

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 3567

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DATE	D-PG	OFFICIAL STATUS
02/15/2024		Introduction and first reading Referred to Education Policy
03/25/2024		Comm report: To pass as amended Second reading

1.1 A bill for an act

1.2 relating to education; modifying provisions for prekindergarten through grade 12

1.3 education including general education, education excellence, teachers, Read Act,

1.4 special education, charter schools, nutrition and libraries, health and safety, early

1.5 learning, and education partnerships and compacts; requiring reports; amending

1.6 Minnesota Statutes 2022, sections 120A.05, subdivision 10a, by adding a

1.7 subdivision; 120A.22, subdivision 12; 120A.35; 120B.022, subdivisions 1a, 1b;

1.8 120B.11, by adding a subdivision; 120B.13, subdivision 4; 120B.234, subdivisions

1.9 1, 2; 121A.22, subdivisions 2, 4; 121A.2207, subdivision 1; 121A.41, subdivision

1.10 8; 122A.091, subdivision 5; 122A.181, by adding a subdivision; 122A.182, by

1.11 adding a subdivision; 122A.185, subdivision 3; 122A.20, by adding a subdivision;

1.12 123B.09, subdivision 10; 123B.37, subdivision 2; 124D.151, as amended; 124D.60,

1.13 subdivision 1; 124D.61; 124E.01, subdivision 1; 124E.05, subdivisions 2, 3, 5;

1.14 124E.07; 124E.10, subdivisions 2, 4, 5; 124E.12, subdivision 2; 124E.14; 124E.17;

1.15 124E.26; 125A.02, subdivision 1a; 125A.27, subdivision 8; 125A.56, subdivision

1.16 1; 127A.70, subdivision 1; 128C.02, by adding a subdivision; 260E.14, subdivision

1.17 1; Minnesota Statutes 2023 Supplement, sections 13.32, subdivision 5; 120B.021,

1.18 subdivision 1; 120B.024, subdivision 1; 120B.1117; 120B.1118, subdivisions 4,

1.19 7, 10, by adding a subdivision; 120B.117, subdivision 4; 120B.12, subdivisions

1.20 1, 2, 2a, 4, 4a; 120B.123, subdivisions 1, 2, 5; 120B.30, subdivisions 7, 12, by

1.21 adding a subdivision; 120B.302; 120B.305; 120B.31, subdivision 4; 120B.36,

1.22 subdivision 1; 121A.20, subdivision 2; 121A.642, by adding a subdivision;

1.23 122A.18, subdivision 1; 122A.181, subdivision 2; 122A.183, subdivision 2;

1.24 122A.184, subdivision 1; 122A.185, subdivision 1; 122A.40, subdivision 8;

1.25 122A.41, subdivision 5; 122A.631, subdivisions 2, 4; 122A.70, subdivision 2;

1.26 124D.09, subdivision 5; 124D.094, subdivisions 2, 3; 124D.111, subdivision 2a;

1.27 124D.165, subdivisions 2, 2a; 124D.42, subdivision 8; 124E.02; 124E.03,

1.28 subdivision 2; 124E.06, subdivisions 1, 4, 5; 124E.11; 124E.12, subdivision 1;

1.29 124E.16, subdivision 1; 125A.08; 126C.40, subdivision 6; proposing coding for

1.30 new law in Minnesota Statutes, chapters 120B; 121A; 127A; 134; repealing

1.31 Minnesota Statutes 2022, sections 120B.31, subdivisions 2, 6; 122A.2451,

1.32 subdivision 9; Minnesota Statutes 2023 Supplement, section 122A.185, subdivision

1.33 4; Laws 2017, First Special Session chapter 5, article 8, section 9.

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

2.2

ARTICLE 1

2.3

GENERAL EDUCATION

2.4 Section 1. Minnesota Statutes 2023 Supplement, section 124D.09, subdivision 5, is
2.5 amended to read:

2.6 Subd. 5. **Authorization; notification.** (a) Notwithstanding any other law to the contrary,
2.7 an 11th or 12th grade pupil enrolled in a school or an American Indian-controlled Tribal
2.8 contract or grant school eligible for aid under section 124D.83, except a foreign exchange
2.9 pupil enrolled in a district under a cultural exchange program, may apply to an eligible
2.10 institution, as defined in subdivision 3, to enroll in nonsectarian courses offered by that
2.11 postsecondary institution.

2.12 (b) If an institution accepts a secondary pupil for enrollment under this section, the
2.13 institution shall send written notice to the pupil, the pupil's school or school district, and
2.14 the commissioner. The notice must indicate the course and hours of enrollment of that pupil.
2.15 The institution must notify the pupil's school as soon as practicable if the pupil withdraws
2.16 from the enrolled course. The institution must also notify the pupil's school as soon as
2.17 practicable if the pupil has been absent from a course for ten consecutive days on which
2.18 classes are held, based upon the postsecondary institution's academic calendar, and the pupil
2.19 is not receiving instruction in their home or hospital or other facility.

2.20 (c) If the pupil enrolls in a course for postsecondary credit, the institution must notify:

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

2.22 ~~(2) the pupil's school as soon as practicable if the pupil withdraws from the course or~~
2.23 ~~stops attending the course.~~

2.24 Sec. 2. Minnesota Statutes 2023 Supplement, section 124D.094, subdivision 2, is amended
2.25 to read:

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

2.30 (b) When online instruction is provided, an online teacher as defined under subdivision
2.31 1, paragraph (h), shall perform all duties of teacher of record under Minnesota Rules, part

3.1 8710.0310. Unless the commissioner grants a waiver, a teacher providing online instruction
3.2 shall not instruct more than 40 students in any one online learning course or section.

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

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

3.7 (e) Digital instruction shall be accessible to students under ~~section~~ sections 504 and 508
3.8 of the federal Rehabilitation Act and Title II of the federal Americans with Disabilities Act.

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

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

3.20 Sec. 3. Minnesota Statutes 2023 Supplement, section 124D.094, subdivision 3, is amended
3.21 to read:

3.22 Subd. 3. **Supplemental online courses.** (a) Notwithstanding sections 124D.03 and
3.23 124D.08 and chapter 124E, procedures for applying to take supplemental online courses
3.24 other than those offered by the student's enrolling district are as provided in this subdivision.

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

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

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

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

4.4 (4) enroll in additional courses with the online learning provider under a separate
4.5 agreement that includes terms for paying any tuition or course fees.

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

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

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

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

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

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

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

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

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

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

5.3 Sec. 4. Minnesota Statutes 2023 Supplement, section 126C.40, subdivision 6, is amended
5.4 to read:

5.5 Subd. 6. **Lease purchase; installment buys.** (a) Upon application to, and approval by,
5.6 the commissioner in accordance with the procedures and limits in subdivision 1, paragraphs
5.7 (a) and (b), a district, as defined in this subdivision, may:

5.8 (1) purchase real or personal property under an installment contract or may lease real
5.9 or personal property with an option to purchase under a lease purchase agreement, by which
5.10 installment contract or lease purchase agreement title is kept by the seller or vendor or
5.11 assigned to a third party as security for the purchase price, including interest, if any; and

5.12 (2) annually levy the amounts necessary to pay the district's obligations under the
5.13 installment contract or lease purchase agreement.

5.14 (b) The obligation created by the installment contract or the lease purchase agreement
5.15 must not be included in the calculation of net debt for purposes of section 475.53, and does
5.16 not constitute debt under other law. An election is not required in connection with the
5.17 execution of the installment contract or the lease purchase agreement.

5.18 (c) The proceeds of the levy authorized by this subdivision must not be used to acquire
5.19 a facility to be primarily used for athletic or school administration purposes.

5.20 (d) For the purposes of this subdivision, "district" means:

5.21 (1) Special School District No. 1, Minneapolis, Independent School District No. 625,
5.22 St. Paul, Independent School District No. 709, Duluth, or Independent School District No.
5.23 535, Rochester, if the district's ~~desegregation~~ achievement and integration plan has been
5.24 determined by the commissioner to be in compliance with Department of Education rules
5.25 relating to equality of educational opportunity and where the acquisition, as defined in
5.26 section 475.51, subdivision 7, of property under this subdivision is ~~determined~~ approved
5.27 in the form and manner prescribed by the commissioner to contribute to the implementation
5.28 of the ~~desegregation~~ approved achievement and integration plan; or

5.29 (2) other districts eligible for revenue under section 124D.862 if the facility acquired
5.30 under this subdivision is to be primarily used for a joint program ~~for interdistrict~~
5.31 ~~desegregation~~ and the commissioner determines ~~that the joint programs are~~ is being
5.32 undertaken to implement the districts' ~~desegregation~~ approved achievement and integration
5.33 plan.

6.1 (e) Notwithstanding subdivision 1, the prohibition against a levy by a district to lease
6.2 or rent a district-owned building to itself does not apply to levies otherwise authorized by
6.3 this subdivision.

6.4 (f) For the purposes of this subdivision, any references in subdivision 1 to building or
6.5 land shall include personal property.

6.6 (g) Projects funded under this subdivision are subject to review and comment under
6.7 section 123B.71, subdivision 8, in the ~~same manner as other school construction projects~~
6.8 form and manner prescribed by the commissioner.

6.9 Sec. 5. **REVISOR INSTRUCTION.**

6.10 The revisor of statutes shall remove the term "state-approved" wherever it appears in
6.11 Minnesota Statutes, sections 125A.15, 125A.51, and 125A.515, for education in care and
6.12 treatment facilities.

6.13 **ARTICLE 2**

6.14 **EDUCATION EXCELLENCE**

6.15 Section 1. Minnesota Statutes 2023 Supplement, section 13.32, subdivision 5, is amended
6.16 to read:

6.17 Subd. 5. **Directory information.** (a) Educational data designated as directory information
6.18 is public data on individuals to the extent required under federal law. Directory information
6.19 must be designated pursuant to the provisions of:

6.20 (1) this subdivision; and

6.21 (2) United States Code, title 20, section 1232g, and Code of Federal Regulations, title
6.22 34, section 99.37, which were in effect on January 3, 2012.

6.23 (b) When conducting the directory information designation and notice process required
6.24 by federal law, an educational agency or institution shall give parents and students notice
6.25 of the right to refuse to let the agency or institution designate specified data about the student
6.26 as directory information. This notice may be given by any means reasonably likely to inform
6.27 the parents and students of the right.

6.28 (c) An educational agency or institution may not designate a student's home address,
6.29 telephone number, email address, or other personal contact information as directory
6.30 information under this subdivision. This paragraph does not apply to a postsecondary
6.31 institution.

7.1 (d) When requested, educational agencies or institutions must share personal student
 7.2 contact information and directory information, whether public or private, with the Minnesota
 7.3 Department of Education, as required for federal reporting purposes.

7.4 (e) When requested, educational agencies or institutions may share personal student
 7.5 contact information and directory information for students served in special education with
 7.6 postsecondary transition planning and services under section 125A.08, paragraph (b), clause
 7.7 (1), whether public or private, with the Department of Employment and Economic
 7.8 Development, as required for coordination of services to students with disabilities under
 7.9 sections 125A.08, paragraph (b), clause (1); 125A.023; and 125A.027.

7.10 Sec. 2. Minnesota Statutes 2022, section 120A.35, is amended to read:

7.11 **120A.35 ABSENCE FROM SCHOOL FOR RELIGIOUS ~~OBSERVANCE~~ AND**
 7.12 **CULTURAL OBSERVANCES.**

7.13 Reasonable efforts must be made by a school district to accommodate any pupil who
 7.14 wishes to be excused from a curricular activity for a religious observance or American
 7.15 Indian cultural practice, observance, or ceremony. A school board must provide annual
 7.16 notice to parents of the school district's policy relating to a pupil's absence from school ~~for~~
 7.17 ~~religious observance~~ under this section.

7.18 Sec. 3. Minnesota Statutes 2023 Supplement, section 120B.021, subdivision 1, is amended
 7.19 to read:

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

7.22 (1) language arts;

7.23 (2) mathematics, encompassing algebra II, integrated mathematics III, or an equivalent
 7.24 in high school, and to be prepared for the three credits of mathematics in grades 9 through
 7.25 12, the grade 8 standards include completion of algebra;

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

7.28 (4) social studies, including history, geography, economics, and government and
 7.29 citizenship that includes civics;

7.30 (5) physical education;

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

8.1 (7) the arts. Public elementary and middle schools must offer at least three and require
 8.2 at least two of the following five arts areas: dance; media arts; music; theater; and visual
 8.3 arts. Public high schools must offer at least three and require at least one of the following
 8.4 five arts areas: media arts; dance; music; theater; and visual arts.

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

8.11 ~~(e) The department may modify SHAPE America (Society of Health and Physical~~
 8.12 ~~Educators) standards and adapt the national standards to accommodate state interest. The~~
 8.13 ~~modification and adaptations must maintain the purpose and integrity of the national~~
 8.14 ~~standards. The department must make available sample assessments, which school districts~~
 8.15 ~~may use as an alternative to local assessments, to assess students' mastery of the physical~~
 8.16 ~~education standards beginning in the 2018-2019 school year.~~

8.17 ~~(d)~~ (c) A school district ~~may~~ must include child physical and sexual abuse prevention
 8.18 instruction in a health curriculum, consistent with paragraph (a), clause (6). Child physical
 8.19 and sexual abuse prevention instruction may must include age-appropriate multisession,
 8.20 multimodal, culturally inclusive, developmentally appropriate, and culturally sensitive
 8.21 instruction on identifying emotional and physical child abuse and other forms of personal
 8.22 violence; recognizing sexual abuse and assault, boundary violations, and ways offenders
 8.23 groom or desensitize victims; as well as strategies to promote disclosure, reduce self-blame,
 8.24 and mobilize bystanders. A school district may provide instruction under this paragraph in
 8.25 a variety of ways, including at an annual assembly or classroom presentation. A school
 8.26 district may also provide parents information on the warning signs of child physical and
 8.27 sexual abuse, the medical and emotional effects of child abuse, and available resources. A
 8.28 school district must train instructors on managing disclosures that may result during the
 8.29 delivery of child physical and sexual abuse prevention instruction and develop a policy on
 8.30 how to respond to the disclosures.

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

8.34 **EFFECTIVE DATE.** Paragraph (c) is effective for the 2025-2026 school year and later.

9.1 Sec. 4. Minnesota Statutes 2022, section 120B.022, subdivision 1a, is amended to read:

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

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

9.12 (c) The Minnesota World Language Proficiency Certificate recognizes students who
 9.13 demonstrate ~~listening, speaking, reading, and writing language skills~~ at the American Council
 9.14 on the Teaching of Foreign Languages' overall Intermediate-Low level and Intermediate-Mid
 9.15 levels of proficiency derived from assessment consisting of the domains of listening, reading,
 9.16 speaking, and writing on a valid and reliable assessment tool.

9.17 Sec. 5. Minnesota Statutes 2022, section 120B.022, subdivision 1b, is amended to read:

9.18 Subd. 1b. **State bilingual and multilingual seals.** (a) Consistent with efforts to strive
 9.19 for the world's best workforce under sections 120B.11 and 124E.03, subdivision 2, paragraph
 9.20 (i), and close the academic achievement and opportunity gap under sections 124D.861 and
 9.21 124D.862, voluntary state bilingual and multilingual seals are established to recognize
 9.22 graduating high school students in any school district, charter school, or nonpublic school
 9.23 who demonstrate an ~~Advanced-Low level or an intermediate-high~~ overall Intermediate-High
 9.24 and above level of functional proficiency in ~~listening, speaking, reading, and writing on~~
 9.25 ~~either~~ derived from assessment consisting of the domains of listening, reading, speaking,
 9.26 and writing assessments either aligned with American Council on the Teaching of Foreign
 9.27 Languages' (ACTFL) proficiency guidelines or on equivalent valid and reliable assessments
 9.28 in one or more languages in addition to English. Indigenous American Indian languages
 9.29 and American Sign Language is a language are languages other than English for purposes
 9.30 of this subdivision and a are world language languages for purposes of subdivision 1a.

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

9.32 (1) ~~students must satisfactorily complete all required English language arts credits; and~~

10.1 ~~(2) students must demonstrate mastery of Minnesota's English language proficiency~~
 10.2 ~~standards.~~

10.3 (c) Consistent with this subdivision, a high school student who demonstrates an overall
 10.4 intermediate high ACTFL level of ~~functional~~ proficiency derived from assessment consisting
 10.5 of the domains of listening, reading, speaking, and writing in one language in addition to
 10.6 English is eligible to receive the state bilingual gold seal. A high school student who
 10.7 demonstrates an overall intermediate high ACTFL level of ~~functional~~ ~~native~~ proficiency
 10.8 derived from assessment consisting of the domains of listening, reading, speaking, and
 10.9 writing in more than one language in addition to English is eligible to receive the state
 10.10 multilingual gold seal. A high school student who demonstrates an overall advanced-low
 10.11 and above ACTFL level of ~~functional~~ proficiency derived from assessment consisting of
 10.12 the domains of listening, reading, speaking, and writing in one language in addition to
 10.13 English is eligible to receive the state bilingual platinum seal. A high school student who
 10.14 demonstrates an overall advanced-low and above ACTFL level of ~~functional~~ proficiency
 10.15 derived from assessment consisting of the domains of listening, reading, speaking, and
 10.16 writing in more than one language in addition to English is eligible to receive the state
 10.17 multilingual platinum seal.

10.18 (d) School districts and charter schools may give students periodic opportunities to
 10.19 demonstrate their level of proficiency in listening, speaking, reading, and writing in a
 10.20 language in addition to English. Where valid and reliable assessments are unavailable, a
 10.21 school district or charter school may rely on evaluators trained in assessing under ACTFL
 10.22 proficiency guidelines to assess a student's level of ~~foreign, heritage, or Indigenous~~
 10.23 non-English language proficiency under this section. School districts and charter schools
 10.24 must maintain appropriate records to identify high school students eligible to receive the
 10.25 state bilingual or multilingual gold and platinum seals upon graduation. The school district
 10.26 or charter school must ~~affix~~ notate the appropriate seal to the transcript of each high school
 10.27 student who meets the requirements of this subdivision and may affix the seal to the student's
 10.28 diploma. A school district or charter school must not charge the high school student a fee
 10.29 for this seal.

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

10.33 (f) A school district or charter school may award community service credit to a student
 10.34 who demonstrates an ~~intermediate high or advanced-low~~ overall intermediate high and
 10.35 above ACTFL level of ~~functional~~ proficiency ~~in listening, speaking, reading, and writing~~

11.1 derived from assessment consisting of the domains of listening, reading, speaking, and
 11.2 writing in a language other than English and who participates in community service activities
 11.3 that are integrated into the curriculum, involve the participation of teachers, and support
 11.4 biliteracy in the school or local community.

11.5 (g) The commissioner must list on the web page those assessments that are aligned to
 11.6 ACTFL proficiency guidelines, and establish guidelines on interpreting the scores or ratings
 11.7 from approved assessments.

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

11.20 Sec. 6. Minnesota Statutes 2023 Supplement, section 120B.024, subdivision 1, is amended
 11.21 to read:

11.22 Subdivision 1. **Graduation requirements.** (a) Students must successfully complete the
 11.23 following high school level credits for graduation:

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

11.26 (2) three credits of mathematics sufficient to satisfy all of the academic standards in
 11.27 mathematics;

11.28 (3) three credits of science, including one credit to satisfy all the earth and space science
 11.29 standards for grades 9 through 12, one credit to satisfy all the life science standards for
 11.30 grades 9 through 12, and one credit to satisfy all the chemistry or physics standards for
 11.31 grades 9 through 12;

11.32 (4) three and one-half credits of social studies, including credit for a course in government
 11.33 and citizenship in either grade 11 or 12 for students beginning grade 9 in the ~~2024-2025~~.

12.1 2025-2026 school year and later or an advanced placement, international baccalaureate, or
 12.2 other rigorous course on government and citizenship under section 120B.021, subdivision
 12.3 1a, and a combination of other credits encompassing at least United States history, geography,
 12.4 government and citizenship, world history, and economics sufficient to satisfy all of the
 12.5 academic standards in social studies;

12.6 (5) one credit of the arts sufficient to satisfy all of the academic standards in the arts;

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

12.8 (7) a minimum of seven elective credits.

12.9 (b) Students who begin grade 9 in the 2024-2025 school year and later must successfully
 12.10 complete a course for credit in personal finance in grade 10, 11, or 12. A teacher of a personal
 12.11 finance course that satisfies the graduation requirement must have a field license or
 12.12 out-of-field permission in agricultural education, business, family and consumer science,
 12.13 social studies, or math.

12.14 Sec. 7. Minnesota Statutes 2022, section 120B.11, is amended by adding a subdivision to
 12.15 read:

12.16 Subd. 2a. **Language Access Plan.** (a) Starting in the 2025-2026 school year, during a
 12.17 regularly scheduled public board hearing, a district must adopt a language access plan that
 12.18 specifies the district's process and procedures to render effective language assistance to
 12.19 students and adults who communicate in a language other than English. The language access
 12.20 plan must be available to the public and included in the parent and student handbook.

12.21 (b) The language access plan must include information on:

12.22 (1) how the district and its schools will use trained or certified spoken language
 12.23 interpreters for communication related to academic outcomes, progress, and determinations
 12.24 and placement of students in specialized programs and services;

12.25 (2) how families and communities will be notified of their rights under this plan; and

12.26 (3) a language access continuous improvement plan for leadership and staff.

12.27 Sec. 8. Minnesota Statutes 2022, section 120B.13, subdivision 4, is amended to read:

12.28 Subd. 4. **Rigorous course taking information; AP, IB, and PSEO.** The commissioner
 12.29 shall submit the following information on rigorous course taking, disaggregated by student
 12.30 subgroup, school district, and postsecondary institution, to the education committees of the
 12.31 legislature by July 1, 2025, and each subsequent year by February July 1:

13.1 (1) the number of pupils enrolled in postsecondary enrollment options under section
 13.2 124D.09, including concurrent enrollment, career and technical education courses offered
 13.3 as a concurrent enrollment course, advanced placement, and international baccalaureate
 13.4 courses in each school district;

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

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

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

13.12 (5) expenditures for each category in this section and under sections 124D.09 and
 13.13 124D.091, including career and technical education courses offered as a concurrent
 13.14 enrollment course; and

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

13.17 Sec. 9. Minnesota Statutes 2022, section 120B.234, subdivision 1, is amended to read:

13.18 Subdivision 1. **Purpose.** The purpose of this section, which may be cited as "Erin's
 13.19 Law," is to ~~encourage~~ require districts to integrate or offer instruction on child sexual abuse
 13.20 prevention to students and training to all school personnel on recognizing and preventing
 13.21 sexual abuse and sexual violence.

13.22 **EFFECTIVE DATE.** This section is effective for the 2025-2026 school year and later.

13.23 Sec. 10. Minnesota Statutes 2022, section 120B.234, subdivision 2, is amended to read:

13.24 Subd. 2. **Curriculum.** School districts may consult with other federal, state, or local
 13.25 agencies and community-based organizations, ~~including the Child Welfare Information~~
 13.26 ~~Gateway website maintained by the United States Department of Health and Human Services,~~
 13.27 to identify research-based tools, curricula, and programs to prevent child sexual abuse for
 13.28 use under section 120B.021, subdivision 1, paragraph ~~(d)~~ (c).

13.29 **EFFECTIVE DATE.** This section is effective for the 2025-2026 school year and later.

14.1 Sec. 11. Minnesota Statutes 2023 Supplement, section 120B.30, subdivision 7, is amended
14.2 to read:

14.3 Subd. 7. **Assessments.** A student who demonstrates attainment of required state academic
14.4 standards, which include career and college readiness benchmarks, on high school
14.5 assessments under ~~subdivision 1a~~ section 120B.302 is academically ready for a career or
14.6 college and is encouraged to participate in courses awarding college credit to high school
14.7 students. Such courses and programs may include sequential courses of study within broad
14.8 career areas and technical skill assessments that extend beyond course grades.

14.9 Sec. 12. Minnesota Statutes 2023 Supplement, section 120B.30, subdivision 12, is amended
14.10 to read:

14.11 Subd. 12. **Test administration.** ~~(a) Consistent with applicable federal law, the~~
14.12 ~~commissioner must include appropriate, technically sound accommodations or alternative~~
14.13 ~~assessments for the very few students with disabilities for whom statewide assessments are~~
14.14 ~~inappropriate and for English learners.~~

14.15 ~~(b)~~ (a) The Department of Education shall contract for professional and technical services
14.16 according to competitive solicitation procedures under chapter 16C for purposes of this
14.17 section.

14.18 ~~(c)~~ (b) A proposal submitted under this section must include disclosures containing:

14.19 (1) comprehensive information regarding test administration monitoring practices; and

14.20 (2) data privacy safeguards for student information to be transmitted to or used by the
14.21 proposing entity.

14.22 ~~(d)~~ (c) Information provided in the proposal is not security information or trade secret
14.23 information for purposes of section 13.37.

14.24 Sec. 13. Minnesota Statutes 2023 Supplement, section 120B.30, is amended by adding a
14.25 subdivision to read:

14.26 Subd. 17. **Retaliation prohibited.** An employee who discloses information to the
14.27 commissioner or a parent or guardian about service disruptions or technical interruptions
14.28 related to administering assessments under this section is protected under section 181.932,
14.29 governing disclosure of information by employees.

