier 2 license, and demonstrate a willingness to be a  
207.15 special education teacher after completing the program.

207.16 (b) A grant recipient may use grant funds for:

207.17 (1) tuition assistance or stipends for participants;

207.18 (2) supports for participants, including mentoring, licensure test preparation, and  
207.19 technology support; or

207.20 (3) participant recruitment.

207.21 Subd. 3. Grant procedure. (a) Applicants must apply for a grant under this section in  
207.22 the form and manner specified by the commissioner.

207.23 (b) In awarding grants, the commissioner must prioritize funding for training to allow  
207.24 participants holding a Tier 1 or Tier 2 special education license to obtain a Tier 3 special  
207.25 education license.

207.26 (c) To the extent that there are sufficient applications, the commissioner must, to the  
207.27 extent practicable, award an equal number of grants between applicants in greater Minnesota  
207.28 and applicants in the metropolitan area.

207.29 Subd. 4. Report. Within one year of receiving grant funds, and for each year that a  
207.30 recipient receives grant funds, a grant recipient must report to the commissioner in the form  
207.31 and manner determined by the commissioner the number of participants in the program and

208.1 how grant funds were used. The commissioner must publish an annual report that identifies  
208.2 the grant recipients and summarizes how grant funds are used.

208.3 Subd. 5. **Special education teacher pipeline program account.** (a) An account is  
208.4 established in the special revenue fund known as the special education teacher pipeline  
208.5 program account.

208.6 (b) Funds appropriated for the special education teacher pipeline program under this  
208.7 section must be transferred to the special educator teacher pipeline program account in the  
208.8 special revenue fund.

208.9 (c) Money in the account is annually appropriated to the commissioner for the special  
208.10 education teacher pipeline program under this section. Any returned funds are available to  
208.11 be regranted. Grant recipients may apply to use grant money over a period of up to 60  
208.12 months.

208.13 (d) Up to \$175,000 annually is appropriated to the commissioner for costs associated  
208.14 with administering and monitoring the program under this section.

208.15 **EFFECTIVE DATE.** This section is effective July 1, 2023.

208.16 Sec. 62. Minnesota Statutes 2022, section 123B.147, subdivision 3, is amended to read:

208.17 Subd. 3. **Duties; evaluation.** (a) The principal shall provide administrative, supervisory,  
208.18 and instructional leadership services, under the supervision of the superintendent of schools  
208.19 of the district and according to the policies, rules, and regulations of the school board, for  
208.20 the planning, management, operation, and evaluation of the education program of the building  
208.21 or buildings to which the principal is assigned.

208.22 (b) To enhance a principal's culturally responsive leadership skills and support and  
208.23 improve teaching practices, school performance, and student achievement for diverse student  
208.24 populations, including at-risk students, children with disabilities, English learners, and gifted  
208.25 students, among others, a district must develop and implement a performance-based system  
208.26 for annually evaluating school principals assigned to supervise a school building within the  
208.27 district. The evaluation must be designed to improve teaching and learning by supporting  
208.28 the principal in shaping the school's professional environment and developing teacher  
208.29 quality, performance, and effectiveness. The annual evaluation must:

208.30 (1) support and improve a principal's instructional leadership, organizational management,  
208.31 and professional development, and strengthen the principal's capacity in the areas of  
208.32 instruction, supervision, evaluation, and teacher development;



209.1 (2) support and improve a principal's culturally responsive leadership practices that  
209.2 create inclusive and respectful teaching and learning environments for all students, families,  
209.3 and employees;

209.4 ~~(2)~~ (3) include formative and summative evaluations based on multiple measures of  
209.5 student progress toward career and college readiness;

209.6 ~~(3)~~ (4) be consistent with a principal's job description, a district's long-term plans and  
209.7 goals, and the principal's own professional multiyear growth plans and goals, all of which  
209.8 must support the principal's leadership behaviors and practices, rigorous curriculum, school  
209.9 performance, and high-quality instruction;

209.10 ~~(4)~~ (5) include on-the-job observations and previous evaluations;

209.11 ~~(5)~~ (6) allow surveys to help identify a principal's effectiveness, leadership skills and  
209.12 processes, and strengths and weaknesses in exercising leadership in pursuit of school success;

209.13 ~~(6)~~ (7) use longitudinal data on student academic growth as 35 percent of the evaluation  
209.14 and incorporate district achievement goals and targets;

209.15 ~~(7)~~ (8) be linked to professional development that emphasizes improved teaching and  
209.16 learning, curriculum and instruction, student learning, culturally responsive leadership  
209.17 practices, and a collaborative professional culture; and

209.18 ~~(8)~~ (9) for principals not meeting standards of professional practice or other criteria  
209.19 under this subdivision, implement a plan to improve the principal's performance and specify  
209.20 the procedure and consequence if the principal's performance is not improved.

209.21 The provisions of this paragraph are intended to provide districts with sufficient flexibility  
209.22 to accommodate district needs and goals related to developing, supporting, and evaluating  
209.23 principals.

209.24 **EFFECTIVE DATE.** This section is effective July 1, 2024.

209.25 Sec. 63. **[124D.901] STUDENT SUPPORT PERSONNEL AID.**

209.26 Subdivision 1. Definitions. For the purposes of this section, the following terms have  
209.27 the meanings given:

209.28 (1) "new position" means a student support services personnel full-time or part-time  
209.29 position not under contract by a school district, charter school, or cooperative unit at the  
209.30 start of the 2022-2023 school year;

210.1 (2) "part-time position" means a student support services personnel position less than  
210.2 1.0 full-time equivalent at the start of the 2022-2023 school year;

210.3 (3) "American Rescue Plan Act" means the federal American Rescue Plan Act of 2021,  
210.4 Public Law 117-2, that awarded funds; and

210.5 (4) "student support services personnel" means an individual licensed to serve as a school  
210.6 counselor, school psychologist, school social worker, school nurse, or chemical dependency  
210.7 counselor in Minnesota.

210.8 Subd. 2. Purpose. The purpose of student support personnel aid is to:

210.9 (1) address shortages of student support services personnel within Minnesota schools;

210.10 (2) decrease caseloads for existing student support services personnel to ensure effective  
210.11 services;

210.12 (3) ensure that students receive effective student support services and integrated and  
210.13 comprehensive services to improve prekindergarten through grade 12 academic, physical,  
210.14 social, and emotional outcomes supporting career and college readiness and effective school  
210.15 mental health services;

210.16 (4) ensure that student support services personnel serve within the scope and practice  
210.17 of their training and licensure;

210.18 (5) fully integrate learning supports, instruction, assessment, data-based decision making,  
210.19 and family and community engagement within a comprehensive approach that facilitates  
210.20 interdisciplinary collaboration; and

210.21 (6) improve student health, school safety, and school climate to support academic success  
210.22 and career and college readiness.

210.23 Subd. 3. Aid eligibility and application. A school district, charter school, intermediate  
210.24 school district, or other cooperative unit is eligible to apply for student support personnel  
210.25 aid under this section. The commissioner must prescribe the form and manner of the  
210.26 application, which must include a plan describing how the aid will be used, including the  
210.27 current roster of licensed student support personnel.

210.28 Subd. 4. Student support personnel aid. (a) The initial student support personnel aid  
210.29 for a school district equals the greater of the student support personnel allowance times the  
210.30 adjusted pupil units at the district for the current fiscal year or \$50,000. The initial student  
210.31 support personnel aid for a charter school equals the student support personnel allowance  
210.32 times the adjusted pupil units at the charter school for the current fiscal year.

211.1 (b) The cooperative student support personnel aid for a school district that is a member  
211.2 of an intermediate school district or other cooperative unit that enrolls students equals the  
211.3 cooperative student support allowance times the adjusted pupil units at the district for the  
211.4 current fiscal year. If a district is a member of more than one cooperative unit that enrolls  
211.5 students, the revenue must be allocated among the cooperative units.

211.6 (c) The student support personnel allowance equals \$25.23 for fiscal year 2024, \$50.66  
211.7 for fiscal year 2025, and \$76.32 for fiscal year 2026 and later.

211.8 (d) The cooperative student support allowance equals \$1.51 for fiscal year 2024, \$3.04  
211.9 for fiscal year 2025, and \$4.58 for fiscal year 2026 and later.

211.10 (e) Notwithstanding paragraphs (a) and (b), the student support personnel aid must not  
211.11 exceed the district's, charter school's, or cooperative unit's actual expenditure according to  
211.12 the approved plan under subdivision 3.

211.13 Subd. 5. **Allowed uses; match requirements.** (a) Aid under this section must be used  
211.14 to hire new positions for student support services personnel or increase a current position  
211.15 that is less than 1.0 full-time equivalent to a greater number of service hours or make  
211.16 permanent a position hired using onetime resources awarded through the federal Coronavirus  
211.17 Aid Relief and Economic Security Act, the federal Consolidated Appropriations Act, the  
211.18 federal Division M-Coronavirus Response and Relief Supplemental Appropriations Act, or  
211.19 the federal American Rescue Plan Act, or to maintain a position that would otherwise be  
211.20 eliminated.

211.21 (b) Cooperative student support personnel aid must be transferred to the intermediate  
211.22 district or other cooperative unit of which the district is a member and used to hire new  
211.23 positions for student support services personnel or increase a current position that is less  
211.24 than 1.0 full-time equivalent to a greater number of service hours or make permanent a  
211.25 position hired using onetime resources awarded through the American Rescue Plan Act at  
211.26 the intermediate district or cooperative unit.

211.27 (c) If a school district, charter school, or cooperative unit does not receive at least two  
211.28 applications and is not able to hire a new full-time equivalent position with student support  
211.29 personnel aid, the aid may be used for contracted services from individuals licensed to serve  
211.30 as a school counselor, school psychologist, school social worker, school nurse, or chemical  
211.31 dependency counselor in Minnesota.

211.32 Subd. 6. **Report required.** By February 1 following any fiscal year in which student  
211.33 support personnel aid was received, a school district, charter school, or cooperative unit

212.1 must submit a written report to the commissioner indicating how the new position affected

212.2 two or more of the following measures:

212.3 (1) school climate;

212.4 (2) student health;

212.5 (3) attendance rates;

212.6 (4) academic achievement;

212.7 (5) career and college readiness; and

212.8 (6) postsecondary completion rates.

212.9 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

212.10 Sec. 64. Minnesota Statutes 2022, section 179A.03, subdivision 18, is amended to read:

212.11 Subd. 18. **Teacher.** "Teacher" means any public employee other than a superintendent  
212.12 or assistant superintendent, principal, assistant principal, or a supervisory or confidential  
212.13 employee, employed by a school district:

212.14 (1) in a position for which the person must be licensed by the Professional Educator  
212.15 Licensing and Standards Board or the commissioner of education; ~~or~~

212.16 (2) in a position as a physical therapist, occupational therapist, art therapist, music  
212.17 therapist, or audiologist; or

212.18 (3) in a position creating and delivering instruction to children in a prekindergarten or  
212.19 early learning program, except that an employee in a bargaining unit certified before January  
212.20 1, 2023, may remain in a bargaining unit that does not include teachers unless an exclusive  
212.21 representative files a petition for a unit clarification or to transfer exclusive representative  
212.22 status.

212.23 **EFFECTIVE DATE.** This section is effective July 1, 2023.

212.24 Sec. 65. Minnesota Statutes 2022, section 179A.03, subdivision 19, is amended to read:

212.25 Subd. 19. **Terms and conditions of employment.** "Terms and conditions of employment"  
212.26 means the hours of employment, the compensation therefor including fringe benefits except  
212.27 retirement contributions or benefits other than employer payment of, or contributions to,  
212.28 premiums for group insurance coverage of retired employees or severance pay, and the  
212.29 employer's personnel policies affecting the working conditions of the employees. In the  
212.30 case of professional employees the term does not mean educational policies of a school

213.1 district. "Terms and conditions of employment" is subject to section 179A.07. In the case  
 213.2 of school employees, "terms and conditions of employment" includes class sizes, student  
 213.3 testing, and student-to-personnel ratios.

213.4 Sec. 66. **APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

213.5 **Subdivision 1. Department of Education.** The sums indicated in this section are  
 213.6 appropriated from the general fund to the Department of Education for the fiscal years  
 213.7 designated.

213.8 **Subd. 2. Agricultural educator grants.** (a) For agricultural educator grants under Laws  
 213.9 2017, First Special Session chapter 5, article 2, section 51:

213.10 \$ 250,000 ..... 2024

213.11 \$ 250,000 ..... 2025

213.12 (b) Any balance in the first year does not cancel but is available in the second year.

213.13 **Subd. 3. Alternative teacher compensation aid.** (a) For alternative teacher compensation  
 213.14 aid under Minnesota Statutes, section 122A.415, subdivision 4:

213.15 \$ 88,666,000 ..... 2024

213.16 \$ 89,321,000 ..... 2025

213.17 (b) The 2024 appropriation includes \$8,824,000 for fiscal year 2023 and \$79,842,000  
 213.18 for fiscal year 2024.

213.19 (c) The 2025 appropriation includes \$8,871,000 for fiscal year 2024 and \$80,450,000  
 213.20 for fiscal year 2025.

213.21 **Subd. 4. Black Men Teach Twin Cities.** (a) For a grant to Black Men Teach Twin Cities  
 213.22 for the purposes listed in paragraph (c):

213.23 \$ 500,000 ..... 2024

213.24 \$ 500,000 ..... 2025

213.25 (b) Black Men Teach Twin Cities must use the grant to establish partnerships with school  
 213.26 district elementary schools and elementary charter schools with a goal of increasing the  
 213.27 number of black male teachers to 20 percent of the teachers at each school site. To the extent  
 213.28 possible, Black Men Teach Twin Cities must include sites in greater Minnesota, suburban  
 213.29 areas, and urban settings.

213.30 (c) The grant money may be used for:

213.31 (1) scholarships for aspiring teachers;

- 214.1 (2) student teacher stipends;
- 214.2 (3) mentoring activities;
- 214.3 (4) professional development, with an emphasis on early literacy training, including best
- 214.4 practices associated with the science of reading; and
- 214.5 (5) stipends for housing to allow a teacher to live closer to the teacher's school.

214.6 (d) Black Men Teach Twin Cities must provide a detailed report to the chairs and ranking

214.7 minority members of the legislative committees with jurisdiction over kindergarten through

214.8 grade 12 education and higher education by January 15 of each year following the year of

214.9 the grant describing how the grant funds were used. The report must describe the progress

214.10 made toward the goal of increasing the number of Black male teachers at each school site,

214.11 identify the strategies used to recruit Black teachers, and describe barriers Black men face

214.12 in the teaching profession. The report must be filed in accordance with Minnesota Statutes,

214.13 section 3.195.

214.14 Subd. 5. **Come Teach in Minnesota hiring bonuses.** (a) For the Come Teach in

214.15 Minnesota hiring bonuses pilot program under Minnesota Statutes, section 122A.59:

214.16	<u>\$</u>	<u>0</u>	<u>.....</u>	<u>2024</u>
214.17	<u>\$</u>	<u>200,000</u>	<u>.....</u>	<u>2025</u>

214.18 (b) Up to \$30,000 of the appropriation amount is available to administer and improve

214.19 the program.

214.20 Subd. 6. **Concurrent enrollment teacher training program.** (a) For the concurrent

214.21 enrollment teacher partnership under Minnesota Statutes, section 122A.76:

214.22	<u>\$</u>	<u>375,000</u>	<u>.....</u>	<u>2024</u>
214.23	<u>\$</u>	<u>375,000</u>	<u>.....</u>	<u>2025</u>

214.24 (b) Any balance in the first year does not cancel but is available in the second year.

214.25 Subd. 7. **Expanded concurrent enrollment grants.** (a) For grants to institutions offering

214.26 "Introduction to Teaching" or "Introduction to Education" courses under Minnesota Statutes,

214.27 section 124D.09, subdivision 10, paragraph (b):

214.28	<u>\$</u>	<u>500,000</u>	<u>.....</u>	<u>2024</u>
214.29	<u>\$</u>	<u>500,000</u>	<u>.....</u>	<u>2025</u>

214.30 (b) Up to five percent of the grant amount is available for grant administration and

214.31 monitoring.

214.32 (c) Any balance in the first year does not cancel but is available in the second year.

215.1 Subd. 8. **Grow Your Own pathways to teacher licensure grants.** (a) For grants to  
 215.2 develop, continue, or expand Grow Your Own new teacher programs under Minnesota  
 215.3 Statutes, section 122A.73, to develop a teaching workforce that more closely reflects the  
 215.4 state's increasingly diverse student population and ensure all students have equitable access  
 215.5 to effective and diverse teachers:

215.6 \$ 23,500,000 ..... 2024

215.7 \$ 23,500,000 ..... 2025

215.8 (b) Up to \$175,000 of the appropriation is available to administer the grant program.

215.9 Subd. 9. **Special education teacher pipeline.** (a) For grants to develop special education  
 215.10 teacher pipelines across Minnesota under Minnesota Statutes, section 122A.731:

215.11 \$ 10,000,000 ..... 2024

215.12 \$ 10,000,000 ..... 2025

215.13 (b) Up to \$175,000 of the appropriation is available to administer the grant program.

215.14 (c) Any balance in the first year does not cancel but is available in the following fiscal  
 215.15 year.

215.16 Subd. 10. **Student support personnel aid.** (a) For aid to support schools in addressing  
 215.17 students' social, emotional, and physical health under Minnesota Statutes, section 124D.901:

215.18 \$ 25,000,000 ..... 2024

215.19 \$ 50,000,000 ..... 2025

215.20 (b) This appropriation is 100 percent payable in the current year.

215.21 (c) The base for fiscal year 2026 and later is \$75,000,000.

215.22 Subd. 11. **Student support personnel workforce pipeline.** (a) For a grant program to  
 215.23 develop a student support personnel workforce pipeline focused on increasing school  
 215.24 psychologists, school nurses, school counselors, and school social workers of color and  
 215.25 Indigenous providers, professional respecialization, recruitment, and retention:

215.26 \$ 5,000,000 ..... 2024

215.27 \$ 5,000,000 ..... 2025

215.28 (b) Of the amount in paragraph (a), \$150,000 is for providing support to school nurses  
 215.29 across the state.

215.30 (c) To the extent practicable, the pipeline grants must be used to support equal numbers  
 215.31 of students pursuing careers as school psychologists, school nurses, school counselors, and  
 215.32 school social workers.

216.1 (d) For grants awarded under this subdivision to school psychologists, the following  
216.2 terms have the meanings given:

216.3 (1) "eligible designated trainee" means an individual enrolled in a NASP-approved or  
216.4 APA-accredited school psychology program granting educational specialist certificates or  
216.5 doctoral degrees in school psychology;

216.6 (2) "practica" means an educational experience administered and evaluated by the  
216.7 graduate training program, with university and site supervision by appropriately credentialed  
216.8 school psychologists, to develop trainees' competencies to provide school psychological  
216.9 services based on the graduate program's goals and competencies relative to accreditation  
216.10 and licensure requirements; and

216.11 (3) "eligible employment" means a paid position within a school or local education  
216.12 agency directly related to the training program providing direct or indirect school psychology  
216.13 services. Direct services include assessment, intervention, prevention, or consultation services  
216.14 to students or their family members and educational staff. Indirect services include  
216.15 supervision, research and evaluation, administration, program development, technical  
216.16 assistance, or professional learning to support direct services.

216.17 (e) Grants awarded to school psychologists must be used for:

216.18 (1) the provision of paid, supervised, and educationally meaningful practica in a public  
216.19 school setting for an eligible designated trainee enrolled in a qualifying program within the  
216.20 grantee's institution;

216.21 (2) to support student recruitment and retention to enroll and hire an eligible designated  
216.22 trainee for paid practica in public school settings; and

216.23 (3) oversight of trainee practica and professional development by the qualifying institution  
216.24 to ensure the qualifications and conduct by an eligible designated trainee meet requirements  
216.25 set forth by the state and accrediting agencies.

216.26 (f) Upon successful completion of the graduate training program, grants awarded to  
216.27 school psychologists must maintain eligible employment within Minnesota for a minimum  
216.28 period of one-year full-time equivalent for each academic year of paid traineeship under  
216.29 the grant program.

216.30 (g) Up to \$150,000 of the appropriation is available for grant administration.

216.31 Subd. 12. **Teacher residency program.** (a) For the teacher residency program under  
216.32 Minnesota Statutes, section 122A.68, subdivision 3:



217.1           \$       3,000,000   ..... 2024

217.2           \$       3,000,000   ..... 2025

217.3           (b) Up to three percent of the appropriation is available for grant administration.

217.4           (c) Any balance does not cancel but is available in the following fiscal year.

217.5           Sec. 67. **APPROPRIATIONS; PROFESSIONAL EDUCATOR LICENSING AND**  
 217.6 **STANDARDS BOARD.**

217.7           Subdivision 1. **Professional Educator Licensing and Standards Board.** The sums  
 217.8 indicated in this section are appropriated from the general fund to the Professional Educator  
 217.9 Licensing and Standards Board for the fiscal years designated.

217.10          Subd. 2. **Alternative pathways support position.** To fund a new position at the  
 217.11 Professional Educator Licensing and Standards Board to support candidates through  
 217.12 alternative pathway programs, including the licensure via portfolio process and to support  
 217.13 districts, charter schools, and educational cooperatives to become alternative preparation  
 217.14 providers:

217.15          \$       150,000   ..... 2024

217.16          \$       150,000   ..... 2025

217.17          Subd. 3. **Collaborative urban and greater Minnesota educators of color grants.** (a)  
 217.18 For collaborative urban and greater Minnesota educators of color competitive grants under  
 217.19 Minnesota Statutes, section 122A.635:

217.20          \$       6,000,000   ..... 2024

217.21          \$       6,000,000   ..... 2025

217.22          (b) The board may retain up to \$100,000 of the appropriation amount to monitor and  
 217.23 administer the grant program.

217.24          (c) Any balance does not cancel but is available in the following fiscal year.

217.25          (d) The base appropriation for fiscal year 2026 and later is \$6,000,000.

217.26          Subd. 4. **Heritage language and culture teachers.** To support an additional licensure  
 217.27 pathway program for heritage language and culture teachers under Minnesota Statutes,  
 217.28 section 122A.631, including funding for a portfolio liaison and funding for substitute teachers  
 217.29 on meeting days, portfolio fees, licensure fees, and licensure exam fees for 50 program  
 217.30 participants:

217.31          \$       208,000   ..... 2024

217.32          \$       208,000   ..... 2025

218.1 Subd. 5. **Licensure via portfolio online platform.** To complete the licensure via portfolio  
 218.2 online platform to streamline the portfolio submission and review process:

218.3 \$ 150,000 ..... 2024

218.4 \$ 150,000 ..... 2025

218.5 Subd. 6. **Mentoring, induction, and retention incentive program grants for teachers**  
 218.6 **of color.** (a) To develop and expand mentoring, induction, and retention programs designed  
 218.7 for teachers of color or American Indian teachers under Minnesota Statutes, section 122A.70:

218.8 \$ 3,500,000 ..... 2024

218.9 \$ 3,500,000 ..... 2025

218.10 (b) Any balance does not cancel but is available in the following fiscal year.

218.11 (c) The base for grants under Minnesota Statutes, section 122A.70, for fiscal year 2026  
 218.12 and later is \$4,500,000, of which at least \$3,500,000 each fiscal year is for grants to develop  
 218.13 and expand mentoring, induction, and retention programs designed for teachers of color or  
 218.14 American Indian teachers.

218.15 (d) The board may retain up to three percent of the appropriation amount to monitor and  
 218.16 administer the grant program.

218.17 Subd. 7. **Removing barriers to licensure.** (a) For rulemaking and technology changes  
 218.18 related to tiered licensure changes:

218.19 \$ 77,000 ..... 2024

218.20 (b) This is a onetime appropriation.

218.21 Subd. 8. **Reports on increasing percentage of teachers of color and American Indian**  
 218.22 **teachers.** (a) For a half-time equivalent employee to complete reports on state-funded  
 218.23 programs to increase the percentage of teachers of color and American Indian teachers in  
 218.24 Minnesota schools in accordance with Minnesota Statutes, section 120B.117, and process  
 218.25 reports under Minnesota Statutes, sections 122A.40, subdivision 3, and 122A.41, subdivision  
 218.26 16:

218.27 \$ 60,000 ..... 2024

218.28 \$ 60,000 ..... 2025

218.29 (b) The base for fiscal year 2026 and later is \$60,000.

218.30 Subd. 9. **Teacher recruitment marketing campaign.** (a) To develop two contracts to  
 218.31 develop and implement an outreach and marketing campaign under this subdivision:

219.1           \$           500,000     ..... 2024

219.2           \$           500,000     ..... 2025

219.3           (b) The Professional Educator Licensing and Standards Board must issue a request for  
219.4 proposals to develop and implement an outreach and marketing campaign to elevate the  
219.5 profession and recruit teachers, especially teachers of color and American Indian teachers.  
219.6 Outreach efforts should include and support current and former Teacher of the Year finalists  
219.7 interested in being recruitment fellows to encourage prospective educators throughout the  
219.8 state. The board may renew a grant contract with a prior recipient if it determines sufficient  
219.9 deliverables were achieved and the plans of the firm or organization are more promising  
219.10 than proposals from other entities.

219.11          (c) The outreach and marketing campaign must focus on increasing interest in teaching  
219.12 in Minnesota public schools for the following individuals:

219.13          (1) high school and college students of color or American Indian students who have not  
219.14 chosen a career path; or

219.15          (2) adults from racial or ethnic groups underrepresented in the teacher workforce who  
219.16 may be seeking to change careers.

219.17          (d) The board must award two \$250,000 grants each year to firms or organizations that  
219.18 demonstrate capacity to reach wide and varied audiences of prospective teachers based on  
219.19 a work plan with quarterly deliverables. Preferences should be given to firms or organizations  
219.20 that are led by people of color and that have people of color working on the campaign with  
219.21 a proven record of success. The grant recipients must recognize current pathways or programs  
219.22 to become a teacher and must partner with educators, schools, institutions, and racially  
219.23 diverse communities. The grant recipients are encouraged to provide in-kind contributions  
219.24 or seek funds from nonstate sources to supplement the grant award.

219.25          (e) The board may use no more than three percent of the appropriation amount to  
219.26 administer the program under this subdivision, and may have an interagency agreement  
219.27 with the Department of Education including transfer of funds to help administer the program.

219.28          (f) Any balance in the first year does not cancel but is available in the second year.

219.29          Sec. 68. **REVISOR INSTRUCTION.**

219.30          The revisor of statutes shall replace the terms "candidate" or "candidates" with "applicant"  
219.31 or "applicants" wherever they appear in Minnesota Statutes, sections 122A.09, 122A.18,  
219.32 122A.181, 122A.182, 122A.183, 122A.184, 122A.185, 122A.188, 122A.21, and 122A.28.

220.1 Sec. 69. **REPEALER.**

220.2 (a) Minnesota Statutes 2022, sections 122A.07, subdivision 2a; 122A.091, subdivisions  
220.3 3 and 6; and 122A.18, subdivision 7c, are repealed.

220.4 (b) Minnesota Rules, part 8710.0500, subparts 8 and 11, are repealed.

220.5 (c) Minnesota Statutes 2022, section 122A.182, subdivision 2, is repealed.

220.6 **EFFECTIVE DATE.** Paragraph (c) is effective July 1, 2024.

220.7

## ARTICLE 6

220.8

### CHARTER SCHOOLS

220.9 Section 1. Minnesota Statutes 2022, section 124E.02, is amended to read:

220.10 **124E.02 DEFINITIONS.**

220.11 (a) For purposes of this chapter, the terms defined in this section have the meanings  
220.12 given them.

220.13 (b) "Affidavit" means a written statement the authorizer submits to the commissioner  
220.14 for approval to establish a charter school under section 124E.06, subdivision 4, attesting to  
220.15 its review and approval process before chartering a school.

220.16 (c) "Affiliate" means a person that directly or indirectly, through one or more  
220.17 intermediaries, controls, is controlled by, or is under common control with another person.

220.18 (d) "Control" means the ability to affect the management, operations, or policy actions  
220.19 or decisions of a person, whether by owning voting securities, by contract, or otherwise.

220.20 (e) "Immediate family" means an individual whose relationship by blood, marriage,  
220.21 adoption, or partnership is no more remote than first cousin.

220.22 (f) "Market need and demand study" means a study that includes the following for the  
220.23 proposed locations of the school or additional site:

220.24 (1) current and projected demographic information of student populations in the  
220.25 geographic area;

220.26 (2) current student enrollment patterns in the geographic area;

220.27 (3) information on existing schools and types of educational programs currently available;

220.28 (4) documentation of the plan to do outreach to diverse and underrepresented populations;

220.29 (5) information on the availability of properly zoned and classified facilities; and

221.1 (6) quantification of existing demand for the new school or site expansion.

221.2 ~~(f)~~ (g) "Person" means an individual or entity of any kind.

221.3 ~~(g)~~ (h) "Related party" means an affiliate or immediate relative of the other interested  
221.4 party, an affiliate of an immediate relative who is the other interested party, or an immediate  
221.5 relative of an affiliate who is the other interested party.

221.6 ~~(h)~~ (i) For purposes of this chapter, the terms defined in section 120A.05 have the same  
221.7 meanings.

221.8 Sec. 2. Minnesota Statutes 2022, section 124E.03, subdivision 2, is amended to read:

221.9 Subd. 2. **Certain federal, state, and local requirements.** (a) A charter school shall  
221.10 meet all federal, state, and local health and safety requirements applicable to school districts.

221.11 (b) A school must comply with statewide accountability requirements governing standards  
221.12 and assessments in chapter 120B.

221.13 (c) A charter school must comply with the Minnesota Public School Fee Law, sections  
221.14 123B.34 to 123B.39.

221.15 (d) A charter school is a district for the purposes of tort liability under chapter 466.

221.16 (e) A charter school must comply with the Pledge of Allegiance requirement under  
221.17 section 121A.11, subdivision 3.

221.18 (f) A charter school and charter school board of directors must comply with chapter 181  
221.19 governing requirements for employment.

221.20 (g) A charter school must comply with continuing truant notification under section  
221.21 260A.03.

221.22 (h) A charter school must develop and implement a teacher evaluation and peer review  
221.23 process under section 122A.40, subdivision 8, paragraph (b), clauses (2) to (13), and place  
221.24 students in classrooms in accordance with section 122A.40, subdivision 8, paragraph (d).  
221.25 The teacher evaluation process in this paragraph does not create any additional employment  
221.26 rights for teachers.

221.27 (i) A charter school must adopt a policy, plan, budget, and process, consistent with  
221.28 section 120B.11, to review curriculum, instruction, and student achievement and strive for  
221.29 the world's best workforce.

221.30 (j) A charter school is subject to and must comply with the Pupil Fair Dismissal Act,  
221.31 sections 121A.40 to 121A.56 and 121A.575.

222.1 Sec. 3. Minnesota Statutes 2022, section 124E.03, is amended by adding a subdivision to  
222.2 read:

222.3 Subd. 9. **English learners.** A charter school is subject to and must comply with the  
222.4 Education for English Learners Act under sections 124D.58 to 124D.64 as though the charter  
222.5 school were a district.

222.6 Sec. 4. Minnesota Statutes 2022, section 124E.05, subdivision 4, is amended to read:

222.7 Subd. 4. **Application content.** (a) To be approved as an authorizer, an applicant must  
222.8 include in its application to the commissioner at least the following:

222.9 (1) how the organization carries out its mission by chartering schools;

222.10 (2) a description of the capacity of the organization to serve as an authorizer, including  
222.11 the positions allocated to authorizing duties, the qualifications for those positions, the  
222.12 full-time equivalencies of those positions, and the financial resources available to fund the  
222.13 positions;

222.14 (3) the application and review process the authorizer uses to decide whether to grant  
222.15 charters;

222.16 (4) the type of contract it arranges with the schools it charters to meet the provisions of  
222.17 section 124E.10;

222.18 (5) the process for overseeing the school, consistent with clause (4), to ensure that the  
222.19 schools chartered comply with applicable law and rules and the contract;

222.20 (6) the criteria and process the authorizer uses to approve applications adding grades or  
222.21 sites under section 124E.06, subdivision 5;

222.22 (7) the process for renewing or terminating the school's charter based on evidence  
222.23 showing the academic, organizational, and financial competency of the school, including  
222.24 its success in increasing student achievement and meeting the goals of the charter school  
222.25 agreement; and

222.26 (8) an assurance specifying that the organization is committed to serving as an authorizer  
222.27 ~~for the full five-year term~~ until the commissioner terminates the organization's ability to  
222.28 authorize charter schools under subdivision 6 or the organization formally withdraws as an  
222.29 approved authorizer under subdivision 7.

222.30 (b) Notwithstanding paragraph (a), an authorizer that is a school district may satisfy the  
222.31 requirements of paragraph (a), clauses (1) and (2), and any requirement governing a conflict  
222.32 of interest between an authorizer and its charter schools or ongoing evaluation or continuing

223.1 education of an administrator or other professional support staff by submitting to the  
223.2 commissioner a written promise to comply with the requirements.