15.1 Sec. 14. Minnesota Statutes 2023 Supplement, section 120B.302, is amended to read:

15.2 **120B.302 GENERAL REQUIREMENTS; TEST DESIGN.**

15.3 Subdivision 1. **Definitions.** For purposes of conforming with existing federal educational
 15.4 accountability requirements, the commissioner must develop and implement
 15.5 computer-adaptive reading and mathematics assessments for grades 3 through 8,
 15.6 state-developed high school reading and mathematics tests aligned with state academic
 15.7 standards, a high school writing test aligned with state standards when it becomes available,
 15.8 and science assessments ~~under clause (2)~~ that districts and sites must use to monitor student
 15.9 growth toward achieving those standards. The commissioner must:

15.10 (1) not develop statewide assessments for academic standards in social studies, health
 15.11 and physical education, and the arts. ~~The commissioner must require;~~ and

15.12 ~~(1) annual computer-adaptive reading and mathematics assessments in grades 3 through~~
 15.13 ~~8, and high school reading, writing, and mathematics tests; and~~

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

15.18 Subd. 2. **Comprehensive assessment system.** The commissioner, with advice from
 15.19 experts with appropriate technical qualifications and experience and stakeholders, ~~consistent~~
 15.20 ~~with subdivision 1a,~~ must include state-developed tests in the comprehensive assessment
 15.21 system, ~~for each grade level to be tested, state-constructed tests developed as~~
 15.22 ~~computer-adaptive reading and mathematics assessments for students that are aligned with~~
 15.23 ~~the state's required academic standards under section 120B.021, include multiple choice~~
 15.24 ~~questions, and are administered annually to all students in grades 3 through 8. State-developed~~
 15.25 ~~high school tests aligned with the state's required academic standards under section 120B.021~~
 15.26 ~~and administered to all high school students in a subject other than writing must include~~
 15.27 multiple choice questions. ~~The commissioner must establish a testing period as late as~~
 15.28 ~~possible each school year during which schools must administer the Minnesota~~
 15.29 ~~Comprehensive Assessments to students. The commissioner must publish the testing schedule~~
 15.30 ~~at least two years before the beginning of the testing period.~~

15.31 Subd. 3. **Aligned to academic standards.** ~~(a) The state assessment system must be~~
 15.32 ~~aligned to the most recent revision of academic standards as described in section 120B.023~~
 15.33 ~~in the following manner:~~

- 16.1 ~~(1) mathematics;~~
- 16.2 ~~(i) grades 3 through 8 beginning in the 2010-2011 school year; and~~
- 16.3 ~~(ii) high school level beginning in the 2013-2014 school year;~~
- 16.4 ~~(2) science; grades 5 and 8 and at the high school level beginning in the 2011-2012~~
- 16.5 ~~school year; and~~
- 16.6 ~~(3) language arts and reading; grades 3 through 8 and high school level beginning in the~~
- 16.7 ~~2012-2013 school year.~~
- 16.8 ~~(b) The grades 3 through 8 computer-adaptive assessments and high school tests must~~
- 16.9 ~~be aligned with state academic standards. The commissioner must determine the testing~~
- 16.10 ~~process and the order of administration. The statewide results must be aggregated at the site~~
- 16.11 ~~and district level, consistent with subdivision 1a.~~
- 16.12 ~~(c) The commissioner must ensure that for annual computer-adaptive assessments:~~
- 16.13 ~~(1) individual student performance data and achievement reports are available within~~
- 16.14 ~~three school days of when students take an assessment except in a year when an assessment~~
- 16.15 ~~reflects new performance standards;~~
- 16.16 ~~(2) growth information is available for each student from the student's first assessment~~
- 16.17 ~~to each proximate assessment using a constant measurement scale;~~
- 16.18 ~~(3) parents, teachers, and school administrators are able to use elementary and middle~~
- 16.19 ~~school student performance data to project students' secondary and postsecondary~~
- 16.20 ~~achievement; and~~
- 16.21 ~~(4) useful diagnostic information about areas of students' academic strengths and~~
- 16.22 ~~weaknesses is available to teachers and school administrators for improving student~~
- 16.23 ~~instruction and indicating the specific skills and concepts that should be introduced and~~
- 16.24 ~~developed for students at given performance levels, organized by strands within subject~~
- 16.25 ~~areas, and aligned to state academic standards.~~
- 16.26 ~~(d)~~ (a) The commissioner must ensure that all state tests administered to elementary and
- 16.27 secondary students measure students' academic knowledge and skills and not students'
- 16.28 values, attitudes, and beliefs.
- 16.29 (b) A school, school district, and charter school must administer statewide assessments
- 16.30 under this section as the assessments become available to evaluate student progress toward
- 16.31 career and college readiness in the context of the state's academic standards. A school,
- 16.32 school district, or charter school may use a student's performance on a statewide assessment

17.1 as one of multiple criteria to determine grade promotion or retention. A school, school
 17.2 district, or charter school may use a high school student's performance on a statewide
 17.3 assessment as a percentage of the student's final grade in a course or place a student's
 17.4 assessment score on the student's transcript.

17.5 Sec. 15. Minnesota Statutes 2023 Supplement, section 120B.305, is amended to read:

17.6 **120B.305 ASSESSMENT REPORTING REQUIREMENTS.**

17.7 ~~Subdivision 1. **Reporting requirements.** A school, school district, and charter school~~
 17.8 ~~must administer statewide assessments under this section, as the assessments become~~
 17.9 ~~available, to evaluate student progress toward career and college readiness in the context~~
 17.10 ~~of the state's academic standards. A school, school district, or charter school may use a~~
 17.11 ~~student's performance on a statewide assessment as one of multiple criteria to determine~~
 17.12 ~~grade promotion or retention. A school, school district, or charter school may use a high~~
 17.13 ~~school student's performance on a statewide assessment as a percentage of the student's~~
 17.14 ~~final grade in a course, or place a student's assessment score on the student's transcript.~~

17.15 Subd. 2. ~~Computer adaptive assessments~~ Reporting requirements. (a) Reporting of
 17.16 state assessment results must:

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

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

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

17.21 (b) ~~The 3rd through 8th grade computer adaptive assessment results and high school~~
 17.22 ~~test results must be available to districts for diagnostic purposes affecting student learning~~
 17.23 ~~and district instruction and curriculum, and for establishing educational accountability. The~~
 17.24 commissioner must ensure that for annual computer-adaptive assessments:

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

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

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

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

18.6 (c) The commissioner, in consultation with the chancellor of the Minnesota State Colleges
18.7 and Universities, must establish empirically derived benchmarks on the high school tests
18.8 that reveal a trajectory toward career and college readiness consistent with section 136F.302,
18.9 subdivision 1a. The commissioner must disseminate to the public the computer-adaptive
18.10 assessments and high school test results upon receiving those results.

18.11 Subd. 3. **Public reporting.** (a) The commissioner must include the following components
18.12 in the statewide public reporting system:

18.13 (1) uniform statewide computer-adaptive assessments of all students in grades 3 through
18.14 8 and testing at the high school levels that provides appropriate, technically sound
18.15 accommodations or alternate assessments;

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

18.19 (3) state results on the ACT test; and

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

18.24 (b) The commissioner shall report test results publicly and to stakeholders, including
18.25 the performance achievement levels developed from students' unweighted test scores in
18.26 each tested subject and a listing of demographic factors that strongly correlate with student
18.27 performance, including student homelessness, as data are available, among other factors.
18.28 The test results must not include personally identifiable information as defined in Code of
18.29 Federal Regulations, title 34, section 99.3. ~~The commissioner shall also report data that~~
18.30 ~~compares performance results among school sites, school districts, Minnesota and other~~
18.31 ~~states, and Minnesota and other nations.~~ The commissioner shall disseminate to schools
18.32 and school districts a more comprehensive report containing testing information that meets
18.33 local needs for evaluating instruction and curriculum. The commissioner shall disseminate
18.34 to charter school authorizers a more comprehensive report containing testing information

19.1 that contains anonymized data where cell count data are sufficient to protect student identity
19.2 and that meets the authorizer's needs in fulfilling its obligations under chapter 124E.

19.3 ~~(c) The grades 3 through 8 computer adaptive assessments and high school tests must~~
19.4 ~~be aligned with state academic standards. The commissioner must determine the testing~~
19.5 ~~process and the order of administration. The statewide results must be aggregated at the site~~
19.6 ~~and district level, consistent with subdivision 1a.~~

19.7 Sec. 16. Minnesota Statutes 2023 Supplement, section 120B.31, subdivision 4, is amended
19.8 to read:

19.9 Subd. 4. **Student performance data.** In developing policies and assessment processes
19.10 to hold schools and districts accountable for high levels of academic standards under section
19.11 120B.021, the commissioner shall ~~aggregate and disaggregate student data over time to~~
19.12 ~~report summary student performance and growth levels and, under section 120B.11,~~
19.13 ~~subdivision 2, clause (2), student learning and outcome data measured at the school, school~~
19.14 ~~district, and statewide level. The commissioner shall use the student categories identified~~
19.15 under the federal Elementary and Secondary Education Act, as most recently reauthorized,
19.16 and student categories of:

19.17 (1) homelessness;

19.18 (2) ethnicity under section 120B.35, subdivision 3, paragraph (a), clause (2);

19.19 (3) race under section 120B.35, subdivision 3, paragraph (a), clause (2);

19.20 (4) home language;

19.21 (5) English learners under section 124D.59;

19.22 (6) free or reduced-price meals; and

19.23 (7) other categories designated by federal law to organize and report the data so that
19.24 state and local policy makers can understand the educational implications of changes in
19.25 districts' demographic profiles over time as data are available.

19.26 Any report the commissioner disseminates containing summary data on student performance
19.27 must integrate student performance and the demographic factors that strongly correlate with
19.28 that performance.

20.1 Sec. 17. Minnesota Statutes 2023 Supplement, section 120B.36, subdivision 1, is amended
20.2 to read:

20.3 Subdivision 1. **School performance reports and public reporting.** (a) The commissioner
20.4 shall report:

20.5 (1) student academic performance data under section 120B.35, subdivisions 2 and 3;

20.6 (2) academic progress consistent with federal expectations;

20.7 (3) school safety and student engagement and connection under section 120B.35,
20.8 subdivision 3, paragraph (d);

20.9 (4) rigorous coursework under section 120B.35, subdivision 3, paragraph (c);

20.10 (5) the percentage of students under section 120B.35, subdivision 3, paragraph (b), clause
20.11 (2), whose progress and performance levels are meeting career and college readiness
20.12 benchmarks under sections 120B.307 and 120B.35, subdivision 3, paragraph (e);

20.13 (6) longitudinal data on the progress of eligible districts in reducing disparities in students'
20.14 academic achievement and realizing racial and economic integration under section 124D.861;

20.15 (7) the acquisition of English, and where practicable, native language academic literacy,
20.16 including oral academic language, and the academic progress of all English learners enrolled
20.17 in a Minnesota public school course or program who are currently or were previously counted
20.18 as English learners under section 124D.59;

20.19 (8) two separate student-to-teacher ratios that clearly indicate the definition of teacher
20.20 consistent with sections 122A.06 and 122A.15 for purposes of determining these ratios;

20.21 (9) staff characteristics excluding salaries;

20.22 (10) student enrollment demographics;

20.23 (11) foster care status, including all students enrolled in a Minnesota public school course
20.24 or program who are currently or were previously in foster care, student homelessness, and
20.25 district mobility; and

20.26 (12) extracurricular activities.

20.27 (b) The school performance report for a school site and a school district must include
20.28 school performance reporting information and calculate proficiency rates as required by the
20.29 most recently reauthorized Elementary and Secondary Education Act.

20.30 (c) The commissioner shall develop, annually update, and post on the department website
20.31 school performance reports consistent with paragraph (a) and section 120B.11.

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

21.3 (e) A school or district may appeal its results in a form and manner determined by the
21.4 commissioner and consistent with federal law. The commissioner's decision to uphold or
21.5 deny an appeal is final.

21.6 (f) School performance data are nonpublic data under section 13.02, subdivision 9, until
21.7 the commissioner publicly releases the data. The commissioner shall annually post school
21.8 performance reports to the department's public website no later than ~~September 1, except~~
21.9 ~~that in years when the reports reflect new performance standards, the commissioner shall~~
21.10 ~~post the school performance reports no later than October~~ December 1.

21.11 Sec. 18. **[121A.08] SMUDGING PERMITTED.**

21.12 An American Indian student or staff member may use tobacco, sage, sweetgrass, and
21.13 cedar to conduct individual or group smudging in a public school. The process for conducting
21.14 smudging is determined by the building or site administrator. Smudging must be conducted
21.15 under the direct supervision of an appropriate staff member, as determined by the building
21.16 or site administrator.

21.17 Sec. 19. Minnesota Statutes 2023 Supplement, section 121A.642, is amended by adding
21.18 a subdivision to read:

21.19 Subd. 3. **Consultation.** A school district or charter school must consult the exclusive
21.20 representative for employees receiving this training before creating or planning the training
21.21 required under this section.

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

21.23 Sec. 20. **[121A.80] STUDENT JOURNALISM; STUDENT EXPRESSION.**

21.24 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms defined in this
21.25 subdivision have the meanings given.

21.26 (b) "School-sponsored media" means material that is:

21.27 (1) prepared, wholly or substantially written, published, broadcast, or otherwise
21.28 disseminated by a student journalist enrolled in a school district or charter school;

21.29 (2) distributed or generally made available to students in the school; and

21.30 (3) prepared by a student journalist under the supervision of a student media adviser.

22.1 School-sponsored media does not include material prepared solely for distribution or
 22.2 transmission in the classroom in which the material is produced, or a yearbook.

22.3 (c) "School official" means a school principal under section 123B.147 or other person
 22.4 having administrative control or supervision of a school.

22.5 (d) "Student journalist" means a school district or charter school student in grades 6
 22.6 through 12 who gathers, compiles, writes, edits, photographs, records, or otherwise prepares
 22.7 information for dissemination in school-sponsored media.

22.8 (e) "Student media adviser" means a qualified teacher, as defined in section 122A.16,
 22.9 that a school district or charter school employs, appoints, or designates to supervise student
 22.10 journalists or provide instruction relating to school-sponsored media.

22.11 Subd. 2. **Student journalists; protected conduct.** (a) Except as provided in subdivision
 22.12 3, a student journalist has the right to exercise freedom of speech and freedom of the press
 22.13 in school-sponsored media regardless of whether the school-sponsored media receives
 22.14 financial support from the school or district, uses school equipment or facilities in its
 22.15 production, or is produced as part of a class or course in which the student journalist is
 22.16 enrolled. Freedom of speech includes freedom to express political viewpoints. Consistent
 22.17 with subdivision 3, a student journalist has the right to determine the news, opinion, feature,
 22.18 and advertising content of school-sponsored media. A school district or charter school must
 22.19 not discipline a student journalist for exercising rights or freedoms under this paragraph or
 22.20 the First Amendment of the United States Constitution.

22.21 (b) A school district or charter school must not retaliate or take adverse employment
 22.22 action against a student media adviser for supporting a student journalist exercising rights
 22.23 or freedoms under paragraph (a) or the First Amendment of the United States Constitution.

22.24 (c) Notwithstanding the rights or freedoms of this subdivision or the First Amendment
 22.25 of the United States Constitution, nothing in this section inhibits a student media adviser
 22.26 from teaching professional standards of English and journalism to student journalists.

22.27 Subd. 3. **Unprotected expression.** (a) This section does not authorize or protect student
 22.28 expression that:

22.29 (1) is defamatory;

22.30 (2) is profane, harassing, threatening, or intimidating;

22.31 (3) constitutes an unwarranted invasion of privacy;

22.32 (4) violates federal or state law;

23.1 (5) causes a material and substantial disruption of school activities; or

23.2 (6) is directed to inciting or producing imminent lawless action on school premises or
 23.3 the violation of lawful school policies or rules, including a policy adopted in accordance
 23.4 with section 121A.03 or 121A.031.

23.5 (b) Nothing in this section authorizes the publication of an advertisement by
 23.6 school-sponsored media that promotes the purchase of a product or service that is unlawful
 23.7 for purchase or use by minors.

23.8 (c) A school or district must not authorize any prior restraint of school-sponsored media
 23.9 except under this subdivision.

23.10 Subd. 4. **Student journalist policy.** School districts and charter schools must adopt and
 23.11 post on the district or charter school website a student journalist policy consistent with this
 23.12 section.

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

23.14 Sec. 21. Minnesota Statutes 2022, section 123B.09, subdivision 10, is amended to read:

23.15 Subd. 10. **Publishing proceedings.** The board must cause its official proceedings to be
 23.16 published once in the official newspaper of the district or official district website. Such
 23.17 publication shall be made within 30 days of the meeting at which such proceedings occurred.
 23.18 If the board determines that publication of a summary of the proceedings would adequately
 23.19 inform the public of the substance of the proceedings, the board may direct that only a
 23.20 summary be published, conforming to the requirements of section 331A.01, subdivision
 23.21 10.

23.22 Sec. 22. Minnesota Statutes 2022, section 123B.37, subdivision 2, is amended to read:

23.23 Subd. 2. **Boards shall not withhold grades or diplomas for nonpayment of student**
 23.24 **fees.** No pupil's rights or privileges, including the receipt of grades or diplomas may be
 23.25 denied or abridged for nonpayment of fees; but this provision does not prohibit a district
 23.26 from maintaining any action provided by law for the collection of fees authorized by sections
 23.27 123B.36 and 123B.38. This provision applies to all Minnesota district school boards, charter
 23.28 school boards, and Tribal contract schools.

23.29 Sec. 23. Minnesota Statutes 2022, section 124D.60, subdivision 1, is amended to read:

23.30 Subdivision 1. **Notice.** Within ~~ten~~ 30 calendar days after the ~~enrollment of any pupil in~~
 23.31 ~~an instructional program for English learners~~ beginning of the school year, the district or

24.1 charter school in which the pupil resides English learner identified for participation in an
 24.2 instructional program for English learners is enrolled must notify ~~the parent by mail~~ their
 24.3 parents. For those children who have not been identified as English learners prior to the
 24.4 beginning of the school year but are identified as English learners during that school year,
 24.5 the district or charter school shall notify the children's parents during the first two weeks
 24.6 of the child being placed in a language instruction educational program. This notice must:

24.7 (1) be in writing in English and in the primary language of the pupil's parents;

24.8 (2) inform the parents that their child has been enrolled in an instructional program for
 24.9 English learners;

24.10 (3) contain a simple, nontechnical description of the purposes, method and content of
 24.11 the program;

24.12 (4) inform the parents that they have the right to visit the educational program for English
 24.13 learners in which their child is enrolled;

24.14 (5) inform the parents of the time and manner in which to request and receive a conference
 24.15 for the purpose of explaining the nature and purpose of the program; and

24.16 (6) inform the parents of their rights to withdraw their child from an educational program
 24.17 for English learners and the time and manner in which to do so.

24.18 The department shall, at the request of the district, prepare the notice in the primary
 24.19 language of the parent.

24.20 Sec. 24. Minnesota Statutes 2022, section 124D.61, is amended to read:

24.21 **124D.61 GENERAL REQUIREMENTS FOR PROGRAMS.**

24.22 A district that enrolls one or more English learners must implement an educational
 24.23 program that includes at a minimum the following requirements:

24.24 (1) identification and reclassification criteria for English learners and program entrance
 24.25 and exit criteria for English learners must be documented by the district, applied uniformly
 24.26 to English learners, and made available to parents and other stakeholders upon request;

24.27 (2) language development instruction that is designed to effectively increase the language
 24.28 proficiency of English learners and that addresses Minnesota's English language development
 24.29 standards under Minnesota Rules, parts 3501.1200 and 3501.1210;

25.1 ~~(2)~~ (3) a written plan of services that describes programming by English proficiency
 25.2 level made available to parents upon request. The plan must articulate the amount and scope
 25.3 of service offered to English learners through an educational program for English learners;

25.4 ~~(3)~~ (4) professional development opportunities for ESL, bilingual education, mainstream,
 25.5 and all staff working with English learners which are: (i) coordinated with the district's
 25.6 professional development activities; (ii) related to the needs of English learners; and (iii)
 25.7 ongoing;

25.8 ~~(4)~~ (5) to the extent possible, avoid isolating English learners for a substantial part of
 25.9 the school day; and

25.10 ~~(5)~~ (6) in predominantly nonverbal subjects, such as art, music, and physical education,
 25.11 permit English learners to participate fully and on an equal basis with their contemporaries
 25.12 in public school classes provided for these subjects. To the extent possible, the district must
 25.13 assure to pupils enrolled in a program for English learners an equal and meaningful
 25.14 opportunity to participate fully with other pupils in all extracurricular activities.

25.15 Sec. 25. **REPEALER.**

25.16 Minnesota Statutes 2022, section 120B.31, subdivisions 2 and 6, are repealed.

25.17 **ARTICLE 3**

25.18 **TEACHERS**

25.19 Section 1. Minnesota Statutes 2023 Supplement, section 120B.117, subdivision 4, is
 25.20 amended to read:

25.21 Subd. 4. **Reporting.** ~~Beginning in 2024 and every even-numbered year thereafter,~~ The
 25.22 Professional Educator Licensing and Standards Board must collaborate with the Department
 25.23 of Education and the Office of Higher Education to publish a summary report of each of
 25.24 the programs they administer and any other programs receiving state appropriations that
 25.25 have or include an explicit purpose of increasing the racial and ethnic diversity of the state's
 25.26 teacher workforce to more closely reflect the diversity of students. The report must include
 25.27 programs under sections 122A.59, 122A.63, 122A.635, 122A.70, 122A.73, 124D.09,
 25.28 124D.861, 136A.1274, 136A.1276, and 136A.1791, along with any other programs or
 25.29 initiatives that receive state appropriations to address the shortage of teachers of color and
 25.30 American Indian teachers. The board must, in coordination with the Office of Higher
 25.31 Education and Department of Education, provide policy and funding recommendations
 25.32 related to state-funded programs to increase the recruitment, preparation, licensing, hiring,

26.1 and retention of racially and ethnically diverse teachers and the state's progress toward
 26.2 meeting or exceeding the goals of this section. The report must include recommendations
 26.3 for state policy and funding needed to achieve the goals of this section, plans for sharing
 26.4 the report and activities of grant recipients, and opportunities among grant recipients of
 26.5 various programs to share effective practices with each other. The ~~2024~~ initial report must
 26.6 also include a recommendation of whether a state advisory council should be established
 26.7 to address the shortage of racially and ethnically diverse teachers and what the composition
 26.8 and charge of such an advisory council would be if established. The board must consult
 26.9 with the Indian Affairs Council and other ethnic councils along with other community
 26.10 partners, including students of color and American Indian students, in developing the report.
 26.11 ~~By November 3 of each odd-numbered year,~~ The board must submit the report to the chairs
 26.12 and ranking minority members of the legislative committees with jurisdiction over education
 26.13 and higher education policy and finance by November 3, 2025, and each odd-numbered
 26.14 year thereafter. The report must be available to the public on the board's website.

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

26.16 Sec. 2. Minnesota Statutes 2022, section 122A.091, subdivision 5, is amended to read:

26.17 Subd. 5. ~~Survey of districts~~ **Supply and demand report.** ~~(a)~~ The Professional Educator
 26.18 Licensing and Standards Board must ~~survey the state's school districts and teacher preparation~~
 26.19 ~~programs and~~ submit a report to the education committees of the legislature by February 1,
 26.20 ~~2019, and each odd-numbered~~ November 1, 2025, and each odd-numbered year thereafter,
 26.21 ~~on the status of teacher early~~ supply and demand of teachers. The report must be made
 26.22 available on the board's website. The report must include data regarding:

26.23 (1) retirement patterns, ~~the access to effective and more diverse teachers who reflect the~~
 26.24 ~~students under section 120B.35, subdivision 3, paragraph (b), clause (2), enrolled in a district~~
 26.25 ~~or school;~~

26.26 (2) teacher licensure;

26.27 (3) teacher diversity, including whether the state's teacher workforce reflects the diversity
 26.28 of the state's student population;

26.29 (4) the teacher shortage, and the substitute teacher shortage, including patterns and
 26.30 shortages in licensure field areas and the economic development regions of the state;

26.31 (5) survey data from school districts and teacher preparation programs; and

26.32 ~~(b) The report must also include:~~

27.1 ~~(1) aggregate data on teachers' self-reported race and ethnicity;~~

27.2 ~~(2) data on how~~ (6) whether districts are making progress in hiring teachers and substitute
27.3 teachers in the areas of shortage; ~~and.~~

27.4 ~~(3) a five-year projection of teacher demand for each district, taking into account the~~
27.5 ~~students under section 120B.35, subdivision 3, paragraph (b), clause (2), expected to enroll~~
27.6 ~~in the district during that five-year period.~~

27.7 Sec. 3. Minnesota Statutes 2023 Supplement, section 122A.18, subdivision 1, is amended
27.8 to read:

27.9 Subdivision 1. **Authority to license.** (a) The Professional Educator Licensing and
27.10 Standards Board must issue the following teacher licenses to applicants who meet the
27.11 qualifications prescribed by this chapter:

27.12 (1) Tier 1 license under section 122A.181;

27.13 (2) Tier 2 license under section 122A.182;

27.14 (3) Tier 3 license under section 122A.183; and

27.15 (4) Tier 4 license under section 122A.184.

27.16 (b) The Board of School Administrators must license supervisory personnel as defined
27.17 in section 122A.15, subdivision 2, except for athletic coaches.

27.18 (c) The Board of School Administrators is responsible for issuing licenses under its
27.19 jurisdiction after June 30, 2025.

27.20 ~~(e)~~ (d) The Professional Educator Licensing and Standards Board and the Department
27.21 of Education must enter into a data sharing agreement to share:

27.22 (1) educational data at the E-12 level for the limited purpose of program approval and
27.23 improvement for teacher education programs. The program approval process must include
27.24 targeted redesign of teacher preparation programs to address identified E-12 student areas
27.25 of concern; and

27.26 (2) data in the staff automated reporting system for the limited purpose of managing and
27.27 processing funding to school districts and other entities. The board has authority to collect
27.28 nonlicensed staff data on behalf of the Department of Education, which is responsible for
27.29 managing said data.

27.30 ~~(d)~~ (e) The Board of School Administrators and the Department of Education must enter
27.31 into a data sharing agreement to share educational data at the E-12 level for the limited

28.1 purpose of program approval and improvement for education administration programs. The
 28.2 program approval process must include targeted redesign of education administration
 28.3 preparation programs to address identified E-12 student areas of concern.

28.4 ~~(e)~~ (f) For purposes of the data sharing agreements under paragraphs ~~(e)~~ (d) and ~~(d)~~ (e),
 28.5 the Professional Educator Licensing and Standards Board, Board of School Administrators,
 28.6 and Department of Education may share private data, as defined in section 13.02, subdivision
 28.7 12, on teachers and school administrators. The data sharing agreements must not include
 28.8 educational data, as defined in section 13.32, subdivision 1, but may include summary data,
 28.9 as defined in section 13.02, subdivision 19, derived from educational data.

28.10 Sec. 4. Minnesota Statutes 2022, section 122A.181, is amended by adding a subdivision
 28.11 to read:

28.12 Subd. 1a. **Special education requirements.** The Professional Educator Licensing and
 28.13 Standards Board must approve an application for a Tier 1 special education license if:

28.14 (1) the application meets all the requirements under subdivision 1;

28.15 (2) the applicant receives high-quality professional development that is sustained,
 28.16 intensive, and classroom focused in order to have a positive and lasting impact on classroom
 28.17 instruction, before and while teaching;

28.18 (3) the applicant participates in a program of intensive supervision that consists of
 28.19 structured guidance and regular ongoing support for teachers or a teacher mentoring program;

28.20 (4) the applicant assumes the functions as a teacher only for a specified period of time
 28.21 not to exceed three years; and

28.22 (5) the applicant demonstrates satisfactory progress toward professional licensure.

28.23 Sec. 5. Minnesota Statutes 2023 Supplement, section 122A.181, subdivision 2, is amended
 28.24 to read:

28.25 Subd. 2. **Professional requirements.** ~~(a)~~ An applicant for a Tier 1 license described in
 28.26 subdivision 1 or 1a must have a bachelor's degree ~~to teach a class or course outside a career~~
 28.27 ~~and technical education or career pathways course of study,~~ unless the applicant meets an
 28.28 exemption identified in subdivision 2a.

28.29 ~~(b) An applicant for a Tier 1 license must have one of the following credentials in a~~
 28.30 ~~relevant content area to teach a class in a career and technical education or career pathways~~
 28.31 ~~course of study:~~

- 29.1 ~~(1) an associate's degree;~~
 29.2 ~~(2) a professional certification; or~~
 29.3 ~~(3) five years of relevant work experience.~~

29.4 Sec. 6. Minnesota Statutes 2022, section 122A.182, is amended by adding a subdivision
 29.5 to read:

29.6 Subd. 1a. **Special education requirements.** The Professional Educator Licensing and
 29.7 Standards Board must approve an application for a Tier 2 license in a special education
 29.8 field if:

- 29.9 (1) the application meets all the requirements under subdivision 1;
 29.10 (2) the applicant receives high-quality professional development that is sustained,
 29.11 intensive, and classroom focused in order to have a positive and lasting impact on classroom
 29.12 instruction, before and while teaching;
 29.13 (3) the applicant participates in a program of intensive supervision that consists of
 29.14 structured guidance and regular ongoing support for teachers or a teacher mentoring program;
 29.15 and
 29.16 (4) the applicant demonstrates satisfactory progress toward professional licensure.

29.17 Sec. 7. Minnesota Statutes 2023 Supplement, section 122A.183, subdivision 2, is amended
 29.18 to read:

29.19 Subd. 2. **Coursework.** An applicant for a Tier 3 license must meet the coursework
 29.20 requirement by demonstrating one of the following:

- 29.21 (1) completion of a Minnesota-approved teacher preparation program;
 29.22 (2) completion of a state-approved teacher preparation program that includes field-specific
 29.23 student teaching equivalent to field-specific student teaching in Minnesota-approved teacher
 29.24 preparation programs. The field-specific student teaching requirement does not apply to an
 29.25 applicant that has two years of field-specific teaching experience;
 29.26 (3) ~~submission of a content-specific~~ a recommendation for licensure through the licensure
 29.27 via portfolio process;
 29.28 (4) a professional teaching license from another state, evidence that the applicant's license
 29.29 is in good standing, and two years of field-specific teaching experience; or

30.1 (5) three years of teaching experience under a Tier 2 license and evidence of summative
 30.2 teacher evaluations that did not result in placing or otherwise keeping the teacher on an
 30.3 improvement process pursuant to section 122A.40, subdivision 8, or 122A.41, subdivision
 30.4 5.

30.5 Sec. 8. Minnesota Statutes 2023 Supplement, section 122A.184, subdivision 1, is amended
 30.6 to read:

30.7 Subdivision 1. **Requirements.** The Professional Educator Licensing and Standards
 30.8 Board must issue a Tier 4 license to an applicant who provides information sufficient to
 30.9 demonstrate all of the following:

30.10 (1) the applicant meets all requirements for a Tier 3 license under section 122A.183,
 30.11 and: (i) has completed a teacher preparation program under section 122A.183, subdivision
 30.12 2, clause (1) or (2); (ii) obtained licensure through the licensure via portfolio process under
 30.13 section 122A.183, subdivision 2, clause (3); or (iii) holds national board certification from
 30.14 the National Board for Professional Teaching Standards;

30.15 (2) the applicant has at least three years of field-specific teaching experience as a teacher
 30.16 of record;

30.17 (3) the applicant has obtained a passing score on all required licensure exams under
 30.18 section 122A.185; and

30.19 (4) if the applicant previously held a Tier 3 license under section 122A.183, the applicant
 30.20 has completed the renewal requirements in section 122A.187.

30.21 Sec. 9. Minnesota Statutes 2023 Supplement, section 122A.185, subdivision 1, is amended
 30.22 to read:

30.23 Subdivision 1. **Tests.** (a) The board must adopt rules requiring applicants for Tier 3 and
 30.24 Tier 4 licenses to pass an examination or performance assessment of general pedagogical
 30.25 knowledge and examinations or assessments of licensure field specific content. An applicant
 30.26 is exempt from the examination requirements if the applicant ~~completed~~:

30.27 (1) completed a board-approved teacher preparation program;

30.28 (2) completed licensure via portfolio pursuant to section 122A.18, subdivision 10, and
 30.29 the portfolio has been ~~approved~~ recommended; ~~or~~

30.30 (3) obtained national board certification from the National Board for Professional
 30.31 Teaching Standards; or

31.1 ~~(3)~~ (4) completed a state-approved teacher preparation program in another state and
 31.2 passed licensure examinations in that state, if applicable. The content examination
 31.3 requirement does not apply if no relevant content exam exists.

31.4 (b) All testing centers in the state must provide monthly opportunities for untimed content
 31.5 and pedagogy examinations. These opportunities must be advertised on the test registration
 31.6 website. The board must require the exam vendor to provide other equitable opportunities
 31.7 to pass exams, including: (1) waiving testing fees for test takers who qualify for federal
 31.8 grants; (2) providing free, multiple, full-length practice tests for each exam and free,
 31.9 comprehensive study guides on the test registration website; (3) making content and pedagogy
 31.10 exams available in languages other than English for teachers seeking licensure to teach in
 31.11 language immersion programs; and (4) providing free, detailed exam results analysis by
 31.12 test objective to assist applicants who do not pass an exam in identifying areas for
 31.13 improvement. Any applicant who has not passed a required exam after two attempts must
 31.14 be allowed to retake the exam, including new versions of the exam, without being charged
 31.15 an additional fee.

31.16 Sec. 10. Minnesota Statutes 2022, section 122A.185, subdivision 3, is amended to read:

31.17 Subd. 3. **Testing accommodations.** The board and the entity administering the content,
 31.18 and pedagogy,~~and skills~~ examinations must allow any individual who produces
 31.19 documentation of a disability in the form of an evaluation, 504 plan, or individual education
 31.20 program (IEP) to receive the same testing accommodations on the content, and pedagogy,
 31.21 ~~and skills~~ examinations that the applicant received during the applicant's secondary or
 31.22 postsecondary education.

31.23 Sec. 11. Minnesota Statutes 2022, section 122A.20, is amended by adding a subdivision
 31.24 to read:

31.25 Subd. 4. **Prohibition on teaching assignment.** A school district or charter school may
 31.26 not place a teacher in a teaching assignment if the teacher has been criminally charged in
 31.27 state or federal court with any of the offenses listed in subdivision 1, paragraph (b), or is
 31.28 charged with any other offense not listed in this section that requires the person to register
 31.29 as a predatory offender under section 243.166, or a crime under a similar law of another
 31.30 state or the United States.

32.1 Sec. 12. Minnesota Statutes 2023 Supplement, section 122A.40, subdivision 8, is amended
32.2 to read:

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

32.13 (b) To develop, improve, and support qualified teachers and effective teaching practices,
32.14 improve student learning and success, and provide all enrolled students in a district or school
32.15 with improved and equitable access to more effective and diverse teachers, the annual
32.16 evaluation process for teachers:

32.17 (1) must, for probationary teachers, provide for all evaluations required under subdivision
32.18 5;

32.19 (2) must establish a three-year professional review cycle for each teacher that includes
32.20 an individual growth and development plan, a peer review process, and at least one
32.21 summative evaluation performed by a qualified and trained evaluator such as a school
32.22 administrator. For the years when a tenured teacher is not evaluated by a qualified and
32.23 trained evaluator, the teacher must be evaluated by a peer review;

32.24 (3) must include a rubric of performance standards for teacher practice that: (i) is based
32.25 ~~on professional teaching standards established in rule~~ the standards of effective practice in
32.26 Minnesota Rules, part 8710.2000; (ii) includes culturally responsive methodologies; and
32.27 (iii) provides common descriptions of effectiveness using at least three levels of performance;

32.28 (4) must coordinate staff development activities under sections 122A.60 and 122A.61
32.29 with this evaluation process and teachers' evaluation outcomes;

32.30 (5) may provide time during the school day and school year for peer coaching and teacher
32.31 collaboration;

32.32 (6) may include job-embedded learning opportunities such as professional learning
32.33 communities;

33.1 (7) may include mentoring and induction programs for teachers, including teachers who
33.2 are members of populations underrepresented among the licensed teachers in the district or
33.3 school and who reflect the diversity of students under section 120B.35, subdivision 3,
33.4 paragraph (b), clause (2), who are enrolled in the district or school;

33.5 (8) must include an option for teachers to develop and present a portfolio demonstrating
33.6 evidence of reflection and professional growth, consistent with section 122A.187, subdivision
33.7 3, and include teachers' own performance assessment based on student work samples and
33.8 examples of teachers' work, which may include video among other activities for the
33.9 summative evaluation;

33.10 (9) must use data from valid and reliable assessments aligned to state and local academic
33.11 standards and must use state and local measures of student growth and literacy that may
33.12 include value-added models or student learning goals to determine 35 percent of teacher
33.13 evaluation results;

33.14 (10) must use longitudinal data on student engagement and connection, and other student
33.15 outcome measures explicitly aligned with the elements of curriculum for which teachers
33.16 are responsible, including academic literacy, oral academic language, and achievement of
33.17 content areas of English learners;

33.18 (11) must require qualified and trained evaluators such as school administrators to
33.19 perform summative evaluations and ensure school districts and charter schools provide for
33.20 effective evaluator training specific to teacher development and evaluation;

33.21 (12) must give teachers not meeting professional teaching standards under clauses (3)
33.22 to (11) support to improve through a teacher improvement process that includes established
33.23 goals and timelines; and

33.24 (13) must discipline a teacher for not making adequate progress in the teacher
33.25 improvement process under clause (12) that may include a last chance warning, termination,
33.26 discharge, nonrenewal, transfer to a different position, a leave of absence, or other discipline
33.27 a school administrator determines is appropriate.

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

33.31 (c) The department, in consultation with parents who may represent parent organizations
33.32 and teacher and administrator representatives appointed by their respective organizations,
33.33 representing the Professional Educator Licensing and Standards Board, the Minnesota

34.1 Association of School Administrators, the Minnesota School Boards Association, the
34.2 Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and
34.3 representatives of the Minnesota Assessment Group, the Minnesota Business Partnership,
34.4 the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with
34.5 research expertise in teacher evaluation, must create and publish a teacher evaluation process
34.6 that complies with the requirements in paragraph (b) and applies to all teachers under this
34.7 section and section 122A.41 for whom no agreement exists under paragraph (a) for an annual
34.8 teacher evaluation and peer review process. The teacher evaluation process created under
34.9 this subdivision does not create additional due process rights for probationary teachers under
34.10 subdivision 5.

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

34.12 (1) for students in kindergarten through grade 4, a school administrator must not place
34.13 or approve the placement of a student in the classroom of a teacher who is in the improvement
34.14 process referenced in paragraph (b), clause (12), or has not had a summative evaluation if,
34.15 in the prior year, that student was in the classroom of a teacher who received discipline
34.16 pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that
34.17 grade; and

34.18 (2) for students in grades 5 through 12, a school administrator must not place or approve
34.19 the placement of a student in the classroom of a teacher who is in the improvement process
34.20 referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the
34.21 prior year, that student was in the classroom of a teacher who received discipline pursuant
34.22 to paragraph (b), clause (13), unless no other teacher at the school teaches that subject area
34.23 and grade.

34.24 All data created and used under this paragraph retains its classification under chapter 13.

34.25 **EFFECTIVE DATE.** This section is effective July 1, 2025.

34.26 Sec. 13. Minnesota Statutes 2023 Supplement, section 122A.41, subdivision 5, is amended
34.27 to read:

34.28 Subd. 5. **Development, evaluation, and peer coaching for continuing contract**
34.29 **teachers.** (a) To improve student learning and success, a school board and an exclusive
34.30 representative of the teachers in the district, consistent with paragraph (b), may develop an
34.31 annual teacher evaluation and peer review process for probationary and nonprobationary
34.32 teachers through joint agreement. If a school board and the exclusive representative of the
34.33 teachers in the district do not agree to an annual teacher evaluation and peer review process,

35.1 then the school board and the exclusive representative of the teachers must implement the
35.2 state teacher evaluation plan developed under paragraph (c). The process must include
35.3 having trained observers serve as peer coaches or having teachers participate in professional
35.4 learning communities, consistent with paragraph (b).

35.5 (b) To develop, improve, and support qualified teachers and effective teaching practices
35.6 and improve student learning and success, and provide all enrolled students in a district or
35.7 school with improved and equitable access to more effective and diverse teachers, the annual
35.8 evaluation process for teachers:

35.9 (1) must, for probationary teachers, provide for all evaluations required under subdivision
35.10 2;

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

35.15 (3) must include a rubric of performance standards for teacher practice that: (i) is based
35.16 on ~~professional teaching standards established in rule~~ the standards of effective practice in
35.17 Minnesota Rules, part 8710.2000; (ii) includes culturally responsive methodologies; and
35.18 (iii) provides common descriptions of effectiveness using at least three levels of performance;

35.19 (4) must coordinate staff development activities under sections 122A.60 and 122A.61
35.20 with this evaluation process and teachers' evaluation outcomes;

35.21 (5) may provide time during the school day and school year for peer coaching and teacher
35.22 collaboration;

35.23 (6) may include job-embedded learning opportunities such as professional learning
35.24 communities;

35.25 (7) may include mentoring and induction programs for teachers, including teachers who
35.26 are members of populations underrepresented among the licensed teachers in the district or
35.27 school and who reflect the diversity of students under section 120B.35, subdivision 3,
35.28 paragraph (b), clause (2), who are enrolled in the district or school;

35.29 (8) must include an option for teachers to develop and present a portfolio demonstrating
35.30 evidence of reflection and professional growth, consistent with section 122A.187, subdivision
35.31 3, and include teachers' own performance assessment based on student work samples and
35.32 examples of teachers' work, which may include video among other activities for the
35.33 summative evaluation;

36.1 (9) must use data from valid and reliable assessments aligned to state and local academic
36.2 standards and must use state and local measures of student growth and literacy that may
36.3 include value-added models or student learning goals to determine 35 percent of teacher
36.4 evaluation results;

36.5 (10) must use longitudinal data on student engagement and connection and other student
36.6 outcome measures explicitly aligned with the elements of curriculum for which teachers
36.7 are responsible, including academic literacy, oral academic language, and achievement of
36.8 English learners;

36.9 (11) must require qualified and trained evaluators such as school administrators to
36.10 perform summative evaluations and ensure school districts and charter schools provide for
36.11 effective evaluator training specific to teacher development and evaluation;

36.12 (12) must give teachers not meeting professional teaching standards under clauses (3)
36.13 to (11) support to improve through a teacher improvement process that includes established
36.14 goals and timelines; and

36.15 (13) must discipline a teacher for not making adequate progress in the teacher
36.16 improvement process under clause (12) that may include a last chance warning, termination,
36.17 discharge, nonrenewal, transfer to a different position, a leave of absence, or other discipline
36.18 a school administrator determines is appropriate.

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

36.22 (c) The department, in consultation with parents who may represent parent organizations
36.23 and teacher and administrator representatives appointed by their respective organizations,
36.24 representing the Professional Educator Licensing and Standards Board, the Minnesota
36.25 Association of School Administrators, the Minnesota School Boards Association, the
36.26 Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and
36.27 representatives of the Minnesota Assessment Group, the Minnesota Business Partnership,
36.28 the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with
36.29 research expertise in teacher evaluation, must create and publish a teacher evaluation process
36.30 that complies with the requirements in paragraph (b) and applies to all teachers under this
36.31 section and section 122A.40 for whom no agreement exists under paragraph (a) for an annual
36.32 teacher evaluation and peer review process. The teacher evaluation process created under
36.33 this subdivision does not create additional due process rights for probationary teachers under
36.34 subdivision 2.

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

37.2 (1) for students in kindergarten through grade 4, a school administrator must not place
 37.3 or approve the placement of a student in the classroom of a teacher who is in the improvement
 37.4 process referenced in paragraph (b), clause (12), or has not had a summative evaluation if,
 37.5 in the prior year, that student was in the classroom of a teacher who received discipline
 37.6 pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that
 37.7 grade; and

37.8 (2) for students in grades 5 through 12, a school administrator must not place or approve
 37.9 the placement of a student in the classroom of a teacher who is in the improvement process
 37.10 referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the
 37.11 prior year, that student was in the classroom of a teacher who received discipline pursuant
 37.12 to paragraph (b), clause (13), unless no other teacher at the school teaches that subject area
 37.13 and grade.

37.14 All data created and used under this paragraph retains its classification under chapter 13.

37.15 **EFFECTIVE DATE.** This section is effective July 1, 2025.

37.16 Sec. 14. Minnesota Statutes 2023 Supplement, section 122A.631, subdivision 2, is amended
 37.17 to read:

37.18 Subd. 2. **Definition.** "Heritage language and culture ~~teachers~~ teacher" means ~~teachers a~~
 37.19 teacher with a familial connection to a their community's language and culture, ~~who use is~~
 37.20 proficient in the language and engaged in the culture, and uses this connection to support
 37.21 students as they learn academic content ~~or,~~ become proficient in the language, and engage
 37.22 with the culture of that particular community. For the purposes of this section, a heritage
 37.23 language and culture teacher of American Sign Language is a teacher with a childhood
 37.24 connection to American Sign Language and whose primary language is American Sign
 37.25 Language.

37.26 Sec. 15. Minnesota Statutes 2023 Supplement, section 122A.631, subdivision 4, is amended
 37.27 to read:

37.28 Subd. 4. **Heritage language and culture teacher licensure pathway program.** (a) The
 37.29 Professional Educator Licensing and Standards Board shall develop a program to support
 37.30 initial and additional licensure for heritage language and culture teachers, prioritizing the
 37.31 participation of heritage language and culture teachers whose own heritage language is
 37.32 within the most common languages spoken by Minnesota students, as indicated by the

38.1 Department of Education report on primary home languages, and for which there is a
38.2 licensure scarcity. The program must include:

38.3 (1) a yearlong mentorship program;

38.4 (2) monthly meetings where applicants receive guidance on completing the portfolio
38.5 process from a portfolio liaison, dedicated specifically to facilitating this program;

38.6 (3) a stipend to cover substitute teachers when meetings take place during the school
38.7 day;

38.8 (4) a waiver for all portfolio and licensure testing fees; and

38.9 (5) a portfolio review committee created by the board.

38.10 (b) For applicants seeking an initial license in a world language and culture, the applicant
38.11 must demonstrate meeting the standards of effective practice in Minnesota Rules, part
38.12 8710.2000, and content-specific pedagogical standards in Minnesota Rules, part 8710.4950,
38.13 through the portfolio process.

38.14 (c) For applicants seeking a dual license, the applicant must demonstrate meeting the
38.15 standards of effective practice in Minnesota Rules, part 8710.2000, content-specific
38.16 pedagogical standards in Minnesota Rules, part 8710.4950, and all standards for the chosen
38.17 dual license through the portfolio process.

38.18 (d) For applicants seeking an additional license in a world language and culture, the
38.19 applicant must demonstrate meeting the content-specific pedagogical standards in Minnesota
38.20 Rules, part 8710.4950.

38.21 Sec. 16. Minnesota Statutes 2023 Supplement, section 122A.70, subdivision 2, is amended
38.22 to read:

38.23 Subd. 2. **Board grants.** The Professional Educator Licensing and Standards Board must
38.24 make grant application forms available to sites interested in developing, sustaining, or
38.25 expanding a mentorship program. A school district or group of school districts, a Tribal
38.26 contract school or group of schools, a coalition of districts, teachers, and teacher education
38.27 institutions, a school or coalition of schools, or a coalition of teachers may apply for a
38.28 program grant. A higher education institution or nonprofit organization may partner with a
38.29 grant applicant but is not eligible as a sole applicant for grant funds. The Professional
38.30 Educator Licensing and Standards Board, in consultation with the teacher mentoring task
38.31 force, must approve or disapprove the applications. To the extent possible, the approved
38.32 applications must reflect effective mentoring, professional development, and retention

39.1 components, and be geographically distributed throughout the state. The Professional
 39.2 Educator Licensing and Standards Board must encourage the selected sites to consider the
 39.3 use of its assessment procedures.

39.4 Sec. 17. **REPEALER.**

39.5 (a) Minnesota Statutes 2022, section 122A.2451, subdivision 9, is repealed.

39.6 (b) Minnesota Statutes 2023 Supplement, section 122A.185, subdivision 4, is repealed.

39.7 **ARTICLE 4**

39.8 **READ ACT**

39.9 Section 1. Minnesota Statutes 2023 Supplement, section 120B.1117, is amended to read:

39.10 **120B.1117 TITLE; THE READ ACT.**

39.11 Sections ~~120B.1117~~ 120B.118 to 120B.124 may be cited as the "Reading to Ensure
 39.12 Academic Development Act" or the "Read Act."

39.13 Sec. 2. Minnesota Statutes 2023 Supplement, section 120B.1118, subdivision 4, is amended
 39.14 to read:

39.15 Subd. 4. **Evidence-based.** "Evidence-based" means the instruction or item described is
 39.16 based on reliable, trustworthy, and valid evidence and has demonstrated a record of success
 39.17 in increasing students' reading competency in the areas of phonological and phonemic
 39.18 awareness, phonics, vocabulary development, reading fluency, and reading comprehension.
 39.19 Evidence-based literacy instruction is explicit, systematic, and includes phonological and
 39.20 phonemic awareness, phonics and decoding, word study, spelling, fluency, vocabulary, oral
 39.21 language, and comprehension that can be differentiated to meet the needs of individual
 39.22 students. Evidence-based instruction does not include the three-cueing system, as defined
 39.23 in subdivision 16.

39.24 Sec. 3. Minnesota Statutes 2023 Supplement, section 120B.1118, subdivision 7, is amended
 39.25 to read:

39.26 Subd. 7. **Literacy specialist.** "Literacy specialist" means a person licensed by the
 39.27 Professional Educator Licensing and Standards Board as a teacher of reading, a special
 39.28 education teacher, or a kindergarten through grade 6 teacher, who has completed professional
 39.29 development approved by the Department of Education in structured literacy. ~~A literacy~~

40.1 ~~specialist employed by the department under section 120B.123, subdivision 7, or by a district~~
40.2 ~~as a literacy lead, is not required to complete the approved training before August 30, 2025.~~

40.3 Sec. 4. Minnesota Statutes 2023 Supplement, section 120B.1118, subdivision 10, is
40.4 amended to read:

40.5 Subd. 10. **Oral language.** "Oral language," also called "spoken language," includes
40.6 speaking and listening, and consists of five components: phonology, morphology, syntax,
40.7 semantics, and pragmatics. Oral language also includes sign language, in which speaking
40.8 and listening are defined as expressive and receptive skills, and consists of phonology,
40.9 including sign language phonological awareness; morphology; syntax; semantics; and
40.10 pragmatics.