223.3 Sec. 5. Minnesota Statutes 2022, section 124E.05, subdivision 7, is amended to read:

223.4 Subd. 7. **Withdrawal.** If the governing board of an approved authorizer votes to withdraw  
223.5 as an approved authorizer for a reason unrelated to any cause under ~~section 124E.10,~~  
223.6 ~~subdivision 4~~ subdivision 6, the authorizer must notify all its chartered schools and the  
223.7 commissioner in writing by March 1 of its intent to withdraw as an authorizer on June 30  
223.8 in the next calendar year, ~~regardless of when the authorizer's five-year term of approval~~  
223.9 ~~ends~~. Upon notification of the schools and commissioner, the authorizer must provide a  
223.10 letter to the school for distribution to families of students enrolled in the school that explains  
223.11 the decision to withdraw as an authorizer. The commissioner may approve the transfer of  
223.12 a charter school to a new authorizer under section 124E.10, subdivision 5.

223.13 Sec. 6. Minnesota Statutes 2022, section 124E.06, subdivision 1, is amended to read:

223.14 Subdivision 1. **Individuals eligible to organize.** (a) An authorizer, after receiving an  
223.15 application from a charter school developer, may charter either a licensed teacher under  
223.16 section 122A.18, subdivision 1, or a group of individuals that includes one or more licensed  
223.17 teachers under section 122A.18, subdivision 1, to operate a school subject to the  
223.18 commissioner's approval of the authorizer's affidavit under subdivision 4.

223.19 (b) "Application" under this section means the charter school business plan a charter  
223.20 school developer submits to an authorizer for approval to establish a charter school. This  
223.21 application must include:

223.22 (1) the school developer's:

223.23 (i) mission statement;

223.24 (ii) school purposes;

223.25 (iii) program design;

223.26 (iv) financial plan;

223.27 (v) governance and management structure; ~~and~~

223.28 (vi) background and experience; and

223.29 (vii) market need and demand study; and

223.30 (2) any other information the authorizer requests; ~~and~~.

224.1 ~~(3) a "statement of assurances" of legal compliance prescribed by the commissioner.~~

224.2 (c) An authorizer shall not approve an application submitted by a charter school developer  
224.3 under paragraph (a) if the application does not comply with subdivision 3, paragraph (e),  
224.4 and section 124E.01, subdivision 1. The commissioner shall not approve an affidavit  
224.5 submitted by an authorizer under subdivision 4 if the affidavit does not comply with  
224.6 subdivision 3, paragraph (e), and section 124E.01, subdivision 1.

224.7 Sec. 7. Minnesota Statutes 2022, section 124E.06, subdivision 4, is amended to read:

224.8 Subd. 4. **Authorizer's affidavit; approval process.** (a) Before an operator may establish  
224.9 and operate a school, the authorizer must file an affidavit with the commissioner stating its  
224.10 intent to charter a school. An authorizer must file a separate affidavit for each school it  
224.11 intends to charter. An authorizer must file an affidavit at least 14 months before July 1 of  
224.12 the year the new charter school plans to serve students. The affidavit must state:

224.13 (1) the terms and conditions under which the authorizer would charter a school, including  
224.14 a market need and demand study; and

224.15 (2) how the authorizer intends to oversee:

224.16 (i) the fiscal and student performance of the charter school; and

224.17 (ii) compliance with the terms of the written contract between the authorizer and the  
224.18 charter school board of directors under section 124E.10, subdivision 1.

224.19 (b) The commissioner must approve or disapprove the authorizer's affidavit within 60  
224.20 business days of receiving the affidavit. If the commissioner disapproves the affidavit, the  
224.21 commissioner shall notify the authorizer of the deficiencies in the affidavit and the authorizer  
224.22 then has 20 business days to address the deficiencies. The commissioner must notify the  
224.23 authorizer of the commissioner's final approval or final disapproval within 15 business days  
224.24 after receiving the authorizer's response to the deficiencies in the affidavit. If the authorizer  
224.25 does not address deficiencies to the commissioner's satisfaction, the commissioner's  
224.26 disapproval is final. An authorizer who fails to obtain the commissioner's approval is  
224.27 precluded from chartering the school that is the subject of this affidavit.

224.28 Sec. 8. Minnesota Statutes 2022, section 124E.06, subdivision 5, is amended to read:

224.29 Subd. 5. **Adding grades or sites.** (a) A charter school may apply to the authorizer to  
224.30 amend the school charter to add grades or primary enrollment sites beyond those defined  
224.31 in the original affidavit approved by the commissioner. After approving the school's  
224.32 application, the authorizer shall submit a supplemental affidavit in the form and manner



225.1 prescribed by the commissioner. The authorizer must file a supplemental affidavit to the  
225.2 commissioner by October 1 to be eligible to add grades or sites in the next school year. The  
225.3 supplemental affidavit must document to the authorizer's satisfaction:

225.4 (1) the need for the additional grades or sites with supporting long-range enrollment  
225.5 projections;

225.6 (2) a longitudinal record of student academic performance and growth on statewide  
225.7 assessments under chapter 120B or on other academic assessments that measure longitudinal  
225.8 student performance and growth approved by the charter school's board of directors and  
225.9 agreed upon with the authorizer;

225.10 (3) a history of sound school finances and a plan to add grades or sites that sustains the  
225.11 school's finances; ~~and~~

225.12 (4) board capacity to administer and manage the additional grades or sites; and

225.13 (5) for site expansion, a market need and demand study.

225.14 (b) The commissioner shall have 30 business days to review and comment on the  
225.15 supplemental affidavit. The commissioner shall notify the authorizer in writing of any  
225.16 deficiencies in the supplemental affidavit and the authorizer then has 20 business days to  
225.17 address any deficiencies in the supplemental affidavit to the commissioner's satisfaction.  
225.18 The commissioner must notify the authorizer of final approval or final disapproval within  
225.19 15 business days after receiving the authorizer's response to the deficiencies in the affidavit.  
225.20 The school may not add grades or sites until the commissioner has approved the supplemental  
225.21 affidavit. The commissioner's approval or disapproval of a supplemental affidavit is final.

225.22 Sec. 9. Minnesota Statutes 2022, section 124E.10, subdivision 1, is amended to read:

225.23 Subdivision 1. **Contents.** (a) To authorize a charter school, the authorizer and the charter  
225.24 school board of directors must sign a written contract within 45 business days of the  
225.25 commissioner's approval of the authorizer's affidavit. The authorizer shall submit a copy of  
225.26 the charter contract to the commissioner within ten business days after the contract is signed  
225.27 by the contracting parties. The contract must include at least the following:

225.28 (1) a declaration that the charter school will carry out the primary purpose in section  
225.29 124E.01, subdivision 1, and indicate how the school will report its implementation of the  
225.30 primary purpose to its authorizer;

- 226.1 (2) a declaration of the additional purpose or purposes in section 124E.01, subdivision  
226.2 1, that the school intends to carry out and indicate how the school will report its  
226.3 implementation of those purposes to its authorizer;
- 226.4 (3) a description of the school program and the specific academic and nonacademic  
226.5 outcomes that pupils must achieve;
- 226.6 (4) a statement of the school's admission policies and procedures;
- 226.7 (5) a school governance, management, and administration plan;
- 226.8 (6) signed agreements from charter school board members to comply with the federal  
226.9 and state laws governing organizational, programmatic, and financial requirements applicable  
226.10 to charter schools;
- 226.11 (7) the criteria, processes, and procedures the authorizer will use to monitor and evaluate  
226.12 the fiscal, operational, and academic performance, consistent with subdivision 3, paragraphs  
226.13 (a) and (b);
- 226.14 (8) for contract renewal, the formal written performance evaluation that is a prerequisite  
226.15 for reviewing a charter contract under subdivision 3;
- 226.16 (9) types and amounts of insurance liability coverage the charter school must obtain,  
226.17 consistent with section 124E.03, subdivision 2, paragraph (d);
- 226.18 (10) consistent with section 124E.09, paragraph (d), a provision to indemnify and hold  
226.19 harmless from any suit, claim, or liability arising from any charter school operation:
- 226.20 (i) the authorizer and its officers, agents, and employees; and
- 226.21 (ii) notwithstanding section 3.736, the commissioner and department officers, agents,  
226.22 and employees;
- 226.23 (11) the term of the contract, which, for an initial contract, may be up to five years plus  
226.24 a preoperational planning period, or for a renewed contract or a contract with a new authorizer  
226.25 after a transfer of authorizers, may be up to five years, if warranted by the school's academic,  
226.26 financial, and operational performance;
- 226.27 (12) how the charter school board of directors or the charter school operators will provide  
226.28 special instruction and services for children with a disability under sections 125A.03 to  
226.29 125A.24, and 125A.65, and a description of the financial parameters within which the charter  
226.30 school will provide the special instruction and services to children with a disability;

227.1 (13) the specific conditions for contract renewal that identify the performance of all  
227.2 students under the primary purpose of section 124E.01, subdivision 1, as the most important  
227.3 factor in determining whether to renew the contract; and

227.4 (14) the additional purposes under section 124E.01, subdivision 1, and related  
227.5 performance obligations under clause (7) contained in the charter contract as additional  
227.6 factors in determining whether to renew the contract.

227.7 (b) In addition to the requirements of paragraph (a), the charter contract must contain  
227.8 the plan for an orderly closing of the school under chapter 317A, that establishes the  
227.9 responsibilities of the school board of directors and the authorizer, whether the closure is a  
227.10 termination for cause, a voluntary termination, or a nonrenewal of the contract. The plan  
227.11 must establish who is responsible for:

227.12 (1) notifying the commissioner, school district in which the charter school is located,  
227.13 and parents of enrolled students about the closure;

227.14 (2) providing parents of enrolled students information and assistance to enable the student  
227.15 to re-enroll in another school;

227.16 (3) transferring student records under section 124E.03, subdivision 5, paragraph (b), to  
227.17 the student's resident school district; and

227.18 (4) closing financial operations.

227.19 (c) A charter school must design its programs to at least meet the outcomes adopted by  
227.20 the commissioner for public school students, including world's best workforce goals under  
227.21 section 120B.11, subdivision 1. In the absence of the commissioner's requirements governing  
227.22 state standards and benchmarks, the school must meet the outcomes contained in the contract  
227.23 with the authorizer. The achievement levels of the outcomes contained in the contract may  
227.24 exceed the achievement levels of any outcomes adopted by the commissioner for public  
227.25 school students.

227.26 Sec. 10. Minnesota Statutes 2022, section 124E.11, is amended to read:

227.27 **124E.11 ADMISSION REQUIREMENTS AND ENROLLMENT.**

227.28 (a) A charter school, including its preschool or prekindergarten program established  
227.29 under section 124E.06, subdivision 3, paragraph (b), may limit admission to:

227.30 (1) pupils within an age group or grade level;

227.31 (2) pupils who are eligible to participate in the graduation incentives program under  
227.32 section 124D.68; or

228.1 (3) residents of a specific geographic area in which the school is located when the  
228.2 majority of students served by the school are members of underserved populations.

228.3 (b) A charter school, including its preschool or prekindergarten program established  
228.4 under section 124E.06, subdivision 3, paragraph (b), ~~shall~~ must enroll an eligible pupil who  
228.5 submits a timely application, unless the number of applications exceeds the capacity of a  
228.6 program, class, grade level, or building. In this case, pupils must be accepted by lot. The  
228.7 charter school must develop and publish, including on its website, a lottery policy and  
228.8 process that it must use when accepting pupils by lot.

228.9 (c) Admission to a charter school must be free to any eligible pupil who resides within  
228.10 the state. A charter school must give enrollment preference to a Minnesota resident pupil  
228.11 over pupils that do not reside in Minnesota. A charter school must require a pupil who does  
228.12 not reside in Minnesota to annually apply to enroll in accordance with paragraphs (a) to (f).  
228.13 A charter school ~~shall~~ must give enrollment preference to a sibling of an enrolled pupil and  
228.14 to a foster child of that pupil's parents and may give preference for enrolling children of the  
228.15 school's staff before accepting other pupils by lot. A charter school that is located in Duluth  
228.16 township in St. Louis County and admits students in kindergarten through grade 6 must  
228.17 give enrollment preference to students residing within a five-mile radius of the school and  
228.18 to the siblings of enrolled children. ~~A charter school may give enrollment preference to~~  
228.19 ~~children currently enrolled in the school's free preschool or prekindergarten program under~~  
228.20 ~~section 124E.06, subdivision 3, paragraph (b), who are eligible to enroll in kindergarten in~~  
228.21 ~~the next school year.~~

228.22 (d) A person ~~shall~~ may not be admitted to a charter school (1) as a kindergarten pupil,  
228.23 unless the pupil is at least five years of age on September 1 of the calendar year in which  
228.24 the school year for which the pupil seeks admission commences; or (2) as a first grade  
228.25 student, unless the pupil is at least six years of age on September 1 of the calendar year in  
228.26 which the school year for which the pupil seeks admission commences or has completed  
228.27 kindergarten; except that a charter school may establish and publish on its website a policy  
228.28 for admission of selected pupils at an earlier age, consistent with the enrollment process in  
228.29 paragraphs (b) and (c).

228.30 (e) Except as permitted in ~~paragraph (d)~~ paragraphs (d) and (i), a charter school, including  
228.31 its preschool or prekindergarten program established under section 124E.06, subdivision  
228.32 3, paragraph (b), may not limit admission to pupils on the basis of intellectual ability,  
228.33 measures of achievement or aptitude, or athletic ability and may not establish any criteria  
228.34 or requirements for admission that are inconsistent with this section.

229.1 (f) The charter school ~~shall~~ must not distribute any services or goods of value to students,  
229.2 parents, or guardians as an inducement, term, or condition of enrolling a student in a charter  
229.3 school.

229.4 (g) Once a student who resides in Minnesota is enrolled in the school in kindergarten  
229.5 through grade 12, or in the school's free preschool or prekindergarten program under section  
229.6 124E.06, subdivision 3, paragraph (b), while generating pupil units, the student is considered  
229.7 enrolled in the school until the student formally withdraws or is expelled under the Pupil  
229.8 Fair Dismissal Act in sections 121A.40 to 121A.56.

229.9 (h) A charter school with at least 90 percent of enrolled students who are eligible for  
229.10 special education services and have a primary disability of deaf or hard-of-hearing may  
229.11 enroll prekindergarten pupils with a disability under section 126C.05, subdivision 1,  
229.12 paragraph (a), and must comply with the federal Individuals with Disabilities Education  
229.13 Act under Code of Federal Regulations, title 34, section 300.324, subsection (2), clause  
229.14 (iv).

229.15 (i) A charter school serving at least 90 percent of enrolled students who are eligible for  
229.16 special education services and have a primary disability of deaf, hard-of-hearing, or deafblind  
229.17 may give enrollment preference to students who are eligible for special education services  
229.18 and have a primary disability of deaf, hard-of-hearing, or deafblind. The charter school may  
229.19 not limit admission based on the student's eligibility for additional special education services.

229.20 Sec. 11. Minnesota Statutes 2022, section 124E.12, subdivision 1, is amended to read:

229.21 Subdivision 1. **Teachers.** A charter school, excluding its preschool or prekindergarten  
229.22 program established under section 124E.06, subdivision 3, must employ or contract with  
229.23 necessary teachers, as defined by section ~~122A.15, subdivision 1,~~ 122A.06, subdivision 2,  
229.24 or contract with a cooperative formed under chapter 308A to provide necessary teachers,  
229.25 who hold valid licenses to perform the particular service for which they are employed in  
229.26 the school. A charter school's preschool or prekindergarten program must employ or contract  
229.27 with teachers knowledgeable in early childhood curriculum content, assessment, native and  
229.28 English language programs, and instruction established under section 124E.06, subdivision  
229.29 3. The commissioner may reduce the charter school's state aid under section 127A.43 if the  
229.30 school employs a teacher who is not appropriately licensed or approved by the Professional  
229.31 Educator Licensing and Standards Board. The school may employ necessary employees  
229.32 who are not required to hold teaching licenses to perform duties other than teaching and  
229.33 may contract for other services. The school may discharge teachers and nonlicensed  
229.34 employees. The charter school board is subject to section 181.932 governing whistle-blowers.

230.1 When offering employment to a prospective employee, a charter school must give that  
230.2 employee a written description of the terms and conditions of employment and the school's  
230.3 personnel policies.

230.4 Sec. 12. Minnesota Statutes 2022, section 124E.13, subdivision 1, is amended to read:

230.5 Subdivision 1. **Leased space.** A charter school may lease space from: an independent  
230.6 or special school board; other public organization; private, nonprofit, nonsectarian  
230.7 organization; private property owner; or a sectarian organization if the leased space is  
230.8 constructed as a school facility. In all cases, the eligible lessor must also be the building  
230.9 owner. The commissioner must review and approve or disapprove leases in a timely manner  
230.10 to determine eligibility for lease aid under section 124E.22.

230.11 Sec. 13. Minnesota Statutes 2022, section 124E.13, subdivision 3, is amended to read:

230.12 Subd. 3. **Affiliated nonprofit building corporation.** (a) An affiliated nonprofit building  
230.13 corporation may purchase, expand, or renovate an existing facility to serve as a school or  
230.14 may construct a new school facility. A One charter school may organize an affiliated  
230.15 nonprofit building corporation that serves only that charter school if the charter school:

230.16 (1) has operated for at least six consecutive years;

230.17 (2) as of June 30, has a net positive unreserved general fund balance in the preceding  
230.18 three fiscal years;

230.19 (3) has long-range strategic and financial plans that include enrollment projections for  
230.20 at least five years;

230.21 (4) completes a feasibility study of facility options that outlines the benefits and costs  
230.22 of each option; and

230.23 (5) has a plan that describes project parameters and budget.

230.24 (b) An affiliated nonprofit building corporation under this subdivision must:

230.25 (1) be incorporated under section 317A;

230.26 (2) comply with applicable Internal Revenue Service regulations, including regulations  
230.27 for "supporting organizations" as defined by the Internal Revenue Service;

230.28 (3) post on the school website the name, mailing address, bylaws, minutes of board  
230.29 meetings, and names of the current board of directors of the affiliated nonprofit building  
230.30 corporation;

231.1 (4) submit to the commissioner a copy of its annual audit by December 31 of each year;  
231.2 and

231.3 (5) comply with government data practices law under chapter 13.

231.4 (c) An affiliated nonprofit building corporation must not serve as the leasing agent for  
231.5 property or facilities it does not own. A charter school that leases a facility from an affiliated  
231.6 nonprofit building corporation that does not own the leased facility is ineligible to receive  
231.7 charter school lease aid. The state is immune from liability resulting from a contract between  
231.8 a charter school and an affiliated nonprofit building corporation.

231.9 (d) The board of directors of the charter school must ensure the affiliated nonprofit  
231.10 building corporation complies with all applicable legal requirements. The charter school's  
231.11 authorizer must oversee the efforts of the board of directors of the charter school to ensure  
231.12 legal compliance of the affiliated building corporation. A school's board of directors that  
231.13 fails to ensure the affiliated nonprofit building corporation's compliance violates its  
231.14 responsibilities and an authorizer must consider that failure when evaluating the charter  
231.15 school.

231.16 Sec. 14. Minnesota Statutes 2022, section 124E.25, subdivision 1a, is amended to read:

231.17 Subd. 1a. **School closures; payments.** (a) Notwithstanding subdivision 1 and section  
231.18 127A.45, for a charter school ceasing operation on or before June 30, for the payment periods  
231.19 occurring after the school ceases serving students, the commissioner shall withhold the  
231.20 estimated state aid owed the school. The charter school board of directors and authorizer  
231.21 must submit to the commissioner a closure plan under chapter ~~308A~~ or 317A, and financial  
231.22 information about the school's liabilities and assets. After receiving the closure plan, financial  
231.23 information, an audit of pupil counts, and documented lease expenditures from the charter  
231.24 school and monitoring special education expenditures, the commissioner may release cash  
231.25 withheld and may continue regular payments up to the current year payment percentages  
231.26 if further amounts are owed. If, based on audits and monitoring, the school received state  
231.27 aid in excess of the amount owed, the commissioner shall retain aid withheld sufficient to  
231.28 eliminate the aid overpayment.

231.29 (b) For a charter school ceasing operations before or at the end of a school year,  
231.30 notwithstanding section 127A.45, subdivision 3, the commissioner may make preliminary  
231.31 final payments after the school submits the closure plan, an audit of pupil counts, documented  
231.32 lease expenditures, and Uniform Financial Accounting and Reporting Standards (UFARS)  
231.33 financial data and the commissioner monitors special education expenditures for the final

232.1 year of operation. The commissioner may make the final payment after receiving audited  
232.2 financial statements under section 123B.77, subdivision 3.

232.3 (c) Notwithstanding sections 317A.701 to 317A.791, after closing a charter school and  
232.4 satisfying creditors, remaining cash and investment balances shall be returned by the  
232.5 commissioner to the state general fund.

## 232.6 ARTICLE 7

### 232.7 SPECIAL EDUCATION

232.8 Section 1. Minnesota Statutes 2022, section 120A.20, subdivision 1, is amended to read:

232.9 Subdivision 1. **Age limitations; pupils.** (a) All schools supported in whole or in part  
232.10 by state funds are public schools. Admission to a public school is free to any person who:  
232.11 (1) resides within the district that operates the school; (2) is under 21 years of age or who  
232.12 meets the requirements of paragraph (c); and (3) satisfies the minimum age requirements  
232.13 imposed by this section. Notwithstanding the provisions of any law to the contrary, the  
232.14 conduct of all students under 21 years of age attending a public secondary school is governed  
232.15 by a single set of reasonable rules and regulations promulgated by the school board.

232.16 (b) A person shall not be admitted to a public school (1) as a kindergarten pupil, unless  
232.17 the pupil is at least five years of age on September 1 of the calendar year in which the school  
232.18 year for which the pupil seeks admission commences; or (2) as a 1st grade student, unless  
232.19 the pupil is at least six years of age on September 1 of the calendar year in which the school  
232.20 year for which the pupil seeks admission commences or has completed kindergarten; except  
232.21 that any school board may establish a policy for admission of selected pupils at an earlier  
232.22 age under section 124D.02.

232.23 (c) A pupil who becomes age 21 after enrollment is eligible for continued free public  
232.24 school enrollment until at least one of the following occurs: (1) the first September 1 after  
232.25 the pupil's 21st birthday; (2) the pupil's completion of the graduation requirements; (3) the  
232.26 pupil's withdrawal with no subsequent enrollment within 21 calendar days; ~~or~~ (4) the end  
232.27 of the school year; (5) in the case of a student with a disability as defined under section  
232.28 125A.02, the pupil's 22nd birthday.

232.29 Sec. 2. Minnesota Statutes 2022, section 121A.41, subdivision 7, is amended to read:

232.30 Subd. 7. **Pupil.** (a) "Pupil" means any student:

232.31 (1) without a disability under 21 years of age; or



233.1 (2) with a disability under ~~21~~ 22 years old who has not received a regular high school  
233.2 diploma ~~or for a child with a disability who becomes 21 years old during the school year~~  
233.3 ~~but has not received a regular high school diploma, until the end of that school year; and~~

233.4 (3) who remains eligible to attend a public elementary or secondary school.

233.5 (b) A "student with a disability" or a "pupil with a disability" has the same meaning as  
233.6 a "child with a disability" under section 125A.02.

233.7 Sec. 3. Minnesota Statutes 2022, section 122A.31, subdivision 1, is amended to read:

233.8 Subdivision 1. **Requirements for American sign language/English interpreters.** (a)  
233.9 In addition to any other requirements that a school district establishes, any person employed  
233.10 to provide American sign language/English interpreting or sign transliterating services on  
233.11 a full-time or part-time basis for a school district after July 1, 2000, must:

233.12 (1) hold current interpreter ~~and~~ or transliterator certificates awarded by the Registry of  
233.13 Interpreters for the Deaf (RID), or the general level interpreter proficiency certificate awarded  
233.14 by the National Association of the Deaf (NAD), or a comparable state certification from  
233.15 the commissioner of education; and

233.16 ~~(2)~~ satisfactorily complete an interpreter/transliterator training program affiliated with  
233.17 an accredited educational institution; or

233.18 (2) hold a certified deaf interpreter certification issued by RID.

233.19 (b) New graduates of an interpreter/transliterator program affiliated with an accredited  
233.20 education institution or certified deaf interpreters who hold a certification issued by RID  
233.21 shall be granted a two-year provisional certificate by the commissioner. During the two-year  
233.22 provisional period, the interpreter/transliterator must develop and implement an education  
233.23 plan in collaboration with a mentor under paragraph (c).

233.24 (c) A mentor of a provisionally certified interpreter/transliterator must be an  
233.25 interpreter/transliterator who has either NAD level IV or V certification or RID certified  
233.26 interpreter and certified transliterator certification and have at least three years of  
233.27 interpreting/transliterating experience in any educational setting. The mentor, in collaboration  
233.28 with the provisionally certified interpreter/transliterator, shall develop and implement an  
233.29 education plan designed to meet the requirements of paragraph (a), clause (1), and include  
233.30 a weekly on-site mentoring process.

233.31 (d) Consistent with the requirements of this paragraph, a person holding a provisional  
233.32 certificate may apply to the commissioner for one time-limited extension. The commissioner,

234.1 in consultation with the Commission of the Deaf, DeafBlind and Hard of Hearing, must  
234.2 grant the person a time-limited extension of the provisional certificate based on the following  
234.3 documentation:

234.4 (1) letters of support from the person's mentor, a parent of a pupil the person serves, the  
234.5 special education director of the district in which the person is employed, and a representative  
234.6 from the regional service center of the deaf and hard-of-hearing;

234.7 (2) records of the person's formal education, training, experience, and progress on the  
234.8 person's education plan; and

234.9 (3) an explanation of why the extension is needed.

234.10 As a condition of receiving the extension, the person must comply with a plan and the  
234.11 accompanying ~~time line~~ timeline for meeting the requirements of this subdivision. A  
234.12 committee composed of the deaf and hard-of-hearing state specialist, a representative of  
234.13 the Minnesota Association of Deaf Citizens, a representative of the Minnesota Registry of  
234.14 Interpreters ~~of~~ for the Deaf, and other appropriate ~~persons~~ committee members selected by  
234.15 the commissioner must develop the plan and ~~time line~~ timeline for the person receiving the  
234.16 extension.

234.17 (e) A school district may employ only an interpreter/transliterators who has been certified  
234.18 under paragraph (a) or (b), or for whom a time-limited extension has been granted under  
234.19 paragraph (d).

234.20 (f) An interpreter who meets the requirements of paragraph (a) is "essential personnel"  
234.21 as defined in section 125A.76, subdivision 1.

234.22 Sec. 4. Minnesota Statutes 2022, section 122A.50, is amended to read:

234.23 **122A.50 PREPARATION TIME.**

234.24 Subdivision 1. Preparation time. Beginning with agreements effective July 1, 1995,  
234.25 and thereafter, all collective bargaining agreements for teachers provided for under chapter  
234.26 179A, must include provisions for preparation time or a provision indicating that the parties  
234.27 to the agreement chose not to include preparation time in the contract.

234.28 If the parties cannot agree on preparation time the following provision shall apply and  
234.29 be incorporated as part of the agreement: "Within the student day for every 25 minutes of  
234.30 classroom instructional time, a minimum of five additional minutes of preparation time  
234.31 shall be provided to each licensed teacher. Preparation time shall be provided in one or two

235.1 uninterrupted blocks during the student day. Exceptions to this may be made by mutual  
235.2 agreement between the district and the exclusive representative of the teachers."

235.3 Subd. 2. Due process forms and procedure time. (a) Beginning with the 2023-2024  
235.4 school year, a school district must use the revenue under this subdivision to provide time  
235.5 for teachers to complete due process forms and procedures in accordance with the plan  
235.6 developed under paragraph (c). This time is in addition to the preparation time under  
235.7 subdivision 1. For purposes of this subdivision, "school district" includes a charter school.

235.8 (b) For fiscal year 2024, the due process revenue for a school district is equal to \$29  
235.9 times the adjusted pupil units for the current fiscal year. For fiscal year 2024, the due process  
235.10 revenue for a school district that is a member of an intermediate school district or other  
235.11 cooperative unit that enrolls students is equal to \$8.25 times the adjusted pupil units for the  
235.12 current fiscal year. For fiscal year 2025 and later, the due process revenue for a school  
235.13 district equals \$16.25 times the adjusted pupil units for the current fiscal year. For fiscal  
235.14 year 2025 and later, the due process revenue for a school district that is a member of an  
235.15 intermediate school district or other cooperative unit that enrolls students equals \$3.25 times  
235.16 the adjusted pupil units for the current fiscal year. If a district is a member of more than one  
235.17 cooperative unit that enrolls students, the revenue must be allocated among the cooperative  
235.18 units.

235.19 (c) A district must meet and negotiate an agreement with the exclusive representative  
235.20 of teachers in the district containing a plan to use the revenue authorized under this  
235.21 subdivision. The plan must provide teachers that provide direct services to students with  
235.22 individualized education programs or individualized family services plans time to complete  
235.23 due process forms and procedures. Examples of allowed uses for the revenue include:

235.24 (1) 43.75 hours of paid time for each teacher providing direct special education services,  
235.25 with the time paid at a rate proportional to the teacher's annual salary, in addition to the  
235.26 wages provided under applicable collective bargaining agreements and memoranda between  
235.27 the school board and exclusive representative of teachers;

235.28 (2) the costs of necessary substitute teachers;

235.29 (3) innovative flexible learning days or weeks that provide teachers time during the  
235.30 regularly scheduled duty day to complete forms and procedures; and

235.31 (4) due process clerks or other staff dedicated to assisting teachers with due process  
235.32 forms and procedures.

236.1 (d) If the district and exclusive representative cannot reach agreement on a plan to use  
236.2 the revenue, the agreement must require the revenue to be used for the use identified in  
236.3 paragraph (c), clause (1). The parties may agree to reduce the number of paid hours if they  
236.4 agree on another use for the revenue, including another use identified in paragraph (c).

236.5 (e) Notwithstanding paragraphs (c) and (d), a charter school without an exclusive  
236.6 representative for its teachers may adopt a due process plan after consulting with its special  
236.7 education teachers. Due process aid received under this section by a charter school subject  
236.8 to this paragraph must be used only for the purposes of the charter school's due process  
236.9 plan.

236.10 (f) For fiscal years 2025 and later, the commissioner must proportionately reduce the  
236.11 school district and cooperative units per pupil allowances in paragraph (b) to account for  
236.12 the additional expenditures in the special education formula.

236.13 Sec. 5. Minnesota Statutes 2022, section 123B.92, subdivision 1, is amended to read:

236.14 Subdivision 1. **Definitions.** For purposes of this section and section 125A.76, the terms  
236.15 defined in this subdivision have the meanings given to them.

236.16 (a) "Actual expenditure per pupil transported in the regular and excess transportation  
236.17 categories" means the quotient obtained by dividing:

236.18 (1) the sum of:

236.19 (i) all expenditures for transportation in the regular category, as defined in paragraph  
236.20 (b), clause (1), and the excess category, as defined in paragraph (b), clause (2), plus

236.21 (ii) an amount equal to one year's depreciation on the district's school bus fleet and  
236.22 mobile units computed on a straight line basis at the rate of 15 percent per year for districts  
236.23 operating a program under section 124D.128 for grades 1 to 12 for all students in the district  
236.24 and 12-1/2 percent per year for other districts of the cost of the fleet, plus

236.25 (iii) an amount equal to one year's depreciation on the district's type III vehicles, as  
236.26 defined in section 169.011, subdivision 71, which must be used a majority of the time for  
236.27 pupil transportation purposes, computed on a straight line basis at the rate of 20 percent per  
236.28 year of the cost of the type three school buses by:

236.29 (2) the number of pupils eligible for transportation in the regular category, as defined  
236.30 in paragraph (b), clause (1), and the excess category, as defined in paragraph (b), clause  
236.31 (2).

237.1 (b) "Transportation category" means a category of transportation service provided to  
237.2 pupils as follows:

237.3 (1) Regular transportation is:

237.4 (i) transportation to and from school during the regular school year for resident elementary  
237.5 pupils residing one mile or more from the public or nonpublic school they attend, and  
237.6 resident secondary pupils residing two miles or more from the public or nonpublic school  
237.7 they attend, excluding desegregation transportation and noon kindergarten transportation;  
237.8 but with respect to transportation of pupils to and from nonpublic schools, only to the extent  
237.9 permitted by sections 123B.84 to 123B.87;

237.10 (ii) transportation of resident pupils to and from language immersion programs;

237.11 (iii) transportation of a pupil who is a custodial parent and that pupil's child between the  
237.12 pupil's home and the child care provider and between the provider and the school, if the  
237.13 home and provider are within the attendance area of the school;

237.14 (iv) transportation to and from or board and lodging in another district, of resident pupils  
237.15 of a district without a secondary school;

237.16 (v) transportation to and from school during the regular school year required under  
237.17 subdivision 3 for nonresident elementary pupils when the distance from the attendance area  
237.18 border to the public school is one mile or more, and for nonresident secondary pupils when  
237.19 the distance from the attendance area border to the public school is two miles or more,  
237.20 excluding desegregation transportation and noon kindergarten transportation; and

237.21 (vi) transportation of pregnant or parenting pupils to and from a program that was  
237.22 established on or before January 1, 2018, or that is in operation on or after July 1, 2021,  
237.23 that provides:

237.24 (A) academic instruction;

237.25 (B) at least four hours per week of parenting instruction; and

237.26 (C) high-quality child care on site during the education day with the capacity to serve  
237.27 all children of enrolled pupils.