40.11 Sec. 5. Minnesota Statutes 2023 Supplement, section 120B.1118, is amended by adding
40.12 a subdivision to read:

40.13 Subd. 18. **Word study.** "Word study" includes instruction in word analysis or syllables,
40.14 structural analysis or morphemes, and etymology.

40.15 Sec. 6. Minnesota Statutes 2023 Supplement, section 120B.12, subdivision 1, is amended
40.16 to read:

40.17 Subdivision 1. **Literacy goal.** (a) The legislature seeks to have every child reading at
40.18 or above grade level every year, beginning in kindergarten, and to support multilingual
40.19 learners and students receiving special education services in achieving their individualized
40.20 reading goals in order to meet grade level proficiency. By the 2026-2027 school year,
40.21 districts must provide evidence-based reading instruction through a focus on student mastery
40.22 of the foundational reading skills of phonemic awareness, phonics, and fluency, as well as
40.23 the development of oral language, vocabulary, and reading comprehension skills. Students
40.24 must receive evidence-based instruction that is proven to effectively teach children to read,
40.25 consistent with sections ~~120B.1117~~ 120B.118 to 120B.124.

40.26 (b) To meet this goal, each district must provide teachers and instructional support staff
40.27 with responsibility for teaching reading with training on evidence-based reading instruction
40.28 that is approved by the Department of Education by the deadlines provided in this
40.29 subdivision. The commissioner may grant a district an extension to the deadlines in this
40.30 paragraph. Beginning July 1, 2024, a district must provide access to the training required
40.31 under section 120B.123, subdivision 5, to:

41.1 (1) reading intervention teachers working with students in kindergarten through grade
41.2 12;

41.3 (2) all classroom teachers of students in kindergarten through grade 3 and children in
41.4 prekindergarten programs;

41.5 (3) special education teachers;

41.6 (4) curriculum directors; and

41.7 ~~(5) instructional support staff who provide reading instruction; and~~

41.8 ~~(6)~~ (5) employees who select literacy instructional materials for a district.

41.9 ~~(e) All other teachers and instructional staff required to receive training under the Read~~
41.10 ~~Act must complete the training no later than July 1, 2027.~~

41.11 (c) The following teachers and instructional staff must complete the training required
41.12 under the Read Act by July 1, 2027:

41.13 (1) teachers who provide reading instruction to students in grades 4 through 12;

41.14 (2) teachers of multilingual students; and

41.15 (3) teachers who provide instruction to students who qualify for the graduation incentives
41.16 program under section 124D.68.

41.17 (d) A teacher who has completed the training required under paragraph (b) or (c) within
41.18 the last five years does not need to be retrained.

41.19 ~~(d)~~ (e) Districts are strongly encouraged to adopt a MTSS framework. The framework
41.20 should include a process for monitoring student progress, evaluating program fidelity, and
41.21 analyzing student outcomes and needs in order to design and implement ongoing
41.22 evidenced-based instruction and interventions.

41.23 Sec. 7. Minnesota Statutes 2023 Supplement, section 120B.12, subdivision 2, is amended
41.24 to read:

41.25 Subd. 2. **Identification; report.** (a) ~~Twice per year,~~ Each school district must screen
41.26 every student enrolled in kindergarten, grade 1, grade 2, and grade 3 using a screening tool
41.27 approved by the Department of Education three times each school year: (1) within the first
41.28 six weeks of the school year; (2) at midyear; and (3) within the last six weeks of the school
41.29 year. Students enrolled in kindergarten, grade 1, grade 2, and grade 3, including multilingual
41.30 learners and students receiving special education services, must be universally screened for
41.31 mastery of foundational reading skills, including phonemic awareness, phonics, decoding,

42.1 fluency, oral language, and for characteristics of dyslexia as measured by a screening tool
42.2 approved by the Department of Education. The screening for characteristics of dyslexia
42.3 may be integrated with universal screening for mastery of foundational skills and oral
42.4 language. A district must submit data on student performance in kindergarten, grade 1,
42.5 grade 2, and grade 3 on foundational reading skills, including phonemic awareness, phonics,
42.6 decoding, fluency, and oral language to the Department of Education in the annual local
42.7 literacy plan submission due on June 15.

42.8 (b) Students in grades 4 and above, including multilingual learners and students receiving
42.9 special education services, who do not demonstrate mastery of foundational reading skills,
42.10 including phonemic awareness, phonics, decoding, fluency, and oral language, must be
42.11 screened using a screening tool approved by the Department of Education for characteristics
42.12 of dyslexia, and must continue to receive evidence-based instruction, interventions, and
42.13 progress monitoring until the students achieve grade-level proficiency. A parent, in
42.14 consultation with a teacher, may opt a student out of the literacy screener if the parent and
42.15 teacher decide that continuing to screen would not be beneficial to the student. In such
42.16 limited cases, the student must continue to receive progress monitoring and literacy
42.17 interventions.

42.18 (c) Reading screeners in English, and in the predominant languages of district students
42.19 where practicable, must identify and evaluate students' areas of academic need related to
42.20 literacy. The district also must monitor the progress and provide reading instruction
42.21 appropriate to the specific needs of multilingual learners. The district must use an approved,
42.22 developmentally appropriate, and culturally responsive screener and annually report summary
42.23 screener results to the commissioner by June 15 in the form and manner determined by the
42.24 commissioner.

42.25 (d) The district also must include in its literacy plan under subdivision 4a, a summary
42.26 of the district's efforts to screen, identify, and provide interventions to students who
42.27 demonstrate characteristics of dyslexia as measured by a screening tool approved by the
42.28 Department of Education. Districts are strongly encouraged to use ~~the~~ a MTSS framework.
42.29 With respect to students screened or identified under paragraph (a), the report must include:

42.30 (1) a summary of the district's efforts to screen for dyslexia;

42.31 (2) the number of students universally screened for that reporting year;

42.32 (3) the number of students demonstrating characteristics of dyslexia for that year; and

42.33 (4) an explanation of how students identified under this subdivision are provided with
42.34 alternate instruction and interventions under section 125A.56, subdivision 1.

43.1 Sec. 8. Minnesota Statutes 2023 Supplement, section 120B.12, subdivision 2a, is amended
43.2 to read:

43.3 Subd. 2a. **Parent notification and involvement.** A district must administer ~~a~~ an approved
43.4 reading screener to students in kindergarten through grade 3 within the first six weeks of
43.5 the school year, at midyear, and again within the last six weeks of the school year. ~~Schools,~~
43.6 ~~at least biannually~~ After administering each screener, the district must give the parent of
43.7 each student who is not reading at or above grade level timely information about:

43.8 (1) the student's reading proficiency as measured by a screener approved by the
43.9 Department of Education;

43.10 (2) reading-related services currently being provided to the student and the student's
43.11 progress; and

43.12 (3) strategies for parents to use at home in helping their student succeed in becoming
43.13 grade-level proficient in reading in English and in their native language.

43.14 A district may not use this section to deny a student's right to a special education
43.15 evaluation.

43.16 Sec. 9. Minnesota Statutes 2023 Supplement, section 120B.12, subdivision 4, is amended
43.17 to read:

43.18 Subd. 4. **Staff development.** (a) A district must provide training on evidence-based
43.19 ~~reading~~ structured literacy instruction to teachers and instructional staff in accordance with
43.20 subdivision 1, ~~paragraph~~ paragraphs (b) and (c). The training must include teaching in the
43.21 areas of phonemic awareness, phonics, vocabulary development, reading fluency, reading
43.22 comprehension, and culturally and linguistically responsive pedagogy.

43.23 (b) Each district shall use the data under subdivision 2 to identify the staff development
43.24 needs so that:

43.25 (1) elementary teachers are able to implement explicit, systematic, evidence-based
43.26 instruction in the five reading areas of phonemic awareness, phonics, fluency, vocabulary,
43.27 and comprehension with emphasis on mastery of foundational reading skills as defined in
43.28 section ~~120B.118~~ 120B.119 and other literacy-related areas including writing until the
43.29 student achieves grade-level reading and writing proficiency;

43.30 (2) elementary teachers ~~have sufficient~~ receive training to provide students with
43.31 evidence-based reading and oral language instruction that meets students' developmental,

44.1 linguistic, and literacy needs using the intervention methods or programs selected by the
44.2 district for the identified students;

44.3 (3) licensed teachers employed by the district have ~~regular~~ opportunities to improve
44.4 reading and writing instruction through professional development identified in the local
44.5 literacy plan;

44.6 (4) licensed teachers recognize students' diverse needs in cross-cultural settings and are
44.7 able to serve the oral language and linguistic needs of students who are multilingual learners
44.8 by maximizing strengths in their native languages in order to cultivate students' English
44.9 language development, including oral academic language development, and build academic
44.10 literacy; and

44.11 (5) licensed teachers are ~~well~~ trained in culturally responsive pedagogy that enables
44.12 students to master content, develop skills to access content, and build relationships.

44.13 (c) A district that offers early childhood programs, including voluntary prekindergarten
44.14 for eligible four-year-old children, early childhood special education, and school readiness
44.15 programs, must provide staff in early childhood programs sufficient training approved by
44.16 the Department of Education to provide children in early childhood programs with explicit,
44.17 systematic instruction in phonological and phonemic awareness; oral language, including
44.18 listening comprehension; vocabulary; and letter-sound correspondence.

44.19 Sec. 10. Minnesota Statutes 2023 Supplement, section 120B.12, subdivision 4a, is amended
44.20 to read:

44.21 Subd. 4a. **Local literacy plan.** (a) Consistent with this section, a school district must
44.22 adopt a local literacy plan to have every child reading at or above grade level every year
44.23 beginning in kindergarten and to support multilingual learners and students receiving special
44.24 education services in achieving their individualized reading goals. A district must update
44.25 and submit the plan to the commissioner by June 15 each year. The plan must be consistent
44.26 with the Read Act, and include the following:

44.27 (1) a process to assess students' foundational reading skills, oral language, and level of
44.28 reading proficiency and the screeners used, by school site and grade level, under section
44.29 120B.123;

44.30 (2) a process to notify and involve parents;

44.31 (3) a description of how schools in the district will determine the targeted reading
44.32 instruction that is evidence-based and includes an intervention strategy for a student and

45.1 the process for intensifying or modifying the reading strategy in order to obtain measurable
45.2 reading progress;

45.3 (4) evidence-based intervention methods for students who are not reading at or above
45.4 grade level and progress monitoring to provide information on the effectiveness of the
45.5 intervention;

45.6 (5) identification of staff development needs, including a plan to meet those needs;

45.7 (6) the curricula used by school site and grade level;

45.8 (7) a statement of whether the district has adopted a MTSS framework;

45.9 (8) student data using the measures of foundational literacy skills and mastery identified
45.10 by the Department of Education for the following students:

45.11 (i) students in kindergarten through grade 3;

45.12 (ii) students who demonstrate characteristics of dyslexia; and

45.13 (iii) students in grades 4 to 12 who are identified as not reading at grade level; and

45.14 (9) the number of teachers and other staff that have completed training approved by the
45.15 department.

45.16 (b) The district must post its literacy plan on the official school district website and
45.17 submit it to the commissioner of education using the template developed by the commissioner
45.18 of education beginning June 15, 2024.

45.19 (c) By March 1, 2024, the commissioner of education must develop a streamlined template
45.20 for local literacy plans that meets the requirements of this subdivision and requires all
45.21 reading instruction and teacher training in reading instruction to be evidence-based. The
45.22 template must require a district to report information using the student categories required
45.23 in the commissioner's report under paragraph (d). The template must focus district resources
45.24 on improving students' foundational reading skills while reducing paperwork requirements
45.25 for teachers.

45.26 (d) By December 1, 2025, the commissioner of education must submit a report to the
45.27 legislative committees with jurisdiction over prekindergarten through grade 12 education
45.28 summarizing the local literacy plans submitted to the commissioner. The summary must
45.29 include the following information:

45.30 (1) the number of teachers and other staff that have completed training approved by the
45.31 Department of Education;

46.1 (2) the number of teachers and other staff required to complete the training under section
 46.2 120B.12, subdivision 1, that have not completed the training;

46.3 ~~(2)~~ (3) by school site and grade, the screeners ~~used at the beginning and end of the school~~
 46.4 ~~year~~ and the reading curriculum used; and

46.5 ~~(3)~~ (4) by school site and grade, using the measurements of foundational literacy skills
 46.6 and mastery identified by the department, both aggregated data and disaggregated data on
 46.7 student performance on the approved screeners using the student categories under section
 46.8 120B.35, subdivision 3, paragraph (a), clause (2).

46.9 (e) By December 1, 2026, and December 1, 2027, the commissioner of education must
 46.10 submit updated reports containing the information required under paragraph (d) to the
 46.11 legislative committees with jurisdiction over prekindergarten through grade 12 education.

46.12 Sec. 11. Minnesota Statutes 2023 Supplement, section 120B.123, subdivision 1, is amended
 46.13 to read:

46.14 Subdivision 1. **Approved screeners.** A district must administer an approved
 46.15 evidence-based reading screener to students in kindergarten through grade 3 within the first
 46.16 six weeks of the school year, at midyear, and again within the last six weeks of the school
 46.17 year. The screener must be one of the screening tools approved by the Department of
 46.18 Education. A district must identify any screener it uses in the district's annual literacy plan,
 46.19 and submit screening data with the annual literacy plan by June 15.

46.20 Sec. 12. Minnesota Statutes 2023 Supplement, section 120B.123, subdivision 2, is amended
 46.21 to read:

46.22 Subd. 2. **Progress monitoring.** A district must implement progress monitoring using
 46.23 the approved assessments, as defined in section ~~120B.1118~~ 120B.119, for a student not
 46.24 reading at grade level.

46.25 Sec. 13. Minnesota Statutes 2023 Supplement, section 120B.123, subdivision 5, is amended
 46.26 to read:

46.27 Subd. 5. **Professional development.** (a) A district must provide training from a menu
 46.28 of approved evidence-based training programs to all reading intervention teachers, literacy
 46.29 specialists, and other teachers and staff identified in section 120B.12, subdivision 1, paragraph
 46.30 (b), by July 1, 2025; and by July 1, 2027, to other teachers in the district who provide reading
 46.31 instruction or reading interventions, prioritizing teachers who work with students with

47.1 disabilities, English learners, and students who qualify for the graduation incentives program
47.2 under section 124D.68.

47.3 (b) The commissioner of education may grant a district an extension to the deadlines in
47.4 this subdivision.

47.5 (c) For the 2024-2025 school year only, the hours of instruction requirement under
47.6 section 120A.41 for students in grades 1 through 3 is reduced to 929-1/2 hours for a district
47.7 that enters into an agreement with the exclusive representative of the teachers requiring
47.8 teachers to receive approved evidence-based training required under section 120B.12,
47.9 subdivision 1, for 5-1/2 hours on a day when other students in the district receive instruction.
47.10 If a charter school's teachers are not represented by an exclusive representative, the charter
47.11 school may reduce the number of instructional hours for students in grades 1 through 3 by
47.12 5-1/2 hours in order to provide teachers with evidence-based training required under section
47.13 120B.12, subdivision 1, on a day when other students receive instruction.

47.14 Sec. 14. Minnesota Statutes 2023 Supplement, section 124D.42, subdivision 8, is amended
47.15 to read:

47.16 Subd. 8. **Minnesota reading corps program.** (a) A Minnesota reading corps program
47.17 is established to provide ServeMinnesota AmeriCorps members with a data-based
47.18 problem-solving model of literacy instruction to use in helping to train local Head Start
47.19 program providers, other prekindergarten program providers, and staff in schools with
47.20 students in kindergarten through grade 3 to evaluate and teach early literacy skills, including
47.21 evidence-based literacy instruction under sections 120B.1117 to 120B.124, to children age
47.22 3 ~~to~~ through grade 3 and interventions for children in kindergarten ~~to~~ through grade ~~12~~ 3.

47.23 (b) Literacy programs under this subdivision must comply with the provisions governing
47.24 literacy program goals and data use under section 119A.50, subdivision 3, paragraph (b).

47.25 (c) Literacy programs under this subdivision must use evidence-based reading instruction
47.26 and interventions focused on structured literacy, and must provide training to ServeMinnesota
47.27 AmeriCorps members.

47.28 ~~(e)~~ (d) The commission must submit a biennial report to the committees of the legislature
47.29 with jurisdiction over kindergarten through grade 12 education that records and evaluates
47.30 program data to determine the efficacy of the programs under this subdivision.

48.1 Sec. 15. **REVISOR INSTRUCTION.**

48.2 The revisor of statutes shall renumber each section of Minnesota Statutes listed in column
 48.3 A with the number listed in column B. The revisor shall also make necessary cross-reference
 48.4 changes consistent with the renumbering. The revisor shall also make any technical and
 48.5 other changes necessitated by the renumbering and cross-reference changes in this act.

48.6	<u>Column A</u>	<u>Column B</u>
48.7	<u>120B.1117</u>	<u>120B.118</u>
48.8	<u>120B.1118</u>	<u>120B.119</u>

48.9 **ARTICLE 5**48.10 **SPECIAL EDUCATION**

48.11 Section 1. Minnesota Statutes 2022, section 125A.02, subdivision 1a, is amended to read:

48.12 Subd. 1a. **Children ~~ages three~~ birth through seven ~~age six~~ experiencing developmental**
 48.13 **delays.** In addition, every child under age three; and, at local district discretion, every child
 48.14 from age three ~~to~~ through age seven, six who needs special instruction and services, as
 48.15 determined by the rules of the commissioner, because the child has a substantial delay or
 48.16 has an identifiable a diagnosed physical or mental condition ~~known to hinder normal~~
 48.17 development or disorder with a high probability of resulting in developmental delay is a
 48.18 child with a disability.

48.19 Sec. 2. Minnesota Statutes 2023 Supplement, section 125A.08, is amended to read:

48.20 **125A.08 INDIVIDUALIZED EDUCATION PROGRAMS.**

48.21 Subdivision 1. **Individualized education programs.** (a) At the beginning of each school
 48.22 year, each school district shall have in effect, for each child with a disability, an
 48.23 individualized education program.

48.24 (b) As defined in this section, every district must ensure the following:

48.25 (1) all students with disabilities are provided the special instruction and services which
 48.26 are appropriate to their needs. Where the individualized education program team has
 48.27 determined appropriate goals and objectives based on the student's needs, including the
 48.28 extent to which the student can be included in the least restrictive environment, and where
 48.29 there are essentially equivalent and effective instruction, related services, or assistive
 48.30 technology devices available to meet the student's needs, cost to the district may be among
 48.31 the factors considered by the team in choosing how to provide the appropriate services,
 48.32 instruction, or devices that are to be made part of the student's individualized education

49.1 program. The individualized education program team shall consider and may authorize
49.2 services covered by medical assistance according to section 256B.0625, subdivision 26.
49.3 Before a school district evaluation team makes a determination of other health disability
49.4 under Minnesota Rules, part 3525.1335, subparts 1 and 2, item A, subitem (1), the evaluation
49.5 team must seek written documentation of the student's medically diagnosed chronic or acute
49.6 health condition signed by a licensed physician or a licensed health care provider acting
49.7 within the scope of the provider's practice. The student's needs and the special education
49.8 instruction and services to be provided must be agreed upon through the development of
49.9 an individualized education program. The program must address the student's need to develop
49.10 skills to live and work as independently as possible within the community. The individualized
49.11 education program team must consider positive behavioral interventions, strategies, and
49.12 supports that address behavior needs for children. During grade 9, the program must address
49.13 the student's needs for transition from secondary services to postsecondary education and
49.14 training, employment, community participation, recreation, and leisure and home living. In
49.15 developing the program, districts must inform parents of the full range of transitional goals
49.16 and related services that should be considered. The program must include a statement of
49.17 the needed transition services, including a statement of the interagency responsibilities or
49.18 linkages or both before secondary services are concluded. If the individualized education
49.19 program meets the plan components in section 120B.125, the individualized education
49.20 program satisfies the requirement and no additional transition plan is needed;

49.21 (2) children with a disability under age five and their families are provided special
49.22 instruction and services appropriate to the child's level of functioning and needs;

49.23 (3) children with a disability and their parents or guardians are guaranteed procedural
49.24 safeguards and the right to participate in decisions involving identification, assessment
49.25 including assistive technology assessment, and educational placement of children with a
49.26 disability;

49.27 (4) eligibility and needs of children with a disability are determined by an initial
49.28 evaluation or reevaluation, which may be completed using existing data under United States
49.29 Code, title 20, section 33, et seq.;

49.30 (5) to the maximum extent appropriate, children with a disability, including those in
49.31 public or private institutions or other care facilities, are educated with children who are not
49.32 disabled, and that special classes, separate schooling, or other removal of children with a
49.33 disability from the regular educational environment occurs only when and to the extent that
49.34 the nature or severity of the disability is such that education in regular classes with the use
49.35 of supplementary services cannot be achieved satisfactorily;

50.1 (6) in accordance with recognized professional standards, testing and evaluation materials,
50.2 and procedures used for the purposes of classification and placement of children with a
50.3 disability are selected and administered so as not to be racially or culturally discriminatory;
50.4 and

50.5 (7) the rights of the child are protected when the parents or guardians are not known or
50.6 not available, or the child is a ward of the state.

50.7 **Subd. 2. Paraprofessionals.** ~~(e)~~ For all paraprofessionals employed to work in programs
50.8 whose role in part is to provide direct support to students with disabilities, the school board
50.9 in each district shall ensure that:

50.10 (1) before or beginning at the time of employment, each paraprofessional must develop
50.11 sufficient knowledge and skills in emergency procedures, building orientation, roles and
50.12 responsibilities, confidentiality, vulnerability, and reportability, among other things, to begin
50.13 meeting the needs, especially disability-specific and behavioral needs, of the students with
50.14 whom the paraprofessional works;

50.15 (2) within five days of beginning to work alone with an individual student with a
50.16 disability, the assigned paraprofessional must be either given paid time, or time during the
50.17 school day, to review a student's individualized education program or be briefed on the
50.18 student's specific needs by appropriate staff;

50.19 (3) annual training opportunities are required to enable the paraprofessional to continue
50.20 to further develop the knowledge and skills that are specific to the students with whom the
50.21 paraprofessional works, including understanding disabilities, the unique and individual
50.22 needs of each student according to the student's disability and how the disability affects the
50.23 student's education and behavior, following lesson plans, and implementing follow-up
50.24 instructional procedures and activities; and

50.25 (4) a districtwide process obligates each paraprofessional to work under the ongoing
50.26 direction of a licensed teacher and, where appropriate and possible, the supervision of a
50.27 school nurse.

50.28 **Subd. 3. Functional behavior assessment.** ~~(d)~~ A school district may conduct a functional
50.29 behavior assessment as defined in Minnesota Rules, part 3525.0210, subpart 22, as a
50.30 stand-alone evaluation without conducting a comprehensive evaluation of the student in
50.31 accordance with prior written notice provisions in section 125A.091, subdivision 3a. A
50.32 parent or guardian may request that a school district conduct a comprehensive evaluation
50.33 of the parent's or guardian's student.

51.1 Subd. 4. **Developmental adapted physical education assessment.** A school district
 51.2 may conduct an assessment for developmental adapted physical education, as defined in
 51.3 Minnesota Rules, part 3525.1352, as a stand-alone evaluation without conducting a
 51.4 comprehensive evaluation of the student in accordance with prior written notice provisions
 51.5 in section 125A.091, subdivision 3a. A parent or guardian may request that a school district
 51.6 conduct a comprehensive evaluation of the parent's or guardian's student.

51.7 **EFFECTIVE DATE.** This section is effective July 1, 2024.

51.8 Sec. 3. Minnesota Statutes 2022, section 125A.27, subdivision 8, is amended to read:

51.9 Subd. 8. **Eligibility for Part C.** "Eligibility for Part C" means eligibility for infant and
 51.10 toddler intervention services under section 125A.02 and Minnesota Rules, part 3525.1350.

51.11 Sec. 4. Minnesota Statutes 2022, section 125A.56, subdivision 1, is amended to read:

51.12 Subdivision 1. **Requirement.** (a) Before a pupil in kindergarten through grade 12 is
 51.13 referred for a special education evaluation, the district must conduct and document at least
 51.14 two instructional strategies, alternatives, or interventions using a system of scientific,
 51.15 research-based instruction and intervention in academics or behavior, based on the pupil's
 51.16 needs, while the pupil is in the regular classroom. The pupil's teacher must document the
 51.17 results. A special education evaluation team may waive this requirement when it determines
 51.18 the pupil's need for the evaluation is urgent. This section may not be used to deny a pupil's
 51.19 right to a special education evaluation.

51.20 (b) A school district shall use alternative intervention services, including the assurance
 51.21 of mastery program under section 124D.66, or an early intervening services program under
 51.22 subdivision 2 to serve at-risk pupils who demonstrate a need for alternative instructional
 51.23 strategies or interventions.

51.24 (c) A student identified as being unable to read at grade level under section 120B.12,
 51.25 subdivision 2, paragraph (a), must be provided with alternate instruction under this
 51.26 subdivision that is multisensory, systematic, sequential, cumulative, and explicit.

51.27 Sec. 5. **SPECIAL EDUCATION LICENSURE RECIPROCITY WORKING GROUP.**

51.28 Subdivision 1. **Working group established.** The Professional Educator Licensing and
 51.29 Standards Board must establish a working group on special education licensure reciprocity.

51.30 Subd. 2. **Members.** (a) The board must consult with the organizations identified in
 51.31 paragraph (b) before naming appointed members to the working group.

52.1 (b) By October 1, 2024, the board must appoint the following members to the working
 52.2 group:

52.3 (1) the executive director of the board or the executive director's designee;

52.4 (2) one representative from the board;

52.5 (3) two representatives from Minnesota Administrators for Special Education, consisting
 52.6 of one member from the seven-county metropolitan area and one member from outside the
 52.7 metropolitan area;

52.8 (4) two representatives from the Minnesota Association of School Administrators,
 52.9 consisting of one member from the seven-county metropolitan area and one member from
 52.10 outside the metropolitan area;

52.11 (5) two representatives from the Minnesota School Boards Association, consisting of
 52.12 one member from the seven-county metropolitan area and one member from outside the
 52.13 metropolitan area;

52.14 (6) two representatives from Education Minnesota, consisting of one member from the
 52.15 seven-county metropolitan area and one member from outside the metropolitan area;

52.16 (7) four licensed special education teachers, consisting of two members from the
 52.17 seven-county metropolitan area and two members from outside the metropolitan area;

52.18 (8) two representatives from the Minnesota Association of Colleges for Teacher
 52.19 Education; and

52.20 (9) two representatives from alternative teacher preparation programs.

52.21 Subd. 3. **Duties.** The working group must meet on a regular basis and review current
 52.22 statutory and rule requirements for persons with a special education license from another
 52.23 state to qualify for a special education license in Minnesota, and make recommendations
 52.24 on statutory or rule changes necessary to streamline requirements for out-of-state applicants.
 52.25 The working group must submit its recommendations to the board for consideration for
 52.26 inclusion in the board's legislative priorities, and by February 1, 2025, must submit a report
 52.27 to the legislative committees with jurisdiction over kindergarten through grade 12 education.

52.28 Subd. 4. **Administrative provisions.** (a) The executive director of the board, or the
 52.29 director's designee, must convene the initial meeting of the working group. Upon request
 52.30 of the working group, the board must provide meeting space and administrative services
 52.31 for the group.

52.32 (b) Members of the working group serve without compensation or payment of expenses.

53.1 (c) The working group expires February 1, 2025, or upon submission of the report to
 53.2 the legislature required under subdivision 3, whichever is earlier.

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

53.4 **ARTICLE 6**

53.5 **CHARTER SCHOOLS**

53.6 Section 1. Minnesota Statutes 2022, section 124E.01, subdivision 1, is amended to read:

53.7 Subdivision 1. **Purposes.** (a) The primary purpose of mission-driven charter schools is
 53.8 to improve all-pupil the learning and-all-student, achievement, and success of all students.
 53.9 ~~Additional purposes include to~~ The additional purposes of charter schools are to:

53.10 (1) increase quality learning opportunities for all pupils students;

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

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

53.14 (4) establish new forms of accountability for schools; or

53.15 (5) create new professional opportunities for teachers, including the opportunity to be
 53.16 responsible for the learning program at the school site.

53.17 (b) A charter school must identify the purposes it will address in the charter contract
 53.18 and document the implementation of those purposes in the school's annual report.

53.19 Documentation of the implementation of those purposes shall be a component of the
 53.20 authorizer's performance review of the school.

53.21 Sec. 2. Minnesota Statutes 2023 Supplement, section 124E.02, is amended to read:

53.22 **124E.02 DEFINITIONS.**

53.23 (a) For purposes of this chapter, the terms defined in this section have the meanings
 53.24 given them.

53.25 (b) "Affidavit" means a written statement the authorizer submits to the commissioner
 53.26 for approval to establish a charter school under section 124E.06, subdivision 4, attesting to
 53.27 its review and approval process before chartering a school.

53.28 (c) "Affiliate" means a person that directly or indirectly, through one or more
 53.29 intermediaries, controls, is controlled by, or is under common control with another person.

54.1 (d) "Charter management organization" or "CMO" means ~~any~~ a nonprofit or for-profit
 54.2 entity or organization that contracts with a charter school board of directors to provide,
 54.3 manage, or oversee operates or manages a charter school or a network of charter schools
 54.4 or can control all or substantially all of a school's education program or a school's
 54.5 administrative, financial, business, or operational functions.

54.6 (e) "Control" means the ability to affect the management, operations, or policy actions
 54.7 or decisions of a person, whether by owning voting securities, by contract, or otherwise.

54.8 (f) "Educational management organization" or "EMO" means a ~~nonprofit or for-profit~~
 54.9 entity or organization that provides, manages or oversees operates or manages a charter
 54.10 school or a network of charter schools or can control all or substantially all of ~~the~~ a school's
 54.11 education program, or the a school's administrative, financial, business, or operational
 54.12 functions.

54.13 (g) "Immediate family" means ~~an individual whose~~ any relationship by blood, marriage,
 54.14 adoption, or partnership is ~~no more remote than first cousin~~ of spouses, parents, grandparents,
 54.15 siblings, children, first cousins, aunts, uncles, grandchildren, nieces, and nephews.

54.16 (h) "Market need and demand study" means a study that includes the following for the
 54.17 proposed locations of the school or additional site:

54.18 (1) current and projected demographic information;

54.19 (2) student enrollment patterns;

54.20 (3) information on existing schools and types of educational programs currently available;

54.21 (4) characteristics of proposed students and families;

54.22 (5) availability of properly zoned and classified facilities; and

54.23 (6) quantification of existing demand for the school or site.

54.24 (i) "Person" means an individual or entity of any kind.

54.25 (j) "Related party" means an affiliate or immediate relative of the other interested party,
 54.26 an affiliate of an immediate relative who is the other interested party, or an immediate
 54.27 relative of an affiliate who is the other interested party.

54.28 (k) For purposes of this chapter, the terms defined in section 120A.05 have the same
 54.29 meanings.

55.1 Sec. 3. Minnesota Statutes 2023 Supplement, section 124E.03, subdivision 2, is amended
55.2 to read:

55.3 Subd. 2. **Certain federal, state, and local requirements.** (a) A charter school shall
55.4 meet all federal, state, and local health and safety requirements applicable to school districts.

55.5 (b) A school must comply with statewide accountability requirements governing standards
55.6 and assessments in chapter 120B.

55.7 (c) A charter school must comply with the Minnesota Public School Fee Law, sections
55.8 123B.34 to 123B.39.

55.9 (d) A charter school is a district for the purposes of tort liability under chapter 466.

55.10 (e) A charter school must comply with the Pledge of Allegiance requirement under
55.11 section 121A.11, subdivision 3.

55.12 (f) A charter school and charter school board of directors must comply with chapter 181
55.13 governing requirements for employment.

55.14 (g) A charter school must comply with continuing truant notification under section
55.15 260A.03.

55.16 (h) A charter school must develop and implement a teacher evaluation and peer review
55.17 process under section 122A.40, subdivision 8, paragraph (b), clauses (2) to (13), and place
55.18 students in classrooms in accordance with section 122A.40, subdivision 8, paragraph (d).
55.19 The teacher evaluation process in this paragraph does not create any additional employment
55.20 rights for teachers.

55.21 (i) A charter school must adopt a ~~policy~~, plan, budget, and process, consistent with
55.22 section 120B.11, to review curriculum, instruction, and student achievement and strive for
55.23 the world's best workforce.

55.24 (j) A charter school is subject to and must comply with the Pupil Fair Dismissal Act,
55.25 sections 121A.40 to 121A.56 and 121A.575, 121A.60, 121A.61, and 121A.65.

55.26 Sec. 4. Minnesota Statutes 2022, section 124E.05, subdivision 2, is amended to read:

55.27 Subd. 2. **Roles, responsibilities, and requirements for of authorizers.** ~~The authorizer~~
55.28 ~~must participate in department-approved training.~~ (a) The role of an authorizer is to ensure
55.29 that any school it authorizes has the autonomy to which the school is entitled, fulfills the
55.30 purposes of a charter school, and is accountable to the agreed upon terms of the charter
55.31 school contract in order to safeguard quality educational opportunities for students and
55.32 maintain public trust and confidence.

56.1 (b) An authorizer has the following responsibilities:

56.2 (1) to review applications for new schools, to make ready-to-open determinations for
 56.3 new schools, to review applications for grade and site expansions, to review applications
 56.4 for change in authorizers, and to determine whether to approve or deny an application based
 56.5 on the authorizer's approved criteria;

56.6 (2) to negotiate and execute the performance charter contracts with the schools it
 56.7 authorizes;

56.8 (3) to conduct ongoing monitoring, oversight, and evaluation of the school's academic,
 56.9 operational, and financial performance during the term of the charter contract;

56.10 (4) to evaluate the academic, operational, and financial performance of the school as
 56.11 defined in the charter contract prior to the end of the contract to determine the renewal,
 56.12 nonrenewal, or termination of the contract; and

56.13 (5) to comply with authorizer requirements in chapter 124E.

56.14 (c) The commissioner shall not require an authorizer to undertake any role or
 56.15 responsibility beyond those in statute or the charter contract, or perform any function that
 56.16 the department or other government agency exercises in relation to a public school, school
 56.17 board, or school district.

56.18 (d) The authorizer shall document in the authorizer annual report under section 124E.16,
 56.19 subdivision 2, paragraph (b), the annual successful completion of training of its staff members
 56.20 during the previous year relative to chartering and an authorizer's role and responsibilities.

56.21 (e) The authorizer must participate in department-approved training.

56.22 Sec. 5. Minnesota Statutes 2022, section 124E.05, subdivision 3, is amended to read:

56.23 Subd. 3. **Application process.** (a) An eligible ~~authorizer~~ organization under this section
 56.24 must apply to the commissioner for approval as an authorizer before submitting any affidavit
 56.25 to the commissioner to charter a school. The application for approval as a charter school
 56.26 authorizer must show the applicant's ability to implement the procedures and satisfy the
 56.27 criteria for chartering a school under this chapter. The commissioner must approve or
 56.28 disapprove the application within 45 business days of the deadline for that application
 56.29 period. If the commissioner disapproves the application, the commissioner must notify the
 56.30 applicant of the specific deficiencies in writing and the applicant then has 20 business days
 56.31 to address the deficiencies to the commissioner's satisfaction. After the 20 business days
 56.32 expire, the commissioner has 15 business days to make a final decision to approve or

57.1 disapprove the application. Failing to address the deficiencies to the commissioner's
 57.2 satisfaction makes an applicant ineligible to be an authorizer. The commissioner, in
 57.3 establishing criteria to approve an authorizer, consistent with subdivision 4, must consider
 57.4 the applicant's:

57.5 (1) infrastructure and capacity to serve as an authorizer;

57.6 (2) application criteria and process;

57.7 (3) contracting process;

57.8 (4) ongoing oversight and evaluation processes; and

57.9 (5) renewal criteria and processes.

57.10 (b) A disapproved applicant under this section may resubmit an application during a
 57.11 future application period.

57.12 Sec. 6. Minnesota Statutes 2022, section 124E.05, subdivision 5, is amended to read:

57.13 Subd. 5. **Review by commissioner.** (a) The commissioner shall review an authorizer's
 57.14 performance every five years in a manner and form determined by the commissioner, subject
 57.15 to paragraphs (b) and (c), and may review an authorizer's performance more frequently at
 57.16 the commissioner's own initiative or at the request of a charter school ~~operator~~ chief
 57.17 administrator, charter school board ~~member~~ of directors, or other interested party. The
 57.18 commissioner, after completing the review, shall transmit a report with findings to the
 57.19 authorizer and the schools authorized by the authorizer.

57.20 (b) Consistent with this subdivision, the commissioner must:

57.21 ~~(1) use criteria appropriate to the authorizer and the schools it charters to review the~~
 57.22 ~~authorizer's performance; and~~

57.23 ~~(2) consult with authorizers, charter school operators, and other charter school~~
 57.24 ~~stakeholders in developing review criteria under this paragraph.~~

57.25 ~~(c) The commissioner's form must use existing department data on the authorizer to~~
 57.26 ~~minimize duplicate reporting to the extent practicable. When reviewing an authorizer's~~
 57.27 ~~performance under this subdivision, the commissioner must not:~~

57.28 ~~(1) fail to credit;~~

57.29 ~~(2) withhold points; or~~

57.30 ~~(3) otherwise penalize an authorizer for failing to charter additional schools or for the~~
 57.31 ~~absence of complaints against the authorizer's current portfolio of charter schools.~~

58.1 (1) develop the criteria and process of the performance review system in consultation
 58.2 with authorizers, school administrators, charter school boards of directors, and other charter
 58.3 school stakeholders;

58.4 (2) notwithstanding any updates to comply with state or federal law or to make technical
 58.5 corrections, publish the authorizer performance review criteria and process at least 12 months
 58.6 before any change or process takes effect;

58.7 (3) base the performance review system on the authorizer's role and responsibilities in
 58.8 sections 124E.05, subdivision 2, and 124E.10;

58.9 (4) evaluate the authorizer's performance on adherence and implementation of the
 58.10 authorizer's approved policies, procedures, and processes that are subject to section 124E.05,
 58.11 subdivision 5, paragraph (b); and

58.12 (5) include input from the authorizer, charter school administrators, and charter school
 58.13 boards of directors.

58.14 (c) The commissioner's form must use existing department data on the authorizer to
 58.15 minimize duplicate reporting to the extent practicable.

58.16 (d) Consistent with this subdivision the commissioner must not:

58.17 (1) penalize in any way an authorizer for not chartering additional schools or the absence
 58.18 of complaints against an authorizer or an authorizer's portfolio of schools; or

58.19 (2) penalize an authorizer for not undertaking any role or responsibilities beyond those
 58.20 defined in the authorizer's approved policies, procedures or processes, the charter contract,
 58.21 or this section.

58.22 Sec. 7. Minnesota Statutes 2023 Supplement, section 124E.06, subdivision 1, is amended
 58.23 to read:

58.24 Subdivision 1. **Individuals eligible to organize.** (a) An authorizer, after receiving an
 58.25 application from a charter school developer, may charter either a licensed teacher under
 58.26 section 122A.18, subdivision 1, or a group of individuals that includes one or more licensed
 58.27 teachers under section 122A.18, subdivision 1, to operate a school subject to the
 58.28 commissioner's approval of the authorizer's affidavit under subdivision 4.

58.29 (b) "Application" under this section means the charter school business plan a charter
 58.30 school developer submits to an authorizer for approval to establish a charter school. This
 58.31 application must include:

58.32 (1) the proposed school's:

- 59.1 (i) mission and vision statements;
- 59.2 (ii) purposes and goals;
- 59.3 (iii) educational program design and how the program will improve student learning,
- 59.4 success, and achievement;
- 59.5 (iv) plan to address the social and emotional learning needs of students and student
- 59.6 support services;
- 59.7 (v) plan to provide special education management and services;
- 59.8 (vi) plan for staffing the school with appropriately qualified and licensed personnel;
- 59.9 (vii) financial plan;
- 59.10 (viii) governance and management structure and plan;
- 59.11 (ix) market need and demand study; and

59.12 (x) plan for ongoing outreach and dissemination of information about the school's

59.13 offerings and enrollment procedure to families that reflect the diversity of Minnesota's

59.14 population and targeted groups under section 124E.17, subdivision 1, paragraph (a);

59.15 (2) the school developer's experience and background, including criminal history and

59.16 bankruptcy background checks; and

59.17 (3) any other information the authorizer requests; ~~and~~.

59.18 ~~(4) a "statement of assurances" of legal compliance prescribed by the commissioner.~~

59.19 (c) An authorizer shall not approve an application submitted by a charter school developer

59.20 under paragraph (a) if the application does not comply with subdivision 3, paragraph (e),

59.21 and section 124E.01, subdivision 1. The commissioner shall not approve an affidavit

59.22 submitted by an authorizer under subdivision 4 if the affidavit does not comply with

59.23 subdivision 3, paragraph (e), and section 124E.01, subdivision 1.

59.24 Sec. 8. Minnesota Statutes 2023 Supplement, section 124E.06, subdivision 4, is amended

59.25 to read:

59.26 **Subd. 4. Authorizer's affidavit; approval process.** (a) Before an operator may establish

59.27 and operate a school, the authorizer must file an affidavit with the commissioner stating its

59.28 intent to charter a school. An authorizer must file a separate affidavit for each school it

59.29 intends to charter. An authorizer must file an affidavit at least 14 months before July 1 of

59.30 the year the new charter school plans to serve students. The affidavit must state:

60.1 ~~(1) the terms and conditions under which the authorizer would charter a school, including~~
 60.2 ~~a market need and demand study; and,~~

60.3 ~~(2) how the authorizer intends to oversee:~~

60.4 ~~(i) the fiscal and student performance of the charter school; and~~

60.5 ~~(ii) compliance with the terms of the written contract between the authorizer and the~~
 60.6 ~~charter school board of directors under section 124E.10, subdivision 1.~~

60.7 (b) The commissioner must approve or disapprove the authorizer's affidavit within 60
 60.8 business days of receiving the affidavit. If the commissioner disapproves the affidavit, the
 60.9 commissioner shall notify the authorizer of the deficiencies in the affidavit and the authorizer
 60.10 then has 20 business days to address the deficiencies. The commissioner must notify the
 60.11 authorizer of the commissioner's final approval or final disapproval within 15 business days
 60.12 after receiving the authorizer's response to the deficiencies in the affidavit. If the authorizer
 60.13 does not address deficiencies to the commissioner's satisfaction, the commissioner's
 60.14 disapproval is final. An authorizer who fails to obtain the commissioner's approval is
 60.15 precluded from chartering the school that is the subject of this affidavit.

60.16 (c) The grades and number of primary enrollment sites in an approved affidavit may
 60.17 only be modified under subdivision 5.

60.18 Sec. 9. Minnesota Statutes 2023 Supplement, section 124E.06, subdivision 5, is amended
 60.19 to read:

60.20 Subd. 5. **Adding grades or sites.** (a) A charter school may apply to the authorizer to
 60.21 amend the school charter to add grades or primary enrollment sites beyond those defined
 60.22 in the original affidavit approved by the commissioner. After approving the school's
 60.23 application, the authorizer shall submit a supplemental affidavit in the form and manner
 60.24 prescribed by the commissioner. The authorizer must file a supplemental affidavit to the
 60.25 commissioner by October 1 to be eligible to add grades or sites in the next school year. The
 60.26 supplemental affidavit must document ~~to the authorizer's satisfaction:~~

60.27 ~~(1) the need for the additional grades or sites with supporting long-range enrollment~~
 60.28 ~~projections~~ for site expansion, a market need and demand study with long-range enrollment
 60.29 projections;

60.30 ~~(2) a longitudinal record of student academic performance and growth on statewide~~
 60.31 ~~assessments under chapter 120B or on other academic assessments that measure longitudinal~~
 60.32 ~~student performance and growth approved by the charter school's board of directors and~~

61.1 ~~agreed upon with the authorizer~~ for grade expansion, the need for the additional grades with
 61.2 supporting long-range enrollment projections;

61.3 ~~(3) a history of sound school finances and a plan to add grades or sites that sustains the~~
 61.4 ~~school's finances~~ a longitudinal record of at least three years of student academic proficiency
 61.5 and growth on statewide assessments under chapter 120B or on other academic assessments
 61.6 that measure for at least three years longitudinal student proficiency and growth approved
 61.7 by the charter school's board of directors and agreed upon with the authorizer;

61.8 ~~(4) board capacity to administer and manage the additional grades or sites~~ at least three
 61.9 years of sound school finances and a plan to add grades or sites that sustains the school's
 61.10 finances; and

61.11 ~~(5) for site expansion, a market need and demand study~~ board capacity to administer
 61.12 and manage the additional grades or sites.

61.13 (b) The commissioner shall have 30 business days to review and comment on the
 61.14 supplemental affidavit. The commissioner shall notify the authorizer in writing of any
 61.15 deficiencies in the supplemental affidavit and the authorizer then has 20 business days to
 61.16 address any deficiencies in the supplemental affidavit to the commissioner's satisfaction.
 61.17 The commissioner must notify the authorizer of final approval or final disapproval within
 61.18 15 business days after receiving the authorizer's response to the deficiencies in the affidavit.
 61.19 The school may not add grades or sites until the commissioner has approved the supplemental
 61.20 affidavit. The commissioner's approval or disapproval of a supplemental affidavit is final.

61.21 Sec. 10. Minnesota Statutes 2022, section 124E.07, is amended to read:

61.22 **124E.07 BOARD OF DIRECTORS.**

61.23 Subdivision 1. **Initial board of directors.** Before entering into a contract or other
 61.24 agreement for professional or other services, goods, or facilities, the operators authorized
 61.25 to organize and operate a school must establish a board of directors composed of at least
 61.26 five members ~~who are not related parties.~~ The initial board members must not be related
 61.27 parties. The initial board continues to serve until a timely election for members of the
 61.28 ongoing charter school board of directors is held according to the school's articles and
 61.29 bylaws under subdivision 4. The initial board of directors and school developers must
 61.30 comply with the training requirements in subdivision 7 upon the incorporation of the school.

61.31 Subd. 2. **Ongoing board of directors.** ~~The ongoing board must be elected before the~~
 61.32 ~~school completes its third year of operation.~~ The board must begin the transition to the
 61.33 ongoing board structure by the end of the first year of operation and complete the transition

62.1 by the end of the second year of operation. The terms of board members shall begin on July
 62.2 1. Terms shall be no less than two years. The bylaws shall set the number of terms an
 62.3 individual may serve on the board and as an officer of the board. Board elections must be
 62.4 held during the school year but may not be conducted on days when the school is closed.

62.5 Subd. 3. **Membership criteria.** (a) The ongoing charter school board of directors shall
 62.6 have at least five ~~nonrelated~~ members ~~and include~~. The board members must not be related
 62.7 parties. The ongoing board shall include:

62.8 (1) at least one licensed teacher ~~who is employed as a teacher at the school or provides~~
 62.9 ~~instruction under contract between the charter school and a cooperative~~ of record under
 62.10 Minnesota Rules, part 8710.0310. A licensed teacher who serves on a charter school board
 62.11 is an individual who holds a valid teaching license issued by the Professional Educator
 62.12 Licensing and Standards Board (PELSB), is employed by the school or contracted between
 62.13 the charter school or a teacher cooperative for at least 720 hours in a school calendar year,
 62.14 serves as a teacher of record, and provides instruction to students in the areas for which
 62.15 they are approved by PELSB; or a PELSB licensed school psychologist, social worker,
 62.16 librarian, pathologist, nurse, counselor, or other school professional under Minnesota Rules,
 62.17 parts 8710.5900 to 8710.6400, who provides the services for students for which they are
 62.18 licensed. A board member eligible under this clause does not include any individual who
 62.19 serves the charter school in an administrative or supervisory capacity for more than 240
 62.20 hours in a school calendar year;

62.21 (2) at least one parent or legal guardian of a student enrolled in the charter school, ~~who~~
 62.22 ~~is not~~ A parent or guardian who serves on the charter board must not be an employee of the
 62.23 charter school; and

62.24 (3) at least one interested community member, ~~who resides in Minnesota, is not employed~~
 62.25 ~~by the charter~~ An interested community member who serves on the charter school board
 62.26 must reside in Minnesota, cannot be employed by the charter school, and must not have a
 62.27 child enrolled in the charter school school, and does not have a child enrolled in the school.
 62.28 The board structure must be defined in the bylaws. The board structure may include (i) be
 62.29 a majority of teachers under this paragraph or, (ii) be a majority of parents or, (iii) be a
 62.30 majority of community members, or it may (iv) have no clear majority. The chief financial
 62.31 ~~officer and the chief administrator may only serve as an~~ ex-officio nonvoting board members
 62.32 member. No charter school employees shall serve on the board other than teachers under
 62.33 clause (1). Contractors providing facilities, goods, or services to a charter school shall not
 62.34 serve on the board of directors of the charter school.

63.1 (b) An individual is prohibited from serving as a member of the charter school board of
 63.2 directors if: (1) the individual, an immediate family member, or the individual's partner is
 63.3 a full or part owner or principal with a for-profit or nonprofit entity or independent contractor
 63.4 with whom the charter school contracts, directly or indirectly, for professional services,
 63.5 goods, or facilities; or (2) an immediate family member is an employee of the school. An
 63.6 individual may serve as a member of the board of directors if no conflict of interest exists
 63.7 under this paragraph, consistent with this section. An individual is prohibited from serving
 63.8 on more than one charter school board at the same time in either an elected or ex-officio
 63.9 capacity.

63.10 (c) A violation of paragraph (b) renders a contract voidable at the option of the
 63.11 commissioner or the charter school board of directors. A member of a charter school board
 63.12 of directors who violates paragraph (b) is individually liable to the charter school for any
 63.13 damage caused by the violation.

63.14 (d) Any employee, agent, contractor, or board member of the authorizer who participates
 63.15 in initially reviewing, approving, overseeing, evaluating, renewing, or not renewing the
 63.16 charter school is ineligible to serve on the board of directors of a school chartered by that
 63.17 authorizer.

63.18 (e) A charter school must disclose to the commissioner and its authorizer if a board
 63.19 member, including an ex-officio nonvoting board member, is serving on multiple charter
 63.20 school boards or committees of other charter school boards. The board member has an
 63.21 affirmative duty to inform each school board of every school board where the board member
 63.22 is a director or ex-officio member.

63.23 Subd. 4. **Board structure.** Board bylaws shall outline the process and procedures for
 63.24 changing the board's governance structure, consistent with chapter 317A. A board may
 63.25 change its governance structure only:

63.26 (1) by a majority vote of the board of directors ~~and a majority vote of the licensed teachers~~
 63.27 ~~employed by the school as teachers, including licensed teachers providing instruction under~~
 63.28 ~~a contract between the school and a cooperative; and~~

63.29 (2) by a majority vote of the licensed teachers employed by the school as teachers who
 63.30 provide instruction to students, including licensed teachers providing instruction under a
 63.31 contract between the school and a cooperative; and

63.32 ~~(2)~~ (3) with the authorizer's approval.