237.28 For the purposes of this paragraph, a district may designate a licensed day care facility,  
237.29 school day care facility, respite care facility, the residence of a relative, or the residence of  
237.30 a person or other location chosen by the pupil's parent or guardian, or an after-school program  
237.31 for children operated by a political subdivision of the state, as the home of a pupil for part

238.1 or all of the day, if requested by the pupil's parent or guardian, and if that facility, residence,  
238.2 or program is within the attendance area of the school the pupil attends.

238.3 (2) Excess transportation is:

238.4 (i) transportation to and from school during the regular school year for resident secondary  
238.5 pupils residing at least one mile but less than two miles from the public or nonpublic school  
238.6 they attend, and transportation to and from school for resident pupils residing less than one  
238.7 mile from school who are transported because of full-service school zones, extraordinary  
238.8 traffic, drug, or crime hazards; and

238.9 (ii) transportation to and from school during the regular school year required under  
238.10 subdivision 3 for nonresident secondary pupils when the distance from the attendance area  
238.11 border to the school is at least one mile but less than two miles from the public school they  
238.12 attend, and for nonresident pupils when the distance from the attendance area border to the  
238.13 school is less than one mile from the school and who are transported because of full-service  
238.14 school zones, extraordinary traffic, drug, or crime hazards.

238.15 (3) Desegregation transportation is transportation within and outside of the district during  
238.16 the regular school year of pupils to and from schools located outside their normal attendance  
238.17 areas under a plan for desegregation mandated by the commissioner or under court order.

238.18 (4) "Transportation services for pupils with disabilities" is:

238.19 (i) transportation of pupils with disabilities who cannot be transported on a regular school  
238.20 bus between home or a respite care facility and school;

238.21 (ii) necessary transportation of pupils with disabilities from home or from school to  
238.22 other buildings, including centers such as developmental achievement centers, hospitals,  
238.23 and treatment centers where special instruction or services required by sections 125A.03 to  
238.24 125A.24, 125A.26 to 125A.48, and 125A.65 are provided, within or outside the district  
238.25 where services are provided;

238.26 (iii) necessary transportation for resident pupils with disabilities required by sections  
238.27 125A.12, and 125A.26 to 125A.48;

238.28 (iv) board and lodging for pupils with disabilities in a district maintaining special classes;

238.29 (v) transportation from one educational facility to another within the district for resident  
238.30 pupils enrolled on a shared-time basis in educational programs, and necessary transportation  
238.31 required by sections 125A.18, and 125A.26 to 125A.48, for resident pupils with disabilities  
238.32 who are provided special instruction and services on a shared-time basis or if resident pupils  
238.33 are not transported, the costs of necessary travel between public and private schools or

239.1 neutral instructional sites by essential personnel employed by the district's program for  
239.2 children with a disability;

239.3 (vi) transportation for resident pupils with disabilities to and from board and lodging  
239.4 facilities when the pupil is boarded and lodged for educational purposes;

239.5 (vii) transportation of pupils for a curricular field trip activity on a school bus equipped  
239.6 with a power lift when the power lift is required by a student's disability or section 504 plan;  
239.7 and

239.8 (viii) services described in clauses (i) to (vii), when provided for pupils with disabilities  
239.9 in conjunction with a summer instructional program that relates to the pupil's individualized  
239.10 education program or in conjunction with a learning year program established under section  
239.11 124D.128.

239.12 For purposes of computing special education initial aid under section 125A.76, the cost  
239.13 of providing transportation for children with disabilities includes (A) the additional cost of  
239.14 transporting a student in a shelter care facility as defined in section 260C.007, subdivision  
239.15 30, a student placed in a family foster home as defined in section 260C.007, subdivision  
239.16 16b, a homeless student in another district to the school of origin, or a formerly homeless  
239.17 student from a permanent home in another district to the school of origin but only through  
239.18 the end of the academic year; and (B) depreciation on district-owned school buses purchased  
239.19 after July 1, 2005, and used primarily for transportation of pupils with disabilities, calculated  
239.20 according to paragraph (a), clauses (ii) and (iii). Depreciation costs included in the disabled  
239.21 transportation category must be excluded in calculating the actual expenditure per pupil  
239.22 transported in the regular and excess transportation categories according to paragraph (a).  
239.23 For purposes of subitem (A), a school district may transport a child who does not have a  
239.24 school of origin to the same school attended by that child's sibling, if the siblings are homeless  
239.25 or in a shelter care facility.

239.26 (5) "Nonpublic nonregular transportation" is:

239.27 (i) transportation from one educational facility to another within the district for resident  
239.28 pupils enrolled on a shared-time basis in educational programs, excluding transportation  
239.29 for nonpublic pupils with disabilities under clause (4);

239.30 (ii) transportation within district boundaries between a nonpublic school and a public  
239.31 school or a neutral site for nonpublic school pupils who are provided pupil support services  
239.32 pursuant to section 123B.44; and

240.1 (iii) late transportation home from school or between schools within a district for  
240.2 nonpublic school pupils involved in after-school activities.

240.3 (c) "Mobile unit" means a vehicle or trailer designed to provide facilities for educational  
240.4 programs and services, including diagnostic testing, guidance and counseling services, and  
240.5 health services. A mobile unit located off nonpublic school premises is a neutral site as  
240.6 defined in section 123B.41, subdivision 13.

240.7 Sec. 6. Minnesota Statutes 2022, section 124D.128, subdivision 2, is amended to read:

240.8 Subd. 2. **Commissioner designation.** (a) A state-approved alternative program designated  
240.9 by the state must be a site. A state-approved alternative program must provide services to  
240.10 students who meet the criteria in section 124D.68 and who are enrolled in:

240.11 (1) a district that is served by the state-approved alternative program; or

240.12 (2) a charter school located within the geographic boundaries of a district that is served  
240.13 by the state-approved alternative program.

240.14 (b) To be designated, a state-approved alternative program must demonstrate to the  
240.15 commissioner that it will:

240.16 (1) provide a program of instruction that permits pupils to receive instruction throughout  
240.17 the entire year; and

240.18 (2) develop and maintain a separate record system that, for purposes of section 126C.05,  
240.19 permits identification of membership attributable to pupils participating in the program.

240.20 The record system and identification must ensure that the program will not have the effect  
240.21 of increasing the total average daily membership attributable to an individual pupil as a  
240.22 result of a learning year program. The record system must include the date the pupil originally  
240.23 enrolled in a learning year program, the pupil's grade level, the date of each grade promotion,  
240.24 the average daily membership generated in each grade level, the number of credits or  
240.25 standards earned, and the number needed to graduate.

240.26 (c) A student who has not completed a school district's graduation requirements may  
240.27 continue to enroll in courses the student must complete in order to graduate until the student  
240.28 satisfies the district's graduation requirements or the student is 21 years old, whichever  
240.29 comes first. A student with a disability as set forth in section 125A.02 may continue to  
240.30 enroll in courses until the student graduates with a regular high school diploma or the student  
240.31 is 22 years old, whichever comes first.



241.1 Sec. 7. Minnesota Statutes 2022, section 124D.68, subdivision 2, is amended to read:

241.2 Subd. 2. **Eligible pupils.** (a) A pupil under the age of 21 or who meets the requirements  
241.3 of section 120A.20, subdivision 1, paragraph (c), is eligible to participate in the graduation  
241.4 incentives program, if the pupil:

241.5 (1) performs substantially below the performance level for pupils of the same age in a  
241.6 locally determined achievement test;

241.7 (2) is behind in satisfactorily completing coursework or obtaining credits for graduation;

241.8 (3) is pregnant or is a parent;

241.9 (4) has been assessed as having substance use disorder;

241.10 (5) has been excluded or expelled according to sections 121A.40 to 121A.56;

241.11 (6) has been referred by a school district for enrollment in an eligible program or a  
241.12 program pursuant to section 124D.69;

241.13 (7) is a victim of physical or sexual abuse;

241.14 (8) has experienced mental health problems;

241.15 (9) has experienced homelessness sometime within six months before requesting a  
241.16 transfer to an eligible program;

241.17 (10) speaks English as a second language or is an English learner;

241.18 (11) has withdrawn from school or has been chronically truant; or

241.19 (12) is being treated in a hospital in the seven-county metropolitan area for cancer or  
241.20 other life threatening illness or is the sibling of an eligible pupil who is being currently  
241.21 treated, and resides with the pupil's family at least 60 miles beyond the outside boundary  
241.22 of the seven-county metropolitan area.

241.23 (b) A pupil otherwise qualifying under paragraph (a) who is at least 21 years of age and  
241.24 not yet 22 years of age, and is an English learner with an interrupted formal education  
241.25 according to section 124D.59, subdivision 2a, or is a pupil with a disability as set forth in  
241.26 section 125A.02, is eligible to participate in the graduation incentives program under section  
241.27 124D.68 and in concurrent enrollment courses offered under section 124D.09, subdivision  
241.28 10, and is funded in the same manner as other pupils under this section.

242.1 Sec. 8. Minnesota Statutes 2022, section 125A.03, is amended to read:

242.2 **125A.03 SPECIAL INSTRUCTION FOR CHILDREN WITH A DISABILITY.**

242.3 (a) As defined in paragraph (b), every district must provide special instruction and  
242.4 services, either within the district or in another district, for all children with a disability,  
242.5 including providing required services under Code of Federal Regulations, title 34, section  
242.6 300.121, paragraph (d), to those children suspended or expelled from school for more than  
242.7 ten school days in that school year, who are residents of the district and who are disabled  
242.8 as set forth in section 125A.02. For purposes of state and federal special education laws,  
242.9 the phrase "special instruction and services" in the state Education Code means a free and  
242.10 appropriate public education provided to an eligible child with disabilities. "Free appropriate  
242.11 public education" means special education and related services that:

242.12 (1) are provided at public expense, under public supervision and direction, and without  
242.13 charge;

242.14 (2) meet the standards of the state, including the requirements of the Individuals with  
242.15 Disabilities Education Act, Part B or C;

242.16 (3) include an appropriate preschool, elementary school, or secondary school education;  
242.17 and

242.18 (4) are provided to children ages three through 21 in conformity with an individualized  
242.19 education program that meets the requirements of the Individuals with Disabilities Education  
242.20 Act, subpart A, sections 300.320 to 300.324, and provided to infants and toddlers in  
242.21 conformity with an individualized family service plan that meets the requirements of the  
242.22 Individuals with Disabilities Education Act, subpart A, sections 303.300 to 303.346.

242.23 (b) Notwithstanding any age limits in laws to the contrary, special instruction and services  
242.24 must be provided from birth ~~until July 1 after the child with a disability becomes 21 years~~  
242.25 ~~old~~ until the child with a disability becomes 22 years old but shall not extend beyond  
242.26 secondary school or its equivalent, except as provided in section 124D.68, subdivision 2.  
242.27 Local health, education, and social service agencies must refer children under age five who  
242.28 are known to need or suspected of needing special instruction and services to the school  
242.29 district. Districts with less than the minimum number of eligible children with a disability  
242.30 as determined by the commissioner must cooperate with other districts to maintain a full  
242.31 range of programs for education and services for children with a disability. This section  
242.32 does not alter the compulsory attendance requirements of section 120A.22.

243.1 (c) At the board's discretion, a school district that participates in a reciprocity agreement  
243.2 with a neighboring state under section 124D.041 may enroll and provide special instruction  
243.3 and services to a child from an adjoining state whose family resides at a Minnesota address  
243.4 as assigned by the United States Postal Service if the district has completed child  
243.5 identification procedures for that child to determine the child's eligibility for special education  
243.6 services, and the child has received developmental screening under sections 121A.16 to  
243.7 121A.19.

243.8 Sec. 9. Minnesota Statutes 2022, section 125A.0942, is amended to read:

243.9 **125A.0942 STANDARDS FOR RESTRICTIVE PROCEDURES.**

243.10 Subdivision 1. **Restrictive procedures plan.** (a) Schools that intend to use restrictive  
243.11 procedures shall maintain and make publicly accessible in an electronic format on a school  
243.12 or district website or make a paper copy available upon request describing a restrictive  
243.13 procedures plan for children with disabilities that at least:

243.14 (1) lists the restrictive procedures the school intends to use;

243.15 (2) describes how the school will implement a range of positive behavior strategies and  
243.16 provide links to mental health services;

243.17 (3) describes how the school will provide training on de-escalation techniques, consistent  
243.18 with section 122A.187, subdivision 4;

243.19 (4) describes how the school will monitor and review the use of restrictive procedures,  
243.20 including:

243.21 (i) conducting post-use debriefings, consistent with subdivision 3, paragraph (a), clause  
243.22 (5); and

243.23 (ii) convening an oversight committee to undertake a quarterly review of the use of  
243.24 restrictive procedures based on patterns or problems indicated by similarities in the time of  
243.25 day, day of the week, duration of the use of a procedure, the individuals involved, or other  
243.26 factors associated with the use of restrictive procedures; the number of times a restrictive  
243.27 procedure is used schoolwide and for individual children; the number and types of injuries,  
243.28 if any, resulting from the use of restrictive procedures; whether restrictive procedures are  
243.29 used in nonemergency situations; the need for additional staff training; and proposed actions  
243.30 to minimize the use of restrictive procedures; any disproportionate use of restrictive  
243.31 procedures based on race, gender, or disability status; the role of the school resource officer  
243.32 or police in emergencies and the use of restrictive procedures; and documentation to

244.1 determine if the standards for using restrictive procedures as described in sections 125A.0941  
244.2 and 125A.0942 are met; and

244.3 (5) includes a written description and documentation of the training staff completed  
244.4 under subdivision 5.

244.5 (b) Schools annually must publicly identify oversight committee members who must at  
244.6 least include:

244.7 (1) a mental health professional, school psychologist, or school social worker;

244.8 (2) an expert in positive behavior strategies;

244.9 (3) a special education administrator; and

244.10 (4) a general education administrator.

244.11 Subd. 2. **Restrictive procedures.** (a) Restrictive procedures may be used only by a  
244.12 licensed special education teacher, school social worker, school psychologist, behavior  
244.13 analyst certified by the National Behavior Analyst Certification Board, a person with a  
244.14 master's degree in behavior analysis, other licensed education professional, paraprofessional  
244.15 under section 120B.363, or mental health professional under section 245.4871, subdivision  
244.16 27, who has completed the training program under subdivision 5.

244.17 (b) A school shall make reasonable efforts to notify the parent on the same day a  
244.18 restrictive procedure is used on the child, or if the school is unable to provide same-day  
244.19 notice, notice is sent within two days by written or electronic means or as otherwise indicated  
244.20 by the child's parent under paragraph (f).

244.21 (c) The district must hold a meeting of the individualized education program or  
244.22 individualized family service plan team, conduct or review a functional behavioral analysis,  
244.23 review data, consider developing additional or revised positive behavioral interventions and  
244.24 supports, consider actions to reduce the use of restrictive procedures, and modify the  
244.25 individualized education program, individualized family service plan, or behavior intervention  
244.26 plan as appropriate. The district must hold the meeting: within ten calendar days after district  
244.27 staff use restrictive procedures on two separate school days within 30 calendar days or a  
244.28 pattern of use emerges and the child's individualized education program, individualized  
244.29 family service plan, or behavior intervention plan does not provide for using restrictive  
244.30 procedures in an emergency; or at the request of a parent or the district after restrictive  
244.31 procedures are used. The district must review use of restrictive procedures at a child's annual  
244.32 individualized education program or individualized family service plan meeting when the

245.1 child's individualized education program or individualized family service plan provides for  
245.2 using restrictive procedures in an emergency.

245.3 (d) If the individualized education program or individualized family service plan team  
245.4 under paragraph (c) determines that existing interventions and supports are ineffective in  
245.5 reducing the use of restrictive procedures or the district uses restrictive procedures on a  
245.6 child on ten or more school days during the same school year, the team, as appropriate,  
245.7 either must consult with other professionals working with the child; consult with experts in  
245.8 behavior analysis, mental health, communication, or autism; consult with culturally competent  
245.9 professionals; review existing evaluations, resources, and successful strategies; or consider  
245.10 whether to reevaluate the child.

245.11 (e) At the individualized education program or individualized family service plan meeting  
245.12 under paragraph (c), the team must review any known medical or psychological limitations,  
245.13 including any medical information the parent provides voluntarily, that contraindicate the  
245.14 use of a restrictive procedure, consider whether to prohibit that restrictive procedure, and  
245.15 document any prohibition in the individualized education program, individualized family  
245.16 service plan, or behavior intervention plan.

245.17 (f) An individualized education program or individualized family service plan team may  
245.18 plan for using restrictive procedures and may include these procedures in a child's  
245.19 individualized education program, individualized family service plan, or behavior intervention  
245.20 plan; however, the restrictive procedures may be used only in response to behavior that  
245.21 constitutes an emergency, consistent with this section. The individualized education program,  
245.22 individualized family service plan, or behavior intervention plan shall indicate how the  
245.23 parent wants to be notified when a restrictive procedure is used.

245.24 Subd. 3. **Physical holding or seclusion.** (a) Physical holding or seclusion may be used  
245.25 only in an emergency. A school that uses physical holding or seclusion shall meet the  
245.26 following requirements:

245.27 (1) physical holding or seclusion is the least intrusive intervention that effectively  
245.28 responds to the emergency;

245.29 (2) physical holding or seclusion is not used to discipline a noncompliant child;

245.30 (3) physical holding or seclusion ends when the threat of harm ends and the staff  
245.31 determines the child can safely return to the classroom or activity;

245.32 (4) staff directly observes the child while physical holding or seclusion is being used;

246.1 (5) each time physical holding or seclusion is used, the staff person who implements or  
246.2 oversees the physical holding or seclusion documents, as soon as possible after the incident  
246.3 concludes, the following information:

246.4 (i) a description of the incident that led to the physical holding or seclusion;

246.5 (ii) why a less restrictive measure failed or was determined by staff to be inappropriate  
246.6 or impractical;

246.7 (iii) the time the physical holding or seclusion began and the time the child was released;  
246.8 ~~and~~

246.9 (iv) a brief record of the child's behavioral and physical status; and

246.10 (v) a brief description of the post-use debriefing that occurred as a result of the use of  
246.11 the physical hold or seclusion;

246.12 (6) the room used for seclusion must:

246.13 (i) be at least six feet by five feet;

246.14 (ii) be well lit, well ventilated, adequately heated, and clean;

246.15 (iii) have a window that allows staff to directly observe a child in seclusion;

246.16 (iv) have tamperproof fixtures, electrical switches located immediately outside the door,  
246.17 and secure ceilings;

246.18 (v) have doors that open out and are unlocked, locked with keyless locks that have  
246.19 immediate release mechanisms, or locked with locks that have immediate release mechanisms  
246.20 connected with a fire and emergency system; and

246.21 (vi) not contain objects that a child may use to injure the child or others; and

246.22 (7) before using a room for seclusion, a school must:

246.23 (i) receive written notice from local authorities that the room and the locking mechanisms  
246.24 comply with applicable building, fire, and safety codes; and

246.25 (ii) register the room with the commissioner, who may view that room.

246.26 (b) By February 1, 2015, and annually thereafter, stakeholders may, as necessary,  
246.27 recommend to the commissioner specific and measurable implementation and outcome  
246.28 goals for reducing the use of restrictive procedures and the commissioner must submit to  
246.29 the legislature a report on districts' progress in reducing the use of restrictive procedures  
246.30 that recommends how to further reduce these procedures and eliminate the use of seclusion.  
246.31 The statewide plan includes the following components: measurable goals; the resources,

247.1 training, technical assistance, mental health services, and collaborative efforts needed to  
247.2 significantly reduce districts' use of seclusion; and recommendations to clarify and improve  
247.3 the law governing districts' use of restrictive procedures. The commissioner must consult  
247.4 with interested stakeholders when preparing the report, including representatives of advocacy  
247.5 organizations, special education directors, teachers, paraprofessionals, intermediate school  
247.6 districts, school boards, day treatment providers, county social services, state human services  
247.7 department staff, mental health professionals, and autism experts. Beginning with the  
247.8 2016-2017 school year, in a form and manner determined by the commissioner, districts  
247.9 must report data quarterly to the department by January 15, April 15, July 15, and October  
247.10 15 about individual students who have been secluded. By July 15 each year, districts must  
247.11 report summary data on their use of restrictive procedures to the department for the prior  
247.12 school year, July 1 through June 30, in a form and manner determined by the commissioner.  
247.13 The summary data must include information about the use of restrictive procedures, including  
247.14 use of reasonable force under section 121A.582.

247.15 Subd. 4. **Prohibitions.** The following actions or procedures are prohibited:

247.16 (1) engaging in conduct prohibited under section 121A.58;

247.17 (2) requiring a child to assume and maintain a specified physical position, activity, or  
247.18 posture that induces physical pain;

247.19 (3) totally or partially restricting a child's senses as punishment;

247.20 (4) presenting an intense sound, light, or other sensory stimuli using smell, taste,  
247.21 substance, or spray as punishment;

247.22 (5) denying or restricting a child's access to equipment and devices such as walkers,  
247.23 wheelchairs, hearing aids, and communication boards that facilitate the child's functioning,  
247.24 except when temporarily removing the equipment or device is needed to prevent injury to  
247.25 the child or others or serious damage to the equipment or device, in which case the equipment  
247.26 or device shall be returned to the child as soon as possible;

247.27 (6) interacting with a child in a manner that constitutes sexual abuse, neglect, or physical  
247.28 abuse under chapter 260E;

247.29 (7) withholding regularly scheduled meals or water;

247.30 (8) denying access to bathroom facilities;

247.31 (9) physical holding that restricts or impairs a child's ability to breathe, restricts or impairs  
247.32 a child's ability to communicate distress, places pressure or weight on a child's head, throat,

248.1 neck, chest, lungs, sternum, diaphragm, back, or abdomen, or results in straddling a child's  
248.2 torso; ~~and~~

248.3 (10) prone restraint; and

248.4 (11) the use of seclusion on children from birth through grade 3 by December 31, 2024.

248.5 Subd. 5. **Training for staff.** (a) To meet the requirements of subdivision 1, staff who  
248.6 use restrictive procedures, including paraprofessionals, shall complete training in the  
248.7 following skills and knowledge areas:

248.8 (1) positive behavioral interventions;

248.9 (2) communicative intent of behaviors;

248.10 (3) relationship building;

248.11 (4) alternatives to restrictive procedures, including techniques to identify events and  
248.12 environmental factors that may escalate behavior;

248.13 (5) de-escalation methods;

248.14 (6) standards for using restrictive procedures only in an emergency;

248.15 (7) obtaining emergency medical assistance;

248.16 (8) the physiological and psychological impact of physical holding and seclusion;

248.17 (9) monitoring and responding to a child's physical signs of distress when physical  
248.18 holding is being used;

248.19 (10) recognizing the symptoms of and interventions that may cause positional asphyxia  
248.20 when physical holding is used;

248.21 (11) district policies and procedures for timely reporting and documenting each incident  
248.22 involving use of a restricted procedure; and

248.23 (12) schoolwide programs on positive behavior strategies.

248.24 (b) The commissioner, after consulting with the commissioner of human services, must  
248.25 develop and maintain a list of training programs that satisfy the requirements of paragraph

248.26 (a). The commissioner also must develop and maintain a list of experts to help individualized  
248.27 education program or individualized family service plan teams reduce the use of restrictive

248.28 procedures. The district shall maintain records of staff who have been trained and the

248.29 organization or professional that conducted the training. The district may collaborate with

248.30 children's community mental health providers to coordinate trainings.



249.1 Subd. 6. **Behavior supports; reasonable force.** (a) School districts are encouraged to  
249.2 establish effective schoolwide systems of positive behavior interventions and supports.

249.3 (b) Nothing in this section or section 125A.0941 precludes the use of reasonable force  
249.4 under sections 121A.582; 609.06, subdivision 1; and 609.379. ~~For the 2014-2015 school~~  
249.5 ~~year and later, districts must collect and submit to the commissioner summary data, consistent~~  
249.6 ~~with subdivision 3, paragraph (b), on district use of reasonable force that is consistent with~~  
249.7 ~~the definition of physical holding or seclusion for a child with a disability under this section.~~  
249.8 Any reasonable force used under sections 121A.582; 609.06, subdivision 1; and 609.379  
249.9 which intends to hold a child immobile or limit a child's movement where body contact is  
249.10 the only source of physical restraint or confines a child alone in a room from which egress  
249.11 is barred shall be reported to the Department of Education as a restrictive procedure, including  
249.12 physical holding or seclusion used by an unauthorized or untrained staff person.

249.13 (c) By February 1, 2024, the commissioner, in cooperation with stakeholders, must make  
249.14 recommendations to the legislature for urgently ending seclusion in Minnesota schools. The  
249.15 commissioner must consult with interested stakeholders, including parents of students who  
249.16 have been secluded or restrained; advocacy organizations; legal services providers; special  
249.17 education directors; teachers; paraprofessionals; intermediate school districts and cooperative  
249.18 units as defined under section 123A.24, subdivision 2; school boards; day treatment  
249.19 providers; county social services; state human services department staff; mental health  
249.20 professionals; autism experts; and representatives of groups disproportionately affected by  
249.21 restrictive procedures, including People of Color and people with disabilities. The  
249.22 recommendations must include specific dates for ending seclusion by grade or facility. The  
249.23 recommendations must identify existing resources and the new resources necessary for staff  
249.24 capacity, staff training, children's supports, child mental health services, and schoolwide  
249.25 collaborative efforts.

249.26 Sec. 10. Minnesota Statutes 2022, section 125A.13, is amended to read:

249.27 **125A.13 SCHOOL OF PARENTS' CHOICE.**

249.28 (a) Nothing in this chapter must be construed as preventing parents of a child with a  
249.29 disability from sending the child to a school of their choice, if they so elect, subject to  
249.30 admission standards and policies adopted according to sections 125A.62 to 125A.64 and  
249.31 125A.66 to 125A.73, and all other provisions of chapters 120A to 129C.

249.32 (b) The parent of a student with a disability not yet enrolled in kindergarten and not open  
249.33 enrolled in a nonresident district may ~~request that the resident district enter into a tuition~~

250.1 ~~agreement with~~ elect, in the same manner as the parent of a resident student with a disability,  
250.2 a school in the nonresident district if:

250.3 ~~(1) where~~ the child is enrolled in a Head Start program or a licensed child care setting  
250.4 in the nonresident district; ~~and,~~ provided

250.5 ~~(2)~~ the child can be served in the same setting as other children in the nonresident district  
250.6 with the same level of disability.

250.7 Sec. 11. Minnesota Statutes 2022, section 125A.15, is amended to read:

250.8 **125A.15 PLACEMENT IN ANOTHER DISTRICT; RESPONSIBILITY.**

250.9 The responsibility for special instruction and services for a child with a disability  
250.10 temporarily placed in another district for care and treatment shall be determined in the  
250.11 following manner:

250.12 (a) The district of residence of a child shall be the district in which the child's parent  
250.13 resides, if living, or the child's guardian. If there is a dispute between school districts  
250.14 regarding residency, the district of residence is the district designated by the commissioner.

250.15 (b) If a district other than the resident district places a pupil for care and treatment, the  
250.16 district placing the pupil must notify and give the resident district an opportunity to participate  
250.17 in the placement decision. When an immediate emergency placement of a pupil is necessary  
250.18 and time constraints foreclose a resident district from participating in the emergency  
250.19 placement decision, the district in which the pupil is temporarily placed must notify the  
250.20 resident district of the emergency placement within 15 days. The resident district has up to  
250.21 five business days after receiving notice of the emergency placement to request an  
250.22 opportunity to participate in the placement decision, which the placing district must then  
250.23 provide.

250.24 (c) When a child is temporarily placed for care and treatment in a day program located  
250.25 in another district and the child continues to live within the district of residence during the  
250.26 care and treatment, the district of residence is responsible for providing transportation to  
250.27 and from the care and treatment program and an appropriate educational program for the  
250.28 child. The resident district may establish reasonable restrictions on transportation, except  
250.29 if a Minnesota court or agency orders the child placed at a day care and treatment program  
250.30 and the resident district receives a copy of the order, then the resident district must provide  
250.31 transportation to and from the program unless the court or agency orders otherwise.  
250.32 Transportation shall only be provided by the resident district during regular operating hours  
250.33 of the resident district. The resident district may provide the educational program at a school

251.1 within the district of residence, at the child's residence, or in the district in which the day  
251.2 treatment center is located by paying tuition to that district. If a child's district of residence,  
251.3 district of open enrollment under section 124D.03, or charter school of enrollment under  
251.4 section 124E.11 is authorized to provide online learning instruction under state statutes, the  
251.5 child's district of residence may utilize that state-approved online learning program in  
251.6 fulfilling its educational program responsibility under this section if the child, or the child's  
251.7 parent or guardian for a pupil under the age of 18, agrees to that form of instruction.

251.8 (d) When a child is temporarily placed in a residential program for care and treatment,  
251.9 the nonresident district in which the child is placed is responsible for providing an appropriate  
251.10 educational program for the child and necessary transportation while the child is attending  
251.11 the educational program; and must bill the district of the child's residence for the actual cost  
251.12 of providing the program, as outlined in section 125A.11, except as provided in paragraph  
251.13 (e). However, the board, lodging, and treatment costs incurred in behalf of a child with a  
251.14 disability placed outside of the school district of residence by the commissioner of human  
251.15 services or the commissioner of corrections or their agents, for reasons other than providing  
251.16 for the child's special educational needs must not become the responsibility of either the  
251.17 district providing the instruction or the district of the child's residence. For the purposes of  
251.18 this section, the state correctional facilities operated on a fee-for-service basis are considered  
251.19 to be residential programs for care and treatment. If a child's district of residence, district  
251.20 of open enrollment under section 124D.03, or charter school of enrollment under section  
251.21 124E.11 is authorized to provide online learning instruction under state statutes, the  
251.22 nonresident district may utilize that state-approved online learning program in fulfilling its  
251.23 educational program responsibility under this section if the child, or the child's parent or  
251.24 guardian for a pupil under the age of 18, agrees to that form of instruction.

251.25 (e) A privately owned and operated residential facility may enter into a contract to obtain  
251.26 appropriate educational programs for special education children and services with a joint  
251.27 powers entity. The entity with which the private facility contracts for special education  
251.28 services shall be the district responsible for providing students placed in that facility an  
251.29 appropriate educational program in place of the district in which the facility is located. If a  
251.30 privately owned and operated residential facility does not enter into a contract under this  
251.31 paragraph, then paragraph (d) applies.

251.32 (f) The district of residence shall pay tuition and other program costs, not including  
251.33 transportation costs, to the district providing the instruction and services. The district of  
251.34 residence may claim general education aid for the child as provided by law. Transportation

252.1 costs must be paid by the district responsible for providing the transportation and the state  
252.2 must pay transportation aid to that district.

252.3 Sec. 12. Minnesota Statutes 2022, section 125A.51, is amended to read:

252.4 **125A.51 PLACEMENT OF CHILDREN WITHOUT DISABILITIES; EDUCATION**  
252.5 **AND TRANSPORTATION.**

252.6 The responsibility for providing instruction and transportation for a pupil without a  
252.7 disability who has a short-term or temporary physical or emotional illness or disability, as  
252.8 determined by the standards of the commissioner, and who is temporarily placed for care  
252.9 and treatment for that illness or disability, must be determined as provided in this section.

252.10 (a) The school district of residence of the pupil is the district in which the pupil's parent  
252.11 or guardian resides. If there is a dispute between school districts regarding residency, the  
252.12 district of residence is the district designated by the commissioner.

252.13 (b) When parental rights have been terminated by court order, the legal residence of a  
252.14 child placed in a residential or foster facility for care and treatment is the district in which  
252.15 the child resides.

252.16 (c) Before the placement of a pupil for care and treatment, the district of residence must  
252.17 be notified and provided an opportunity to participate in the placement decision. When an  
252.18 immediate emergency placement is necessary and time does not permit resident district  
252.19 participation in the placement decision, the district in which the pupil is temporarily placed,  
252.20 if different from the district of residence, must notify the district of residence of the  
252.21 emergency placement within 15 days of the placement. When a nonresident district makes  
252.22 an emergency placement without first consulting with the resident district, the resident  
252.23 district has up to five business days after receiving notice of the emergency placement to  
252.24 request an opportunity to participate in the placement decision, which the placing district  
252.25 must then provide.

252.26 (d) When a pupil without a disability is temporarily placed for care and treatment in a  
252.27 day program and the pupil continues to live within the district of residence during the care  
252.28 and treatment, the district of residence must provide instruction and necessary transportation  
252.29 to and from the care and treatment program for the pupil. The resident district may establish  
252.30 reasonable restrictions on transportation, except if a Minnesota court or agency orders the  
252.31 child placed at a day care and treatment program and the resident district receives a copy  
252.32 of the order, then the resident district must provide transportation to and from the program  
252.33 unless the court or agency orders otherwise. Transportation shall only be provided by the

253.1 resident district during regular operating hours of the resident district. The resident district  
253.2 may provide the instruction at a school within the district of residence; at the pupil's  
253.3 residence; through an authorized online learning program provided by the pupil's resident  
253.4 district, district of open enrollment under section 124D.03, or charter school of enrollment  
253.5 under section 124E.11 if the child, or the child's parent or guardian for a pupil under the  
253.6 age of 18, agrees to that form of instruction; or, in the case of a placement outside of the  
253.7 resident district, in the district in which the day treatment program is located by paying  
253.8 tuition to that district. The district of placement may contract with a facility to provide  
253.9 instruction by teachers licensed by the Professional Educator Licensing and Standards  
253.10 Board.

253.11 (e) When a pupil without a disability is temporarily placed in a residential program for  
253.12 care and treatment, the district in which the pupil is placed must provide instruction for the  
253.13 pupil and necessary transportation while the pupil is receiving instruction, and in the case  
253.14 of a placement outside of the district of residence, the nonresident district must bill the  
253.15 district of residence for the actual cost of providing the instruction for the regular school  
253.16 year and for summer school, excluding transportation costs. If a pupil's district of residence,  
253.17 district of open enrollment under section 124D.03, or charter school of enrollment under  
253.18 section 124E.11 is authorized to provide online learning instruction under state statutes, the  
253.19 district in which the pupil is placed may utilize that state-approved online learning program  
253.20 in fulfilling its responsibility to provide instruction under this section if the child, or the  
253.21 child's parent or guardian for a pupil under the age of 18, agrees to that form of instruction.

253.22 (f) Notwithstanding paragraph (e), if the pupil is homeless and placed in a public or  
253.23 private homeless shelter, then the district that enrolls the pupil under section 120A.20,  
253.24 subdivision 2, paragraph (b), shall provide the transportation, unless the district that enrolls  
253.25 the pupil and the district in which the pupil is temporarily placed agree that the district in  
253.26 which the pupil is temporarily placed shall provide transportation. When a pupil without a  
253.27 disability is temporarily placed in a residential program outside the district of residence,  
253.28 the administrator of the court placing the pupil must send timely written notice of the  
253.29 placement to the district of residence. The district of placement may contract with a  
253.30 residential facility to provide instruction by teachers licensed by the Professional Educator  
253.31 Licensing and Standards Board. For purposes of this section, the state correctional facilities  
253.32 operated on a fee-for-service basis are considered to be residential programs for care and  
253.33 treatment.

253.34 (g) The district of residence must include the pupil in its residence count of pupil units  
253.35 and pay tuition as provided in section 123A.488 to the district providing the instruction.

254.1 Transportation costs must be paid by the district providing the transportation and the state  
254.2 must pay transportation aid to that district. For purposes of computing state transportation  
254.3 aid, pupils governed by this subdivision must be included in the disabled transportation  
254.4 category if the pupils cannot be transported on a regular school bus route without special  
254.5 accommodations.

254.6 Sec. 13. Minnesota Statutes 2022, section 125A.515, subdivision 3, is amended to read:

254.7 Subd. 3. **Responsibilities for providing education.** (a) The district in which the children's  
254.8 residential facility is located must provide education services, including special education  
254.9 if eligible, to all students placed in a facility. If a child's district of residence, district of open  
254.10 enrollment under section 124D.03, or charter school of enrollment under section 124E.11  
254.11 is authorized to provide online learning instruction under state statutes, the district in which  
254.12 the children's residential facility is located may utilize that state-approved online learning  
254.13 program in fulfilling its education services responsibility under this section if the child, or  
254.14 the child's parent or guardian for a pupil under the age of 18, agrees to that form of  
254.15 instruction.

254.16 (b) For education programs operated by the Department of Corrections, the providing  
254.17 district shall be the Department of Corrections. For students remanded to the commissioner  
254.18 of corrections, the providing and resident district shall be the Department of Corrections.

254.19 Sec. 14. Minnesota Statutes 2022, section 125A.76, subdivision 2c, is amended to read:

254.20 Subd. 2c. **Special education aid.** (a) For fiscal year 2020 and later, a district's special  
254.21 education aid equals the sum of the district's special education initial aid under subdivision  
254.22 2a, the district's cross subsidy reduction aid under subdivision 2e, special education homeless  
254.23 pupil aid under subdivision 2f, and the district's excess cost aid under section 125A.79,  
254.24 subdivision 5.

254.25 (b) Notwithstanding paragraph (a), for fiscal year 2020, the special education aid for a  
254.26 school district, excluding the cross subsidy reduction aid under subdivision 2e, and excluding  
254.27 special education homeless pupil aid under subdivision 2f, must not exceed the greater of:

254.28 (i) the sum of 56 percent of the district's nonfederal special education expenditures plus  
254.29 100 percent of the district's cost of providing transportation services for children with  
254.30 disabilities under section 123B.92, subdivision 1, paragraph (b), clause (4), plus the  
254.31 adjustment under sections 125A.11 and 127A.47, subdivision 7; or

255.1 (ii) the sum of: (A) the product of the district's average daily membership served and  
255.2 the special education aid increase limit and (B) the product of the sum of the special education  
255.3 aid the district would have received for fiscal year 2016 under Minnesota Statutes 2012,  
255.4 sections 125A.76 and 125A.79, as adjusted according to Minnesota Statutes 2012, sections  
255.5 125A.11 and 127A.47, subdivision 7, the ratio of the district's average daily membership  
255.6 served for the current fiscal year to the district's average daily membership served for fiscal  
255.7 year 2016, and the program growth factor.

255.8 (c) Notwithstanding paragraph (a), for fiscal year ~~2020~~ 2024 and later the special  
255.9 education aid, excluding the cross subsidy reduction aid under subdivision 2e, excluding  
255.10 special education homeless pupil aid under subdivision 2f, for a school district, not including  
255.11 a charter school or cooperative unit as defined in section 123A.24, must not be less than  
255.12 the lesser of (1) the sum of 90 percent for fiscal year 2020, 85 percent for fiscal year 2021,  
255.13 80 percent for fiscal year 2022, and 75 percent for fiscal year 2023 and later of the district's  
255.14 nonfederal special education expenditures plus 100 percent of the district's cost of providing  
255.15 transportation services for children with disabilities under section 123B.92, subdivision 1,  
255.16 paragraph (b), clause (4), plus the adjustment under sections 125A.11 and 127A.47,  
255.17 subdivision 7, for that fiscal year or (2) the product of the sum of the special education aid  
255.18 the district would have received for fiscal year 2016 under Minnesota Statutes 2012, sections  
255.19 125A.76 and 125A.79, as adjusted according to Minnesota Statutes 2012, sections 125A.11  
255.20 and 127A.47, subdivision 7, the ratio of the district's adjusted daily membership for the  
255.21 current fiscal year to the district's average daily membership for fiscal year 2016, and the  
255.22 minimum aid adjustment factor.

255.23 (d) Notwithstanding subdivision 2a and section 125A.79, a charter school in its first  
255.24 year of operation shall generate special education aid based on current year data. A newly  
255.25 formed cooperative unit as defined in section 123A.24 may apply to the commissioner for  
255.26 approval to generate special education aid for its first year of operation based on current  
255.27 year data, with an offsetting adjustment to the prior year data used to calculate aid for  
255.28 programs at participating school districts or previous cooperatives that were replaced by  
255.29 the new cooperative. The department shall establish procedures to adjust the prior year data  
255.30 and fiscal year 2016 old formula aid used in calculating special education aid to exclude  
255.31 costs that have been eliminated for districts where programs have closed or where a  
255.32 substantial portion of the program has been transferred to a cooperative unit.

255.33 (e) The department shall establish procedures through the uniform financial accounting  
255.34 and reporting system to identify and track all revenues generated from third-party billings  
255.35 as special education revenue at the school district level; include revenue generated from

256.1 third-party billings as special education revenue in the annual cross-subsidy report; and  
256.2 exclude third-party revenue from calculation of excess cost aid to the districts.

256.3 Sec. 15. Minnesota Statutes 2022, section 125A.76, subdivision 2e, is amended to read:

256.4 Subd. 2e. **Cross subsidy reduction aid.** (a) A school district's annual cross subsidy  
256.5 reduction aid equals the school district's initial special education cross subsidy for the  
256.6 previous fiscal year times the cross subsidy aid factor for that fiscal year.

256.7 (b) The cross subsidy aid factor equals ~~2.6 percent for fiscal year 2020 and 6.43 percent~~  
256.8 ~~for fiscal year 2021~~ 47.8 percent for fiscal year 2024 and later.

256.9 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

256.10 Sec. 16. Minnesota Statutes 2022, section 125A.76, is amended by adding a subdivision  
256.11 to read:

256.12 Subd. 2f. **Special education homeless pupil aid.** (a) For fiscal year 2024 and later,  
256.13 special education homeless pupil aid must be paid to a school district that is funded for that  
256.14 year based on the district's fiscal year 2016 expenditures calculated under Minnesota Statutes  
256.15 2012, sections 125A.76 and 125A.79, as adjusted according to Minnesota Statutes 2012,  
256.16 sections 125A.11 and 127A.47, subdivision 7, the ratio of the district's adjusted daily  
256.17 membership for the current fiscal year to the district's average daily membership for fiscal  
256.18 year 2016, and the minimum aid adjustment factor.

256.19 (b) Special education homeless pupil aid equals the greater of zero, or a district's prior  
256.20 year transportation costs under section 123B.92, subdivision 1, paragraph (b), clause (4),  
256.21 items (ii) and (vii), and the additional cost of transporting a student in a shelter care facility  
256.22 as defined in section 260C.007, subdivision 30, a homeless student in another district to the  
256.23 school of origin, or a formerly homeless student from a permanent home in another district  
256.24 to the school of origin but only through the end of the academic year; minus the fiscal year  
256.25 2016 costs associated with transportation costs under section 123B.92, subdivision 1,  
256.26 paragraph (b), clause (4), items (ii) and (vii), and the additional cost of transporting a student  
256.27 in a shelter care facility as defined in section 260C.007, subdivision 30, a homeless student  
256.28 in another district to the school of origin, or a formerly homeless student from a permanent  
256.29 home in another district to the school of origin, but only through the end of the academic  
256.30 year; adjusted by the ratio of the district's adjusted daily membership for the current fiscal  
256.31 year to the district's average daily membership for fiscal year 2016, and the minimum aid  
256.32 adjustment factor.



257.1 Sec. 17. **[125A.81] SPECIAL EDUCATION SEPARATE SITES AND PROGRAMS**

257.2 **AID.**

257.3 **Subdivision 1. Definition.** For purposes of this section, "special education separate site  
257.4 and program" means a public separate day school facility attended by students with  
257.5 disabilities for 50 percent or more of their school day.

257.6 **Subd. 2. Eligibility for special education separate sites and programs aid.** An  
257.7 education cooperative under section 471.59, education district under section 123A.15,  
257.8 service cooperative under section 123A.21, or intermediate school district under section  
257.9 136D.01 qualifies for additional state funding to special education separate sites and programs  
257.10 for every kindergarten through grade 12 child with a disability, as defined in section 125A.02,  
257.11 served in a special education separate site or program as defined in subdivision 1.

257.12 **Subd. 3. Uses of special education separate sites and programs aid.** Additional state  
257.13 funding to special education separate sites and programs under this section may be used for  
257.14 the same purposes as are permitted for state special education aid under section 125A.76.

257.15 **Subd. 4. Special education separate sites and programs aid.** For fiscal year 2024 and  
257.16 later, additional state funding to special education separate sites and programs equals \$1,689  
257.17 times the adjusted kindergarten through grade 12 pupil units served in special education  
257.18 separate sites and programs under subdivision 1.

257.19 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

257.20 Sec. 18. Minnesota Statutes 2022, section 256B.0625, subdivision 26, is amended to read:

257.21 **Subd. 26. Special education services.** (a) Medical assistance covers evaluations necessary  
257.22 in making a determination for eligibility for individualized education program and  
257.23 individualized family service plan services and for medical services identified in a recipient's  
257.24 individualized education program and individualized family service plan and covered under  
257.25 the medical assistance state plan. Covered services include occupational therapy, physical  
257.26 therapy, speech-language therapy, clinical psychological services, nursing services, school  
257.27 psychological services, school social work services, personal care assistants serving as  
257.28 management aides, assistive technology devices, transportation services, health assessments,  
257.29 and other services covered under the medical assistance state plan. Mental health services  
257.30 eligible for medical assistance reimbursement must be provided or coordinated through a  
257.31 children's mental health collaborative where a collaborative exists if the child is included  
257.32 in the collaborative operational target population. The provision or coordination of services  
257.33 does not require that the individualized education program be developed by the collaborative.

258.1 The services may be provided by a Minnesota school district that is enrolled as a medical  
258.2 assistance provider or its subcontractor, and only if the services meet all the requirements  
258.3 otherwise applicable if the service had been provided by a provider other than a school  
258.4 district, in the following areas: medical necessity; physician's, advanced practice registered  
258.5 nurse's, or physician assistant's orders; documentation; personnel qualifications; and prior  
258.6 authorization requirements. The nonfederal share of costs for services provided under this  
258.7 subdivision is the responsibility of the local school district as provided in section 125A.74.  
258.8 Services listed in a child's individualized education program are eligible for medical  
258.9 assistance reimbursement only if those services meet criteria for federal financial participation  
258.10 under the Medicaid program.

258.11 (b) Approval of health-related services for inclusion in the individualized education  
258.12 program does not require prior authorization for purposes of reimbursement under this  
258.13 chapter. The commissioner may require physician, advanced practice registered nurse, or  
258.14 physician assistant review and approval of the plan not more than once annually or upon  
258.15 any modification of the individualized education program that reflects a change in  
258.16 health-related services.

258.17 (c) Services of a speech-language pathologist provided under this section are covered  
258.18 notwithstanding Minnesota Rules, part 9505.0390, subpart 1, item L, if the person:

258.19 (1) holds a masters degree in speech-language pathology;

258.20 (2) is licensed by the Professional Educator Licensing and Standards Board as an  
258.21 educational speech-language pathologist; and

258.22 (3) either has a certificate of clinical competence from the American Speech and Hearing  
258.23 Association, has completed the equivalent educational requirements and work experience  
258.24 necessary for the certificate or has completed the academic program and is acquiring  
258.25 supervised work experience to qualify for the certificate.

258.26 (d) Medical assistance coverage for medically necessary services provided under other  
258.27 subdivisions in this section may not be denied solely on the basis that the same or similar  
258.28 services are covered under this subdivision.

258.29 (e) The commissioner shall develop and implement package rates, bundled rates, or per  
258.30 diem rates for special education services under which separately covered services are grouped  
258.31 together and billed as a unit in order to reduce administrative complexity.

258.32 (f) The commissioner shall develop a cost-based payment structure for payment of these  
258.33 services. Only costs reported through the designated Minnesota Department of Education

259.1 data systems in distinct service categories qualify for inclusion in the cost-based payment  
259.2 structure. The commissioner shall reimburse claims submitted based on an interim rate, and  
259.3 shall settle at a final rate once the department has determined it. The commissioner shall  
259.4 notify the school district of the final rate. The school district has 60 days to appeal the final  
259.5 rate. To appeal the final rate, the school district shall file a written appeal request to the  
259.6 commissioner within 60 days of the date the final rate determination was mailed. The appeal  
259.7 request shall specify (1) the disputed items and (2) the name and address of the person to  
259.8 contact regarding the appeal.

259.9 (g) Effective July 1, 2000, medical assistance services provided under an individualized  
259.10 education program or an individual family service plan by local school districts shall not  
259.11 count against medical assistance authorization thresholds for that child.

259.12 (h) Nursing services as defined in section 148.171, subdivision 15, and provided as an  
259.13 individualized education program health-related service, are eligible for medical assistance  
259.14 payment if they are otherwise a covered service under the medical assistance program.  
259.15 Medical assistance covers the administration of prescription medications by a licensed nurse  
259.16 who is employed by or under contract with a school district when the administration of  
259.17 medications is identified in the child's individualized education program. The simple  
259.18 administration of medications alone is not covered under medical assistance when  
259.19 administered by a provider other than a school district or when it is not identified in the  
259.20 child's individualized education program.

259.21 (i) School social work services provided by a mental health professional, as defined in  
259.22 section 245I.04, subdivision 2, or mental health practitioner, as defined in section 245I.04,  
259.23 subdivision 4, under the supervision of a mental health professional, are eligible for medical  
259.24 assistance payment. A mental health practitioner performing school social work services  
259.25 under this section must provide services within the mental health practitioner's licensure  
259.26 scope of practice, if applicable, and within the mental health practitioner scope of practice  
259.27 under section 245I.04, subdivision 5.

259.28 (j) Notwithstanding Minnesota Rules, part 9505.0371, a special education evaluation,  
259.29 individualized education program, or individual family service plan may be used to determine  
259.30 medical necessity and eligibility for school social work services under paragraph (i) instead  
259.31 of a diagnostic assessment if the special education evaluation, individualized education  
259.32 program, or individual family service plan includes a sign, symptom, or condition  
259.33 ICD-10-CM code for the student.

260.1 (k) A school social worker or school providing mental health services under paragraph  
260.2 (i) is not required to be certified to provide children's therapeutic services and supports  
260.3 under section 256B.0943.

260.4 (l) Covered mental health services provided by a school social worker under paragraph  
260.5 (i) include but are not limited to:

260.6 (1) administering and reporting standardized measures;

260.7 (2) care coordination;

260.8 (3) children's mental health crisis assistance, planning, and response services;

260.9 (4) children's mental health clinical care consultation;

260.10 (5) dialectical behavioral therapy for adolescents;

260.11 (6) direction of mental health behavioral aides;

260.12 (7) family psychoeducation;

260.13 (8) individual, family, and group psychotherapy;

260.14 (9) mental health behavioral aide services;

260.15 (10) skills training; and

260.16 (11) treatment plan development and review.

260.17 **EFFECTIVE DATE.** This section is effective January 1, 2024, or upon federal approval,  
260.18 whichever is later. The commissioner shall notify the revisor of statutes when federal  
260.19 approval has been obtained.

260.20 **Sec. 19. SPECIFIC LEARNING DISABILITY; RULEMAKING.**

260.21 (a) The commissioner of education must begin the rulemaking process to amend  
260.22 Minnesota Rules, part 3525.1341, and establish a stakeholder workgroup to review current  
260.23 specific learning disabilities criteria by December 31, 2023. By June 30, 2024, the workgroup  
260.24 must make recommendations aligned with related state and federal requirements, including:

260.25 (1) removing discrepancy from criteria;

260.26 (2) developing a plan to operationalize changes to criteria to align with current best  
260.27 practices and address concerns of multiple stakeholder groups, including but not limited to  
260.28 administrators, parents, educators, researchers, related services staff, advocates, lawyers,  
260.29 and minority and immigrant groups;

261.1 (3) providing definitions and clarification of terms and procedures within existing  
 261.2 requirements;

261.3 (4) establishing the accountability process, including procedures and targets, for districts  
 261.4 and cooperatives to use in evaluating their progress toward implementation of the amended  
 261.5 rule; and

261.6 (5) developing an evaluation framework for measuring intended and unintended results  
 261.7 of amended criteria. Intended and unintended results may include overidentification and  
 261.8 underidentification of minorities, delays to referral and identification, transitioning from  
 261.9 developmental delay to specific learning disability, consistency of identification across  
 261.10 districts and the state, adding unnecessary paperwork, limiting team decision making, or  
 261.11 limiting access and progress with intensive and individualized special education support.

261.12 (b) Following the development of recommendations from the stakeholder workgroup,  
 261.13 the commissioner must proceed with the rulemaking process and recommended alignment  
 261.14 with other existing state and federal law.

261.15 (c) Concurrent with rulemaking, the commissioner must establish technical assistance  
 261.16 and training capacity on the amended criteria, and training and capacity building must begin  
 261.17 upon final approval of the amended rule.

261.18 (d) The amended rule must go into full effect no later than five years after the proposed  
 261.19 revised rules are approved by the administrative law judge.

261.20 **Sec. 20. APPROPRIATIONS.**

261.21 Subdivision 1. **Department of Education.** The sums indicated in this section are  
 261.22 appropriated from the general fund to the Department of Education for the fiscal years  
 261.23 designated.

261.24 Subd. 2. **Aid for children with disabilities.** (a) For aid under Minnesota Statutes, section  
 261.25 125A.75, subdivision 3, for children with disabilities placed in residential facilities within  
 261.26 the district boundaries for whom no district of residence can be determined:

261.27	\$	<u>1,674,000</u>	<u>.....</u>	<u>2024</u>
261.28	\$	<u>1,888,000</u>	<u>.....</u>	<u>2025</u>

261.29 (b) If the appropriation for either year is insufficient, the appropriation for the other year  
 261.30 is available.

262.1 Subd. 3. Court-placed special education revenue. For reimbursing serving school  
 262.2 districts for unreimbursed eligible expenditures attributable to children placed in the serving  
 262.3 school district by court action under Minnesota Statutes, section 125A.79, subdivision 4:

262.4 \$ 26,000 ..... 2024

262.5 \$ 27,000 ..... 2025

262.6 Subd. 4. Special education; regular. (a) For special education aid under Minnesota  
 262.7 Statutes, section 125A.75:

262.8 \$ 2,301,765,000 ..... 2024

262.9 \$ 2,473,008,000 ..... 2025

262.10 (b) The 2024 appropriation includes \$229,860,000 for 2023 and \$2,071,905,000 for  
 262.11 2024.

262.12 (c) The 2025 appropriation includes \$291,664,000 for 2024 and \$2,181,344,000 for  
 262.13 2025.

262.14 Subd. 5. Special education due process aid. (a) For special education due process aid  
 262.15 under Minnesota Statutes, section 122A.50:

262.16 \$ 30,583,000 ..... 2024

262.17 \$ 19,445,000 ..... 2025

262.18 (b) The 2024 appropriation includes \$0 for 2023 and \$30,583,000 for 2024.

262.19 (c) The 2025 appropriation includes \$3,398,000 for 2024 and \$16,047,000 for 2025.

262.20 Subd. 6. Special education out-of-state tuition. For special education out-of-state  
 262.21 tuition under Minnesota Statutes, section 125A.79, subdivision 8:

262.22 \$ 250,000 ..... 2024

262.23 \$ 250,000 ..... 2025

262.24 Subd. 7. Special education separate sites and programs. (a) For aid for special  
 262.25 education separate sites and programs under Minnesota Statutes, section 125A.81, subdivision  
 262.26 4:

262.27 \$ 4,378,000 ..... 2024

262.28 \$ 5,083,000 ..... 2025

262.29 (b) The 2024 appropriation includes \$0 for 2023 and \$4,378,000 for 2024.

262.30 (c) The 2025 appropriation includes \$486,000 for 2024 and \$4,597,000 for 2025.

263.1 Subd. 8. Travel for home-based services. (a) For aid for teacher travel for home-based  
 263.2 services under Minnesota Statutes, section 125A.75, subdivision 1:

263.3 \$ 334,000 ..... 2024

263.4 \$ 348,000 ..... 2025

263.5 (b) The 2024 appropriation includes \$32,000 for 2023 and \$302,000 for 2024.

263.6 (c) The 2025 appropriation includes \$33,000 for 2024 and \$315,000 for 2025.

263.7 **ARTICLE 8**  
 263.8 **FACILITIES**

263.9 Section 1. Minnesota Statutes 2022, section 123B.595, subdivision 1, is amended to read:

263.10 Subdivision 1. **Long-term facilities maintenance revenue.** ~~(a) For fiscal year 2017~~  
 263.11 ~~only, long-term facilities maintenance revenue equals the greater of (1) the sum of (i) \$193~~  
 263.12 ~~times the district's adjusted pupil units times the lesser of one or the ratio of the district's~~  
 263.13 ~~average building age to 35 years, plus the cost approved by the commissioner for indoor~~  
 263.14 ~~air quality, fire alarm and suppression, and asbestos abatement projects under section~~  
 263.15 ~~123B.57, subdivision 6, with an estimated cost of \$100,000 or more per site, plus (ii) for a~~  
 263.16 ~~school district with an approved voluntary prekindergarten program under section 124D.151,~~  
 263.17 ~~the cost approved by the commissioner for remodeling existing instructional space to~~  
 263.18 ~~accommodate prekindergarten instruction, or (2) the sum of (i) the amount the district would~~  
 263.19 ~~have qualified for under Minnesota Statutes 2014, section 123B.57, Minnesota Statutes~~  
 263.20 ~~2014, section 123B.59, and Minnesota Statutes 2014, section 123B.591, and (ii) for a school~~  
 263.21 ~~district with an approved voluntary prekindergarten program under section 124D.151, the~~  
 263.22 ~~cost approved by the commissioner for remodeling existing instructional space to~~  
 263.23 ~~accommodate prekindergarten instruction.~~

263.24 ~~(b) For fiscal year 2018 only, long-term facilities maintenance revenue equals the greater~~  
 263.25 ~~of (1) the sum of (i) \$292 times the district's adjusted pupil units times the lesser of one or~~  
 263.26 ~~the ratio of the district's average building age to 35 years, plus (ii) the cost approved by the~~  
 263.27 ~~commissioner for indoor air quality, fire alarm and suppression, and asbestos abatement~~  
 263.28 ~~projects under section 123B.57, subdivision 6, with an estimated cost of \$100,000 or more~~  
 263.29 ~~per site, plus (iii) for a school district with an approved voluntary prekindergarten program~~  
 263.30 ~~under section 124D.151, the cost approved by the commissioner for remodeling existing~~  
 263.31 ~~instructional space to accommodate prekindergarten instruction, or (2) the sum of (i) the~~  
 263.32 ~~amount the district would have qualified for under Minnesota Statutes 2014, section 123B.57,~~  
 263.33 ~~Minnesota Statutes 2014, section 123B.59, and Minnesota Statutes 2014, section 123B.591,~~

264.1 ~~and (ii) for a school district with an approved voluntary prekindergarten program under~~  
264.2 ~~section 124D.151, the cost approved by the commissioner for remodeling existing~~  
264.3 ~~instructional space to accommodate prekindergarten instruction.~~

264.4 ~~(c) For fiscal year 2019 and later, (a)~~ Long-term facilities maintenance revenue equals  
264.5 the greater of (1) the sum of (i) \$380 times the district's adjusted pupil units times the lesser  
264.6 of one or the ratio of the district's average building age to 35 years, plus (ii) the cost approved  
264.7 by the commissioner for indoor air quality, fire alarm and suppression, and asbestos  
264.8 abatement projects under section 123B.57, subdivision 6, with an estimated cost of \$100,000  
264.9 or more per site, plus (iii) for a school district with an approved voluntary prekindergarten  
264.10 program under section 124D.151, the cost approved by the commissioner for remodeling  
264.11 existing instructional space to accommodate prekindergarten instruction, or (2) the sum of  
264.12 (i) the amount the district would have qualified for under Minnesota Statutes 2014, section  
264.13 123B.57, Minnesota Statutes 2014, section 123B.59, and Minnesota Statutes 2014, section  
264.14 123B.591, and (ii) for a school district with an approved voluntary prekindergarten program  
264.15 under section 124D.151, the cost approved by the commissioner for remodeling existing  
264.16 instructional space to accommodate prekindergarten instruction.

264.17 ~~(d) (b)~~ Notwithstanding ~~paragraphs~~ paragraph (a), ~~(b), and (c)~~, a school district that  
264.18 qualified for eligibility under Minnesota Statutes 2014, section 123B.59, subdivision 1,  
264.19 paragraph (a), for fiscal year 2010 remains eligible for funding under this section as a district  
264.20 that would have qualified for eligibility under Minnesota Statutes 2014, section 123B.59,  
264.21 subdivision 1, paragraph (a), for fiscal year 2017 and later.

264.22 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2025 and later.

264.23 Sec. 2. Minnesota Statutes 2022, section 123B.595, subdivision 2, is amended to read:

264.24 Subd. 2. **Long-term facilities maintenance revenue for a charter school.** ~~(a) For fiscal~~  
264.25 ~~year 2017 only, long-term facilities maintenance revenue for a charter school equals \$34~~  
264.26 ~~times the adjusted pupil units.~~

264.27 ~~(b) For fiscal year 2018 only, long-term facilities maintenance revenue for a charter~~  
264.28 ~~school equals \$85 times the adjusted pupil units.~~

264.29 ~~(c) For fiscal year 2019 and later, Long-term facilities maintenance revenue for a charter~~  
264.30 ~~school equals \$132 times the adjusted pupil units.~~

264.31 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2025 and later.



265.1 Sec. 3. Minnesota Statutes 2022, section 123B.595, subdivision 3, is amended to read:

265.2 Subd. 3. **Intermediate districts and other cooperative units.** (a) Upon approval through  
265.3 the adoption of a resolution by each member district school board of an intermediate district  
265.4 or other cooperative ~~units~~ unit under section 123A.24, subdivision 2, or a joint powers  
265.5 district under section 471.59, and the approval of the commissioner of education, a school  
265.6 district may include in its authority under this section a proportionate share of the long-term  
265.7 maintenance costs of the intermediate district ~~or~~ cooperative unit, or joint powers district.  
265.8 The cooperative unit or joint powers district may issue bonds to finance the project costs  
265.9 or levy for the costs; using long-term maintenance revenue transferred from member districts  
265.10 to make debt service payments or pay project costs or, for leased facilities, pay the portion  
265.11 of lease costs attributable to the amortized cost of long-term facilities maintenance projects  
265.12 completed by the landlord. Authority under this subdivision is in addition to the authority  
265.13 for individual district projects under subdivision 1.

265.14 (b) The resolution adopted under paragraph (a) may specify which member districts will  
265.15 share the project costs under this subdivision, except that debt service payments for bonds  
265.16 issued by a cooperative unit or joint powers district to finance long-term maintenance project  
265.17 costs must be the responsibility of all member districts.

265.18 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

265.19 Sec. 4. Minnesota Statutes 2022, section 123B.595, subdivision 4, is amended to read:

265.20 Subd. 4. **Facilities plans.** (a) To qualify for revenue under this section, a school district  
265.21 or intermediate district, not including a charter school, must have a ten-year facility plan  
265.22 adopted by the school board and approved by the commissioner. The plan must include  
265.23 provisions for implementing a health and safety program that complies with health, safety,  
265.24 and environmental regulations and best practices, including indoor air quality management  
265.25 and remediation of lead hazards. For planning purposes, the plan must also address provisions  
265.26 for providing a gender-neutral single-user restroom at each school site.

265.27 (b) The district must annually update the plan, submit the plan to the commissioner for  
265.28 approval by July 31, and indicate whether the district will issue bonds to finance the plan  
265.29 or levy for the costs.

265.30 (c) For school districts issuing bonds to finance the plan, the plan must include a debt  
265.31 service schedule demonstrating that the debt service revenue required to pay the principal  
265.32 and interest on the bonds each year will not exceed the projected long-term facilities revenue  
265.33 for that year.

266.1 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2025 and later.

266.2 Sec. 5. Minnesota Statutes 2022, section 123B.595, subdivision 7, is amended to read:

266.3 Subd. 7. **Long-term facilities maintenance equalization revenue.** ~~(a) For fiscal year~~  
266.4 ~~2017 only, a district's long-term facilities maintenance equalization revenue equals the lesser~~  
266.5 ~~of (1) \$193 times the adjusted pupil units or (2) the district's revenue under subdivision 1.~~

266.6 ~~(b) For fiscal year 2018 only, a district's long-term facilities maintenance equalization~~  
266.7 ~~revenue equals the lesser of (1) \$292 times the adjusted pupil units or (2) the district's~~  
266.8 ~~revenue under subdivision 1.~~

266.9 ~~(c) For fiscal year 2019 and later, (a)~~ A district's long-term facilities maintenance  
266.10 equalization revenue equals the lesser of (1) \$380 times the adjusted pupil units or (2) the  
266.11 district's revenue under subdivision 1.

266.12 ~~(d) (b)~~ Notwithstanding ~~paragraphs~~ paragraph (a) ~~to (c)~~, a district's long-term facilities  
266.13 maintenance equalization revenue must not be less than the lesser of the district's long-term  
266.14 facilities maintenance revenue or the amount of aid the district received for fiscal year 2015  
266.15 under Minnesota Statutes 2014, section 123B.59, subdivision 6.

266.16 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2025 and later.