64.1 Any change in board governance structure must conform with the board composition
64.2 established under this section.

64.3 Subd. 5. ~~Eligible voters~~ **Board elections.** (a) Staff members employed at the school,
64.4 including teachers providing instruction under a contract with a cooperative, members of
64.5 the board of directors, and all parents or legal guardians of children enrolled in the school
64.6 are the voters eligible to elect the members of the school's board of directors. ~~A charter~~
64.7 ~~school must notify eligible voters of the school board election dates at least 30 days before~~
64.8 ~~the election.~~

64.9 (b) The board of directors must establish and publish election policies and procedures
64.10 on the school's website.

64.11 (c) The board of directors must notify eligible voters of the school board election dates
64.12 and voting procedures at least 30 calendar days before the election and post this information
64.13 on the school's website.

64.14 (d) The board of directors must notify eligible voters of the candidates' names,
64.15 biographies, and candidate statements at least ten calendar days before the election and post
64.16 this information on the school's website.

64.17 Subd. 6. **Duties.** (a) The board of directors also shall decide and is responsible for all
64.18 decision making on policy matters related to operating the school, including budgeting,
64.19 curriculum programming, personnel, and operating procedures. ~~The board shall adopt a~~
64.20 ~~nepotism policy.~~ The board shall must adopt personnel evaluation policies and practices
64.21 that, at a minimum:

64.22 (1) carry out the school's mission and goals;

64.23 (2) evaluate how charter contract goals and commitments are executed;

64.24 (3) evaluate student achievement, postsecondary and workforce readiness, and student
64.25 engagement and connection goals;

64.26 (4) establish a teacher evaluation process under section 124E.03, subdivision 2, paragraph
64.27 (h); and

64.28 (5) provide professional development related to the individual's job responsibilities.

64.29 (b) The board must adopt a nepotism policy that prohibits the employment of immediate
64.30 family members of a board member, a school employee, or a teacher who provides instruction
64.31 under a contract between the charter school and a cooperative. The board may waive this
64.32 policy if: (1) the position is publicly posted for 20 business days; and (2) a two-thirds

65.1 majority of the remaining board of directors vote to approve the hiring. A board member,
 65.2 school employee, or teacher under contract with a cooperative must not be involved in an
 65.3 interview, selection process, hiring, supervision, or evaluation of an employee who is an
 65.4 immediate family member.

65.5 Subd. 7. **Training.** ~~Every charter school board member shall attend annual training~~
 65.6 ~~throughout the member's term. All new board members shall attend initial training on the~~
 65.7 ~~board's role and responsibilities, employment policies and practices, and financial~~
 65.8 ~~management. A new board member who does not begin the required initial training within~~
 65.9 ~~six months after being seated and complete that training within 12 months after being seated~~
 65.10 ~~is automatically ineligible to continue to serve as a board member. The school shall include~~
 65.11 ~~in its annual report the training each board member attended during the previous year.~~

65.12 (a) Every charter school board member and nonvoting ex-officio member who is a charter
 65.13 school director or chief administrator must attend board training.

65.14 (b) Prior to beginning their term, a new board member must complete training on a
 65.15 charter school board's role and responsibilities, open meeting law, and data practices law.
 65.16 An ex-officio member, who is a charter school director or chief administrator, must complete
 65.17 this training within three months of starting employment at the school.

65.18 (c) A new board member must complete training on employment policies and practices
 65.19 under chapter 181; public school funding and financial management; and the board's roles
 65.20 and responsibilities regarding student success, achievement, and performance within 12
 65.21 months of being seated on the board or the individual is automatically ineligible to continue
 65.22 to serve as a board member. A board member who does not complete training within the
 65.23 12-month period is ineligible to be elected or appointed to a charter school board for a period
 65.24 of 18 months.

65.25 (d) Every charter school board member must complete annual training throughout the
 65.26 member's term based on an annual assessment of the training needs of individual members
 65.27 and the full board. Ongoing training includes but is not limited to budgeting, financial
 65.28 management, recruiting and hiring a charter school director or chief administrator, evaluating
 65.29 a charter school director or chief administrator, governance-management relationships,
 65.30 student support services, the Pupil Fair Dismissal Act, state standards, cultural diversity,
 65.31 succession planning, strategic planning, program oversight and evaluation, compensation
 65.32 systems, human resources policies, effective parent and community relationships, authorizer
 65.33 contract and relationships, charter school law, legal liability, board recruitment and elections,

66.1 board meetings and operations, policy development and review, and school health and
 66.2 safety.

66.3 (e) The organization or person providing training under paragraphs (b), (c), and (d) must
 66.4 certify the individual's completion of the training provided.

66.5 (f) The charter school is responsible for covering the costs related to board training. The
 66.6 charter school must include in its annual report the board member training completed during
 66.7 the previous year.

66.8 (g) The board must ensure that an annual assessment of the board's performance is
 66.9 conducted and the results are reported in the school's annual report.

66.10 **Subd. 8. Meetings and information.** (a) Board of director meetings must comply with
 66.11 chapter 13D governing open meetings.

66.12 (b) A charter school shall publish and maintain on the school's official website: (1) the
 66.13 meeting minutes of the board of directors and of members and committees having
 66.14 board-delegated authority, within 30 calendar days following the earlier of the date of board
 66.15 approval or the next regularly scheduled meeting, and for at least 365 days from the date
 66.16 of publication; (2) directory information for the board of directors and for the members of
 66.17 committees having board-delegated authority; and (3) identifying and contact information
 66.18 for the school's authorizer.

66.19 (c) A charter school must include identifying and contact information for the school's
 66.20 authorizer in other school materials it makes available to the public.

66.21 **Sec. 11. Minnesota Statutes 2022, section 124E.10, subdivision 2, is amended to read:**

66.22 **Subd. 2. Limits on charter school agreements.** (a) A school must disclose to the
 66.23 commissioner any potential contract, lease, or purchase of service from ~~an~~ the school's
 66.24 authorizer or a board member, employee, contractor, volunteer, or agent of the school's
 66.25 authorizer. The contract, lease, or purchase must be accepted through an open bidding
 66.26 process and be separate from the charter contract. The school must document the open
 66.27 bidding process. An authorizer must not enter into a contract to provide management and
 66.28 financial services to a school it authorizes, unless the school documents receiving at least
 66.29 two competitive bids. This paragraph does not apply to a charter school or an authorizer
 66.30 when contracting for legal services from a lawyer that provides professional services to the
 66.31 charter school or authorizer and who is subject to the Minnesota Rules of Professional
 66.32 Conduct.

66.33 (b) An authorizer must not condition granting or renewing a charter on:

67.1 (1) the charter school being required to contract, lease, or purchase services from the
67.2 authorizer; or

67.3 (2) the bargaining unit status of school employees.

67.4 Sec. 12. Minnesota Statutes 2022, section 124E.10, subdivision 4, is amended to read:

67.5 Subd. 4. **Causes for nonrenewal or termination of charter school contract.** (a) The
67.6 duration of the contract with an authorizer must be for the term contained in the contract
67.7 according to subdivision 1, paragraph (a). The authorizer may or may not renew a contract
67.8 at the end of the term for any ground listed in paragraph (b). An authorizer may unilaterally
67.9 terminate a contract during the term of the contract for any ground listed in paragraph (b).
67.10 At least 60 business days before not renewing or terminating a contract, the authorizer shall
67.11 notify the board of directors of the charter school of the proposed action in writing. The
67.12 notice shall state the grounds for the proposed action in reasonable detail and describe the
67.13 informal hearing process, consistent with this paragraph. The charter school's board of
67.14 directors may request in writing an informal hearing before the authorizer within 15 business
67.15 days after receiving notice of nonrenewal or termination of the contract. Failure by the board
67.16 of directors to make a written request for an informal hearing within the 15-business-day
67.17 period shall be treated as acquiescence to the proposed action. Upon receiving a timely
67.18 written request for a hearing, the authorizer shall give ten business days' notice to the charter
67.19 school's board of directors of the hearing date. The hearing shall be recorded by audio
67.20 recording, video recording, or a court reporter. The recording shall be preserved for three
67.21 years and shall be made available to the public. The authorizer shall conduct an informal
67.22 hearing before taking final action. The authorizer shall take final action to renew or not
67.23 renew a contract no later than 20 business days before the proposed date for terminating
67.24 the contract or the end date of the contract.

67.25 (b) An authorizer may terminate or not renew a contract upon any of the following
67.26 grounds:

67.27 (1) failure to demonstrate satisfactory academic achievement for all students, including
67.28 the requirements for pupil performance contained in the contract;

67.29 (2) failure to meet generally accepted standards of fiscal management;

67.30 (3) violations of law; or

67.31 (4) other good cause shown.

67.32 If the authorizer terminates or does not renew a contract under this paragraph, the school
67.33 must be dissolved according to the applicable provisions of chapter 317A.

68.1 (c) The commissioner, after providing reasonable notice to the board of directors of a
68.2 charter school and the existing authorizer, and after providing an opportunity for a public
68.3 hearing, may terminate the existing contract between the authorizer and the charter school
68.4 board if the charter school has a history of:

68.5 (1) failure to meet pupil performance requirements, consistent with state law;

68.6 (2) financial mismanagement or failure to meet generally accepted standards of fiscal
68.7 management; or

68.8 (3) repeated or major violations of the law.

68.9 Sec. 13. Minnesota Statutes 2022, section 124E.10, subdivision 5, is amended to read:

68.10 Subd. 5. **Mutual nonrenewal.** If the authorizer and the ~~charter school~~ board of directors
68.11 of a charter school serving enrolled students mutually agree not to renew the contract, or if
68.12 the governing board of an approved authorizer votes to withdraw as an approved authorizer
68.13 for a reason unrelated to any cause under subdivision 4, a change in authorizers is allowed.
68.14 The authorizer and the school board must jointly submit a written and signed letter of their
68.15 intent to the commissioner to mutually not renew the contract. The authorizer that is a party
68.16 to the existing contract must inform the proposed authorizer about the fiscal, operational,
68.17 and student performance status of the school, including unmet contract outcomes and other
68.18 outstanding contractual obligations. The charter contract between the proposed authorizer
68.19 and the school must identify and provide a plan to address any outstanding obligations from
68.20 the previous contract. The proposed authorizer must submit the proposed contract at least
68.21 105 business days before the end of the existing charter contract. The commissioner has 30
68.22 business days to review and make a determination on the change in authorizer. The proposed
68.23 authorizer and the school have 15 business days to respond to the determination and address
68.24 any issues identified by the commissioner. The commissioner must make a final
68.25 determination no later than 45 business days before the end of the current charter contract.
68.26 If the commissioner does not approve a change in authorizer, the school and the current
68.27 authorizer may withdraw their letter of nonrenewal and enter into a new contract. If the
68.28 commissioner does not approve a change in authorizer and the current authorizer and the
68.29 school do not withdraw their letter and enter into a new contract, the school must be dissolved
68.30 according to applicable law and the terms of the contract.

69.1 Sec. 14. Minnesota Statutes 2023 Supplement, section 124E.11, is amended to read:

69.2 **124E.11 ADMISSION REQUIREMENTS AND ENROLLMENT.**

69.3 (a) A charter school, including its preschool or prekindergarten program established
69.4 under section 124E.06, subdivision 3, paragraph (b), may limit admission to:

69.5 (1) pupils within an age group or grade level;

69.6 (2) pupils who are eligible to participate in the graduation incentives program under
69.7 section 124D.68; or

69.8 (3) residents of a specific geographic area in which the school is located when the
69.9 majority of students served by the school are members of underserved populations.

69.10 (b) A charter school, including its preschool or prekindergarten program established
69.11 under section 124E.06, subdivision 3, paragraph (b), must enroll an eligible pupil who
69.12 submits a timely application, unless the number of applications exceeds the capacity of a
69.13 program, class, grade level, or building. In this case, pupils must be accepted by lot. The
69.14 charter school must develop and publish, including on its website, a lottery policy and
69.15 process that it must use when accepting pupils by lot.

69.16 (c) Admission to a charter school must be free to any eligible pupil who resides within
69.17 the state. A charter school must give enrollment preference to a Minnesota resident pupil
69.18 over pupils that do not reside in Minnesota. A charter school must require a pupil who does
69.19 not reside in Minnesota to annually apply to enroll in accordance with paragraphs (a) to (f).
69.20 A charter school must give enrollment preference to a sibling of an enrolled pupil and to a
69.21 foster child of that pupil's parents and may give preference for enrolling children of the
69.22 school's staff before accepting other pupils by lot. A staff member eligible for an enrollment
69.23 preference for their children must be an individual employed at the school whose employment
69.24 is stipulated in advance to total at least 480 hours in a school calendar year. A charter school
69.25 that is located in Duluth township in St. Louis County and admits students in kindergarten
69.26 through grade 6 must give enrollment preference to students residing within a five-mile
69.27 radius of the school and to the siblings of enrolled children.

69.28 (d) A person may not be admitted to a charter school: (1) as a kindergarten pupil, unless
69.29 the pupil is at least five years of age on September 1 of the calendar year in which the school
69.30 year for which the pupil seeks admission commences; or (2) as a first grade student, unless
69.31 the pupil is at least six years of age on September 1 of the calendar year in which the school
69.32 year for which the pupil seeks admission commences or has completed kindergarten; except
69.33 that a charter school may establish and publish on its website a policy for admission of

70.1 selected pupils at an earlier age, consistent with the enrollment process in paragraphs (b)
70.2 and (c).

70.3 (e) Except as permitted in paragraphs (d) and (i), a charter school, including its preschool
70.4 or prekindergarten program established under section 124E.06, subdivision 3, paragraph
70.5 (b), may not limit admission to pupils on the basis of intellectual ability, measures of
70.6 achievement or aptitude, or athletic ability and may not establish any criteria or requirements
70.7 for admission that are inconsistent with this section.

70.8 (f) The charter school or any agent of the school must not distribute any services or
70.9 goods, payments, or other incentives of value to students, parents, or guardians as an
70.10 inducement, term, or condition of enrolling a student in a charter school.

70.11 (g) Once a student who resides in Minnesota is enrolled in the school in kindergarten
70.12 through grade 12, or in the school's free preschool or prekindergarten program under section
70.13 124E.06, subdivision 3, paragraph (b), the student is considered enrolled in the school until
70.14 the student formally withdraws, the school receives a request for the transfer of educational
70.15 records from another school, the school receives a written election by the parent or legal
70.16 guardian of the student withdrawing the student, or the student is expelled under the Pupil
70.17 Fair Dismissal Act in sections 121A.40 to 121A.56.

70.18 (h) A charter school with at least 90 percent of enrolled students who are eligible for
70.19 special education services and have a primary disability of deaf or hard-of-hearing may
70.20 enroll prekindergarten pupils with a disability under section 126C.05, subdivision 1,
70.21 paragraph (a), and must comply with the federal Individuals with Disabilities Education
70.22 Act under Code of Federal Regulations, title 34, section 300.324, subsection (2), clause
70.23 (iv).

70.24 (i) A charter school serving at least 90 percent of enrolled students who are eligible for
70.25 special education services and have a primary disability of deaf, deafblind, or hard-of-hearing
70.26 may give enrollment preference to students who are eligible for special education services
70.27 and have a primary disability of deaf, deafblind, or hard-of-hearing. The charter school may
70.28 not limit admission based on the student's eligibility for additional special education services.

70.29 Sec. 15. Minnesota Statutes 2023 Supplement, section 124E.12, subdivision 1, is amended
70.30 to read:

70.31 Subdivision 1. **Teachers.** A charter school, excluding its preschool or prekindergarten
70.32 program established under section 124E.06, subdivision 3, must employ or contract with
70.33 necessary teachers, as defined by section 122A.06, subdivision 2, or contract with a

71.1 cooperative formed under chapter 308A to provide necessary teachers, who hold valid
 71.2 licenses to perform the particular service for which they are employed in the school. A
 71.3 charter school may not contract with a CMO or EMO to provide necessary teachers. A
 71.4 charter school's preschool or prekindergarten program must employ or contract with teachers
 71.5 knowledgeable in early childhood curriculum content, assessment, native and English
 71.6 language programs, and instruction established under section 124E.06, subdivision 3. The
 71.7 commissioner may reduce the charter school's state aid under section 127A.43 if the school
 71.8 employs a teacher who is not appropriately licensed or approved by the Professional Educator
 71.9 Licensing and Standards Board. The school may employ necessary employees who are not
 71.10 required to hold teaching licenses to perform duties other than teaching and may contract
 71.11 for other services. The school may discharge teachers and nonlicensed employees. The
 71.12 charter school board is subject to section 181.932 governing whistle-blowers. When offering
 71.13 employment to a prospective employee, a charter school must give that employee a written
 71.14 description of the terms and conditions of employment and the school's personnel policies.

71.15 Sec. 16. Minnesota Statutes 2022, section 124E.12, subdivision 2, is amended to read:

71.16 Subd. 2. **Administrators.** ~~(a) A person, without holding a valid administrator's license,~~
 71.17 ~~may perform administrative, supervisory, or instructional leadership duties. The board of~~
 71.18 ~~directors shall establish qualifications for all persons who hold administrative, supervisory,~~
 71.19 ~~or instructional leadership roles. The qualifications shall cover at least: instruction and~~
 71.20 ~~assessment; human resource and personnel management; financial management; legal and~~
 71.21 ~~compliance management; effective communication; and board, authorizer, and community~~
 71.22 ~~relationships. The board of directors shall use those qualifications as the basis for job~~
 71.23 ~~descriptions, hiring, and performance evaluations of those who hold administrative,~~
 71.24 ~~supervisory, or instructional leadership roles.~~

71.25 ~~(b) The board of directors and an individual who does not hold a valid administrative~~
 71.26 ~~license and who serves in an administrative, supervisory, or instructional leadership position~~
 71.27 ~~shall develop a professional development plan. The school's annual report must include~~
 71.28 ~~public personnel information documenting the professional development plan.~~

71.29 (a) A charter school board of directors must establish qualifications for all persons who
 71.30 hold administrative, academic supervision, or instructional leadership positions. The
 71.31 qualifications must include a requirement that a person hold a minimum of a four-year
 71.32 degree from an accredited institution or equivalent experience. Other qualifications for these
 71.33 positions shall include, as appropriate for the specific position: instruction and assessment,
 71.34 curriculum design, human resource and personnel management, professional ethics, child

72.1 development, financial management, legal and compliance management, special education
 72.2 oversight, contract management, effective communication, cultural competency, board and
 72.3 authorizer relationships, parent relationships, and community partnerships. A charter school
 72.4 board of directors must use those qualifications as the basis for the job description, hiring,
 72.5 and performance evaluation of the charter school director or chief administrator. The charter
 72.6 school director or chief administrator must use those qualifications as the basis for the job
 72.7 descriptions, hiring, and performance reviews for the administrative staff, academic program
 72.8 supervisors, and instructional leaders who report to the charter school director or chief
 72.9 administrator.

72.10 (b) A person who does not hold a valid administrator's license may perform
 72.11 administrative, academic supervision, or instructional leadership duties. A person without
 72.12 a valid administrator's license, serving as a charter school director or chief administrator,
 72.13 must complete a minimum of 25 hours annually of competency-based training corresponding
 72.14 to the individual's annual professional development needs and plan approved by the charter
 72.15 school board of directors. Training includes but is not limited to: instruction and curriculum;
 72.16 state standards; teacher and staff hiring, development, support, and evaluation;
 72.17 social-emotional learning; data collection and usage; assessment methodologies; use of
 72.18 technology for learning and management; charter school law and requirements; code of
 72.19 professional ethics; financial management and state accounting requirements; grant
 72.20 management; legal and compliance management; special education management; health
 72.21 and safety laws; restorative justice; cultural competencies; effective communication; parent
 72.22 relationships; board and management relationships; community partnerships; charter contract
 72.23 and authorizer relationships; and public accountability.

72.24 (c) A person serving as a new charter school director or chief administrator with a valid
 72.25 administrator's license must complete a minimum of ten hours of competency-based training
 72.26 during the first year of employment on the following: charter school law and requirements,
 72.27 board and management relationships, and charter contract and authorizer relationships.

72.28 (d) The training a person must complete under paragraphs (b) and (c) may not be
 72.29 self-instructional. The organization or instructor providing the training must certify
 72.30 completion of the training. The person must submit the certification of completion of training
 72.31 to the charter school board of directors and certifications must be maintained in the personnel
 72.32 file. Completing required training must be a component of annual performance evaluations.

72.33 (e) All professional development training completed by the charter school director or
 72.34 chief administrator in the previous academic year must be documented in the charter school's
 72.35 annual report.

73.1 (f) No charter school administrator may serve as a paid administrator or consultant with
 73.2 another charter school without the knowledge and a two-thirds vote of approval of the boards
 73.3 of directors of the charter schools involved in such an arrangement. The boards of directors
 73.4 involved in such arrangements must send notice of this arrangement to authorizers upon
 73.5 approval by the boards.

73.6 (g) No charter school administrator may serve on the board of directors of another charter
 73.7 school.

73.8 Sec. 17. Minnesota Statutes 2022, section 124E.14, is amended to read:

73.9 **124E.14 CONFLICTS OF INTEREST.**

73.10 (a) No member of the board of directors, employee, officer, or agent of a charter school
 73.11 shall participate in selecting, awarding, or administering a contract if a conflict of interest
 73.12 exists. A conflict exists when:

73.13 (1) the board member, employee, officer, or agent;

73.14 (2) the immediate family of the board member, employee, officer, or agent;

73.15 (3) the partner of the board member, employee, officer, or agent; or

73.16 (4) an organization that employs, or is about to employ any individual in clauses (1) to
 73.17 (3),

73.18 has a financial or other interest in the entity with which the charter school is contracting. A
 73.19 violation of this prohibition renders the contract void.

73.20 (b) The conflict of interest provisions under this section do not apply to compensation
 73.21 paid to a teacher employed as a teacher by the charter school or a teacher who provides
 73.22 instructional services to the charter school through a cooperative formed under chapter
 73.23 308A when the teacher also serves on the charter school board of directors.

73.24 (c) A charter school board member, employee, or officer is a local official for purposes
 73.25 of section 471.895 with regard to receipt of gifts as defined under section 10A.071,
 73.26 subdivision 1, paragraph (b). A board member, employee, or officer must not receive
 73.27 compensation from a group health insurance provider.

73.28 (d) No charter school employee or board member may serve on the board or
 73.29 decision-making committee of the school's authorizer. An employee or school board member
 73.30 must disclose to the school's board of directors any paid compensation they receive from
 73.31 the school's authorizer.

74.1 Sec. 18. Minnesota Statutes 2023 Supplement, section 124E.16, subdivision 1, is amended
74.2 to read:

74.3 Subdivision 1. **Audit report.** (a) A charter school is subject to the same financial audits,
74.4 audit procedures, and audit requirements as a district, except as required under this
74.5 subdivision. Audits must be conducted in compliance with generally accepted governmental
74.6 auditing standards, the federal Single Audit Act, if applicable, and section 6.65 governing
74.7 auditing procedures. ~~A charter school is subject to and must comply with sections 15.054;~~
74.8 ~~118A.01; 118A.02; 118A.03; 118A.04; 118A.05; 118A.06 governing government property~~
74.9 ~~and financial investments; and sections 471.38; 471.391; 471.392; and 471.425 governing~~
74.10 ~~municipal contracting.~~ The audit must comply with the requirements of sections 123B.75
74.11 to 123B.83 governing school district finance, except when the commissioner and authorizer
74.12 approve a deviation made necessary because of school program finances. The commissioner,
74.13 state auditor, legislative auditor, or authorizer may conduct financial, program, or compliance
74.14 audits. A charter school in statutory operating debt under sections 123B.81 to 123B.83 must
74.15 submit a plan under section 123B.81, subdivision 4.

74.16 (b) The charter school must submit an audit report to the commissioner and its authorizer
74.17 annually by December 31.

74.18 (c) The charter school, with the assistance of the auditor conducting the audit, must
74.19 include with the report, as supplemental information: (1) a copy of a new management
74.20 agreement or an amendment to a current agreement with a CMO or EMO signed during the
74.21 audit year; and (2) a copy of a service agreement or contract with a company or individual
74.22 totaling over five percent of the audited expenditures for the most recent audit year. The
74.23 agreements must detail the terms of the agreement, including the services provided and the
74.24 annual costs for those services.

74.25 (d) A charter school independent audit report shall include audited financial data of an
74.26 affiliated building corporation under section 124E.13, subdivision 3, or other component
74.27 unit.

74.28 (e) If the audit report finds that a material weakness exists in the financial reporting
74.29 systems of a charter school, the charter school must submit a written report to the
74.30 commissioner explaining how the charter school will resolve that material weakness. An
74.31 auditor, as a condition of providing financial services to a charter school, must agree to
74.32 make available information about a charter school's financial audit to the commissioner and
74.33 authorizer upon request.

75.1 Sec. 19. Minnesota Statutes 2022, section 124E.17, is amended to read:

75.2 **124E.17 DISSEMINATION OF INFORMATION.**

75.3 Subdivision 1. **Charter school information.** (a) Charter schools must disseminate
 75.4 information about ~~how to use the charter school offerings to targeted groups, among others.~~
 75.5 ~~Targeted groups include low-income families and communities, students of color, and~~
 75.6 ~~students who are at risk of academic failure.~~ the school's offerings and enrollment procedures
 75.7 to families that reflect the diversity of Minnesota's population and targeted groups. Targeted
 75.8 groups include low-income families and communities, students of color, students at risk of
 75.9 academic failure, and students underrepresented in the school's student body relative to
 75.10 Minnesota's population. The school must document its dissemination activities in the school's
 75.11 annual report. The school's dissemination activities must be a component of the authorizer's
 75.12 performance review of the school.