266.17 Sec. 6. Minnesota Statutes 2022, section 123B.595, subdivision 8, is amended to read:

266.18 Subd. 8. **Long-term facilities maintenance equalized levy.** ~~(a) For fiscal year 2017~~  
266.19 ~~and later,~~ A district's long-term facilities maintenance equalized levy equals the district's  
266.20 long-term facilities maintenance equalization revenue minus the greater of:

266.21 (1) the lesser of the district's long-term facilities maintenance equalization revenue or  
266.22 the amount of aid the district received for fiscal year 2015 under Minnesota Statutes 2014,  
266.23 section 123B.59, subdivision 6; or

266.24 (2) the district's long-term facilities maintenance equalization revenue times the greater  
266.25 of (i) zero or (ii) one minus the ratio of its adjusted net tax capacity per adjusted pupil unit  
266.26 in the year preceding the year the levy is certified to 123 percent of the state average adjusted  
266.27 net tax capacity per adjusted pupil unit for all school districts in the year preceding the year  
266.28 the levy is certified.

266.29 (b) For purposes of this subdivision, "adjusted net tax capacity" means the value described  
266.30 in section 126C.01, subdivision 2, paragraph (b).

266.31 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2025 and later.

267.1 Sec. 7. Minnesota Statutes 2022, section 123B.595, subdivision 8a, is amended to read:

267.2 Subd. 8a. **Long-term facilities maintenance unequalized levy.** ~~For fiscal year 2017~~  
267.3 ~~and later,~~ A district's long-term facilities maintenance unequalized levy equals the difference  
267.4 between the district's revenue under subdivision 1 and the district's equalization revenue  
267.5 under subdivision 7.

267.6 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2025 and later.

267.7 Sec. 8. Minnesota Statutes 2022, section 123B.595, subdivision 9, is amended to read:

267.8 Subd. 9. **Long-term facilities maintenance equalized aid.** ~~For fiscal year 2017 and~~  
267.9 ~~later,~~ A district's long-term facilities maintenance equalized aid equals its long-term facilities  
267.10 maintenance equalization revenue minus its long-term facilities maintenance equalized levy  
267.11 times the ratio of the actual equalized amount levied to the permitted equalized levy.

267.12 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2025 and later.

267.13 Sec. 9. Minnesota Statutes 2022, section 123B.595, subdivision 10, is amended to read:

267.14 Subd. 10. **Allowed uses for long-term facilities maintenance revenue.** (a) A district  
267.15 may use revenue under this section for any of the following:

267.16 (1) deferred capital expenditures and maintenance projects necessary to prevent further  
267.17 erosion of facilities;

267.18 (2) increasing accessibility of school facilities;

267.19 (3) health and safety capital projects under section 123B.57; ~~or~~

267.20 (4) remodeling or constructing a gender-neutral single-user restroom at each school site;

267.21 or

267.22 ~~(4)~~(5) by board resolution, to transfer money from the general fund reserve for long-term  
267.23 facilities maintenance to the debt redemption fund to pay the amounts needed to meet, when  
267.24 due, principal and interest on general obligation bonds issued under subdivision 5.

267.25 (b) A charter school may use revenue under this section for any purpose related to the  
267.26 school.

267.27 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2025 and later.

268.1 Sec. 10. Minnesota Statutes 2022, section 123B.595, subdivision 11, is amended to read:

268.2 Subd. 11. **Restrictions on long-term facilities maintenance revenue.** Notwithstanding  
268.3 subdivision 10, long-term facilities maintenance revenue may not be used:

268.4 (1) for the construction of new facilities, remodeling of existing facilities, or the purchase  
268.5 of portable classrooms, except for the costs associated with constructing or remodeling  
268.6 existing facilities to include at least one gender-neutral single-user restroom authorized  
268.7 under subdivision 10;

268.8 (2) to finance a lease purchase agreement, installment purchase agreement, or other  
268.9 deferred payments agreement;

268.10 (3) for energy-efficiency projects under section 123B.65, for a building or property or  
268.11 part of a building or property used for postsecondary instruction or administration, or for a  
268.12 purpose unrelated to elementary and secondary education; or

268.13 (4) for violence prevention and facility security, ergonomics, or emergency  
268.14 communication devices.

268.15 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2025 and later.

268.16 Sec. 11. Minnesota Statutes 2022, section 123B.71, subdivision 9, is amended to read:

268.17 Subd. 9. **Information required.** A school board proposing to construct, expand, or  
268.18 remodel a facility that requires a review and comment under subdivision 8 shall submit to  
268.19 the commissioner a proposal containing information including at least the following:

268.20 (1) the geographic area and population to be served, preschool through grade 12 student  
268.21 enrollments for the past five years, and student enrollment projections for the next five  
268.22 years;

268.23 (2) a list of existing facilities by year constructed, their uses, and an assessment of the  
268.24 extent to which alternate facilities are available within the school district boundaries and in  
268.25 adjacent school districts;

268.26 (3) a list of the specific deficiencies of the facility that demonstrate the need for a new  
268.27 or renovated facility to be provided, the process used to determine the deficiencies, a list  
268.28 of those deficiencies that will and will not be addressed by the proposed project, and a list  
268.29 of the specific benefits that the new or renovated facility will provide to the students, teachers,  
268.30 and community users served by the facility;

268.31 (4) a description of the project, including the specification of site and outdoor space  
268.32 acreage and square footage allocations for classrooms, laboratories, and support spaces;

269.1 estimated expenditures for the major portions of the project; and the dates the project will  
269.2 begin and be completed;

269.3 (5) a description of the project's plans for gender-neutral single-user restrooms, locker  
269.4 room privacy stalls, or other spaces with privacy features, including single-user shower  
269.5 stalls, changing stalls, or other single-user facilities;

269.6 ~~(5)~~ (6) a specification of the source of financing the project, including applicable statutory  
269.7 citations; the scheduled date for a bond issue or school board action; a schedule of payments,  
269.8 including debt service equalization aid; and the effect of a bond issue on local property  
269.9 taxes by the property class and valuation; and

269.10 ~~(6)~~ (7) documents obligating the school district and contractors to comply with items  
269.11 (i) to (vii) in planning and executing the project:

269.12 (i) section 471.345 governing municipal contracts;

269.13 (ii) sustainable design;

269.14 (iii) school facility commissioning under section 123B.72 certifying the plans and designs  
269.15 for the heating, ventilating, air conditioning, and air filtration for an extensively renovated  
269.16 or new facility meet or exceed current code standards, including the ASHRAE air filtration  
269.17 standard 52.1;

269.18 (iv) American National Standards Institute Acoustical Performance Criteria, Design  
269.19 Requirements and Guidelines for Schools on maximum background noise level and  
269.20 reverberation times;

269.21 (v) State Fire Code;

269.22 (vi) chapter 326B governing building codes; and

269.23 (vii) consultation with affected government units about the impact of the project on  
269.24 utilities, roads, sewers, sidewalks, retention ponds, school bus and automobile traffic, access  
269.25 to mass transit, and safe access for pedestrians and cyclists.

269.26 **EFFECTIVE DATE.** This section is effective for review and comments submitted on  
269.27 or after July 1, 2023.

269.28 Sec. 12. Minnesota Statutes 2022, section 126C.10, subdivision 14, is amended to read:

269.29 Subd. 14. **Uses of total operating capital revenue.** Total operating capital revenue may  
269.30 be used only for the following purposes:

269.31 (1) to acquire land for school purposes;

- 270.1 (2) to acquire or construct buildings for school purposes;
- 270.2 (3) to rent or lease buildings, including the costs of building repair or improvement that  
270.3 are part of a lease agreement;
- 270.4 (4) to improve and repair school sites and buildings, and equip or reequip school buildings  
270.5 with permanent attached fixtures, including library media centers and gender-neutral  
270.6 single-user restrooms, locker room privacy stalls, or other spaces with privacy features,  
270.7 including single-user shower stalls, changing stalls, or other single-user facilities;
- 270.8 (5) for a surplus school building that is used substantially for a public nonschool purpose;
- 270.9 (6) to eliminate barriers or increase access to school buildings by individuals with a  
270.10 disability;
- 270.11 (7) to bring school buildings into compliance with the State Fire Code adopted according  
270.12 to chapter 299F;
- 270.13 (8) to remove asbestos from school buildings, encapsulate asbestos, or make  
270.14 asbestos-related repairs;
- 270.15 (9) to clean up and dispose of polychlorinated biphenyls found in school buildings;
- 270.16 (10) to clean up, remove, dispose of, and make repairs related to storing heating fuel or  
270.17 transportation fuels such as alcohol, gasoline, fuel oil, and special fuel, as defined in section  
270.18 296A.01;
- 270.19 (11) for energy audits for school buildings and to modify buildings if the audit indicates  
270.20 the cost of the modification can be recovered within ten years;
- 270.21 (12) to improve buildings that are leased according to section 123B.51, subdivision 4;
- 270.22 (13) to pay special assessments levied against school property but not to pay assessments  
270.23 for service charges;
- 270.24 (14) to pay principal and interest on state loans for energy conservation according to  
270.25 section 216C.37 or loans made under the Douglas J. Johnson Economic Protection Trust  
270.26 Fund Act according to sections 298.292 to ~~298.298~~ 298.294;
- 270.27 (15) to purchase or lease interactive telecommunications equipment;
- 270.28 (16) by board resolution, to transfer money into the debt redemption fund to: (i) pay the  
270.29 amounts needed to meet, when due, principal and interest payments on certain obligations  
270.30 issued according to chapter 475; or (ii) pay principal and interest on debt service loans or  
270.31 capital loans according to section 126C.70;

- 271.1 (17) to pay operating capital-related assessments of any entity formed under a cooperative  
271.2 agreement between two or more districts;
- 271.3 (18) to purchase or lease computers and related hardware, software, and annual licensing  
271.4 fees, copying machines, telecommunications equipment, and other noninstructional  
271.5 equipment;
- 271.6 (19) to purchase or lease assistive technology or equipment for instructional programs;
- 271.7 (20) to purchase textbooks as defined in section 123B.41, subdivision 2;
- 271.8 (21) to purchase new and replacement library media resources or technology;
- 271.9 (22) to lease or purchase vehicles;
- 271.10 (23) to purchase or lease telecommunications equipment, computers, and related  
271.11 equipment for integrated information management systems for:
- 271.12 (i) managing and reporting learner outcome information for all students under a  
271.13 results-oriented graduation rule;
- 271.14 (ii) managing student assessment, services, and achievement information required for  
271.15 students with individualized education programs; and
- 271.16 (iii) other classroom information management needs;
- 271.17 (24) to pay personnel costs directly related to the acquisition, operation, and maintenance  
271.18 of telecommunications systems, computers, related equipment, and network and applications  
271.19 software; and
- 271.20 (25) to pay the costs directly associated with closing a school facility, including moving  
271.21 and storage costs.

271.22 **EFFECTIVE DATE.** This section is effective for fiscal year 2024 and later.

271.23 Sec. 13. Minnesota Statutes 2022, section 126C.40, subdivision 1, is amended to read:

271.24 Subdivision 1. **To lease building or land.** (a) When an independent or a special school  
271.25 district or a group of independent or special school districts finds it economically  
271.26 advantageous to rent or lease a building or land for any instructional purposes or for school  
271.27 storage or furniture repair, and it determines that the operating capital revenue authorized  
271.28 under section 126C.10, subdivision 13, is insufficient for this purpose, it may apply to the  
271.29 commissioner for permission to make an additional capital expenditure levy for this purpose.  
271.30 An application for permission to levy under this subdivision must contain financial

272.1 justification for the proposed levy, the terms and conditions of the proposed lease, and a  
272.2 description of the space to be leased and its proposed use.

272.3 (b) The criteria for approval of applications to levy under this subdivision must include:  
272.4 the reasonableness of the price, the appropriateness of the space to the proposed activity,  
272.5 the feasibility of transporting pupils to the leased building or land, conformity of the lease  
272.6 to the laws and rules of the state of Minnesota, and the appropriateness of the proposed  
272.7 lease to the space needs and the financial condition of the district. The commissioner must  
272.8 not authorize a levy under this subdivision in an amount greater than the cost to the district  
272.9 of renting or leasing a building or land for approved purposes. The proceeds of this levy  
272.10 must not be used for custodial or other maintenance services. A district may not levy under  
272.11 this subdivision for the purpose of leasing or renting a district-owned building or site to  
272.12 itself.

272.13 (c) For agreements finalized after July 1, 1997, a district may not levy under this  
272.14 subdivision for the purpose of leasing: (1) a newly constructed building used primarily for  
272.15 regular kindergarten, elementary, or secondary instruction; or (2) a newly constructed  
272.16 building addition or additions used primarily for regular kindergarten, elementary, or  
272.17 secondary instruction that contains more than 20 percent of the square footage of the  
272.18 previously existing building.

272.19 (d) Notwithstanding paragraph (b), a district may levy under this subdivision for the  
272.20 purpose of leasing or renting a district-owned building or site to itself only if the amount is  
272.21 needed by the district to make payments required by a lease purchase agreement, installment  
272.22 purchase agreement, or other deferred payments agreement authorized by law, and the levy  
272.23 meets the requirements of paragraph (c). A levy authorized for a district by the commissioner  
272.24 under this paragraph may be in the amount needed by the district to make payments required  
272.25 by a lease purchase agreement, installment purchase agreement, or other deferred payments  
272.26 agreement authorized by law, provided that any agreement include a provision giving the  
272.27 school districts the right to terminate the agreement annually without penalty.

272.28 (e) The total levy under this subdivision for a district for any year must not exceed \$212  
272.29 times the adjusted pupil units for the fiscal year to which the levy is attributable.

272.30 (f) For agreements for which a review and comment have been submitted to the  
272.31 Department of Education after April 1, 1998, the term "instructional purpose" as used in  
272.32 this subdivision excludes expenditures on stadiums.

272.33 (g) The commissioner of education may authorize a school district to exceed the limit  
272.34 in paragraph (e) if the school district petitions the commissioner for approval. The



273.1 commissioner shall grant approval to a school district to exceed the limit in paragraph (e)  
273.2 for not more than five years if the district meets the following criteria:

273.3 (1) the school district has been experiencing pupil enrollment growth in the preceding  
273.4 five years;

273.5 (2) the purpose of the increased levy is in the long-term public interest;

273.6 (3) the purpose of the increased levy promotes collocation of government services; and

273.7 (4) the purpose of the increased levy is in the long-term interest of the district by avoiding  
273.8 over construction of school facilities.

273.9 (h) A school district that is a member of an intermediate school district or other  
273.10 cooperative unit under section 123A.24, subdivision 2, or a joint powers district under  
273.11 section 471.59 may include in its authority under this section the costs associated with leases  
273.12 of administrative and classroom space for ~~intermediate school district~~ programs of the  
273.13 intermediate school district or other cooperative unit under section 123A.24, subdivision  
273.14 2, or joint powers district under section 471.59. This authority must not exceed \$65 times  
273.15 the adjusted pupil units of the member districts. This authority is in addition to any other  
273.16 authority authorized under this section. The intermediate school district, other cooperative  
273.17 unit, or joint powers district may specify which member districts will levy for lease costs  
273.18 under this paragraph.

273.19 (i) In addition to the allowable capital levies in paragraph (a), for taxes payable in 2012  
273.20 to 2023, a district that is a member of the "Technology and Information Education Systems"  
273.21 data processing joint board, that finds it economically advantageous to enter into a lease  
273.22 agreement to finance improvements to a building and land for a group of school districts  
273.23 or special school districts for staff development purposes, may levy for its portion of lease  
273.24 costs attributed to the district within the total levy limit in paragraph (e). The total levy  
273.25 authority under this paragraph shall not exceed \$632,000.

273.26 (j) Notwithstanding paragraph (a), a district may levy under this subdivision for the  
273.27 purpose of leasing administrative space if the district can demonstrate to the satisfaction of  
273.28 the commissioner that the lease cost for the administrative space is no greater than the lease  
273.29 cost for instructional space that the district would otherwise lease. The commissioner must  
273.30 deny this levy authority unless the district passes a resolution stating its intent to lease  
273.31 instructional space under this section if the commissioner does not grant authority under  
273.32 this paragraph. The resolution must also certify that the lease cost for administrative space  
273.33 under this paragraph is no greater than the lease cost for the district's proposed instructional  
273.34 lease.

274.1 (k) Notwithstanding paragraph (a), a district may levy under this subdivision for the  
274.2 district's proportionate share of deferred maintenance expenditures for a district-owned  
274.3 building or site leased to a cooperative unit under section 123A.24, subdivision 2, or a joint  
274.4 powers district under section 471.59 for any instructional purposes or for school storage.

274.5 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

274.6 Sec. 14. Minnesota Statutes 2022, section 126C.40, subdivision 6, is amended to read:

274.7 Subd. 6. **Lease purchase; installment buys.** (a) Upon application to, and approval by,  
274.8 the commissioner in accordance with the procedures and limits in subdivision 1, paragraphs  
274.9 (a) and (b), a district, as defined in this subdivision, may:

274.10 (1) purchase real or personal property under an installment contract or may lease real  
274.11 or personal property with an option to purchase under a lease purchase agreement, by which  
274.12 installment contract or lease purchase agreement title is kept by the seller or vendor or  
274.13 assigned to a third party as security for the purchase price, including interest, if any; and

274.14 (2) annually levy the amounts necessary to pay the district's obligations under the  
274.15 installment contract or lease purchase agreement.

274.16 (b) The obligation created by the installment contract or the lease purchase agreement  
274.17 must not be included in the calculation of net debt for purposes of section 475.53, and does  
274.18 not constitute debt under other law. An election is not required in connection with the  
274.19 execution of the installment contract or the lease purchase agreement.

274.20 (c) The proceeds of the levy authorized by this subdivision must not be used to acquire  
274.21 a facility to be primarily used for athletic or school administration purposes.

274.22 (d) For the purposes of this subdivision, "district" means:

274.23 (1) Special School District No. 1, Minneapolis, Independent School District No. 625,  
274.24 St. Paul, Independent School District No. 709, Duluth, or Independent School District No.  
274.25 535, Rochester, if the district's desegregation plan has been determined by the commissioner  
274.26 to be in compliance with Department of Education rules relating to equality of educational  
274.27 opportunity and where the acquisition of property under this subdivision is determined by  
274.28 the commissioner to contribute to the implementation of the desegregation plan; or

274.29 (2) other districts eligible for revenue under section 124D.862 if the facility acquired  
274.30 under this subdivision is to be primarily used for a joint program for interdistrict  
274.31 desegregation and the commissioner determines that the joint programs are being undertaken  
274.32 to implement the districts' desegregation plan.

275.1 (e) Notwithstanding subdivision 1, the prohibition against a levy by a district to lease  
275.2 or rent a district-owned building to itself does not apply to levies otherwise authorized by  
275.3 this subdivision.

275.4 (f) For the purposes of this subdivision, any references in subdivision 1 to building or  
275.5 land shall include personal property.

275.6 (g) Projects funded under this subdivision are subject to review and comment under  
275.7 section 123B.71, subdivision 8, in the same manner as other school construction projects.

275.8 Sec. 15. Minnesota Statutes 2022, section 126C.44, is amended to read:

275.9 **126C.44 SAFE SCHOOLS LEVY REVENUE.**

275.10 Subdivision 1. Safe schools revenue for school districts. ~~(a) Each district may make~~  
275.11 ~~a levy on all taxable property located within the district for the purposes specified in this~~  
275.12 ~~section. The maximum amount which may be levied for all costs under this section shall~~  
275.13 ~~be equal to \$36 multiplied by the district's adjusted pupil units for the school year~~ A school  
275.14 district's safe schools revenue equals its safe schools levy.

275.15 Subd. 2. School district safe schools levy. A school district's safe schools levy equals  
275.16 \$36 times the district's adjusted pupil units for the school year.

275.17 Subd. 3. Safe schools revenue for intermediate school districts. A school district that  
275.18 is a member of an intermediate school district may include in its levy authority under this  
275.19 section the costs associated with safe schools activities authorized under this section for  
275.20 intermediate school district programs. This authority must not exceed the product of \$15  
275.21 and the adjusted pupil units of the member districts. This authority is in addition to any  
275.22 other authority authorized under this section. Revenue raised under this subdivision must  
275.23 be transferred to the intermediate school district.

275.24 Subd. 4. Use of safe schools revenue. ~~The proceeds of the levy~~ Safe schools revenue  
275.25 must be reserved and used for directly funding the following purposes or for reimbursing  
275.26 the cities and counties who contract with the district for the following purposes:

275.27 (1) to pay the costs incurred for the salaries, benefits, and transportation costs of peace  
275.28 officers and sheriffs for liaison in services in the district's schools;

275.29 (2) to pay the costs for a drug abuse prevention program as defined in section 609.101,  
275.30 subdivision 3, paragraph (e), in the elementary schools;

275.31 (3) to pay the costs for a gang resistance education training curriculum in the district's  
275.32 schools;

276.1 (4) to pay the costs for security in the district's schools and on school property;

276.2 (5) to pay the costs for other crime prevention, drug abuse, student and staff safety,  
276.3 voluntary opt-in suicide prevention tools, and violence prevention measures taken by the  
276.4 school district;

276.5 (6) to pay costs for licensed school counselors, licensed school nurses, licensed school  
276.6 social workers, licensed school psychologists, and licensed alcohol and substance use  
276.7 disorder counselors to help provide early responses to problems;

276.8 (7) to pay for facility security enhancements including laminated glass, public  
276.9 announcement systems, emergency communications devices, and equipment and facility  
276.10 modifications related to violence prevention and facility security;

276.11 (8) to pay for costs associated with improving the school climate; ~~or~~

276.12 (9) to pay costs for collocating and collaborating with mental health professionals who  
276.13 are not district employees or contractors; or

276.14 (10) to pay for the costs of cybersecurity measures, including updating computer hardware  
276.15 and software, other systems upgrades, and cybersecurity insurance costs.

276.16 (b) For expenditures under paragraph (a), clause (1), the district must initially attempt  
276.17 to contract for services to be provided by peace officers or sheriffs with the police department  
276.18 of each city or the sheriff's department of the county within the district containing the school  
276.19 receiving the services. If a local police department or a county sheriff's department does  
276.20 not wish to provide the necessary services, the district may contract for these services with  
276.21 any other police or sheriff's department located entirely or partially within the school district's  
276.22 boundaries.

276.23 ~~(e) A school district that is a member of an intermediate school district may include in~~  
276.24 ~~its authority under this section the costs associated with safe schools activities authorized~~  
276.25 ~~under paragraph (a) for intermediate school district programs. This authority must not exceed~~  
276.26 ~~\$15 times the adjusted pupil units of the member districts. This authority is in addition to~~  
276.27 ~~any other authority authorized under this section. Revenue raised under this paragraph must~~  
276.28 ~~be transferred to the intermediate school district.~~

276.29 **EFFECTIVE DATE.** This section is effective the day following final enactment.

277.1 Sec. 16. **LEASE LEVY FOR TRANSPORTATION HUB FOR EASTERN CARVER**  
277.2 **COUNTY SCHOOL DISTRICT.**

277.3 Notwithstanding Minnesota Statutes, section 126C.40, subdivision 1, Independent School  
277.4 District No. 112, Eastern Carver County Schools, may lease a transportation hub under  
277.5 Minnesota Statutes, section 126C.40, subdivision 1, if the district demonstrates to the  
277.6 satisfaction of the commissioner of education that the transportation hub will result in  
277.7 significant financial savings for the school district. Levy authority under this section must  
277.8 not exceed the total levy authority under Minnesota Statutes, section 126C.40, subdivision  
277.9 1, paragraph (e).

277.10 **EFFECTIVE DATE.** This section is effective for taxes payable in 2024 and later.

277.11 Sec. 17. **LONG-TERM FACILITIES MAINTENANCE REVENUE ADJUSTMENT.**

277.12 Subdivision 1. **Eligibility.** A school board that purchases a nonschool facility and converts  
277.13 that facility to a school building may document to the commissioner of education, in the  
277.14 form and manner specified by the commissioner, that the purchase and subsequent remodeling  
277.15 of the facility is less expensive than constructing a new facility for the same space and is  
277.16 eligible for an adjustment to its long-term facilities maintenance revenue according to  
277.17 subdivision 2.

277.18 Subd. 2. **Inclusion in plan and revenue.** Notwithstanding Minnesota Statutes, section  
277.19 123B.595, or any other law to the contrary, an eligible school district under subdivision 1  
277.20 may include in its long-term facilities maintenance ten-year plan any heating, ventilation,  
277.21 and air conditioning projects necessary to improve air handling performance sufficient to  
277.22 satisfy the requirements for a certificate of occupancy for the space for its intended use as  
277.23 a school facility. The Department of Education must adjust an eligible school district's  
277.24 long-term facilities maintenance revenue to include these costs.

277.25 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
277.26 applies to a nonschool facility purchased on or after January 1, 2019.

277.27 Sec. 18. **APPROPRIATIONS.**

277.28 Subdivision 1. **Department of Education.** The sums indicated in this section are  
277.29 appropriated from the general fund to the Department of Education for the fiscal years  
277.30 designated.

277.31 Subd. 2. **Building and cybersecurity grant program.** (a) To provide grants to school  
277.32 districts and charter schools to improve building security and cybersecurity:

278.1           \$       35,000,000   ..... 2024

278.2           \$               0       ..... 2025

278.3           (b) A cooperative unit, school district, or charter school may apply for a grant in the  
 278.4 form and manner specified by the commissioner.

278.5           (c) Funds may be used for security-related facility improvements, cybersecurity insurance  
 278.6 premiums, and associated costs.

278.7           (d) Up to \$100,000 is available for grant administration and monitoring.

278.8           (e) This is a onetime appropriation and is available until June 30, 2027.

278.9           Subd. 3. Debt service equalization aid. (a) For debt service equalization aid under  
 278.10 Minnesota Statutes, section 123B.53, subdivision 6:

278.11           \$       24,511,000   ..... 2024

278.12           \$       21,351,000   ..... 2025

278.13           (b) The 2024 appropriation includes \$2,424,000 for 2023 and \$22,087,000 for 2024.

278.14           (c) The 2025 appropriation includes \$2,454,000 for 2024 and \$18,897,000 for 2025.

278.15           Subd. 4. Equity in telecommunications access. (a) For equity in telecommunications  
 278.16 access:

278.17           \$       3,750,000   ..... 2024

278.18           \$       3,750,000   ..... 2025

278.19           (b) If the appropriation amount is insufficient, the commissioner shall reduce the  
 278.20 reimbursement rate in Minnesota Statutes, section 125B.26, subdivisions 4 and 5, and the  
 278.21 revenue for fiscal years 2024 and 2025 shall be prorated.

278.22           (c) Any balance in the first year does not cancel but is available in the second year.

278.23           Subd. 5. Grants for gender-neutral single-user restrooms. (a) For grants to school  
 278.24 districts for remodeling, constructing, or repurposing space for gender-neutral single-user  
 278.25 restrooms:

278.26           \$       1,000,000   ..... 2024

278.27           \$       1,000,000   ..... 2025

278.28           (b) A school district or a cooperative unit under Minnesota Statutes, section 123A.24,  
 278.29 subdivision 2, may apply for a grant of not more than \$75,000 per site under this subdivision  
 278.30 in the form and manner specified by the commissioner. The commissioner must award at

279.1 least one grant under this subdivision to Independent School District No. 709, Duluth, for  
 279.2 a demonstration grant for a project awaiting construction.

279.3 (c) The commissioner must ensure that grants are awarded to schools to reflect the  
 279.4 geographic diversity of the state.

279.5 (d) Up to \$75,000 each year is available for grant administration and monitoring.

279.6 (e) By February 1 of each year, the commissioner must annually report to the committees  
 279.7 of the legislature with jurisdiction over education on the number of grants that were awarded  
 279.8 each year and the number of grant applications that were unfunded during that year.

279.9 Subd. 6. Long-term facilities maintenance equalized aid. (a) For long-term facilities  
 279.10 maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

279.11 \$ 108,045,000 ..... 2024

279.12 \$ 108,245,000 ..... 2025

279.13 (b) The 2024 appropriation includes \$10,821,000 for 2023 and \$97,224,000 for 2024.

279.14 (c) The 2025 appropriation includes \$10,803,000 for 2024 and \$97,442,000 for 2025.

279.15 **ARTICLE 9**

279.16 **NUTRITION AND LIBRARIES**

279.17 Section 1. Minnesota Statutes 2022, section 124D.111, subdivision 2a, is amended to read:

279.18 Subd. 2a. **Federal child and adult care food program and federal summer food**

279.19 **service program; criteria and notice.** (a) The commissioner must post on the department's  
 279.20 website eligibility criteria and application information for nonprofit organizations interested  
 279.21 in applying to the commissioner for approval as a multisite sponsoring organization under  
 279.22 the federal child and adult care food program and federal summer food service program.

279.23 The posted criteria and information must inform interested nonprofit organizations about:

279.24 (1) the criteria the commissioner uses to approve or disapprove an application, including  
 279.25 how an applicant demonstrates financial viability for the Minnesota program, among other  
 279.26 criteria;

279.27 (2) the commissioner's process and time line for notifying an applicant when its  
 279.28 application is approved or disapproved and, if the application is disapproved, the explanation  
 279.29 the commissioner provides to the applicant; and

279.30 (3) any appeal or other recourse available to a disapproved applicant.

280.1 (b) The commissioner must evaluate financial eligibility as part of the application process.  
280.2 An organization applying to be a prospective sponsor for the federal child and adult food  
280.3 care program or the federal summer food service program must provide documentation of  
280.4 financial viability as an organization. Documentation must include:

280.5 (1) evidence that the organization has operated for at least one year and has filed at least  
280.6 one tax return;

280.7 (2) the most recent tax return submitted by the organization and corresponding forms  
280.8 and financial statements;

280.9 (3) a profit and loss statement and balance sheet or similar financial information; and

280.10 (4) evidence that at least ten percent of the organization's operating revenue comes from  
280.11 sources other than the United States Department of Agriculture child nutrition program and  
280.12 that the organization has additional funds or a performance bond available to cover at least  
280.13 one month of reimbursement claims.

280.14 **EFFECTIVE DATE.** This section is effective the day following final enactment.

280.15 Sec. 2. Minnesota Statutes 2022, section 124D.111, subdivision 5, is amended to read:

280.16 Subd. 5. **Respectful treatment.** (a) The participant must also provide meals to students  
280.17 in a respectful manner according to the policy adopted under subdivision 1. The participant  
280.18 must ensure that any reminders for payment of outstanding student meal balances do not  
280.19 demean or stigmatize any child participating in the school lunch program, including but not  
280.20 limited to dumping meals; withdrawing a meal that has been served; announcing or listing  
280.21 students' names publicly; providing alternative meals not specifically related to dietary  
280.22 needs; providing nonreimbursable meals; or affixing stickers, stamps, or pins. The participant  
280.23 must not impose any other restriction prohibited under section 123B.37 due to unpaid student  
280.24 meal balances. The participant must not limit a student's participation in any school activities,  
280.25 graduation ceremonies, field trips, athletics, activity clubs, or other extracurricular activities  
280.26 or access to materials, technology, or other items provided to students due to an unpaid  
280.27 student meal balance.

280.28 (b) If the commissioner or the commissioner's designee determines a participant has  
280.29 violated the requirement to provide meals to participating students in a respectful manner,  
280.30 the commissioner or the commissioner's designee must send a letter of noncompliance to  
280.31 the participant. The participant is required to respond and, if applicable, remedy the practice  
280.32 within 60 days.

280.33 **EFFECTIVE DATE.** This section is effective the day following final enactment.



281.1 Sec. 3. Minnesota Statutes 2022, section 124D.1158, as amended by Laws 2023, chapter  
281.2 18, section 2, is amended to read:

281.3 **124D.1158 SCHOOL BREAKFAST PROGRAM.**

281.4 Subdivision 1. **Purpose; eligibility.** (a) The purpose of the school breakfast program is  
281.5 to provide affordable morning nutrition to children so that they can effectively learn.

281.6 (b) A school district, charter school, nonpublic school, or other participant in the federal  
281.7 school breakfast program may receive state breakfast aid.

281.8 (c) Schools shall encourage all children to eat a nutritious breakfast, either at home or  
281.9 at school, and shall work to eliminate barriers to breakfast participation at school such as  
281.10 inadequate facilities and transportation.

281.11 Subd. 3. **Program reimbursement.** Each school year, the state must reimburse each  
281.12 participating school either:

281.13 (1) 30 cents for each reduced-price breakfast, 55 cents for each fully paid breakfast  
281.14 served to students in grades 1 to 12, and \$1.30 for each fully paid breakfast served to a  
281.15 prekindergarten student enrolled in an approved voluntary prekindergarten program under  
281.16 section 124D.151, early childhood special education student participating in a program  
281.17 authorized under section 124D.151, or a kindergarten student; or

281.18 (2) if the school participates in the free school meals program under section 124D.111,  
281.19 subdivision 1c, state aid as provided in section 124D.111, subdivision 1d.