75.13 (b) Authorizers and the commissioner must disseminate information to the public on
 75.14 how to form and operate a charter school. Authorizers, operators, and the commissioner
 75.15 also may disseminate information to interested stakeholders about the successful best
 75.16 practices in teaching and learning demonstrated by charter schools.

75.17 Subd. 2. **Financial information.** Upon request of an individual, the charter school must
 75.18 make available in a timely fashion financial statements showing all operations and
 75.19 transactions affecting the school's income, surplus, and deficit during the last annual
 75.20 accounting period; and a balance sheet summarizing assets and liabilities on the closing
 75.21 date of the accounting period. ~~A charter school also must include that same information~~
 75.22 ~~about its authorizer in other school materials that it makes available to the public.~~ Upon
 75.23 request, the authorizer must provide the same information about its organization.

75.24 Sec. 20. Minnesota Statutes 2022, section 124E.26, is amended to read:

75.25 **124E.26 USE OF STATE MONEY.**

75.26 Subdivision 1. **Purchasing buildings.** A charter school may not use state money to
 75.27 purchase land or buildings. The charter school may own land and buildings if obtained
 75.28 through nonstate sources.

75.29 Subd. 2. **Procurement policy required.** Prior to the expenditure of any state funds, a
 75.30 charter school must adopt a procurement policy consistent with subdivision 4.

75.31 Subd. 3. **All purchases.** All purchases using state funds must be made consistent with
 75.32 the procurement policy adopted under subdivision 2.

76.1 Subd. 4. **Required policy components.** A charter school procurement policy must at a
 76.2 minimum include:

76.3 (1) conflict of interest provisions consistent with section 124E.14;

76.4 (2) thresholds for purchases by employees without board approval;

76.5 (3) thresholds for purchases that require competitive bidding processes, except that a
 76.6 competitive bidding process must occur for any procurement estimated to exceed \$25,000;
 76.7 and

76.8 (4) a prohibition on breaking up a procurement into smaller components to avoid the
 76.9 thresholds established in clauses (2) and (3).

76.10 Subd. 5. **Reduction in aid.** If a charter school makes a purchase without a procurement
 76.11 policy adopted by the school's board or makes a purchase not in conformity with the school's
 76.12 procurement policy, the commissioner may reduce that charter school's state aid in an amount
 76.13 equal to the purchase.

76.14 Subd. 6. **Property, financial investments, and contracting.** A charter school is subject
 76.15 to and must comply with sections 15.054 and 118A.01 to 118A.06 governing government
 76.16 property and financial investments and sections 471.38, 471.391, 471.392, and 471.425
 76.17 governing municipal contracting.

76.18 **ARTICLE 7**

76.19 **NUTRITION AND LIBRARIES**

76.20 Section 1. Minnesota Statutes 2023 Supplement, section 124D.111, subdivision 2a, is
 76.21 amended to read:

76.22 **Subd. 2a. Federal child and adult care food program and federal summer food**
 76.23 **service program; criteria and notice.** (a) The commissioner must post on the department's
 76.24 website eligibility criteria and application information for nonprofit organizations interested
 76.25 in applying to the commissioner for approval as a multisite sponsoring organization under
 76.26 the federal child and adult care food program and federal summer food service program.
 76.27 The posted criteria and information must inform interested nonprofit organizations about:

76.28 (1) the criteria the commissioner uses to approve or disapprove an application, including
 76.29 how an applicant demonstrates financial viability for the Minnesota program, among other
 76.30 criteria;

77.1 (2) the commissioner's process and time line for notifying an applicant when its
 77.2 application is approved or disapproved and, if the application is disapproved, the explanation
 77.3 the commissioner provides to the applicant; and

77.4 (3) any appeal or other recourse available to a disapproved applicant.

77.5 (b) The commissioner must evaluate financial eligibility as part of the application process.
 77.6 An organization applying to be a prospective ~~sponsor~~ nonprofit multisite sponsoring
 77.7 organization for the federal child and adult care food ~~care~~ program or the federal summer
 77.8 food service program must provide documentation of financial viability as an organization.
 77.9 Documentation must include:

77.10 (1) evidence that the organization has operated for at least one year and has filed at least
 77.11 one tax return;

77.12 (2) the most recent tax return submitted by the organization and corresponding forms
 77.13 and financial statements;

77.14 (3) a profit and loss statement and balance sheet or similar financial information; and

77.15 (4) evidence that at least ten percent of the organization's operating revenue comes from
 77.16 sources other than the United States Department of Agriculture child nutrition program and
 77.17 that the organization has additional funds or a performance bond available to cover at least
 77.18 one month of reimbursement claims.

77.19 Sec. 2. **[134.205] METROPOLITAN LIBRARY SERVICE AGENCY.**

77.20 Notwithstanding Minnesota Rules, part 3530.1000, item A, beginning April 1, 2024,
 77.21 the Metropolitan Library Service Agency may employ an executive director who does not
 77.22 hold a master's degree in library science.

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

77.24 Sec. 3. **[134.51] BOOK BANNING PROHIBITED.**

77.25 Subdivision 1. Access to materials. (a) The governing body, including a school board,
 77.26 of a regional public library system under section 134.20, subdivision 2; a multicounty,
 77.27 multitype library system under section 134.351, subdivision 4; a combination library under
 77.28 section 134.195, subdivision 7; a school library under section 124D.991; a library in a school
 77.29 receiving school library aid; or any other public library under section 134.001, subdivision
 77.30 2, may not ban, remove, or otherwise restrict access to an otherwise age-appropriate book

78.1 or other material selected pursuant to a library materials policy under subdivision 2 based
 78.2 solely on the viewpoint, content, message, idea, or opinion conveyed.

78.3 (b) This section does not limit authority to decline to purchase, lend, or shelve or to
 78.4 remove or restrict access to books or other materials legitimately based upon:

78.5 (1) practical reasons, including but not limited to shelf space limitations, rare or
 78.6 antiquarian status, damage, or obsolescence;

78.7 (2) legitimate pedagogical concerns, including but not limited to the appropriateness of
 78.8 potentially sensitive topics for the library's intended audience, the selection of books and
 78.9 materials for a curated collection, or the likelihood of causing a material and substantial
 78.10 disruption of the work and discipline of the school; or

78.11 (3) compliance with state or federal law.

78.12 Subd. 2. **Library materials policy.** (a) A governing body under subdivision 1 must
 78.13 adopt a policy that establishes procedures for selection of and reconsideration of library
 78.14 materials in accordance with this section.

78.15 (b) The policy must permit a parent or guardian to restrict their child's access to specified
 78.16 library materials. This policy must not impair or limit the rights of a parent, guardian, or
 78.17 adult student to request a curriculum content challenge under section 120B.20.

78.18 (c) The policy must require that the procedures for selection and reconsideration be
 78.19 administered by:

78.20 (1) a licensed library media specialist under Minnesota Rules, part 8710.4550;

78.21 (2) an individual with a master's degree in library sciences or library and information
 78.22 sciences; or

78.23 (3) a professional librarian or a person trained in library collection management.

78.24 Subd. 3. **Collection management.** A governing body under subdivision 1, or any other
 78.25 public body with personnel authority for a library, may not discriminate against or discipline
 78.26 an individual for complying with subdivision 1.

78.27 **ARTICLE 8**

78.28 **HEALTH AND SAFETY**

78.29 **Section 1.** Minnesota Statutes 2022, section 120A.22, subdivision 12, is amended to read:

78.30 **Subd. 12. **Legitimate exemptions.**** (a) A parent, guardian, or other person having control
 78.31 of a child may apply to a school district to have the child excused from attendance for the

79.1 whole or any part of the time school is in session during any school year. Application may
 79.2 be made to any member of the board, a truant officer, a principal, or the superintendent.
 79.3 The school district may state in its school attendance policy that it may ask the student's
 79.4 parent or legal guardian to verify in writing the reason for the child's absence from school.
 79.5 A note from a physician or a licensed mental health professional stating that the child cannot
 79.6 attend school is a valid excuse. The board of the district in which the child resides may
 79.7 approve the application upon the following being demonstrated to the satisfaction of that
 79.8 board:

79.9 (1) that the child's physical or mental health is such as to prevent attendance at school
 79.10 or application to study for the period required, which includes:

79.11 (i) child illness, medical, dental, orthodontic, or counseling appointments, including
 79.12 appointments conducted through telehealth;

79.13 (ii) family emergencies;

79.14 (iii) the death or serious illness or funeral of an immediate family member;

79.15 (iv) active duty in any military branch of the United States;

79.16 (v) the child has a condition that requires ongoing treatment for a mental health diagnosis;
 79.17 or

79.18 (vi) other exemptions included in the district's school attendance policy;

79.19 (2) that the child has already completed state and district standards required for graduation
 79.20 from high school; or

79.21 (3) that it is the wish of the parent, guardian, or other person having control of the child;
 79.22 that the child attend, for a period or periods not exceeding in the aggregate three hours in
 79.23 any week, instruction conducted by a Tribal spiritual or cultural advisor, or a school for
 79.24 religious instruction conducted and maintained by ~~some~~ a church, or association of churches,
 79.25 or any Sunday school association incorporated under the laws of this state, or any auxiliary
 79.26 thereof. This ~~school for religious~~ instruction must be conducted and maintained in a place
 79.27 other than a public school building, and it must not, in whole or in part, be conducted and
 79.28 maintained at public expense. ~~However,~~ A child may be absent from school on ~~such~~ days
 79.29 as that the child attends upon instruction according to ~~the ordinances of some church~~ this
 79.30 clause.

79.31 (b) Notwithstanding subdivision 6, paragraph (a), a parent may withdraw a child from
 79.32 an all-day, every day kindergarten program and put their child in a half-day program, if

80.1 offered, or an alternate-day program without being truant. A school board must excuse a
 80.2 kindergarten child from a part of a school day at the request of the child's parent.

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

80.4 Sec. 2. **[120B.213] HEALTHY AGING AND DEMENTIA EDUCATION.**

80.5 School districts and charter schools are encouraged to provide instruction on healthy
 80.6 aging and dementia to students in grades 6 through 12 that is aligned with local health
 80.7 standards and integrated into existing programs, curriculum, or the general school
 80.8 environment of a district or charter school. The commissioner of education, in consultation
 80.9 with the commissioner of health and dementia advocacy organizations, must, by July 1,
 80.10 2025, and July 1 of each odd-numbered year thereafter, provide districts and charter schools
 80.11 with age-appropriate resources on healthy aging and dementia including but not limited to
 80.12 strategies to maintain brain health, information on Alzheimer's disease and other forms of
 80.13 dementia, and caring for an elder with a cognitive impairment.

80.14 **EFFECTIVE DATE.** This section is effective July 1, 2024.

80.15 Sec. 3. Minnesota Statutes 2023 Supplement, section 121A.20, subdivision 2, is amended
 80.16 to read:

80.17 Subd. 2. **Definition.** For purposes of this section, "health services specialist" means a
 80.18 professional registered nurse who:

80.19 (1) is licensed as a public health nurse in Minnesota;

80.20 (2) is licensed as a school nurse in Minnesota;

80.21 (3) has a minimum of three years of experience in school nursing services or as a public
 80.22 health nurse serving schools; and

80.23 (4) has experience in managing a districtwide health policy, ~~overseeing a budget, and~~
 80.24 ~~supervising personnel; and.~~

80.25 ~~(5) has a graduate degree in nursing, public health, education, or a related field.~~

80.26 Sec. 4. **[121A.216] ACCESS TO SPACE FOR MENTAL HEALTH CARE THROUGH**
 80.27 **TELEHEALTH.**

80.28 Subdivision 1. **Access to space.** (a) To the extent space is available, a school district or
 80.29 charter school must provide an enrolled secondary school student with access during regular
 80.30 school hours, and to the extent staff is available, before or after the school day on days when

81.1 students receive instruction at school, to space at the school site that a student may use to
 81.2 receive mental health care through telehealth from a student's licensed mental health provider.
 81.3 A secondary school must develop a plan with procedures to receive requests for access to
 81.4 the space. A school must make the space available beginning October 1, 2024.

81.5 (b) The space must provide a student privacy to receive mental health care.

81.6 (c) A student may use a school-issued device to receive mental health care through
 81.7 telehealth if such use is consistent with the district or school policy governing acceptable
 81.8 use of the school-issued device.

81.9 (d) A school may require a student requesting access to space under this section to submit
 81.10 to the school a signed and dated consent from the student's parent or guardian, or from the
 81.11 student if the student is age 16 or older, authorizing the student's licensed mental health
 81.12 provider to release information from the student's health record that is requested by the
 81.13 school to confirm the student is currently receiving mental health care from the provider.
 81.14 Such a consent is valid for the school year in which it is submitted.

81.15 Subd. 2. **Immunity.** Notwithstanding section 466.02, a school district or charter school
 81.16 is immune from liability for any tort claim based upon an act or omission of an officer or
 81.17 employee in the execution of this statute, unless the claim is based upon recklessness, gross
 81.18 negligence, or intentional misconduct.

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

81.20 Sec. 5. Minnesota Statutes 2022, section 121A.22, subdivision 2, is amended to read:

81.21 Subd. 2. **Exclusions.** In addition, this section does not apply to drugs or medicine that
 81.22 are:

81.23 (1) purchased without a prescription;

81.24 (2) used by a pupil who is 18 years old or older;

81.25 (3) used in connection with services for which a minor may give effective consent,
 81.26 including section 144.343, subdivision 1, and any other law;

81.27 (4) used in situations in which, in the judgment of the school personnel, including a
 81.28 licensed nurse, who are present or available, the risk to the pupil's life or health is of such
 81.29 a nature that drugs or medicine should be given without delay;

81.30 (5) used off the school grounds;

81.31 (6) used in connection with athletics or extra curricular activities;

82.1 (7) used in connection with activities that occur before or after the regular school day;

82.2 (8) provided or administered by a public health agency to prevent or control an illness
82.3 or a disease outbreak as provided for in sections 144.05 and 144.12;

82.4 (9) prescription asthma or reactive airway disease medications self-administered by a
82.5 pupil with an asthma inhaler, consistent with section 121A.221, if the district has received
82.6 a written authorization from the pupil's parent permitting the pupil to self-administer the
82.7 medication, the inhaler is properly labeled for that student, and the parent has not requested
82.8 school personnel to administer the medication to the pupil. The parent must submit written
82.9 authorization for the pupil to self-administer the medication each school year; or

82.10 (10) epinephrine auto-injectors, consistent with section 121A.2205, if the parent and
82.11 prescribing medical professional annually inform the pupil's school in writing that (i) the
82.12 pupil may possess the epinephrine or (ii) the pupil is unable to possess the epinephrine and
82.13 requires immediate access to epinephrine auto-injectors that the parent provides properly
82.14 labeled to the school for the pupil as needed.

82.15 Sec. 6. Minnesota Statutes 2022, section 121A.22, subdivision 4, is amended to read:

82.16 Subd. 4. **Administration.** Drugs and medicine subject to this section must be administered
82.17 in a manner consistent with instructions on the label. Drugs and medicine subject to this
82.18 section must be administered, to the extent possible, according to school board procedures
82.19 that must be developed in consultation:

82.20 (1) with a ~~school~~ licensed nurse, in a district that employs a ~~school~~ nurse licensed under
82.21 section 148.171;

82.22 (2) with a licensed school nurse, in a district that employs a licensed school nurse licensed
82.23 under Minnesota Rules, part 8710.6100;

82.24 (3) with a public or private health or health-related organization, in a district that contracts
82.25 with a public or private health or health-related organization, according to section 121A.21;
82.26 or

82.27 (4) with the appropriate party, in a district that has an arrangement approved by the
82.28 commissioner of education, according to section 121A.21.

82.29 Sec. 7. Minnesota Statutes 2022, section 121A.2207, subdivision 1, is amended to read:

82.30 Subdivision 1. **Districts and schools permitted to maintain supply.** (a) Notwithstanding
82.31 section 151.37, districts and schools may obtain and possess epinephrine auto-injectors to

83.1 be maintained and administered by school personnel, including a licensed nurse, to a student
 83.2 or other individual if, in good faith, it is determined that person is experiencing anaphylaxis
 83.3 regardless of whether the student or other individual has a prescription for an epinephrine
 83.4 auto-injector. The administration of an epinephrine auto-injector in accordance with this
 83.5 section is not the practice of medicine.

83.6 (b) Registered nurses may administer epinephrine auto-injectors in a school setting
 83.7 according to a condition-specific protocol as authorized under section 148.235, subdivision
 83.8 8. Notwithstanding any limitation in sections 148.171 to 148.285, licensed practical nurses
 83.9 may administer epinephrine auto-injectors in a school setting according to a condition-specific
 83.10 protocol that does not reference a specific patient and that specifies the circumstances under
 83.11 which the epinephrine auto-injector is to be administered, when caring for a patient whose
 83.12 condition falls within the protocol.

83.13 **EFFECTIVE DATE.** This section is effective July 1, 2024.

83.14 Sec. 8. Minnesota Statutes 2022, section 121A.41, subdivision 8, is amended to read:

83.15 Subd. 8. **School.** "School" means any school defined in section 120A.05, subdivisions
 83.16 9, 11, 13, and 17. "School" also means a charter school.

83.17 Sec. 9. **[121A.612] STUDENTS PULLED OUT OF CLASS; NOTICE AND RECORD**
 83.18 **KEEPING.**

83.19 (a) If a public school student is pulled out of class for an unscheduled removal that lasts
 83.20 more than ten minutes and the student did not request to be taken out of class or the student's
 83.21 parent did not know the student was pulled out of class, either the school principal or their
 83.22 designee or other person having general administrative control and supervision of the school
 83.23 or classroom teacher, within 24 hours, must make a good faith attempt to notify the student's
 83.24 parent or guardian by phone or by email and keep a record of the parental notification. The
 83.25 record of parental notification must record the date and time the attempt to notify was made.
 83.26 The record may be kept in a form and manner preferred by the individual creating the record
 83.27 and must be discarded at the end of the school year.

83.28 (b) A nonpublic school under section 123B.41, subdivision 9, is encouraged to adopt a
 83.29 policy consistent with this section.

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

84.1 Sec. 10. Minnesota Statutes 2022, section 128C.02, is amended by adding a subdivision
84.2 to read:

84.3 Subd. 3c. **Eating disorder awareness.** The league must provide school coaches with
84.4 eating disorder prevention education resources developed specifically for school coaches
84.5 about the nature and risks of eating disorders, including the risk factors, mitigation strategies,
84.6 effects, and risks of undiagnosed and untreated eating disorders, consistent with current
84.7 medical research.

84.8 Sec. 11. Minnesota Statutes 2022, section 260E.14, subdivision 1, is amended to read:

84.9 Subdivision 1. **Facilities and schools.** (a) The local welfare agency is the agency
84.10 responsible for investigating allegations of maltreatment in child foster care, family child
84.11 care, legally nonlicensed child care, and reports involving children served by an unlicensed
84.12 personal care provider organization under section 256B.0659. Copies of findings related to
84.13 personal care provider organizations under section 256B.0659 must be forwarded to the
84.14 Department of Human Services provider enrollment.

84.15 (b) The Department of Human Services is the agency responsible for screening and
84.16 investigating allegations of maltreatment in juvenile correctional facilities listed under
84.17 section 241.021 located in the local welfare agency's county and in facilities licensed or
84.18 certified under chapters 245A, 245D, and 245H, except for child foster care and family
84.19 child care.

84.20 (c) The Department of Health is the agency responsible for screening and investigating
84.21 allegations of maltreatment in facilities licensed under sections 144.50 to 144.58 and 144A.43
84.22 to 144A.482 or chapter 144H.

84.23 (d) The Department of Education is the agency responsible for screening and investigating
84.24 allegations of maltreatment in a school as defined in section 120A.05, subdivisions 9, 11,
84.25 and 13, and chapter 124E. The Department of Education's responsibility to screen and
84.26 investigate includes allegations of maltreatment involving students at least 18 to 21 but not
84.27 yet 22 years of age, including students receiving special education services, up to and
84.28 including graduation and the issuance of a secondary or high school diploma.

84.29 (e) A health or corrections agency receiving a report may request the local welfare agency
84.30 to provide assistance pursuant to this section and sections 260E.20 and 260E.22.

85.1

ARTICLE 9

85.2

EARLY LEARNING

85.3 Section 1. Minnesota Statutes 2022, section 120A.05, subdivision 10a, is amended to read:

85.4 Subd. 10a. **Kindergarten.** "Kindergarten" means a program designed for pupils five
 85.5 years of age on September 1 of the calendar year in which the school year commences that
 85.6 prepares pupils to enter first grade the following school year. ~~A program designed for pupils
 85.7 younger than five years of age on September 1 of the calendar year in which the school year
 85.8 commences that prepares pupils to enter kindergarten the following school year is a
 85.9 prekindergarten program.~~

85.10 Sec. 2. Minnesota Statutes 2022, section 120A.05, is amended by adding a subdivision to
 85.11 read:

85.12 Subd. 11a. **Prekindergarten.** "Prekindergarten" means a program designed for pupils
 85.13 younger than five years of age on September 1 of the calendar year in which the school year
 85.14 commences that prepares pupils to enter kindergarten the following school year.

85.15 Sec. 3. Minnesota Statutes 2022, section 124D.151, as amended by Laws 2023, chapter
 85.16 55, article 9, section 19; and article 10, section 1, is amended to read:

85.17 **124D.151 VOLUNTARY PREKINDERGARTEN PROGRAM FOR ELIGIBLE**
 85.18 **FOUR-YEAR-OLD CHILDREN.**

85.19 Subdivision 1. **Establishment; purpose.** A district, a charter school, a group of districts,
 85.20 a group of charter schools, or a group of districts and charter schools may establish a
 85.21 voluntary prekindergarten program for eligible four-year-old children. The purpose of a
 85.22 voluntary prekindergarten program is to ~~prepare~~ support children and their families and
 85.23 prepare them for success as they enter in kindergarten in the following year and beyond.

85.24 Subd. 2. **Program requirements.** (a) A voluntary prekindergarten program provider
 85.25 must:

85.26 (1) provide instruction through play-based learning to foster children's social and
 85.27 emotional development, cognitive development, physical and motor development, and
 85.28 language and literacy skills, including the native language and literacy skills of English
 85.29 learners, to the extent practicable;

85.30 (2) ~~measure~~ assess each child's ~~eognitive and social skills using a formative measure~~
 85.31 ~~aligned to~~ progress toward the state's early learning standards when the child enters and
 85.32 again before the child leaves the program, ~~screening and progress monitoring measures,~~

86.1 ~~and other age-appropriate versions from the state-approved menu of kindergarten entry~~
86.2 ~~profile measures~~ using a commissioner-approved formative, developmentally appropriate
86.3 assessment and report results and demographic data to the department in a form and manner
86.4 prescribed by the commissioner;

86.5 (3) provide comprehensive program content aligned with the state early learning
86.6 standards, including the implementation of curriculum, assessment, and intentional
86.7 ~~instructional strategies aligned with the state early learning standards, and kindergarten that~~
86.8 support transition to kindergarten through grade 3 academic standards;

86.9 (4) provide instructional content and activities that are of sufficient length and intensity
86.10 to address learning needs including offering a program with at least 350 hours of instruction
86.11 per school year for a prekindergarten student;

86.12 (5) provide voluntary prekindergarten instructional staff salaries comparable to the
86.13 salaries of local kindergarten through grade 12 instructional staff;

86.14 (6) coordinate appropriate kindergarten transition with families, ~~community-based~~
86.15 prekindergarten programs; offered by Head Start, licensed center and licensed family child
86.16 care, community-based organizations, and school district kindergarten programs;

86.17 (7) involve parents in program ~~planning~~ decision-making and transition planning by
86.18 implementing parent engagement strategies that include culturally and linguistically
86.19 responsive activities in prekindergarten through third grade that are aligned with early
86.20 childhood family education under section 124D.13;

86.21 (8) coordinate with relevant community-based services, including health and social
86.22 service agencies, to ensure children have access to comprehensive services;

86.23 (9) coordinate with all relevant school district programs and services including early
86.24 childhood special education, homeless students, and English learners;

86.25 (10) ensure staff-to-child ratios of one-to-ten and a maximum group size of 20 children;

86.26 (11) provide high-quality coordinated professional development, training, and coaching
86.27 ~~for both staff in school district and community-based early learning districts and in~~
86.28 prekindergarten programs offered by Head Start, licensed center and licensed family child
86.29 care providers, and community-based organizations that is informed by a measure of
86.30 adult-child interactions and enables teachers to be highly knowledgeable in early childhood
86.31 curriculum content, assessment, native and English language development programs, and
86.32 instruction; and

87.1 (12) implement strategies that support the alignment of professional development,
87.2 instruction, assessments, and prekindergarten through grade 3 curricula.

87.3 (b) A voluntary prekindergarten program must have teachers knowledgeable in early
87.4 childhood curriculum content, assessment, native and English language programs, and
87.5 instruction, and licensed according to section 122A.261.