281.20 Subd. 4. **No fees.** A school that receives school breakfast aid under this section must  
281.21 make breakfast available without charge to all participating students in grades 1 to 12 who  
281.22 qualify for free or reduced-price meals and to all prekindergarten students enrolled in an  
281.23 approved voluntary prekindergarten program under section 124D.151, early childhood  
281.24 special education students participating in a program authorized under section 124D.151,  
281.25 and all kindergarten students.

281.26 Sec. 4. Minnesota Statutes 2022, section 124D.119, is amended to read:

281.27 **124D.119 SUMMER FOOD SERVICE ~~REPLACEMENT AID~~ PROGRAM AND**  
281.28 **CHILD AND ADULT CARE FOOD PROGRAM.**

281.29 Subdivision 1. Summer Food Service Program replacement aid. States State funds  
281.30 are available to compensate department-approved Summer Food Service Program sponsors.  
281.31 Reimbursement shall be made on December 15 based on total meals served by each sponsor  
281.32 from the end of the school year to the beginning of the next school year on a pro rata basis.

282.1 Subd. 2. **Child and Adult Care Food Program and Summer Food Service Program**  
282.2 **sponsor organizations.** Legally distinct Child and Adult Care Food Program and Summer  
282.3 Food Service Program sites may transfer sponsoring organizations no more than once per  
282.4 year, except under extenuating circumstances including termination of the sponsoring  
282.5 organization's agreement or other circumstances approved by the Department of Education.

282.6 Subd. 3. **Child and Adult Care Food Program and Summer Food Service Program**  
282.7 **training.** Prior to applying to sponsor a Child and Adult Care Food Program or Summer  
282.8 Food Service Program site, a nongovernmental organization applicant must provide  
282.9 documentation to the Department of Education verifying that staff members have completed  
282.10 program-specific training as designated by the commissioner.

282.11 Subd. 4. **Summer Food Service Program locations.** Consistent with Code of Federal  
282.12 Regulations, title 7, section 225.6(d)(1)(ii), the Department of Education must not approve  
282.13 a new Summer Food Service Program open site that is within a half-mile radius of an existing  
282.14 Summer Food Service Program open site. The department may approve a new Summer  
282.15 Food Service Program open site within a half-mile radius only if the new program will not  
282.16 be serving the same group of children for the same meal type or if there are safety issues  
282.17 that could present barriers to participation.

282.18 **EFFECTIVE DATE.** This section is effective the day following final enactment.

282.19 Sec. 5. **[124D.901] SCHOOL LIBRARIES AND MEDIA CENTERS.**

282.20 A school district or charter school library or school library media center provides equitable  
282.21 and free access to students, teachers, and administrators.

282.22 A school library or school library media center must have the following characteristics:

282.23 (1) ensures every student has equitable access to resources and is able to locate, access,  
282.24 and use resources that are organized and cataloged;

282.25 (2) has a collection development plan that includes but is not limited to materials selection  
282.26 and deselection, a challenged materials procedure, and an intellectual and academic freedom  
282.27 statement;

282.28 (3) is housed in a central location that provides an environment for expanded learning  
282.29 and supports a variety of student interests;

282.30 (4) has technology and Internet access; and

282.31 (5) is served by a licensed school library media specialist or licensed school librarian.

283.1 Sec. 6. Minnesota Statutes 2022, section 134.31, subdivision 1, is amended to read:

283.2 Subdivision 1. **Library service.** The state shall, as an integral part of its responsibility  
283.3 for public education, support the provision of library service for every ~~citizen~~ resident, the  
283.4 development of cooperative programs for the sharing of resources and services among all  
283.5 libraries, and the establishment of jointly operated library services at a single location where  
283.6 appropriate.

283.7 Sec. 7. Minnesota Statutes 2022, section 134.31, subdivision 4a, is amended to read:

283.8 Subd. 4a. **Services to people with visual and physical disabilities.** The Minnesota  
283.9 Department of Education shall provide specialized services to people with visual and physical  
283.10 disabilities through the Minnesota Braille and Talking Book Library under a cooperative  
283.11 plan with the National Library ~~Services~~ Service for the Blind and ~~Physically Handicapped~~  
283.12 Print Disabled of the Library of Congress.

283.13 Sec. 8. Minnesota Statutes 2022, section 134.32, subdivision 4, is amended to read:

283.14 Subd. 4. **Special project grants.** It may provide special project grants to assist innovative  
283.15 and experimental library programs including, but not limited to, special services for American  
283.16 Indians and ~~the Spanish-speaking~~ multilingual learners, delivery of library materials to  
283.17 homebound persons, other extensions of library services to persons without access to libraries  
283.18 and projects to strengthen and improve library services.

283.19 Sec. 9. Minnesota Statutes 2022, section 134.34, subdivision 1, is amended to read:

283.20 Subdivision 1. **Local support levels.** (a) Regional library basic system support aid shall  
283.21 be provided to any regional public library system where there are at least three participating  
283.22 counties and where each participating city and county is providing for public library service  
283.23 support the lesser of (a) an amount equivalent to .82 percent of the average of the adjusted  
283.24 net tax capacity of the taxable property of that city or county, as determined by the  
283.25 commissioner of revenue for the second, third, and fourth year preceding that calendar year  
283.26 or (b) a per capita amount calculated under the provisions of this subdivision. The per capita  
283.27 amount is established for calendar year 1993 as \$7.62. In succeeding calendar years, the  
283.28 per capita amount shall be increased by a percentage equal to one-half of the percentage by  
283.29 which the total state adjusted net tax capacity of property as determined by the commissioner  
283.30 of revenue for the second year preceding that calendar year increases over that total adjusted  
283.31 net tax capacity for the third year preceding that calendar year.

284.1 (b) The minimum level of support specified under this subdivision or subdivision 4 shall  
284.2 be certified annually to the participating cities and counties by the Department of Education.  
284.3 If a city or county chooses to reduce its local support in accordance with subdivision 4,  
284.4 paragraph (b) or (c), it shall notify its regional public library system. The regional public  
284.5 library system shall notify the Department of Education that a revised certification is required.  
284.6 The revised minimum level of support shall be certified to the city or county by the  
284.7 Department of Education.

284.8 (c) A city which is a part of a regional public library system shall not be required to  
284.9 provide this level of support if the property of that city is already taxable by the county for  
284.10 the support of that regional public library system. In no event shall the Department of  
284.11 Education require any city or county to provide a higher level of support than the level of  
284.12 support specified in this section in order for a system to qualify for regional library basic  
284.13 system support aid. This section shall not be construed to prohibit a city or county from  
284.14 providing a higher level of support for public libraries than the level of support specified  
284.15 in this section.

284.16 (d) The amounts required to be expended under this section are subject to the reduced  
284.17 maintenance of effort requirements under section 275.761.

284.18 Sec. 10. Minnesota Statutes 2022, section 134.355, subdivision 5, is amended to read:

284.19 Subd. 5. **Base aid distribution.** ~~Five~~ Fifteen percent of the available aid funds shall be  
284.20 paid to each system as base aid for basic system services.

284.21 **EFFECTIVE DATE.** This section is effective for state aid for fiscal year 2024 and  
284.22 later.

284.23 Sec. 11. Minnesota Statutes 2022, section 134.355, subdivision 6, is amended to read:

284.24 Subd. 6. **Adjusted net tax capacity per capita distribution.** ~~Twenty-five~~ Fifteen percent  
284.25 of the available aid funds shall be distributed to regional public library systems based upon  
284.26 the adjusted net tax capacity per capita for each member county or participating portion of  
284.27 a county as calculated for the ~~second~~ third year preceding the fiscal year for which aid is  
284.28 provided. Each system's entitlement shall be calculated as follows:

284.29 ~~(a)~~ (1) multiply the adjusted net tax capacity per capita for each county or participating  
284.30 portion of a county by .0082-;

284.31 ~~(b)~~ (2) add sufficient aid funds that are available under this subdivision to raise the  
284.32 amount of the county or participating portion of a county with the lowest value calculated

285.1 according to ~~paragraph (a)~~ clause (1) to the amount of the county or participating portion  
285.2 of a county with the next highest value calculated according to ~~paragraph (a)~~ clause (1).  
285.3 Multiply the amount of the additional aid funds by the population of the county or  
285.4 participating portion of a county;

285.5 ~~(e)~~ (3) continue the process described in ~~paragraph (b)~~ clause (2) by adding sufficient  
285.6 aid funds that are available under this subdivision to the amount of a county or participating  
285.7 portion of a county with the next highest value calculated in ~~paragraph (a)~~ clause (1) to raise  
285.8 it and the amount of counties and participating portions of counties with lower values  
285.9 calculated in ~~paragraph (a)~~ clause (1) up to the amount of the county or participating portion  
285.10 of a county with the next highest value, until reaching an amount where funds available  
285.11 under this subdivision are no longer sufficient to raise the amount of a county or participating  
285.12 portion of a county and the amount of counties and participating portions of counties with  
285.13 lower values up to the amount of the next highest county or participating portion of a county;  
285.14 and

285.15 ~~(d)~~ (4) if the point is reached using the process in ~~paragraphs (b) and (e)~~ clauses (2) and  
285.16 (3) at which the remaining aid funds under this subdivision are not adequate for raising the  
285.17 amount of a county or participating portion of a county and all counties and participating  
285.18 portions of counties with amounts of lower value to the amount of the county or participating  
285.19 portion of a county with the next highest value, those funds are to be divided on a per capita  
285.20 basis for all counties or participating portions of counties that received aid funds under the  
285.21 calculation in ~~paragraphs (b) and (e)~~ clauses (2) and (3).

285.22 **EFFECTIVE DATE.** This section is effective for state aid for fiscal year 2024 and  
285.23 later.

285.24 Sec. 12. Minnesota Statutes 2022, section 134.355, subdivision 7, is amended to read:

285.25 Subd. 7. **Population determination.** A regional public library system's population shall  
285.26 be determined according to must be calculated using the most recent estimate available  
285.27 under section 477A.011, subdivision 3, at the time the aid amounts are calculated, which  
285.28 must be by April 1 in the year the calculation is made.

285.29 **EFFECTIVE DATE.** This section is effective for state aid for fiscal year 2024 and  
285.30 later.

286.1 Sec. 13. Laws 2023, chapter 18, section 4, subdivision 2, is amended to read:

286.2 Subd. 2. **School lunch.** For school lunch aid under Minnesota Statutes, section 124D.111,  
 286.3 including the amounts for the free school meals program:

286.4		<del>190,863,000</del>		
286.5	\$	<u>190,897,000</u>	.....	2024
286.6		<del>197,902,000</del>		
286.7	\$	<u>198,154,000</u>	.....	2025

286.8 Sec. 14. Laws 2023, chapter 18, section 4, subdivision 3, is amended to read:

286.9 Subd. 3. **School breakfast.** For school breakfast aid under Minnesota Statutes, section  
 286.10 124D.1158:

286.11		<del>25,731,000</del>		
286.12	\$	<u>25,912,000</u>	.....	2024
286.13		<del>26,538,000</del>		
286.14	\$	<u>27,372,000</u>	.....	2025

286.15 Sec. 15. **APPROPRIATIONS.**

286.16 Subdivision 1. Department of Education. The sums indicated in this section are  
 286.17 appropriated from the general fund to the Department of Education for the fiscal years  
 286.18 designated. Any balance in the first year does not cancel but is available in the second year.

286.19 Subd. 2. Basic system support. (a) For basic system support aid under Minnesota  
 286.20 Statutes, section 134.355:

286.21	\$	<u>15,550,000</u>	.....	<u>2024</u>
286.22	\$	<u>15,770,000</u>	.....	<u>2025</u>

286.23 (b) The 2024 appropriation includes \$1,357,000 for 2023 and \$14,193,000 for 2024.

286.24 (c) The 2025 appropriation includes \$1,757,000 for 2024 and \$14,213,000 for 2025.

286.25 Subd. 3. Electronic library for Minnesota. For statewide licenses to online databases  
 286.26 selected in cooperation with the Minnesota Office of Higher Education for school media  
 286.27 centers, public libraries, state government agency libraries, and public or private college or  
 286.28 university libraries:

286.29	\$	<u>900,000</u>	.....	<u>2024</u>
286.30	\$	<u>900,000</u>	.....	<u>2025</u>

286.31 Subd. 4. Kindergarten milk. For kindergarten milk aid under Minnesota Statutes,  
 286.32 section 124D.118:



288.1 (b) In reviewing applications under subdivision 5, the commissioner must limit the total  
 288.2 number of participants in the voluntary prekindergarten and school readiness plus programs  
 288.3 under Laws 2017, First Special Session chapter 5, article 8, section 9, to not more than 7,160  
 288.4 participants for fiscal years ~~2019, 2020, 2021, 2022, and 2023, and 3,160 participants for~~  
 288.5 ~~fiscal years 2024 and later~~ 2023 and 2024, and 12,360 participants for fiscal year 2025 and  
 288.6 later.

288.7 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

288.8 Sec. 2. Minnesota Statutes 2022, section 126C.05, subdivision 1, is amended to read:

288.9 Subdivision 1. **Pupil unit.** Pupil units for each Minnesota resident pupil under the age  
 288.10 of 21 or who meets the requirements of section 120A.20, subdivision 1, paragraph (c), in  
 288.11 average daily membership enrolled in the district of residence, in another district under  
 288.12 sections 123A.05 to 123A.08, 124D.03, 124D.08, or 124D.68; in a charter school under  
 288.13 chapter 124E; or for whom the resident district pays tuition under section 123A.18, 123A.22,  
 288.14 123A.30, 123A.32, 123A.44, 123A.488, 123B.88, subdivision 4, 124D.04, 124D.05, 125A.03  
 288.15 to 125A.24, 125A.51, or 125A.65, shall be counted according to this subdivision.

288.16 (a) A prekindergarten pupil with a disability who is enrolled in a program approved by  
 288.17 the commissioner and has an individualized education program is counted as the ratio of  
 288.18 the number of hours of assessment and education service to 825 times 1.0 with a minimum  
 288.19 average daily membership of 0.28, but not more than 1.0 pupil unit.

288.20 (b) A prekindergarten pupil who is assessed but determined not to be disabled is counted  
 288.21 as the ratio of the number of hours of assessment service to 825 times 1.0.

288.22 ~~(c) A kindergarten pupil with a disability who is enrolled in a program approved by the~~  
 288.23 ~~commissioner is counted as the ratio of the number of hours of assessment and education~~  
 288.24 ~~services required in the fiscal year by the pupil's individualized education program to 875,~~  
 288.25 ~~but not more than one.~~

288.26 ~~(d)~~ (c) A prekindergarten pupil who is not included in paragraph (a) or (b) and is enrolled  
 288.27 in an approved voluntary prekindergarten program under section 124D.151 is counted as  
 288.28 the ratio of the number of hours of instruction to 850 times 1.0, but not more than 0.6 pupil  
 288.29 units.

288.30 ~~(e)~~ (d) A kindergarten pupil ~~who is not included in paragraph (c)~~ is counted as 1.0 pupil  
 288.31 unit if the pupil is enrolled in a free all-day, every day kindergarten program available to  
 288.32 all kindergarten pupils at the pupil's school that meets the minimum hours requirement in



289.1 section 120A.41, or is counted as .55 pupil unit, if the pupil is not enrolled in a free all-day,  
289.2 every day kindergarten program available to all kindergarten pupils at the pupil's school.

289.3 ~~(f)~~ (e) A pupil who is in any of grades 1 to 6 is counted as 1.0 pupil unit.

289.4 ~~(g)~~ (f) A pupil who is in any of grades 7 to 12 is counted as 1.2 pupil units.

289.5 ~~(h)~~ (g) A pupil who is in the postsecondary enrollment options program is counted as  
289.6 1.2 pupil units.

289.7 ~~(i)~~ ~~For fiscal years 2018 through 2023,~~ (h) A prekindergarten pupil who:

289.8 (1) is not included in paragraph (a), (b), or ~~(d)~~ (c);

289.9 (2) is enrolled in a school readiness plus program under Laws 2017, First Special Session  
289.10 chapter 5, article 8, section 9; and

289.11 (3) has one or more of the risk factors specified by the eligibility requirements for a  
289.12 school readiness plus program,

289.13 is counted as the ratio of the number of hours of instruction to 850 times 1.0, but not more  
289.14 than 0.6 pupil units. A pupil qualifying under this paragraph must be counted in the same  
289.15 manner as a voluntary prekindergarten student for all general education and other school  
289.16 funding formulas.

289.17 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

289.18 Sec. 3. Minnesota Statutes 2022, section 126C.05, subdivision 3, as amended by Laws  
289.19 2023, chapter 18, section 3, is amended to read:

289.20 Subd. 3. **Compensation revenue pupil units.** Compensation revenue pupil units must  
289.21 be computed according to this subdivision.

289.22 (a) The compensation revenue concentration percentage for each building in a district  
289.23 equals the product of 100 times the ratio of:

289.24 (1) the sum of the number of pupils enrolled in the building eligible to receive free lunch  
289.25 plus one-half of the pupils eligible to receive reduced priced lunch on October 1 of the  
289.26 previous fiscal year; to

289.27 (2) the number of pupils enrolled in the building on October 1 of the previous fiscal  
289.28 year.

289.29 (b) The compensation revenue pupil weighting factor for a building equals the lesser of  
289.30 one or the quotient obtained by dividing the building's compensation revenue concentration  
289.31 percentage by 80.0.

290.1 (c) The compensation revenue pupil units for a building equals the product of:

290.2 (1) the sum of the number of pupils enrolled in the building eligible to receive free lunch  
290.3 and one-half of the pupils eligible to receive reduced priced lunch on October 1 of the  
290.4 previous fiscal year; times

290.5 (2) the compensation revenue pupil weighting factor for the building; times

290.6 (3) .60.

290.7 (d) Notwithstanding paragraphs (a) to (c), for voluntary prekindergarten programs under  
290.8 section 124D.151, charter schools, and contracted alternative programs in the first year of  
290.9 operation, compensation revenue pupil units shall be computed using data for the current  
290.10 fiscal year. If the voluntary prekindergarten program, charter school, or contracted alternative  
290.11 program begins operation after October 1, compensatory revenue pupil units shall be  
290.12 computed based on pupils enrolled on an alternate date determined by the commissioner,  
290.13 and the compensation revenue pupil units shall be prorated based on the ratio of the number  
290.14 of days of student instruction to 170 days.

290.15 ~~(e) Notwithstanding paragraphs (a) to (c), for voluntary prekindergarten seats discontinued~~  
290.16 ~~in fiscal year 2024 due to the reduction in the participation limit under section 124D.151,~~  
290.17 ~~subdivision 6, those discontinued seats must not be used to calculate compensation revenue~~  
290.18 ~~pupil units for fiscal year 2024.~~

290.19 ~~(f)~~ (e) The percentages in this subdivision must be based on the count of individual  
290.20 pupils and not on a building average or minimum.

290.21 ~~(g)~~ (f) Notwithstanding paragraphs (a) to ~~(f)~~ (e), for revenue in fiscal year 2025 only,  
290.22 the compensation revenue pupil units for each building in a district equals the greater of the  
290.23 building's actual compensation revenue pupil units computed according to paragraphs (a)  
290.24 to ~~(f)~~ (e) for revenue in fiscal year 2025, or the building's actual compensation revenue pupil  
290.25 units computed according to paragraphs (a) to ~~(f)~~ (e) for revenue in fiscal year 2024.

290.26 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

290.27 Sec. 4. Minnesota Statutes 2022, section 126C.10, subdivision 2d, is amended to read:

290.28 Subd. 2d. **Declining enrollment revenue.** ~~(a)~~ A school district's declining enrollment  
290.29 revenue equals the greater of zero or the product of: (1) 28 percent of the formula allowance  
290.30 for that year and (2) the difference between the adjusted pupil units for the preceding year  
290.31 and the adjusted pupil units for the current year.

291.1 ~~(b) Notwithstanding paragraph (a), for fiscal year 2024 only, prekindergarten pupil units~~  
291.2 ~~under section 126C.05, subdivision 1, paragraph (d), must be excluded from the calculation~~  
291.3 ~~of declining enrollment revenue.~~

291.4 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

## 291.5 **ARTICLE 11**

### 291.6 **COMMUNITY EDUCATION AND LIFELONG LEARNING**

291.7 Section 1. Minnesota Statutes 2022, section 124D.20, subdivision 3, is amended to read:

291.8 Subd. 3. **General community education revenue.** The general community education  
291.9 revenue for a district equals ~~\$5.23 for fiscal years 2005 and 2006 and \$5.42~~ \$5.75 for fiscal  
291.10 year ~~2007~~ 2025 and later, times the greater of 1,335 or the population of the district. The  
291.11 population of the district is determined according to section 275.14.

291.12 Sec. 2. Minnesota Statutes 2022, section 124D.20, subdivision 5, is amended to read:

291.13 Subd. 5. **Total community education levy.** (a) For fiscal years prior to 2025, to obtain  
291.14 total community education revenue, a district may levy the amount raised by a maximum  
291.15 tax rate of 0.94 percent times the adjusted net tax capacity of the district. If the amount of  
291.16 the total community education levy would exceed the total community education revenue,  
291.17 the total community education levy shall be determined according to subdivision 6.

291.18 (b) By August 30 of each year, the commissioner shall establish a tax rate for the  
291.19 community education levy that raises the amount specified in paragraph (c). The community  
291.20 education levy must not exceed the community education revenue computed in subdivision  
291.21 3.

291.22 (c) The community education levy amount is \$42,379,000 for fiscal year 2025,  
291.23 \$42,713,000 for fiscal year 2026, and \$43,045,000 for each subsequent fiscal year.

291.24 Sec. 3. Minnesota Statutes 2022, section 124D.2211, is amended to read:

#### 291.25 **124D.2211 AFTER-SCHOOL COMMUNITY LEARNING PROGRAMS.**

291.26 Subdivision 1. **Establishment.** A competitive statewide after-school community learning  
291.27 grant program is established to provide grants to ~~community or nonprofit organizations,~~  
291.28 ~~political subdivisions, for-profit or nonprofit child care centers, or school-based programs~~  
291.29 ~~that serve~~ support eligible organizations to provide culturally affirming and enriching  
291.30 after-school and summer learning programs for school-age youth after school or during  
291.31 nonschool hours. Grants must be used to offer a broad array of academic enrichment activities

292.1 that promote positive after-school and summer learning activities, including art, music,  
 292.2 community engagement, literacy, science, technology, engineering, math, health, and  
 292.3 recreation programs. The commissioner shall develop criteria for after-school community  
 292.4 learning programs that promote partnerships and active collaboration with the schools that  
 292.5 participating students attend. The commissioner may award grants under this section to  
 292.6 community or nonprofit organizations, culturally specific organizations, American Indian  
 292.7 organizations, Tribal Nations, political subdivisions, public libraries, or school-based  
 292.8 programs that serve youth after school, during the summer, or during nonschool hours.

292.9 Subd. 2. ~~Program outcomes~~ Objectives. The ~~expected outcomes~~ objectives of the  
 292.10 after-school community learning programs are to ~~increase~~:

292.11 ~~(1) school connectedness of participants;~~

292.12 ~~(2) academic achievement of participating students in one or more core academic areas;~~

292.13 ~~(3) the capacity of participants to become productive adults; and~~

292.14 ~~(4) prevent truancy from school and prevent juvenile crime.~~

292.15 (1) increase access to comprehensive and culturally affirming after-school and summer  
 292.16 learning and enrichment opportunities that meet the academic, social, and emotional needs  
 292.17 of historically underserved students;

292.18 (2) promote engagement in learning and connections to school and community; and

292.19 (3) encourage school attendance and improve academic performance.

292.20 Subd. 3. **Grants.** (a) An applicant shall ~~shall~~ must submit an after-school community learning  
 292.21 program proposal to the commissioner. The submitted ~~plan~~ proposal must include:

292.22 ~~(1) collaboration with and leverage of existing community resources that have~~  
 292.23 ~~demonstrated effectiveness;~~

292.24 ~~(2) outreach to children and youth; and~~

292.25 ~~(3) involvement of local governments, including park and recreation boards or schools,~~  
 292.26 ~~unless no government agency is appropriate.~~

292.27 ~~Proposals will be reviewed and approved by the commissioner.~~

292.28 (1) an assessment of the needs and available resources for the after-school community  
 292.29 learning program and a description of how the proposed program will address the needs  
 292.30 identified, including how students and families were engaged in the process;

292.31 (2) a description of the partnership between a school and another eligible entity;

293.1 (3) an explanation of how the proposal will support the objectives identified in subdivision  
293.2 2, including the use of best practices;

293.3 (4) a plan to implement effective after-school and summer learning practices and provide  
293.4 staff access to professional development opportunities; and

293.5 (5) a description of the data they will use to evaluate the impact of the program.

293.6 (b) The commissioner must review proposals and award grants to programs that:

293.7 (1) primarily serve historically underserved students; and

293.8 (2) provide opportunities for academic enrichment and a broad array of additional services  
293.9 and activities to meet program objectives.

293.10 (c) To the extent practicable, the commissioner must award grants equitably among the  
293.11 geographic areas of Minnesota, including rural, suburban, and urban communities.

293.12 Subd. 4. **Technical assistance and continuous improvement.** (a) The commissioner  
293.13 must monitor and evaluate the performance of grant recipients to assess the effectiveness  
293.14 of after-school community learning programs in meeting the objectives identified in  
293.15 subdivision 2.

293.16 (b) The commissioner must provide technical assistance, capacity building, and  
293.17 professional development to grant recipients, including guidance on effective practices for  
293.18 after-school and summer learning programs.

293.19 **EFFECTIVE DATE.** This section is effective the day following final enactment.

293.20 Sec. 4. Minnesota Statutes 2022, section 124D.531, subdivision 1, is amended to read:

293.21 Subdivision 1. **State total adult basic education aid.** (a) The state total adult basic  
293.22 education aid for fiscal year 2011 equals \$44,419,000, plus any amount that is not paid  
293.23 during the previous fiscal year as a result of adjustments under subdivision 4, paragraph  
293.24 (a), or section 124D.52, subdivision 3. The state total adult basic education aid for later  
293.25 fiscal years equals:

293.26 (1) the state total adult basic education aid for the preceding fiscal year plus any amount  
293.27 that is not paid for during the previous fiscal year, as a result of adjustments under subdivision  
293.28 4, paragraph (a), or section 124D.52, subdivision 3; times

293.29 (2) the greater of 1.00 or the lesser of:

293.30 (i) 1.03; or

293.31 (ii) the average growth in state total contact hours over the prior ten program years.

294.1 Three percent of the state total adult basic education aid must be set aside for adult basic  
294.2 education supplemental service grants under section 124D.522.

294.3 (b) The state total adult basic education aid, excluding basic population aid, equals the  
294.4 difference between the amount computed in paragraph (a), and the state total basic population  
294.5 aid under subdivision 2.

294.6 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

294.7 Sec. 5. Minnesota Statutes 2022, section 124D.531, subdivision 4, is amended to read:

294.8 Subd. 4. **Adult basic education program aid limit.** (a) Notwithstanding subdivisions  
294.9 2 and 3, the total adult basic education aid for a program per prior year contact hour must  
294.10 not exceed ~~\$22~~ \$30 per prior year contact hour computed under subdivision 3, clause (2).

294.11 (b) The aid for a program under subdivision 3, clause (2), adjusted for changes in program  
294.12 membership, must not exceed the aid for that program under subdivision 3, clause (2), for  
294.13 the first preceding fiscal year by more than the greater of 11 percent or \$10,000.

294.14 (c) Adult basic education aid is payable to a program for unreimbursed costs occurring  
294.15 in the program year as defined in section 124D.52, subdivision 3.

294.16 (d) Any adult basic education aid that is not paid to a program because of the program  
294.17 aid limitation under paragraph (a) must be added to the state total adult basic education aid  
294.18 for the next fiscal year under subdivision 1. Any adult basic education aid that is not paid  
294.19 to a program because of the program aid limitations under paragraph (b) must be reallocated  
294.20 among programs by adjusting the rate per contact hour under subdivision 3, clause (2).

294.21 Sec. 6. Minnesota Statutes 2022, section 124D.55, is amended to read:

294.22 **124D.55 COMMISSIONER-SELECTED HIGH SCHOOL EQUIVALENCY TEST**  
294.23 **FEES.**

294.24 (a) The commissioner shall pay 60 percent of the fee that is charged to an eligible  
294.25 individual for the full battery of the commissioner-selected high school equivalency tests,  
294.26 but not more than \$40 for an eligible individual.

294.27 (b) Notwithstanding paragraph (a), for fiscal years ~~2020 and 2021~~ 2023 through 2027  
294.28 only, subject to the availability of funds, the commissioner shall pay 100 percent of the fee  
294.29 charged to an eligible individual for the full battery of the commissioner-selected high  
294.30 school equivalency tests, but not more than the cost of one full battery of tests per year for  
294.31 any individual.

295.1 Sec. 7. Minnesota Statutes 2022, section 124D.56, is amended to read:

295.2 **124D.56 COMMUNITY EDUCATION PROGRAM REVENUE; ADULTS WITH**  
295.3 **DISABILITIES.**

295.4 Subdivision 1. **Revenue amount.** A district that is eligible according to section 124D.20,  
295.5 subdivision 2, may receive revenue for a program for adults with disabilities. Revenue for  
295.6 the program for adults with disabilities for a district ~~or a group of districts~~ equals the lesser  
295.7 of:

295.8 ~~(1) the actual expenditures for approved programs and budgets; or~~

295.9 ~~(2) \$60,000~~ the greater of (1) \$0.35 times the population of the school district as  
295.10 determined according to section 275.14, or (2) the district's adults with disabilities revenue  
295.11 for fiscal year 2023. If the district does not levy the entire amount permitted, the district's  
295.12 adults with disabilities aid is reduced in proportion to the actual amount levied.

295.13 Subd. 2. **Aid.** Program aid for adults with disabilities equals the lesser of:

295.14 ~~(1) one-half of the actual expenditures for approved programs and budgets; or~~

295.15 ~~(2) \$30,000~~ difference between the district's adults with disabilities revenue and the  
295.16 district's adults with disabilities levy.

295.17 Subd. 3. **Levy.** A district may levy for a program for adults with disabilities in an amount  
295.18 ~~up to the amount designated in subdivision 2. In the case of a program offered by a group~~  
295.19 ~~of districts, the levy amount must be apportioned among the districts according to the~~  
295.20 ~~agreement submitted to the department.~~ not to exceed the greater of:

295.21 (1) the district's revenue under subdivision 1; or

295.22 (2) the product of a tax rate not to exceed .00006 times the district's adjusted net tax  
295.23 capacity for the year prior to the year the levy is certified.

295.24 Subd. 4. **Outside revenue.** A district may receive money from public or private sources  
295.25 to supplement revenue for the program for adults with disabilities. Aid may not be reduced  
295.26 as a result of receiving money from these sources.

295.27 Subd. 5. **Use of revenue.** Revenue for the program for adults with disabilities may be  
295.28 used only to provide programs for adults with disabilities.

295.29 Subd. 6. **Cooperation encouraged.** A school district offering programming for adults  
295.30 with disabilities is encouraged to provide programming in cooperation with other school  
295.31 districts and other public and private organizations providing services to adults with  
295.32 disabilities.

296.1 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2025 and later.

296.2 Sec. 8. Minnesota Statutes 2022, section 124D.99, subdivision 2, is amended to read:

296.3 Subd. 2. **Definitions.** (a) For purposes of this section the terms defined in this subdivision  
 296.4 have the meanings given them.

296.5 (b) ~~"Tier 1 grant"~~ "Neighborhood partnership grant" means a sustaining grant for the  
 296.6 ongoing operation, stability, and expansion of existing education partnership program  
 296.7 locations serving a defined geographic area within a single municipality.

296.8 (c) ~~"Tier 2 grant"~~ "Regional neighborhood partnership grant" means an implementation  
 296.9 grant for ~~expanding activity in~~ the ongoing operation, stability, and expansion of activity  
 296.10 of existing education partnership program locations serving a defined geographic area  
 296.11 encompassing an entire municipality or part of or all of multiple municipalities.

296.12 Sec. 9. **APPROPRIATIONS.**

296.13 Subdivision 1. Department of Education. The sums indicated in this section are  
 296.14 appropriated from the general fund to the Department of Education for the fiscal years  
 296.15 designated. Any balance in the first year does not cancel but is available in the second year.

296.16 Subd. 2. Adult basic education aid. (a) For adult basic education aid under Minnesota  
 296.17 Statutes, section 124D.531:

296.18 \$ 51,763,000 ..... 2024

296.19 \$ 51,758,000 ..... 2025

296.20 (b) The 2024 appropriation includes \$5,179,000 for 2023 and \$46,584,000 for 2024.

296.21 (c) The 2025 appropriation includes \$5,175,000 for 2024 and \$46,583,000 for 2025.