87.6 ~~(c) Districts and charter schools must include their strategy for implementing and
87.7 measuring the impact of their voluntary prekindergarten program under section 120B.11
87.8 and provide results in their world's best workforce annual summary to the commissioner of
87.9 education.~~

87.10 Subd. 3. **Mixed delivery of services program plan.** A district or charter school may
87.11 contract with a charter school, Head Start ~~or child care centers, family child care programs~~
87.12 ~~licensed under section 245A.03~~ program, licensed center and licensed family child care, or
87.13 a community-based organization to provide eligible children with developmentally
87.14 appropriate services that meet the program requirements in subdivision 2. Components of
87.15 a mixed-delivery plan include strategies for recruitment, contracting, and monitoring of
87.16 fiscal compliance and program quality.

87.17 Subd. 4. **Eligibility.** ~~A~~ (a) An eligible child means a child who:

87.18 (1) is four years of age as of September 1 in the calendar year in which the school year
87.19 ~~commences is eligible to participate in a voluntary prekindergarten program free of charge.~~
87.20 ~~An eligible four-year-old child served in a mixed-delivery system by a child care center,~~
87.21 ~~family child care program licensed under section 245A.03, or community-based organization~~
87.22 ~~may be charged a fee as long as the mixed-delivery partner was not awarded a seat for that~~
87.23 ~~child; and~~

87.24 (2) meets at least one of the following criteria:

87.25 (i) qualifies for free or reduced-priced meals;

87.26 (ii) qualifies for the rate at application specified in section 119B.09, subdivision 1,
87.27 paragraph (a), clause (2), in the current calendar year;

87.28 (iii) is an English language learner as defined by section 124D.59, subdivision 2;

87.29 (iv) is American Indian;

87.30 (v) has experienced homelessness in the last 24 months, as defined under the federal
87.31 McKinney-Vento Homeless Assistance Act, United States Code, title 42, section 1143a;

88.1 (vi) was identified as having a potential risk factor that may influence learning through
88.2 health and developmental screening under sections 121A.16 to 121A.19;

88.3 (vii) is in foster care; is in kinship care, including children receiving Northstar kinship
88.4 care assistance under chapter 256N; or is in need of child protection services;

88.5 (viii) has a parent who is a migrant or seasonal agricultural laborer under section 181.85;

88.6 (ix) has a parent who is incarcerated; or

88.7 (x) is defined as at-risk by the school district.

88.8 (b) School districts and charter schools must use state funding for eligible children to
88.9 the extent it is available. A child may participate in a voluntary prekindergarten program
88.10 on a fee-for-service basis if the child does not meet the eligibility criteria in paragraph (a)
88.11 or state funding is not available. A school district or charter school must adopt a sliding-fee
88.12 schedule based upon family income and must waive a fee for a participant unable to pay.

88.13 (c) Each eligible child must complete a health and developmental screening within 90
88.14 days of program enrollment under sections 121A.16 to 121A.19, and provide documentation
88.15 of required immunizations under section 121A.15.

88.16 (d) A child with an individualized education program may not be excluded from
88.17 participation in a program under this section if all other eligibility requirements are satisfied
88.18 and the individualized education program team determines that with reasonable
88.19 accommodations the child can fully participate and make progress toward their goals and
88.20 objectives.

88.21 **Subd. 5. Application process; priority for high poverty schools.** (a) To qualify for
88.22 program approval for fiscal year ~~2017~~ 2026, a district or charter school must submit an
88.23 application to the commissioner by ~~July 1, 2016~~ January 30, 2025. Thereafter, the
88.24 commissioner must accept applications and approve programs every four years. To qualify
88.25 for program approval ~~for~~ after fiscal year ~~2018 and later~~ 2026, a school district or charter
88.26 school must submit an application to the commissioner by January 30 of the fiscal year
88.27 prior to the fiscal year in which the program will be implemented. The application must
88.28 include:

88.29 (1) a description of the proposed program, including the number of hours per week the
88.30 program will be offered at each school site or mixed-delivery location;

88.31 (2) an estimate of the number of eligible children to be served in the program at each
88.32 school site or mixed-delivery location; and

89.1 (3) a statement of assurances signed by the superintendent or charter school director that
89.2 the proposed program meets the requirements of subdivision 2.

89.3 (b) The commissioner must review all applications submitted for fiscal year 2017 by
89.4 ~~August 1, 2016, and must review all applications submitted for fiscal year 2018 and later~~
89.5 by March 1 of the fiscal year in which the applications are received and determine whether
89.6 each application meets the requirements of paragraph (a).

89.7 (c) The commissioner must divide all applications for new or expanded voluntary
89.8 prekindergarten programs under this section meeting the requirements of paragraph (a) and
89.9 school readiness plus programs into four groups as follows: the Minneapolis and St. Paul
89.10 school districts; other school districts located in the metropolitan equity region as defined
89.11 in section 126C.10, subdivision 28; school districts located in the rural equity region as
89.12 defined in section 126C.10, subdivision 28; and charter schools. Within each group, the
89.13 applications must be ordered by rank using a sliding scale based on the following criteria:

89.14 (1) concentration of kindergarten students eligible for free or reduced-price meals by
89.15 school site on October 1 of the previous school year. A school site may contract to partner
89.16 with a community-based provider or Head Start under subdivision 3 or establish an early
89.17 childhood center and use the concentration of kindergarten students eligible for free or
89.18 reduced-price meals from a specific school site as long as those eligible children are
89.19 prioritized and guaranteed services at the mixed-delivery site or early education center. For
89.20 school district programs to be operated at locations that do not have free and reduced-price
89.21 meals concentration data for kindergarten programs for October 1 of the previous school
89.22 year, including mixed-delivery programs, the school district average concentration of
89.23 kindergarten students eligible for free or reduced-price meals must be used for the rank
89.24 ordering;

89.25 (2) presence or absence of a three- or four-star Parent Aware rated program within the
89.26 school district or close proximity of the district. School sites with the highest concentration
89.27 of kindergarten students eligible for free or reduced-price meals that do not have a three-
89.28 or four-star Parent Aware program within the district or close proximity of the district shall
89.29 receive the highest priority, and school sites with the lowest concentration of kindergarten
89.30 students eligible for free or reduced-price meals that have a three- or four-star Parent Aware
89.31 rated program within the district or close proximity of the district shall receive the lowest
89.32 priority; and

89.33 (3) whether the district has implemented a mixed delivery system.

90.1 (d) The limit on participation for the programs as specified in subdivision 6 must initially
 90.2 be allocated among the four groups based on each group's percentage share of the statewide
 90.3 kindergarten enrollment on October 1 of the previous school year. Within each group, the
 90.4 participation limit ~~for fiscal years 2018 and 2019~~ must first be allocated to school sites
 90.5 approved for aid in the previous year allocation period to ensure that those sites are funded
 90.6 for the same number of participants as approved for the previous year allocation period.
 90.7 The remainder of the participation limit for each group must be allocated among school
 90.8 sites in priority order until that region's share of the participation limit is reached. If the
 90.9 participation limit is not reached for all groups, the remaining amount must be allocated to
 90.10 the highest priority school sites, as designated under this section, not funded in the initial
 90.11 allocation on a statewide basis. ~~For fiscal year 2020 and later, the participation limit must~~
 90.12 ~~first be allocated to school sites approved for aid in fiscal year 2017, and then to school~~
 90.13 ~~sites approved for aid in fiscal year 2018 based on the statewide rankings under paragraph~~
 90.14 ~~(e).~~

90.15 (e) Once a school site or a mixed delivery site under subdivision 3 is approved for aid
 90.16 under this subdivision, it shall remain eligible for aid if it continues to meet program
 90.17 requirements, regardless of changes in the concentration of students eligible for free or
 90.18 reduced-price meals.

90.19 (f) If the total number of participants approved based on applications submitted under
 90.20 paragraph (a) is less than the participation limit under subdivision 6, the commissioner must
 90.21 notify all school districts and charter schools of the amount that remains available within
 90.22 30 days of the initial application deadline under paragraph (a), and complete a second round
 90.23 of allocations based on applications received within 60 days of the initial application deadline.

90.24 (g) Procedures for approving applications submitted under paragraph (f) shall be the
 90.25 same as specified in paragraphs (a) to (d), except that the allocations shall be made to the
 90.26 highest priority school sites not funded in the initial allocation on a statewide basis.

90.27 (h) For nonapplication years, the commissioner must annually review the distribution
 90.28 of seat allocations and may redistribute them between sites within a district at the district's
 90.29 request and between districts for the year in which a district will not utilize its full allocation.

90.30 Subd. 6. **Participation limits.** (a) Notwithstanding section 126C.05, subdivision 1,
 90.31 paragraph (c), the pupil units for a voluntary prekindergarten program for an eligible school
 90.32 district or charter school must not exceed 60 percent of the kindergarten pupil units for that
 90.33 school district or charter school under section 126C.05, subdivision 1, paragraph (d).

91.1 (b) In reviewing applications under subdivision 5, the commissioner must limit the total
 91.2 number of participants in the voluntary prekindergarten ~~and school readiness plus programs~~
 91.3 ~~under Laws 2017, First Special Session chapter 5, article 8, section 9, program~~ to not more
 91.4 than 7,160 participants for fiscal years 2023, 2024, and 2025, and 12,360 participants for
 91.5 fiscal year 2026 and later.

91.6 Subd. 7. **Financial accounting.** An eligible school district or charter school must record
 91.7 expenditures attributable to voluntary prekindergarten pupils according to guidelines prepared
 91.8 by the commissioner under section 127A.17.

91.9 **EFFECTIVE DATE.** This section is effective July 1, 2025.

91.10 Sec. 4. Minnesota Statutes 2023 Supplement, section 124D.165, subdivision 2, is amended
 91.11 to read:

91.12 Subd. 2. **Family eligibility.** (a) For a family to receive an early learning scholarship,
 91.13 parents or guardians must have an eligible child and meet at least one of the following
 91.14 requirements:

91.15 (1) have income equal to or less than:

91.16 (i) the at-application rate specified in section 119B.09, subdivision 1, paragraph (a),
 91.17 clause (2), in the current calendar year; or

91.18 (ii) beginning July 1, 2025, the rate specified in United States Code, title 42, section
 91.19 9858n(4)(B), as adjusted for family size;

91.20 (2) be able to document their child's current participation in the free and reduced-price
 91.21 meals program or Child and Adult Care Food Program, National School Lunch Act, United
 91.22 States Code, title 42, sections 1751 and 1766; the Food Distribution Program on Indian
 91.23 Reservations, Food and Nutrition Act, United States Code, title 7, sections 2011-2036; Head
 91.24 Start under the federal Improving Head Start for School Readiness Act of 2007; Minnesota
 91.25 family investment program under chapter 256J; child care assistance programs under chapter
 91.26 119B; the supplemental nutrition assistance program; or

91.27 (3) have or be a child referred as in need of child protection services or placed in foster
 91.28 care under section 260C.212.

91.29 (b) An "eligible child" means a child who has not yet enrolled in kindergarten and is not
 91.30 yet five years of age on September 1 of the current school year.

92.1 (c) A child who has received a scholarship under this section must continue to receive
 92.2 a scholarship each year until that child is eligible for kindergarten under section 120A.20
 92.3 and as long as funds are available.

92.4 (d) Early learning scholarships may not be counted as earned income for the purposes
 92.5 of medical assistance under chapter 256B, MinnesotaCare under chapter 256L, Minnesota
 92.6 family investment program under chapter 256J, child care assistance programs under chapter
 92.7 119B, or Head Start under the federal Improving Head Start for School Readiness Act of
 92.8 2007.

92.9 (e) A child from an adjoining state whose family resides at a Minnesota address as
 92.10 assigned by the United States Postal Service, who has received developmental screening
 92.11 under sections 121A.16 to 121A.19, who intends to enroll in a Minnesota school district,
 92.12 and whose family meets the criteria of paragraph (a) is eligible for an early learning
 92.13 scholarship under this section.

92.14 Sec. 5. Minnesota Statutes 2023 Supplement, section 124D.165, subdivision 2a, is amended
 92.15 to read:

92.16 Subd. 2a. **Applications; priorities.** (a) The commissioner shall establish application
 92.17 timelines and determine the schedule for awarding scholarships that meet the operational
 92.18 needs of eligible families and programs.

92.19 (b) The commissioner must give highest priority to applications from children who:

92.20 (1) are not yet four years of age;

92.21 (2) have a parent under age 21 who is pursuing a high school diploma or a course of
 92.22 study for a high school equivalency test;

92.23 (3) are in foster care;

92.24 (4) have been referred as in need of child protection services;

92.25 (5) have an incarcerated parent;

92.26 (6) are in or have a parent in a substance use treatment program;

92.27 (7) are in or have a parent in a mental health treatment program;

92.28 (8) have experienced domestic violence; ~~or~~

92.29 (9) have an individualized education program or individualized family service plan; or

93.1 ~~(9)~~ (10) have experienced homelessness in the last 24 months, as defined under the
 93.2 federal McKinney-Vento Homeless Assistance Act, United States Code, title 42, section
 93.3 1143a.

93.4 (c) Notwithstanding paragraph (b), beginning July 1, 2025, the commissioner must give
 93.5 highest priority to applications from children in families with income equal to or less than
 93.6 the rate specified under subdivision 2, paragraph (a), clause (1), item (i), and within this
 93.7 group must prioritize children who meet one or more of the criteria listed in paragraph (b).

93.8 (d) The commissioner may prioritize applications on additional factors, including but
 93.9 not limited to availability of funding, family income, geographic location, and whether the
 93.10 child's family is on a waiting list for a publicly funded program providing early education
 93.11 or child care services.

93.12 Sec. 6. **REVISOR INSTRUCTION.**

93.13 The revisor of statutes shall remove the terms "school readiness plus" or "school readiness
 93.14 plus programs" wherever they appear in Minnesota Statutes, chapters 119B, 121A, 122A,
 93.15 124D, 126C, or 179A. The revisor shall also make necessary cross-reference changes,
 93.16 technical language, and other changes necessitated by the changes in this act.

93.17 **EFFECTIVE DATE.** This section is effective July 1, 2025.

93.18 Sec. 7. **REPEALER.**

93.19 Laws 2017, First Special Session chapter 5, article 8, section 9, is repealed.

93.20 **EFFECTIVE DATE.** This section is effective July 1, 2025.

93.21 **ARTICLE 10**

93.22 **EDUCATION PARTNERSHIPS AND COMPACTS**

93.23 Section 1. Minnesota Statutes 2022, section 127A.70, subdivision 1, is amended to read:

93.24 Subdivision 1. **Establishment; membership.** (a) A P-20 education partnership is
 93.25 established to create a seamless system of education that maximizes achievements of all
 93.26 students, from early childhood through elementary, secondary, and postsecondary education,
 93.27 while promoting the efficient use of financial and human resources. The partnership shall
 93.28 consist of major statewide educational groups or constituencies or noneducational statewide
 93.29 organizations with a stated interest in P-20 education. The initial membership of the
 93.30 partnership includes the members serving on the Minnesota P-16 Education Partnership
 93.31 and four legislators appointed as follows:

94.1 (1) one senator from the majority party and one senator from the minority party, appointed
94.2 by the Subcommittee on Committees of the Committee on Rules and Administration; and

94.3 (2) one member of the house of representatives appointed by the speaker of the house
94.4 and one member appointed by the minority leader of the house of representatives.

94.5 (b) The chair of the P-16 education partnership must convene the first meeting of the
94.6 P-20 partnership. Prospective members may be nominated by any partnership member and
94.7 new members will be added with the approval of a two-thirds majority of the partnership.
94.8 The partnership will also seek input from nonmember organizations whose expertise can
94.9 help inform the partnership's work.

94.10 (c) Partnership members shall be represented by the chief executives, presidents, or other
94.11 formally designated leaders of their respective organizations, or their designees. The
94.12 partnership shall meet at least three times during each calendar year.

94.13 ~~(d) The P-20 education partnership shall be the state council for the Interstate Compact
94.14 on Educational Opportunity for Military Children under section 127A.85 with the
94.15 commissioner or commissioner's designee serving as the compact commissioner responsible
94.16 for the administration and management of the state's participation in the compact. When
94.17 conducting business required under section 127A.85, the P-20 partnership shall include a
94.18 representative from a military installation appointed by the adjutant general of the Minnesota
94.19 National Guard.~~

94.20 **Sec. 2. [127A.82] MILITARY INTERSTATE CHILDREN'S COMPACT STATE**
94.21 **COUNCIL.**

94.22 Subdivision 1. Establishment; membership. (a) A Military Interstate Children's Compact
94.23 State Council is established to provide for the coordination among state agencies, local
94.24 education agencies, and military installations concerning the state's participation in, and
94.25 compliance with the Interstate Compact on Educational Opportunity for Military Children
94.26 established in section 127A.85, otherwise known as the Military Interstate Children's
94.27 Compact, and Interstate Commission activities.

94.28 (b) Council membership must include at least:

94.29 (1) the commissioner;

94.30 (2) a superintendent, appointed by the commissioner, of a school district or charter school
94.31 with a high concentration of military children;

94.32 (3) a representative from a military installation appointed by the adjutant general;

95.1 (4) one member of the house of representatives appointed by the speaker of the house;

95.2 (5) one member of the senate appointed by the Subcommittee on Committees of the
 95.3 Committee on Rules and Administration; and

95.4 (6) other offices and stakeholder groups the council deems appropriate.

95.5 If the commissioner determines there is not a school district deemed to contain a high
 95.6 concentration of military children, the commissioner may appoint a superintendent from
 95.7 another school district to represent local education agencies on the council.

95.8 (c) The council must appoint or designate a military family education liaison to assist
 95.9 military families and the state in facilitating the implementation of section 127A.85.

95.10 (d) The compact commissioner responsible for the administration and management of
 95.11 the state's participation in the compact must be appointed by the commissioner.

95.12 (e) The compact commissioner and the military family education liaison designated
 95.13 herein shall be ex officio members of the council, unless either is already a full voting
 95.14 member of the council.

95.15 Subd. 2. **Powers and duties; report.** (a) The council may develop recommendations to
 95.16 the governor and the legislature designed to facilitate successful educational transitions for
 95.17 children of military families under the compact.

95.18 (b) The commissioner must schedule and hold a meeting of the council no less than once
 95.19 per state fiscal year.

95.20 (c) The council must produce meeting agendas that are made publicly available before
 95.21 each meeting and maintain meeting minutes that are made publicly available once they are
 95.22 approved by the council.

95.23 (d) By January 15 of each odd-numbered year, the council shall submit a report to the
 95.24 governor and to the chairs and ranking minority members of the legislative committees and
 95.25 divisions with jurisdiction over kindergarten through grade 12 education policy and finance
 95.26 and military affairs that summarizes the council's progress in meeting its goals and identifies
 95.27 the need for any draft legislation to facilitate successful educational transitions for children
 95.28 of military families.

95.29 Sec. 3. **[127A.84] INTRASTATE STUDENT TRANSFERS FOR CHILDREN OF**
 95.30 **MILITARY SERVICE MEMBERS.**

95.31 (a) Notwithstanding section 127A.85, article III, and for the purposes of intrastate student
 95.32 transfers between Minnesota public schools, the provisions of the Interstate Compact on

96.1 Educational Opportunity for Military Children in section 127A.85 apply to minor dependent
96.2 children of members of the active and activated reserve components of the uniformed
96.3 services, including but not limited to members of the Minnesota Army National Guard and
96.4 the Minnesota Air National Guard.

96.5 (b) This section does not apply to interstate transfers between Minnesota public schools
96.6 and public or private schools in other states.

96.7 (c) For the purposes of this section, the words defined in section 127A.85, article II,
96.8 have the same meanings.

120B.31 SYSTEM ACCOUNTABILITY AND STATISTICAL ADJUSTMENTS.

Subd. 2. **Statewide testing.** Each school year, all school districts shall give a uniform statewide test to students at specified grades to provide information on the status, needs and performance of Minnesota students.

Subd. 6. **Retaliation prohibited.** An employee who discloses information to the commissioner or a parent or guardian about service disruptions or technical interruptions related to administering assessments under this section is protected under section 181.932, governing disclosure of information by employees.

122A.185 TEACHER LICENSURE ASSESSMENT.

Subd. 4. **Remedial assistance.** School districts may make available upon request appropriate and timely remedial assistance that includes a formal diagnostic component to those persons employed by the district who did not achieve a qualifying score on a board-adopted skills examination, and who received a Tier 1, Tier 2, or Tier 3 license under section 122A.181, 122A.182, or 122A.183, respectively, to teach in Minnesota.

122A.2451 ALTERNATIVE TEACHER PREPARATION PROVIDERS AND PROGRAMS.

Subd. 9. **Reports.** (a) An approved alternative teacher preparation provider must report to the Professional Educator Licensing and Standards Board on items that are defined in statute regarding program candidates, completion, and effectiveness or other items that are required under section 122A.09.

(b) The Professional Educator Licensing and Standards Board must submit a biennial report on the alternative teacher preparation program and providers to legislative committees having jurisdiction over kindergarten through grade 12 education policy and finance by January 15 of each odd-numbered year.

Laws 2017, First Special Session chapter 5, article 8, section 9

Sec. 9. **SCHOOL READINESS PLUS PROGRAM.**

Subdivision 1. Establishment; purpose. A district, a charter school, or a group of districts and charter schools may establish a school readiness plus program for children age four to kindergarten entrance. The purpose of a school readiness plus program is to prepare children for success as they enter kindergarten in the following year.

Subd. 2. Program requirements. A school readiness plus program provider must:

(1) assess each child's cognitive and language skills with a comprehensive child assessment instrument when the child enters and again before the child leaves the program to improve program planning and implementation, communicate with parents, and promote kindergarten readiness;

(2) provide comprehensive program content and intentional instructional practice aligned with the state early childhood learning guidelines and kindergarten standards and based on early childhood research and professional practice that is focused on children's cognitive, social, emotional, and physical skills and development and prepares children for the transition to kindergarten, including early literacy and language skills;

(3) coordinate appropriate kindergarten transition with parents and kindergarten teachers;

(4) involve parents in program planning and decision making;

(5) coordinate with relevant community-based services;

(6) cooperate with adult basic education programs and other adult literacy programs;

(7) ensure staff-to-child ratios of one-to-ten and a maximum group size of 20 children with at least one licensed teacher;

(8) have teachers knowledgeable in early childhood curriculum content, assessment, native and English language development programs, and instruction; and

(9) provide instructional content and activities that are of sufficient length and intensity to address learning needs including offering a program with at least 350 hours of instruction per school year.

Subd. 3. Mixed delivery of services. A district or charter school may contract with a charter school, Head Start or child care center, family child care program licensed under Minnesota Statutes, section 245A.03, or a community-based organization to provide eligible children with developmentally appropriate services that meet the program requirements in subdivision 2.

Subd. 4. Eligibility. (a) A child who is four years of age as of September 1 in the calendar year in which the school year commences and has one or more of the risk factors under paragraph (b) is eligible to participate in a school readiness plus program free of charge. A child who is four years of age as of September 1 in the calendar year in which the school year commences and does not have one or more of the risk factors under paragraph (b) may participate on a fee-for-service basis. A district must adopt a sliding fee schedule based on a family's income but must waive a fee for a participant unable to pay. School districts and charter schools must use school readiness plus aid for eligible children. Each eligible child must complete a health and developmental screening within 90 days of program enrollment under Minnesota Statutes, sections 121A.16 to 121A.19, and provide documentation of required immunizations under section 121A.15.

(b) An at-risk four-year-old child may participate in the school readiness plus program free of charge if the child:

(1) qualifies for free or reduced-price lunch;

(2) is an English language learner;

(3) is homeless;

(4) has an individualized education program, or individual interagency intervention plan;

(5) is identified through health and developmental screening under Minnesota Statutes, sections 121A.16 to 121A.19, with a potential risk factor that may influence learning; or

(6) is in foster care.

APPENDIX
Repealed Minnesota Session Laws: S3567-1

Subd. 5. **Application process; priority for high poverty schools.** (a) For 2017-2018 school year, a school district or charter school that did not apply to participate in a voluntary prekindergarten program under Minnesota Statutes, section 124D.151, may apply to the commissioner by July 1, 2017, to participate in a school readiness plus program in the form and manner specified by the commissioner. By June 15, 2017, the commissioner must notify districts and charter schools of the availability of additional money for voluntary prekindergarten and school readiness plus programs. A school district or charter school that previously applied to participate in a voluntary prekindergarten program may amend its application by July 1, 2017, to apply instead for school readiness plus. The commissioner must review all applications for school readiness plus and notify applicant districts and charter schools by August 1, 2017, whether they have been selected for participation.

(b) For the 2018-2019 school year, a school district or charter school may apply to the commissioner by January 30, 2018, to participate in school readiness plus in the form and manner specified by the commissioner.

(c) A district or charter school submitting an application under this section must include: (1) a description of the proposed program, including the number of hours per week the program will be offered at each school site or mixed-delivery location; (2) an estimate of the number of eligible children to be served in the program at each school site or mixed-delivery location; (3) the number of children being served that will be new to the program; and (4) a statement of assurances signed by the superintendent or charter school director that the proposed program meets the requirements of subdivision 2.

(d) The commissioner must award funding for school readiness plus programs across school districts and charter schools in the same manner as for the voluntary prekindergarten program.

(e) A school site or mixed-delivery site approved for aid under this subdivision remains eligible for aid if the site continues to meet program requirements, regardless of changes in the concentration of students eligible for free or reduced-price lunches.

Subd. 6. **No supplanting.** For a site first qualifying in fiscal year 2018 or 2019, mixed delivery revenue, including voluntary prekindergarten and school readiness plus program revenue, must be used to supplement not supplant existing state, federal, and local revenue for prekindergarten activities.

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