296.22 Subd. 3. Adults with disabilities program aid. (a) For adults with disabilities programs  
 296.23 under Minnesota Statutes, section 124D.56:

296.24 \$ 710,000 ..... 2024

296.25 \$ 1,793,000 ..... 2025

296.26 (b) The 2024 appropriation includes \$71,000 for 2023 and \$639,000 for 2024.

296.27 (c) The 2025 appropriation includes \$71,000 for 2024 and \$1,722,000 for 2025.

296.28 Subd. 4. After school community learning grant program. (a) For grants for after  
 296.29 school community learning programs in accordance with Minnesota Statutes, section  
 296.30 124D.2211:



297.1           \$       25,000,000   ..... 2024

297.2           \$               0       ..... 2025

297.3           (b) Up to three percent of the appropriation is for an organization serving as the statewide  
 297.4 after-school network to assist with the requirements of Minnesota Statutes, section  
 297.5 124D.2211, subdivision 4, paragraph (b).

297.6           (c) Up to two percent of the appropriation is available for grant administration,  
 297.7 monitoring, providing technical assistance, and program evaluation.

297.8           (d) This is a onetime appropriation and is available until June 30, 2027.

297.9           Subd. 5. **Community education aid.** (a) For community education aid under Minnesota  
 297.10 Statutes, section 124D.20:

297.11           \$       98,000       ..... 2024

297.12           \$       2,061,000   ..... 2025

297.13           (b) The 2024 appropriation includes \$14,000 for 2023 and \$84,000 for 2024.

297.14           (c) The 2025 appropriation includes \$9,000 for 2024 and \$2,052,000 for 2025.

297.15           Subd. 6. **Deaf, deafblind, and hard-of-hearing adults.** For programs for deaf, deafblind,  
 297.16 and hard-of-hearing adults under Minnesota Statutes, section 124D.57:

297.17           \$       70,000       ..... 2024

297.18           \$       70,000       ..... 2025

297.19           Subd. 7. **High school equivalency tests.** (a) For payment of the costs of the  
 297.20 commissioner-selected high school equivalency tests under Minnesota Statutes, section  
 297.21 124D.55:

297.22           \$       615,000   ..... 2024

297.23           \$       125,000   ..... 2025

297.24           (b) Of the amounts in paragraph (a), \$490,000 in fiscal year 2024 is available until June  
 297.25 30, 2027.

297.26           Subd. 8. **Neighborhood partnership grants.** (a) For neighborhood partnership grants  
 297.27 under Minnesota Statutes, section 124D.99:

297.28           \$       2,600,000   ..... 2024

297.29           \$       2,600,000   ..... 2025

297.30           (b) Of the amounts in paragraph (a), \$1,300,000 each year is for the Northside  
 297.31 Achievement Zone and \$1,300,000 each year is for the St. Paul Promise Neighborhood.

298.1 Subd. 9. Regional neighborhood partnership grants. (a) For regional neighborhood  
 298.2 partnership grants under Minnesota Statutes, section 124D.99:

298.3 \$ 700,000 ..... 2024

298.4 \$ 700,000 ..... 2025

298.5 (b) Of the amounts in paragraph (a), \$100,000 each year is for the following programs:

298.6 (1) Northfield Healthy Community Initiative in Northfield;

298.7 (2) Red Wing Youth Outreach Program in Red Wing;

298.8 (3) United Way of Central Minnesota in St. Cloud;

298.9 (4) Austin Aspires in Austin;

298.10 (5) Rochester Area Foundation in Rochester;

298.11 (6) Greater Twin Cities United Way for Generation Next; and

298.12 (7) Children First and Partnership for Success in St. Louis Park.

298.13 (c) Any balance in the first year does not cancel but is available in the second year.

298.14 Subd. 10. School-age care aid. (a) For school-age care aid under Minnesota Statutes,  
 298.15 section 124D.22:

298.16 \$ 1,000 ..... 2024

298.17 \$ 1,000 ..... 2025

298.18 (b) The 2024 appropriation includes \$0 for 2023 and \$1,000 for 2024.

298.19 (c) The 2025 appropriation includes \$0 for 2024 and \$1,000 for 2025.

298.20 **ARTICLE 12**  
 298.21 **STATE AGENCIES**

298.22 Section 1. Minnesota Statutes 2022, section 121A.04, subdivision 1, is amended to read:

298.23 Subdivision 1. **Purpose.** The legislature recognizes certain past inequities in access to  
 298.24 athletic programs and in the various degrees of athletic opportunity previously afforded  
 298.25 members of each sex, race, and ethnicity. The purpose of this section is to provide an equal  
 298.26 opportunity for members of both sexes and members of all races and ethnicities to participate  
 298.27 in athletic programs.

299.1 Sec. 2. Minnesota Statutes 2022, section 121A.04, subdivision 2, is amended to read:

299.2 Subd. 2. **Equal opportunity in athletic programs.** Each educational institution or public  
299.3 service shall provide equal opportunity for members of both sexes and members of all races  
299.4 and ethnicities to participate in its athletic program. In determining whether equal opportunity  
299.5 to participate in athletic programs is available for the purposes of this section, at least the  
299.6 following factors shall be considered to the extent that they are applicable to a given situation:  
299.7 whether the opportunity for males and females to participate in the athletic program reflects  
299.8 the demonstrated interest in athletics of the males and females in the student body of the  
299.9 educational institution or the population served by the public service; whether the opportunity  
299.10 for members of all races and ethnicities to participate in the athletic program reflects the  
299.11 demonstrated interest in athletics of members of all races and ethnicities in the student body  
299.12 of the educational institution or the population served by the public service; whether the  
299.13 variety and selection of sports and levels of competition effectively accommodate the  
299.14 demonstrated interests of members of both sexes; whether the variety and selection of sports  
299.15 and levels of competition effectively accommodate the demonstrated interests of members  
299.16 of all races and ethnicities; the provision of equipment and supplies; scheduling of games  
299.17 and practice times; assignment of coaches; provision of locker rooms; practice and  
299.18 competitive facilities; and the provision of necessary funds for teams of one sex.

299.19 Sec. 3. Minnesota Statutes 2022, section 121A.582, subdivision 1, is amended to read:

299.20 Subdivision 1. **Reasonable force standard.** (a) A teacher or school principal, in  
299.21 exercising the person's lawful authority, may use reasonable force when it is necessary under  
299.22 the circumstances to correct or restrain a student ~~or~~ to prevent imminent bodily harm or  
299.23 death to the student or to another.

299.24 (b) A school employee, school bus driver, or other agent of a district, in exercising the  
299.25 person's lawful authority, may use reasonable force when it is necessary under the  
299.26 circumstances to restrain a student ~~or~~ to prevent bodily harm or death to the student or to  
299.27 another.

299.28 (c) Paragraphs (a) and (b) do not authorize conduct prohibited under section 125A.0942.

299.29 (d) Districts must report data on their use of any reasonable force used on a student with  
299.30 a disability to correct or restrain the student to prevent imminent bodily harm or death to  
299.31 the student or another that is consistent with the definition of physical holding under section  
299.32 125A.0941, paragraph (c), as outlined in section 125A.0942, subdivision 3, paragraph (b).

300.1 (e) Beginning with the 2023-2024 school year, districts must report annually by July  
300.2 15, in a form and manner determined by the commissioner, data from the prior school year  
300.3 about any reasonable force used on a general education student to correct or restrain the  
300.4 student to prevent imminent bodily harm or death to the student or another that is consistent  
300.5 with the definition of physical holding under section 125A.0941, paragraph (c).

300.6 Sec. 4. Minnesota Statutes 2022, section 122A.07, subdivision 1, is amended to read:

300.7 Subdivision 1. **Appointment of members.** The Professional Educator Licensing and  
300.8 Standards Board consists of ~~11~~ 13 members appointed by the governor, with the advice and  
300.9 consent of the senate. Membership terms, ~~compensation of members~~, removal of members,  
300.10 the filling of membership vacancies, and fiscal year and reporting requirements are as  
300.11 provided in sections 214.07 to 214.09. No member may be reappointed for more than one  
300.12 additional term.

300.13 Sec. 5. Minnesota Statutes 2022, section 122A.07, subdivision 2, is amended to read:

300.14 Subd. 2. **Eligibility; board composition.** Each ~~nominee~~ appointee, other than a public  
300.15 nominee, must be selected on the basis of professional experience and knowledge of teacher  
300.16 education, accreditation, and licensure. The board must be composed of:

300.17 (1) ~~six~~ seven teachers who are currently teaching in a Minnesota school ~~or who were~~  
300.18 ~~teaching at the time of the appointment~~, have at least five years of teaching experience, and  
300.19 ~~were~~ are not serving in an administrative function at a school district or school when  
300.20 ~~appointed~~ a position requiring an administrative license, pursuant to section 122A.14. The  
300.21 ~~six~~ seven teachers must include the following:

300.22 (i) one teacher in a charter school;

300.23 (ii) ~~one teacher~~ two teachers from a school located in the seven-county metropolitan  
300.24 area, as defined in section 473.121, subdivision 2;

300.25 (iii) ~~one teacher~~ two teachers from a school located outside the seven-county metropolitan  
300.26 area;

300.27 (iv) one teacher from a related service category licensed by the board; and

300.28 (v) one special education teacher; ~~and~~

300.29 ~~(vi) one teacher from a teacher preparation program;~~

300.30 (2) two teachers currently teaching in a board-approved teacher preparation program;

301.1 ~~(2)~~ (3) one superintendent ~~that alternates,~~ alternating each term between a superintendent  
301.2 from a school district in the seven-county metropolitan area, as defined in section 473.121,  
301.3 subdivision 2, and a superintendent from a school district outside the metropolitan area;

301.4 ~~(3) one school district human resources director;~~

301.5 ~~(4) one administrator of a cooperative unit under section 123A.24, subdivision 2,~~ educator  
301.6 who oversees a special education program and who works closely with a cooperative unit  
301.7 under section 123A.24, subdivision 2;

301.8 ~~(5) one principal that alternates,~~ alternating each term between an elementary and a  
301.9 secondary school principal; and

301.10 ~~(6) one member of the public that may be a current or former school board member.~~

301.11 Sec. 6. Minnesota Statutes 2022, section 122A.07, subdivision 4, is amended to read:

301.12 Subd. 4. **Terms, compensation; removal; vacancies.** (a) The review and processing  
301.13 of complaints; the setting of fees; the selection and duties of an executive director to serve  
301.14 the board; and other provisions relating to board operations not provided in this chapter are  
301.15 as provided in chapter 214. Membership terms, except as provided in subdivision 2a,  
301.16 ~~compensation of members,~~ removal of members, the filling of membership vacancies, and  
301.17 fiscal year and reporting requirements are as provided in sections 214.07 to 214.09.

301.18 (b) Board members must receive a stipend of up to \$4,800 annually, prorated monthly,  
301.19 during each year of service on the board.

301.20 Sec. 7. Minnesota Statutes 2022, section 122A.07, subdivision 4a, is amended to read:

301.21 Subd. 4a. **Administration.** (a) The executive director of the board shall be the chief  
301.22 administrative officer for the board but shall not be a member of the board. The executive  
301.23 director shall maintain the records of the board, account for all fees received by the board,  
301.24 supervise and direct employees servicing the board, and perform other services as directed  
301.25 by the board.

301.26 (b) The Department of Administration must provide administrative support in accordance  
301.27 with section 16B.371. The commissioner of administration must assess the board for services  
301.28 it provides under this section.

301.29 ~~(c) The Department of Education must provide suitable offices and other space to the~~  
301.30 ~~board at reasonable cost until January 1, 2020. Thereafter, the board may contract with~~  
301.31 ~~either the Department of Education or the Department of Administration for the provision~~

302.1 ~~of suitable offices and other space, joint conference and hearing facilities, and examination~~  
302.2 ~~rooms.~~

302.3 Sec. 8. Minnesota Statutes 2022, section 122A.07, subdivision 5, is amended to read:

302.4 Subd. 5. **District reimbursement for costs of substitute teachers.** The Professional  
302.5 Educator Licensing and Standards Board ~~may~~ must reimburse local school districts for the  
302.6 costs of substitute teachers employed when regular teachers are providing professional  
302.7 assistance to the state by serving on the board or on a committee or task force appointed by  
302.8 the board and charged to make recommendations concerning standards for teacher licensure  
302.9 in this state.

302.10 Sec. 9. Minnesota Statutes 2022, section 122A.07, subdivision 6, is amended to read:

302.11 Subd. 6. **Public employer compensation reduction prohibited.** (a) The public employer  
302.12 of a member must not reduce the member's compensation or benefits because of the member's  
302.13 absence from employment when engaging in the business of the board.

302.14 (b) The public employer of a member must grant the member time off to join board  
302.15 meetings, committee meetings, and board retreats.

302.16 Sec. 10. Minnesota Statutes 2022, section 125A.71, subdivision 1, is amended to read:

302.17 Subdivision 1. **Rental income; appropriation.** Rental income, ~~excluding rent for land~~  
302.18 ~~and living residences,~~ must be deposited in the state treasury and credited to a revolving  
302.19 fund of the academies. Money in the revolving fund for rental income is annually  
302.20 appropriated to the academies for staff development purposes. Payment from the revolving  
302.21 fund for rental income may be made only according to vouchers authorized by the  
302.22 administrator of the academies.

302.23 Sec. 11. **[127A.21] OFFICE OF THE INSPECTOR GENERAL.**

302.24 Subdivision 1. **Establishment of Office of the Inspector General; powers; duties.** The  
302.25 commissioner must establish within the department an Office of the Inspector General. The  
302.26 Office of the Inspector General is charged with protecting the integrity of the department  
302.27 and the state by detecting and preventing fraud, waste, and abuse in department programs.  
302.28 The Office of the Inspector General must conduct independent and objective investigations  
302.29 to promote the integrity of the department's programs and operations. When fraud or other  
302.30 misuse of public funds is detected, the Office of the Inspector General must report it to the

303.1 appropriate law enforcement entity and collaborate and cooperate with law enforcement to  
303.2 assist in the investigation and any subsequent civil and criminal prosecution.

303.3 Subd. 2. **Data practices; hiring; reporting.** The Office of the Inspector General has  
303.4 access to all program data, regardless of classification under chapter 13, held by the  
303.5 department, school districts or charter schools, grantees, and any other recipient of funds  
303.6 from the department. The commissioner, or the commissioner's designee, must hire an  
303.7 inspector general to lead the Office of the Inspector General. The inspector general must  
303.8 hire a deputy inspector general and, at the discretion of the inspector general, sufficient  
303.9 assistant inspectors general to carry out the duties of the office. In a form and manner  
303.10 determined by the inspector general, the Office of the Inspector General must develop a  
303.11 public platform for the public to report instances of potential fraud, waste, or abuse of public  
303.12 funds administered by the department.

303.13 Sec. 12. **[127A.215] COMPREHENSIVE SCHOOL MENTAL HEALTH SERVICES**  
303.14 **LEAD.**

303.15 Subdivision 1. **Lead position established.** The department must employ a comprehensive  
303.16 school mental health services lead to serve as a source of information and support for schools  
303.17 in addressing the mental health needs of students, teachers, and school staff and developing  
303.18 comprehensive school mental health systems in school districts and charter schools.

303.19 Subd. 2. **Assistance to districts.** (a) The lead must, upon request, assist schools in  
303.20 assessing the quality of their comprehensive school mental health systems and developing  
303.21 improvement plans to implement evidence-based mental health resources, tools, and practices  
303.22 in school districts and charter schools throughout Minnesota.

303.23 (b) The lead must establish a clearinghouse and provide information and resources for  
303.24 school districts, charter schools, teachers, school staff, and families to support students',  
303.25 teachers', and school staff's mental health needs.

303.26 (c) The lead must work with school districts and charter schools to improve mental  
303.27 health infrastructure support by:

303.28 (1) developing guidance and sharing resources on improving the quality of comprehensive  
303.29 school mental health systems;

303.30 (2) developing and sharing resources on evidence-based strategies, behavioral  
303.31 interventions, and practices or techniques for addressing mental health needs, including  
303.32 implementing a comprehensive approach to suicide prevention;

304.1 (3) facilitating coordination and cooperation to enable school districts and charter schools  
 304.2 to share strategies, challenges, and successes associated with supporting the mental health  
 304.3 needs of students, teachers, and staff;

304.4 (4) providing advice, upon request, to schools on implementing trauma-informed and  
 304.5 culturally responsive school-based programs that provide prevention or intervention services  
 304.6 to students, teachers, and staff;

304.7 (5) aligning resources among the different state agencies, including the Department of  
 304.8 Education, Department of Human Services, and Department of Health, to ensure school  
 304.9 mental health systems can efficiently access state resources; and

304.10 (6) maintaining a comprehensive list of resources on the Department of Education website  
 304.11 that schools may use to address students', teachers', and staff's mental health needs, including  
 304.12 grant opportunities; community-based prevention and intervention services; model policies;  
 304.13 written publications that schools may distribute to students, teachers, and staff; professional  
 304.14 development opportunities; best practices; and other resources for mental health education  
 304.15 under section 120B.21.

304.16 (d) The lead may report to the legislature as necessary regarding students', teachers', and  
 304.17 school staff's mental health needs; challenges in developing comprehensive school mental  
 304.18 health services; successful strategies and outcomes; and recommendations for integrating  
 304.19 mental health services and supports in schools.

304.20 Subd. 3. **Coordination with other agencies.** The comprehensive school mental health  
 304.21 services lead must consult with the Regional Centers of Excellence, the Department of  
 304.22 Health, the Department of Human Services, the Minnesota School Safety Center, and other  
 304.23 federal, state, and local agencies as necessary to identify or develop information, training,  
 304.24 and resources to help school districts and charter schools support students', teachers', and  
 304.25 school staff's mental health needs.

304.26 **EFFECTIVE DATE.** This section is effective July 1, 2023.

304.27 Sec. 13. Laws 2021, First Special Session chapter 13, article 11, section 4, subdivision 2,  
 304.28 is amended to read:

304.29 Subd. 2. **Department.** (a) For the Department of Education:

304.30 \$ 30,837,000 ..... 2022

304.31 \$ 26,287,000 ..... 2023

304.32 Of these amounts:



305.1 (1) \$319,000 each year is for the Board of School Administrators;

305.2 (2) \$1,000,000 each year is for regional centers of excellence under Minnesota Statutes,  
305.3 section 120B.115;

305.4 (3) \$250,000 each year is for the School Finance Division to enhance financial data  
305.5 analysis;

305.6 (4) \$720,000 each year is for implementing Minnesota's Learning for English Academic  
305.7 Proficiency and Success Act under Laws 2014, chapter 272, article 1, as amended;

305.8 (5) \$123,000 each year is for a dyslexia specialist;

305.9 (6) \$480,000 each year is for the Department of Education's mainframe update;

305.10 (7) \$4,500,000 in fiscal year 2022 only is for legal fees and costs associated with  
305.11 litigation; and

305.12 (8) \$340,000 in fiscal years 2022 and 2023 only are for voluntary prekindergarten  
305.13 programs.

305.14 (b) None of the amounts appropriated under this subdivision may be used for Minnesota's  
305.15 Washington, D.C., office.

305.16 (c) The expenditures of federal grants and aids as shown in the biennial budget document  
305.17 and its supplements are approved and appropriated and must be spent as indicated.

305.18 (d) This appropriation includes funds for information technology project services and  
305.19 support subject to the provisions of Minnesota Statutes, section 16E.21. Any ongoing  
305.20 information technology costs will be incorporated into the service level agreement and will  
305.21 be paid to the Office of MN.IT Services by the Department of Education under the rates  
305.22 and mechanisms specified in that agreement.

305.23 (e) To account for the base adjustments provided in Laws 2018, chapter 211, article 21,  
305.24 section 1, paragraph (a), and section 3, paragraph (a), the base for fiscal year 2024 and later  
305.25 is \$25,965,000.

305.26 (f) On the effective date of this act, \$1,500,000 from the fiscal year 2022 appropriation  
305.27 for legal fees and costs associated with litigation is canceled to the general fund.

305.28 Sec. 14. **PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD**  
305.29 **MEMBERSHIP.**

305.30 By July 15, 2023, the governor must nominate members to the Professional Educator  
305.31 Licensing and Standards Board to ensure the board consists of 13 members. Notwithstanding

306.1 any law to the contrary, the term of the school district human resources director serving on  
 306.2 the board as of March 1, 2023, ends December 31, 2023. By January 1, 2024, the governor  
 306.3 must nominate a member to the board to ensure the board consists of the 13 members  
 306.4 required under Minnesota Statutes, section 122A.07, subdivision 2.

306.5 **EFFECTIVE DATE.** This section is effective the day following final enactment.

306.6 **Sec. 15. APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

306.7 Subdivision 1. **Department of Education.** Unless otherwise indicated, the sums indicated  
 306.8 in this section are appropriated from the general fund to the Department of Education for  
 306.9 the fiscal years designated. Any balance in the first year does not cancel but is available in  
 306.10 the second year.

306.11 Subd. 2. **Comprehensive school mental health services lead.** For the comprehensive  
 306.12 school mental health services lead under Minnesota Statutes, section 127A.215:

306.13 \$ 150,000 ..... 2024

306.14 \$ 150,000 ..... 2025

306.15 Subd. 3. **Department.** (a) For the Department of Education:

306.16 \$ 42,430,000 ..... 2024

306.17 \$ 37,245,000 ..... 2025

306.18 Of these amounts:

306.19 (1) \$405,000 each year is for the Board of School Administrators;

306.20 (2) \$1,000,000 each year is for regional centers of excellence under Minnesota Statutes,  
 306.21 section 120B.115;

306.22 (3) \$720,000 each year is for implementing Minnesota's Learning for English Academic  
 306.23 Proficiency and Success Act (LEAPS) under Laws 2014, chapter 272, article 1, as amended;

306.24 (4) \$480,000 each year is for the Department of Education's mainframe update;

306.25 (5) \$7,500,000 in fiscal year 2024 only is for legal fees and costs associated with  
 306.26 litigation;

306.27 (6) \$595,000 in fiscal year 2024 and \$2,609,000 in fiscal year 2025 are for modernizing  
 306.28 district data submissions. The base for this appropriation is \$2,359,000 in fiscal year 2026  
 306.29 and thereafter;

306.30 (7) \$573,000 each year is for engagement and rulemaking related to Specific Learning  
 306.31 Disability;

307.1 (8) \$150,000 each year is for an ethnic studies specialist in the academic standards  
 307.2 division to provide support to the ethnic studies working group and to school districts seeking  
 307.3 to establish or strengthen ethnic studies courses;

307.4 (9) \$2,000,000 each year is for the Office of the Inspector General established under  
 307.5 section 127A.21; and

307.6 (10) \$800,000 each year is for audit and internal control resources.

307.7 (b) None of the amounts appropriated under this subdivision may be used for Minnesota's  
 307.8 Washington, D.C., office.

307.9 (c) The expenditures of federal grants and aids as shown in the biennial budget document  
 307.10 and its supplements are approved and appropriated and must be spent as indicated.

307.11 (d) This appropriation includes funds for information technology project services and  
 307.12 support subject to the provisions of Minnesota Statutes, section 16E.21. Any ongoing  
 307.13 information technology costs may be incorporated into the service level agreement and may  
 307.14 be paid to the Department of Information Technology Services by the Department of  
 307.15 Education under the rates and mechanisms specified in that agreement.

307.16 (e) The base for the Department of Education for fiscal year 2026 and later is  
 307.17 \$36,990,000.

307.18 Subd. 4. **Equity, Diversity, and Inclusion Center staffing.** For staffing the Equity,  
 307.19 Diversity and Inclusion (EDI) Center at the Department of Education:

307.20 \$ 2,000,000 ..... 2024

307.21 \$ 2,000,000 ..... 2025

307.22 Subd. 5. **Unemployment insurance aid administration.** For administrative expenses:

307.23 \$ 275,000 ..... 2024

307.24 \$ 175,000 ..... 2025

307.25 Sec. 16. **APPROPRIATIONS; MINNESOTA STATE ACADEMIES.**

307.26 Subdivision 1. **Minnesota State Academies.** (a) The sums indicated in this section are  
 307.27 appropriated from the general fund to the Minnesota State Academies for the Deaf and the  
 307.28 Blind for the fiscal years designated:

307.29 \$ 17,445,000 ..... 2024

307.30 \$ 16,868,000 ..... 2025

307.31 Of these amounts:

308.1 (1) \$125,000 in fiscal year 2024 only is for an audiology booth and related testing  
 308.2 equipment; and

308.3 (2) \$445,000 in fiscal year 2024 and \$185,000 in fiscal year 2025 are for a mental health  
 308.4 day treatment program. These funds are available until June 30, 2027. The base amount for  
 308.5 the allocation under this clause is \$185,000 in fiscal year 2026 and later.

308.6 (b) The base for fiscal year 2026 is \$17,115,000 and the base for fiscal year 2027 and  
 308.7 later is \$16,872,000.

308.8 (c) Any balance in the first year does not cancel but is available in the second year.

308.9 Subd. 2. Unemployment insurance costs. For unemployment insurance costs for the  
 308.10 Minnesota State Academies:

308.11 \$ 321,000 ..... 2024

308.12 \$ 321,000 ..... 2025

308.13 Sec. 17. APPROPRIATIONS; PERPICH CENTER FOR ARTS EDUCATION.

308.14 Subdivision 1. Perpich Center for Arts Education. (a) The sums indicated in this  
 308.15 section are appropriated from the general fund to the Perpich Center for Arts Education for  
 308.16 the fiscal years designated:

308.17 \$ 9,219,000 ..... 2024

308.18 \$ 8,411,000 ..... 2025

308.19 Of these amounts, \$1,150,000 in fiscal year 2024 only is for furniture replacement in the  
 308.20 agency's dormitory and classrooms, including costs associated with moving and disposal.

308.21 (b) Any balance in the first year does not cancel but is available in the second year.

308.22 Subd. 2. Unemployment insurance costs. For unemployment insurance costs of the  
 308.23 Perpich Center for Arts Education:

308.24 \$ 24,000 ..... 2024

308.25 \$ 24,000 ..... 2025

308.26 Sec. 18. APPROPRIATIONS; PROFESSIONAL EDUCATOR LICENSING AND  
 308.27 STANDARDS BOARD.

308.28 Subdivision 1. Professional Educator Licensing and Standards Board. (a) The sums  
 308.29 indicated in this section are appropriated from the general fund to the Professional Educator  
 308.30 Licensing and Standards Board for the fiscal years designated:



310.1           \$           12,000   ..... 2022  
 310.2                           ~~13,000~~  
 310.3           \$           16,000   ..... 2023

310.4        Sec. 3. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 4,  
 310.5 is amended to read:

310.6        Subd. 4. **Abatement aid.** For abatement aid under Minnesota Statutes, section 127A.49:

310.7           \$        2,897,000   ..... 2022  
 310.8                           ~~3,558,000~~  
 310.9           \$        1,434,000   ..... 2023

310.10       The 2022 appropriation includes \$269,000 for 2021 and \$2,628,000 for 2022.

310.11       The 2023 appropriation includes \$291,000 for 2022 and ~~\$3,267,000~~ \$1,143,000 for  
 310.12 2023.

310.13       Sec. 4. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 5,  
 310.14 is amended to read:

310.15       Subd. 5. **Consolidation transition aid.** For districts consolidating under Minnesota  
 310.16 Statutes, section 123A.485:

310.17           \$        309,000   ..... 2022  
 310.18                           ~~373,000~~  
 310.19           \$        95,000   ..... 2023

310.20       The 2022 appropriation includes \$30,000 for 2021 and \$279,000 for 2022.

310.21       The 2023 appropriation includes \$31,000 for 2022 and ~~\$342,000~~ \$64,000 for 2023.

310.22       Sec. 5. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 6,  
 310.23 is amended to read:

310.24       Subd. 6. **Nonpublic pupil education aid.** For nonpublic pupil education aid under  
 310.25 Minnesota Statutes, sections 123B.40 to 123B.43 and 123B.87:

310.26           \$       16,991,000   ..... 2022  
 310.27                           ~~17,450,000~~  
 310.28           \$       19,003,000   ..... 2023

310.29       The 2022 appropriation includes \$1,903,000 for 2021 and \$15,088,000 for 2022.

310.30       The 2023 appropriation includes \$1,676,000 for 2022 and ~~\$15,774,000~~ \$17,327,000 for  
 310.31 2023.

311.1 Sec. 6. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 7,  
 311.2 is amended to read:

311.3 Subd. 7. **Nonpublic pupil transportation.** For nonpublic pupil transportation aid under  
 311.4 Minnesota Statutes, section 123B.92, subdivision 9:

311.5 \$ 19,770,000 ..... 2022  
 311.6 ~~19,906,000~~  
 311.7 \$ 21,027,000 ..... 2023

311.8 The 2022 appropriation includes \$1,910,000 for 2021 and \$17,860,000 for 2022.

311.9 The 2023 appropriation includes \$1,984,000 for 2022 and ~~\$17,922,000~~ \$19,043,000 for  
 311.10 2023.

311.11 Sec. 7. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 9,  
 311.12 is amended to read:

311.13 Subd. 9. **Career and technical aid.** For career and technical aid under Minnesota  
 311.14 Statutes, section 124D.4531, subdivision 1b:

311.15 \$ 2,668,000 ..... 2022  
 311.16 ~~2,279,000~~  
 311.17 \$ 1,914,000 ..... 2023

311.18 The 2022 appropriation includes \$323,000 for 2021 and \$2,345,000 for 2022.

311.19 The 2023 appropriation includes \$260,000 for 2022 and ~~\$2,019,000~~ \$1,654,000 for  
 311.20 2023.

311.21 **B. EDUCATION EXCELLENCE**

311.22 Sec. 8. Laws 2021, First Special Session chapter 13, article 2, section 4, subdivision 2, is  
 311.23 amended to read:

311.24 Subd. 2. **Achievement and integration aid.** For achievement and integration aid under  
 311.25 Minnesota Statutes, section 124D.862:

311.26 \$ 84,057,000 ..... 2022  
 311.27 ~~83,431,000~~  
 311.28 \$ 81,579,000 ..... 2023

311.29 The 2022 appropriation includes \$8,868,000 for 2021 and \$75,189,000 for 2022.

311.30 The 2023 appropriation includes \$8,353,000 for 2022 and ~~\$75,078,000~~ \$73,226,000 for  
 311.31 2023.

312.1 Sec. 9. Laws 2021, First Special Session chapter 13, article 2, section 4, subdivision 3, is  
 312.2 amended to read:

312.3 Subd. 3. **American Indian education aid.** For American Indian education aid under  
 312.4 Minnesota Statutes, section 124D.81, subdivision 2a:

312.5 \$ 11,351,000 ..... 2022  
 312.6 ~~11,775,000~~  
 312.7 \$ 11,575,000 ..... 2023

312.8 The 2022 appropriation includes \$1,102,000 for 2021 and \$10,249,000 for 2022.

312.9 The 2023 appropriation includes \$1,138,000 for 2022 and ~~\$10,637,000~~ \$10,437,000 for  
 312.10 2023.

312.11 Sec. 10. Laws 2021, First Special Session chapter 13, article 2, section 4, subdivision 4,  
 312.12 is amended to read:

312.13 Subd. 4. **Charter school building lease aid.** For building lease aid under Minnesota  
 312.14 Statutes, section 124E.22:

312.15 \$ 93,547,000 ..... 2022  
 312.16 ~~99,819,000~~  
 312.17 \$ 90,864,000 ..... 2023

312.18 The 2022 appropriation includes \$8,617,000 for 2021 and \$84,930,000 for 2022.

312.19 The 2023 appropriation includes \$9,436,000 for 2022 and ~~\$90,383,000~~ \$81,428,000 for  
 312.20 2023.

312.21 Sec. 11. Laws 2021, First Special Session chapter 13, article 2, section 4, subdivision 12,  
 312.22 is amended to read:

312.23 Subd. 12. **Interdistrict desegregation or integration transportation grants.** For  
 312.24 interdistrict desegregation or integration transportation grants under Minnesota Statutes,  
 312.25 section 124D.87:

312.26 \$ 12,310,000 ..... 2022  
 312.27 ~~14,823,000~~  
 312.28 \$ 13,785,000 ..... 2023



313.1 Sec. 12. Laws 2021, First Special Session chapter 13, article 2, section 4, subdivision 27,  
 313.2 is amended to read:

313.3 Subd. 27. **Tribal contract school aid.** For Tribal contract school aid under Minnesota  
 313.4 Statutes, section 124D.83:

313.5 \$ 2,743,000 ..... 2022  
 313.6 ~~3,160,000~~  
 313.7 \$ 2,581,000 ..... 2023

313.8 The 2022 appropriation includes \$240,000 for 2021 and \$2,503,000 for 2022.

313.9 The 2023 appropriation includes \$278,000 for 2022 and ~~\$2,882,000~~ \$2,303,000 for  
 313.10 2023.

313.11 **C. TEACHERS**

313.12 Sec. 13. Laws 2021, First Special Session chapter 13, article 3, section 7, subdivision 7,  
 313.13 is amended to read:

313.14 Subd. 7. **Alternative teacher compensation aid.** (a) For alternative teacher compensation  
 313.15 aid under Minnesota Statutes, section 122A.415, subdivision 4:

313.16 \$ 88,896,000 ..... 2022  
 313.17 ~~88,898,000~~  
 313.18 \$ 88,308,000 ..... 2023

313.19 (b) The 2022 appropriation includes \$8,877,000 for 2021 and \$80,019,000 for 2022.

313.20 (c) The 2023 appropriation includes \$8,891,000 for 2022 and ~~\$80,007,000~~ \$79,417,000  
 313.21 for 2023.

313.22 **D. SPECIAL EDUCATION**

313.23 Sec. 14. Laws 2021, First Special Session chapter 13, article 5, section 3, subdivision 2,  
 313.24 is amended to read:

313.25 Subd. 2. **Special education; regular.** For special education aid under Minnesota Statutes,  
 313.26 section 125A.75:

313.27 \$ 1,822,998,000 ..... 2022  
 313.28 ~~1,945,533,000~~  
 313.29 \$ 1,859,205,000 ..... 2023

313.30 The 2022 appropriation includes \$215,125,000 for 2021 and \$1,607,873,000 for 2022.

314.1 The 2023 appropriation includes \$226,342,000 for 2022 and ~~\$1,719,191,000~~  
 314.2 \$1,632,863,000 for 2023.

314.3 Sec. 15. Laws 2021, First Special Session chapter 13, article 5, section 3, subdivision 3,  
 314.4 is amended to read:

314.5 Subd. 3. **Aid for children with disabilities.** For aid under Minnesota Statutes, section  
 314.6 125A.75, subdivision 3, for children with disabilities placed in residential facilities within  
 314.7 the district boundaries for whom no district of residence can be determined:

314.8	\$	1,818,000	.....	2022
314.9		<del>2,010,000</del>		
314.10	\$	<u>1,484,000</u>	.....	2023

314.11 If the appropriation for either year is insufficient, the appropriation for the other year is  
 314.12 available.

314.13 Sec. 16. Laws 2021, First Special Session chapter 13, article 5, section 3, subdivision 4,  
 314.14 is amended to read:

314.15 Subd. 4. **Travel for home-based services.** For aid for teacher travel for home-based  
 314.16 services under Minnesota Statutes, section 125A.75, subdivision 1:

314.17	\$	465,000	.....	2022
314.18		<del>512,000</del>		
314.19	\$	<u>337,000</u>	.....	2023

314.20 The 2022 appropriation includes \$23,000 for 2021 and \$442,000 for 2022.

314.21 The 2023 appropriation includes \$49,000 for 2022 and ~~\$463,000~~ \$288,000 for 2023.

314.22 **E. FACILITIES**

314.23 Sec. 17. Laws 2021, First Special Session chapter 13, article 7, section 2, subdivision 2,  
 314.24 is amended to read:

314.25 Subd. 2. **Debt service equalization aid.** For debt service equalization aid under  
 314.26 Minnesota Statutes, section 123B.53, subdivision 6:

314.27	\$	25,001,000	.....	2022
314.28		<del>24,286,000</del>		
314.29	\$	<u>24,315,000</u>	.....	2023

314.30 The 2022 appropriation includes \$2,588,000 for 2021 and \$22,413,000 for 2022.

315.1 The 2023 appropriation includes \$2,490,000 for 2022 and ~~\$21,796,000~~ \$21,825,000 for  
 315.2 2023.

315.3 Sec. 18. Laws 2021, First Special Session chapter 13, article 7, section 2, subdivision 3,  
 315.4 is amended to read:

315.5 Subd. 3. **Long-term facilities maintenance equalized aid.** For long-term facilities  
 315.6 maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

315.7 \$ 108,582,000 ..... 2022

315.8 ~~111,077,000~~

315.9 \$ 108,269,000 ..... 2023

315.10 The 2022 appropriation includes \$10,660,000 for 2021 and \$97,922,000 for 2022.

315.11 The 2023 appropriation includes \$10,880,000 for 2022 and ~~\$100,197,000~~ \$97,389,000  
 315.12 for 2023.

315.13 **F. NUTRITION**

315.14 Sec. 19. Laws 2021, First Special Session chapter 13, article 8, section 3, subdivision 2,  
 315.15 is amended to read:

315.16 Subd. 2. **School lunch.** For school lunch aid under Minnesota Statutes, section 124D.111,  
 315.17 and Code of Federal Regulations, title 7, section 210.17:

315.18 \$ 16,661,000 ..... 2022

315.19 ~~16,954,000~~

315.20 \$ 15,984,000 ..... 2023

315.21 Sec. 20. Laws 2021, First Special Session chapter 13, article 8, section 3, subdivision 3,  
 315.22 is amended to read:

315.23 Subd. 3. **School breakfast.** For traditional school breakfast aid under Minnesota Statutes,  
 315.24 section 124D.1158:

315.25 \$ 11,848,000 ..... 2022

315.26 ~~12,200,000~~

315.27 \$ 10,802,000 ..... 2023

315.28 Sec. 21. Laws 2021, First Special Session chapter 13, article 8, section 3, subdivision 4,  
 315.29 is amended to read:

315.30 Subd. 4. **Kindergarten milk.** For kindergarten milk aid under Minnesota Statutes,  
 315.31 section 124D.118:

316.1 \$ 656,000 ..... 2022  
 316.2 ~~658,000~~  
 316.3 \$ 659,000 ..... 2023

**G. EARLY EDUCATION**

316.5 Sec. 22. Laws 2021, First Special Session chapter 13, article 9, section 4, subdivision 5,  
 316.6 is amended to read:

316.7 Subd. 5. **Early childhood family education aid.** (a) For early childhood family education  
 316.8 aid under Minnesota Statutes, section 124D.135:

316.9 \$ 35,003,000 ..... 2022  
 316.10 ~~36,478,000~~  
 316.11 \$ 35,180,000 ..... 2023

316.12 (b) The 2022 appropriation includes \$3,341,000 for 2021 and \$31,662,000 for 2022.

316.13 (c) The 2023 appropriation includes \$3,518,000 for 2022 and ~~\$32,960,000~~ \$31,662,000  
 316.14 for 2023.

316.15 Sec. 23. Laws 2021, First Special Session chapter 13, article 9, section 4, subdivision 6,  
 316.16 is amended to read:

316.17 Subd. 6. **Developmental screening aid.** (a) For developmental screening aid under  
 316.18 Minnesota Statutes, sections 121A.17 and 121A.19:

316.19 \$ 3,582,000 ..... 2022  
 316.20 ~~3,476,000~~  
 316.21 \$ 3,503,000 ..... 2023

316.22 (b) The 2022 appropriation includes \$360,000 for 2021 and \$3,222,000 for 2022.

316.23 (c) The 2023 appropriation includes \$357,000 for 2022 and ~~\$3,119,000~~ \$3,146,000 for  
 316.24 2023.

316.25 Sec. 24. Laws 2021, First Special Session chapter 13, article 9, section 4, subdivision 12,  
 316.26 is amended to read:

316.27 Subd. 12. **Home visiting aid.** (a) For home visiting aid under Minnesota Statutes, section  
 316.28 124D.135:

316.29 \$ 462,000 ..... 2022  
 316.30 ~~444,000~~  
 316.31 \$ 415,000 ..... 2023

316.32 (b) The 2022 appropriation includes \$47,000 for 2021 and \$415,000 for 2022.

317.1 (c) The 2023 appropriation includes \$46,000 for 2022 and ~~\$398,000~~ \$369,000 for 2023.

317.2 **H. COMMUNITY EDUCATION AND LIFELONG LEARNING**

317.3 Sec. 25. Laws 2021, First Special Session chapter 13, article 10, section 1, subdivision 2,  
317.4 is amended to read:

317.5 Subd. 2. **Community education aid.** For community education aid under Minnesota  
317.6 Statutes, section 124D.20:

317.7 \$ 180,000 ..... 2022

317.8 ~~155,000~~

317.9 \$ 150,000 ..... 2023

317.10 The 2022 appropriation includes \$22,000 for 2021 and \$158,000 for 2022.

317.11 The 2023 appropriation includes \$17,000 for 2022 and ~~\$138,000~~ \$133,000 for 2023.

317.12 Sec. 26. Laws 2021, First Special Session chapter 13, article 10, section 1, subdivision 8,  
317.13 is amended to read:

317.14 Subd. 8. **Adult basic education aid.** For adult basic education aid under Minnesota  
317.15 Statutes, section 124D.531:

317.16 \$ 53,191,000 ..... 2022

317.17 ~~54,768,000~~

317.18 \$ 51,948,000 ..... 2023

317.19 The 2022 appropriation includes \$5,177,000 for 2021 and \$48,014,000 for 2022.

317.20 The 2023 appropriation includes \$5,334,000 for 2022 and ~~\$49,434,000~~ \$46,614,000 for  
317.21 2023.

317.22 **ARTICLE 14**

317.23 **GRANTS MANAGEMENT**

317.24 Section 1. **FINANCIAL REVIEW OF NONPROFIT GRANT RECIPIENTS**  
317.25 **REQUIRED.**

317.26 Subdivision 1. **Financial review required.** (a) Before awarding a competitive,  
317.27 legislatively named, single source, or sole source grant to a nonprofit organization under  
317.28 this act, the grantor must require the applicant to submit financial information sufficient for  
317.29 the grantor to document and assess the applicant's current financial standing and management.  
317.30 Items of significant concern must be addressed with the applicant and resolved to the  
317.31 satisfaction of the grantor before a grant is awarded. The grantor must document the material

318.1 requested and reviewed; whether the applicant had a significant operating deficit, a deficit  
318.2 in unrestricted net assets, or insufficient internal controls; whether and how the applicant  
318.3 resolved the grantor's concerns; and the grantor's final decision. This documentation must  
318.4 be maintained in the grantor's files.

318.5 (b) At a minimum, the grantor must require each applicant to provide the following  
318.6 information:

318.7 (1) the applicant's most recent Form 990, Form 990-EZ, or Form 990-N filed with the  
318.8 Internal Revenue Service. If the applicant has not been in existence long enough or is not  
318.9 required to file Form 990, Form 990-EZ, or Form 990-N, the applicant must demonstrate  
318.10 to the grantor that the applicant is exempt and must instead submit documentation of internal  
318.11 controls and the applicant's most recent financial statement prepared in accordance with  
318.12 generally accepted accounting principles and approved by the applicant's board of directors  
318.13 or trustees or, if there is no such board, by the applicant's managing group;

318.14 (2) evidence of registration and good standing with the secretary of state under Minnesota  
318.15 Statutes, chapter 317A, or other applicable law;

318.16 (3) unless exempt under Minnesota Statutes, section 309.515, evidence of registration  
318.17 and good standing with the attorney general under Minnesota Statutes, chapter 309; and

318.18 (4) if required under Minnesota Statutes, section 309.53, subdivision 3, the applicant's  
318.19 most recent audited financial statement prepared in accordance with generally accepted  
318.20 accounting principles.

318.21 Subd. 2. **Authority to postpone or forgo; reporting required.** (a) Notwithstanding  
318.22 any contrary provision in this act, a grantor that identifies an area of significant concern  
318.23 regarding the financial standing or management of a legislatively named applicant may  
318.24 postpone or forgo awarding the grant.

318.25 (b) No later than 30 days after a grantor exercises the authority provided under paragraph  
318.26 (a), the grantor must report to the chairs and ranking minority members of the legislative  
318.27 committees with jurisdiction over the grantor's operating budget. The report must identify  
318.28 the legislatively named applicant and the grantor's reason for postponing or forgoing the  
318.29 grant.

318.30 Subd. 3. **Authority to award subject to additional assistance and oversight.** A grantor  
318.31 that identifies an area of significant concern regarding an applicant's financial standing or  
318.32 management may award a grant to the applicant if the grantor provides or the grantee  
318.33 otherwise obtains additional technical assistance, as needed, and the grantor imposes

319.1 additional requirements in the grant agreement. Additional requirements may include but  
319.2 are not limited to enhanced monitoring, additional reporting, or other reasonable requirements  
319.3 imposed by the grantor to protect the interests of the state.

319.4 Subd. 4. **Relation to other law and policy.** The requirements in this section are in  
319.5 addition to any other requirements imposed by law; the commissioner of administration  
319.6 under Minnesota Statutes, sections 16B.97 and 16B.98; or agency policy.

### **120B.35 STUDENT ACADEMIC ACHIEVEMENT AND GROWTH.**

Subd. 5. **Improving graduation rates for students with emotional or behavioral disorders.** (a) A district must develop strategies in conjunction with parents of students with emotional or behavioral disorders and the county board responsible for implementing sections 245.487 to 245.4889 to keep students with emotional or behavioral disorders in school, when the district has a drop-out rate for students with an emotional or behavioral disorder in grades 9 through 12 exceeding 25 percent.

(b) A district must develop a plan in conjunction with parents of students with emotional or behavioral disorders and the local mental health authority to increase the graduation rates of students with emotional or behavioral disorders. A district with a drop-out rate for children with an emotional or behavioral disturbance in grades 9 through 12 that is in the top 25 percent of all districts shall submit a plan for review and oversight to the commissioner.

### **122A.06 DEFINITIONS.**

Subd. 4. **Comprehensive, scientifically based reading instruction.** (a) "Comprehensive, scientifically based reading instruction" includes a program or collection of instructional practices that is based on valid, replicable evidence showing that when these programs or practices are used, students can be expected to achieve, at a minimum, satisfactory reading progress. The program or collection of practices must include, at a minimum, effective, balanced instruction in all five areas of reading: phonemic awareness, phonics, fluency, vocabulary development, and reading comprehension.

Comprehensive, scientifically based reading instruction also includes and integrates instructional strategies for continuously assessing, evaluating, and communicating the student's reading progress and needs in order to design and implement ongoing interventions so that students of all ages and proficiency levels can read and comprehend text, write, and apply higher level thinking skills. For English learners developing literacy skills, districts are encouraged to use strategies that teach reading and writing in the students' native language and English at the same time.

(b) "Fluency" is the ability of students to read text with speed, accuracy, and proper expression.

(c) "Phonemic awareness" is the ability of students to notice, think about, and manipulate individual sounds in spoken syllables and words.

(d) "Phonics" is the understanding that there are systematic and predictable relationships between written letters and spoken words. Phonics instruction is a way of teaching reading that stresses learning how letters correspond to sounds and how to apply this knowledge in reading and spelling.

(e) "Reading comprehension" is an active process that requires intentional thinking during which meaning is constructed through interactions between text and reader. Comprehension skills are taught explicitly by demonstrating, explaining, modeling, and implementing specific cognitive strategies to help beginning readers derive meaning through intentional, problem-solving thinking processes.

(f) "Vocabulary development" is the process of teaching vocabulary both directly and indirectly, with repetition and multiple exposures to vocabulary items. Learning in rich contexts, incidental learning, and use of computer technology enhance the acquiring of vocabulary.

(g) Nothing in this subdivision limits the authority of a school district to select a school's reading program or curriculum.

### **122A.07 PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD MEMBERSHIP.**

Subd. 2a. **First appointments.** (a) The governor shall nominate all members to the Professional Educator Licensing and Standards Board. The terms of the initial board members must be as follows:

- (1) two members must be appointed for terms that expire January 1, 2019;
- (2) three members must be appointed for terms that expire January 1, 2020;
- (3) three members must be appointed for terms that expire January 1, 2021; and
- (4) three members must be appointed for terms that expire January 1, 2022.

(b) Members of the Board of Teaching as of January 1, 2017, are ineligible for first appointments to the Professional Educator Licensing and Standards Board for four years from September 1, 2017, except that two members of the Board of Teaching as of January 1, 2017, are eligible for appointment under paragraph (a), clause (1).



### **122A.091 REPORTS.**

Subd. 3. **School district reports.** (a) School districts annually by October 1 must report to the Professional Educator Licensing and Standards Board the following information for all teachers who finished the probationary period and accepted a continuing contract position with the district from September 1 of the previous year through August 31 of the current year:

(1) the effectiveness category or rating of the teacher on the summative evaluation under section 122A.40, subdivision 8, or 122A.41, subdivision 5;

(2) the licensure area in which the teacher primarily taught during the three-year evaluation cycle; and

(3) the teacher preparation program preparing the teacher in the teacher's primary areas of instruction and licensure.

(b) School districts annually by October 1 must report to the Professional Educator Licensing and Standards Board the following information for all probationary teachers in the district who were released or whose contracts were not renewed from September 1 of the previous year through August 31 of the current year:

(1) the licensure areas in which the probationary teacher taught; and

(2) the teacher preparation program preparing the teacher in the teacher's primary areas of instruction and licensure.

(c) School districts annually by October 1 must report to the Board of School Administrators the following information for all school principals and assistant principals who finished the probationary period and accepted a continuing contract position with the district from September 1 of the previous year through August 31 of the current year:

(1) the effectiveness category or rating of the principal or assistant principal on the summative evaluation under section 123B.147, subdivision 3; and

(2) the principal preparation program providing instruction to the principal or assistant principal.

(d) School districts annually by October 1 must report to the Board of School Administrators all probationary school principals and assistant principals in the district who were released or whose contracts were not renewed from September 1 of the previous year through August 31 of the current year.

Subd. 6. **Implementation report.** By January 1, 2019, the Professional Educator Licensing and Standards Board must prepare a report to the legislature on the implementation of the teacher licensure system established under sections 122A.18 to 122A.184. The report must include the number of applicants for licensure in each tier, the number of applications granted and denied, summary data on the reasons applications were denied, and the status of the board's rulemaking process for all licensure-related rules.

### **122A.18 BOARD TO ISSUE LICENSES.**

Subd. 7c. **Temporary military license.** The Professional Educator Licensing and Standards Board shall establish a temporary license in accordance with section 197.4552 for teaching. The fee for a temporary license under this subdivision shall be \$57. The board must provide candidates for a license under this subdivision with information regarding the tiered licensure system provided in sections 122A.18 to 122A.184.

### **122A.182 TIER 2 LICENSE.**

Subd. 2. **Coursework.** (a) A candidate for a Tier 2 license must meet the coursework requirement by demonstrating completion of two of the following:

(1) at least eight upper division or graduate-level credits in the relevant content area;

(2) field-specific methods of training, including coursework;

(3) at least two years of teaching experience in a similar content area in any state, as determined by the board;

(4) a passing score on the pedagogy and content exams under section 122A.185; or

(5) completion of a state-approved teacher preparation program.

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(b) For purposes of paragraph (a), "upper division" means classes normally taken at the junior or senior level of college which require substantial knowledge and skill in the field. Candidates must identify the upper division credits that fulfill the requirement in paragraph (a), clause (1).

**124D.095 ONLINE LEARNING OPTION.**

Subdivision 1. **Citation.** This section may be cited as the "Online Learning Option Act."

Subd. 2. **Definitions.** For purposes of this section, the following terms have the meanings given them.

(a) "Digital learning" is learning facilitated by technology that offers students an element of control over the time, place, path, or pace of their learning and includes blended and online learning.

(b) "Blended learning" is a form of digital learning that occurs when a student learns part time in a supervised physical setting and part time through digital delivery of instruction, or a student learns in a supervised physical setting where technology is used as a primary method to deliver instruction.

(c) "Online learning" is a form of digital learning delivered by an approved online learning provider under paragraph (d).

(d) "Online learning provider" is a school district, an intermediate school district, an organization of two or more school districts operating under a joint powers agreement, or a charter school located in Minnesota that provides online learning to students and is approved by the department to provide online learning courses.

(e) "Student" is a Minnesota resident enrolled in a school under section 120A.22, subdivision 4, in kindergarten through grade 12.

(f) "Online learning student" is a student enrolled in an online learning course or program delivered by an online learning provider under paragraph (d).

(g) "Enrolling district" means the school district or charter school in which a student is enrolled under section 120A.22, subdivision 4, for purposes of compulsory attendance.

(h) "Supplemental online learning" means an online learning course taken in place of a course period at a local district school.

(i) "Full-time online learning provider" means an enrolling school authorized by the department to deliver comprehensive public education at any or all of the elementary, middle, or high school levels.

(j) "Online learning course syllabus" is a written document that an online learning provider transmits to the enrolling district using a format prescribed by the commissioner to identify the state academic standards embedded in an online course, the course content outline, required course assessments, expectations for actual teacher contact time and other student-to-teacher communications, and the academic support available to the online learning student.

Subd. 3. **Authorization; notice; limitations on enrollment.** (a) A student may apply for full-time enrollment in an approved online learning program under section 124D.03 or 124D.08 or chapter 124E. Notwithstanding sections 124D.03 and 124D.08 and chapter 124E, procedures for enrolling in supplemental online learning are as provided in this subdivision. A student age 17 or younger must have the written consent of a parent or guardian to apply. No school district or charter school may prohibit a student from applying to enroll in online learning. In order to enroll in online learning, the student and the student's parents must submit an application to the online learning provider and identify the student's reason for enrolling. An online learning provider that accepts a student under this section must notify the student and the enrolling district in writing within ten days if the enrolling district is not the online learning provider. The student and the student's parent must notify the online learning provider of the student's intent to enroll in online learning within ten days of being accepted, at which time the student and the student's parent must sign a statement indicating that they have reviewed the online course or program and understand the expectations of enrolling in online learning. The online learning provider must use a form provided by the department to notify the enrolling district of the student's application to enroll in online learning.

(b) The supplemental online learning notice to the enrolling district when a student applies to the online learning provider will include the courses or program, credits to be awarded, and the start date of the online course or program. An online learning provider must make available the supplemental online course syllabus to the enrolling district. Within 15 days after the online learning

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provider makes information in this paragraph available to the enrolling district, the enrolling district must notify the online provider whether the student, the student's parent, and the enrolling district agree or disagree that the course meets the enrolling district's graduation requirements. A student may enroll in a supplemental online learning course up to the midpoint of the enrolling district's term. The enrolling district may waive this requirement for special circumstances and with the agreement of the online provider. An online learning course or program that meets or exceeds a graduation standard or the grade progression requirement of the enrolling district as described in the provider's online course syllabus meets the corresponding graduation requirements applicable to the student in the enrolling district. If the enrolling district does not agree that the course or program meets its graduation requirements, then:

(1) the enrolling district must make available an explanation of its decision to the student, the student's parent, and the online provider; and

(2) the online provider may make available a response to the enrolling district, showing how the course or program meets the graduation requirements of the enrolling district.

(c) An online learning provider must notify the commissioner that it is delivering online learning and report the number of online learning students it accepts and the online learning courses and programs it delivers.

(d) An online learning provider may limit enrollment if the provider's school board or board of directors adopts by resolution specific standards for accepting and rejecting students' applications.

(e) An enrolling district may reduce an online learning student's regular classroom instructional membership in proportion to the student's membership in online learning courses.

(f) The online provider must report or make available information on an individual student's progress and accumulated credit to the student, the student's parent, and the enrolling district in a manner specified by the commissioner unless the enrolling district and the online provider agree to a different form of notice and notify the commissioner. The enrolling district must designate a contact person to help facilitate and monitor the student's academic progress and accumulated credits towards graduation.

**Subd. 4. Online learning parameters.** (a) An online learning student must receive academic credit for completing the requirements of an online learning course or program. Secondary credits granted to an online learning student count toward the graduation and credit requirements of the enrolling district. The enrolling district must apply the same graduation requirements to all students, including online learning students, and must continue to provide nonacademic services to online learning students. If a student completes an online learning course or program that meets or exceeds a graduation standard or the grade progression requirement at the enrolling district, that standard or requirement is met. The enrolling district must use the same criteria for accepting online learning credits or courses as it does for accepting credits or courses for transfer students under section 124D.03, subdivision 9. The enrolling district may reduce the course schedule of an online learning student in proportion to the number of online learning courses the student takes from an online learning provider that is not the enrolling district.

(b) An online learning student may:

(1) enroll in supplemental online learning courses equal to a maximum of 50 percent of the student's full schedule of courses per term during a single school year and the student may exceed the supplemental online learning registration limit if the enrolling district permits supplemental online learning enrollment above the limit, or if the enrolling district and the online learning provider agree to the instructional services;

(2) complete course work at a grade level that is different from the student's current grade level; and

(3) enroll in additional courses with the online learning provider under a separate agreement that includes terms for paying any tuition or course fees.

(c) An online learning student has the same access to the computer hardware and education software available in a school as all other students in the enrolling district. An online learning provider must assist an online learning student whose family qualifies for the education tax credit under section 290.0674 to acquire computer hardware and educational software for online learning purposes.

(d) An enrolling district may offer digital learning to its enrolled students. Such digital learning does not generate online learning funds under this section. An enrolling district that offers digital

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learning only to its enrolled students is not subject to the reporting requirements or review criteria under subdivision 7, unless the enrolling district is a full-time online learning provider. A teacher with a Minnesota license must assemble and deliver instruction to enrolled students receiving online learning from an enrolling district. The delivery of instruction occurs when the student interacts with the computer or the teacher and receives ongoing assistance and assessment of learning. The instruction may include curriculum developed by persons other than a teacher holding a Minnesota license.

(e) Both full-time and supplemental online learning providers are subject to the reporting requirements and review criteria under subdivision 7. A teacher holding a Minnesota license must assemble and deliver instruction to online learning students. The delivery of instruction occurs when the student interacts with the computer or the teacher and receives ongoing assistance and assessment of learning. The instruction may include curriculum developed by persons other than a teacher holding a Minnesota license. Unless the commissioner grants a waiver, a teacher providing online learning instruction must not instruct more than 40 students in any one online learning course or program.

(f) To enroll in more than 50 percent of the student's full schedule of courses per term in online learning, the student must qualify to exceed the supplemental online learning registration limit under paragraph (b) or apply to enroll in an approved full-time online learning program, consistent with subdivision 3, paragraph (a). Full-time online learning students may enroll in classes at a local school under a contract for instructional services between the online learning provider and the school district.

**Subd. 5. Participation in extracurricular activities.** An online learning student may participate in the extracurricular activities of the enrolling district on the same basis as other enrolled students.

**Subd. 6. Information.** School districts and charter schools must make available information about online learning to all interested people.

**Subd. 7. Department of Education.** (a) The department must review and approve or disapprove online learning providers within 90 calendar days of receiving an online learning provider's completed application. The commissioner, using research-based standards of quality for online learning programs, must review all approved online learning providers on a cyclical three-year basis. Approved online learning providers annually must submit program data to, confirm statements of assurances for, and provide program updates including a current course list to the commissioner.

(b) The online learning courses and programs must be rigorous, aligned with state academic standards, and contribute to grade progression in a single subject. The online learning provider, other than a digital learning provider offering digital learning to its enrolled students only under subdivision 4, paragraph (d), must give the commissioner written assurance that: (1) all courses meet state academic standards; and (2) the online learning curriculum, instruction, and assessment, expectations for actual teacher-contact time or other student-to-teacher communication, and academic support meet nationally recognized professional standards and are described as such in an online learning course syllabus that meets the commissioner's requirements. Once an online learning provider is approved under this paragraph, all of its online learning course offerings are eligible for payment under this section unless a course is successfully challenged by an enrolling district or the department under paragraph (c).

(c) An enrolling district may challenge the validity of a course offered by an online learning provider. The department must review such challenges based on the approval procedures under paragraph (b). The department may initiate its own review of the validity of an online learning course offered by an online learning provider.

(d) The department may collect a fee not to exceed \$250 for approving online learning providers or \$50 per course for reviewing a challenge by an enrolling district.

(e) The department must develop, publish, and maintain a list of online learning providers that it has reviewed and approved.

(f) The department may review a complaint about an online learning provider, or a complaint about a provider based on the provider's response to notice of a violation. If the department determines that an online learning provider violated a law or rule, the department may:

- (1) create a compliance plan for the provider; or

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(2) withhold funds from the provider under sections 124D.095, 124E.25, and 127A.42. The department must notify an online learning provider in writing about withholding funds and provide detailed calculations.

Subd. 8. **Financial arrangements.** (a) For a student enrolled in an online learning course, the department must calculate average daily membership and make payments according to this subdivision.

(b) The initial online learning average daily membership equals 1/12 for each semester course or a proportionate amount for courses of different lengths. The adjusted online learning average daily membership equals the initial online learning average daily membership times .88.

(c) No online learning average daily membership shall be generated if: (1) the student does not complete the online learning course, or (2) the student is enrolled in online learning provided by the enrolling district.

(d) Online learning average daily membership under this subdivision for a student currently enrolled in a Minnesota public school shall be used only for computing average daily membership according to section 126C.05, subdivision 19, paragraph (a), clause (2), and for computing online learning aid according to section 124D.096.

**126C.05 DEFINITION OF PUPIL UNITS.**

Subd. 3. **Compensation revenue pupil units.** Compensation revenue pupil units must be computed according to this subdivision.

(a) The compensation revenue concentration percentage for each building in a district equals the product of 100 times the ratio of:

(1) the sum of the number of pupils enrolled in the building eligible to receive free lunch plus one-half of the pupils eligible to receive reduced priced lunch on October 1 of the previous fiscal year; to

(2) the number of pupils enrolled in the building on October 1 of the previous fiscal year.

(b) The compensation revenue pupil weighting factor for a building equals the lesser of one or the quotient obtained by dividing the building's compensation revenue concentration percentage by 80.0.

(c) The compensation revenue pupil units for a building equals the product of:

(1) the sum of the number of pupils enrolled in the building eligible to receive free lunch and one-half of the pupils eligible to receive reduced priced lunch on October 1 of the previous fiscal year; times

(2) the compensation revenue pupil weighting factor for the building; times

(3) .60.

(d) Notwithstanding paragraphs (a) to (c), for voluntary prekindergarten programs under section 124D.151, charter schools, and contracted alternative programs in the first year of operation, compensation revenue pupil units shall be computed using data for the current fiscal year. If the voluntary prekindergarten program, charter school, or contracted alternative program begins operation after October 1, compensatory revenue pupil units shall be computed based on pupils enrolled on an alternate date determined by the commissioner, and the compensation revenue pupil units shall be prorated based on the ratio of the number of days of student instruction to 170 days.

(e) Notwithstanding paragraphs (a) to (c), for voluntary prekindergarten seats discontinued in fiscal year 2024 due to the reduction in the participation limit under section 124D.151, subdivision 6, those discontinued seats must not be used to calculate compensation revenue pupil units for fiscal year 2024.

(f) The percentages in this subdivision must be based on the count of individual pupils and not on a building average or minimum.

Subd. 16. **Free and reduced-price lunches.** The commissioner shall determine the number of children eligible to receive either a free or reduced-price lunch on October 1 each year. Children enrolled in a building on October 1 and determined to be eligible to receive free or reduced-price lunch by December 15 of that school year shall be counted as eligible on October 1 for purposes of subdivision 3. The commissioner may use federal definitions for these purposes and may adjust

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these definitions as appropriate. The commissioner may adopt reporting guidelines to assure accuracy of data counts and eligibility. Districts shall use any guidelines adopted by the commissioner.

**268.085 ELIGIBILITY REQUIREMENTS; PAYMENTS THAT AFFECT BENEFITS.**

Subd. 8. **Services for school contractors.** (a) Wage credits from an employer are subject to subdivision 7, if:

(1) the employment was provided under a contract between the employer and an elementary or secondary school; and

(2) the contract was for services that the elementary or secondary school could have had performed by its employees.

(b) Wage credits from an employer are not subject to subdivision 7 if:

(1) those wage credits were earned by an employee of a private employer performing work under a contract between the employer and an elementary or secondary school; and

(2) the employment was related to food services provided to the school by the employer.

**8710.0500 EXAMINATIONS FOR TEACHER LICENSES.**

Subp. 8. **Admission to upper division or graduate coursework.** Candidates for an initial license shall provide official evidence to the institutions they attend of having taken the examinations adopted under subpart 1, item A, before enrolling in upper division coursework in the professional education sequence. Candidates for an initial license who have a baccalaureate degree shall provide official evidence to the institutions they attend of having taken the examinations adopted under subpart 1, item A, before enrolling in coursework in the professional education sequence. Candidates who fail to achieve the minimum passing score on one or more of the examinations may enroll in upper division or graduate coursework in the professional education sequence; however, candidates must achieve the passing scores established under subpart 3 before recommendation for a first professional teaching license. Colleges and universities must provide candidates who fail the examinations access to opportunities to enhance their skills.

Subp. 11. **Applicants prepared outside Minnesota.** Applicants for Minnesota licensure who complete teacher preparation outside Minnesota but who have not met the requirements under subpart 1 and who otherwise meet the applicable statutes and rules shall be granted no more than three one-year temporary licenses. An applicant who has not achieved a minimum passing score on the examinations required under subpart 1, may renew a temporary license under this subpart if the applicant provides evidence of having taken all required examinations under subpart 1 and having enrolled in programs designed to assist the applicant to achieve the minimum passing scores. Applicants prepared outside Minnesota who provide evidence of meeting all examination requirements for professional Minnesota licensure shall be granted the professional teaching licenses for which they qualify.