

1.1 A bill for an act
 1.2 relating to human services; establishing the Runaway and Homeless Youth Act;
 1.3 establishing a pilot project for youth during out-of-school time; requiring a
 1.4 report from the commissioner of education on out-of-school time opportunities
 1.5 for youth ages ten to 18; appropriating money; proposing coding for new law
 1.6 in Minnesota Statutes, chapter 256K.

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

1.8 Section 1. **[256K.50] RUNAWAY AND HOMELESS YOUTH ACT.**

1.9 **Subdivision 1. Findings and needs.** There are hundreds of homeless youth in
 1.10 Minnesota every night and many come from homes of abuse and neglect or have been
 1.11 abandoned. Homeless and runaway youth are largely an invisible population. Many
 1.12 homeless and runaway youth have no families or primary caregivers. Many are exploited
 1.13 by adults or are forced to compromise their values to survive on the streets. Homeless
 1.14 and runaway youth are in need of outreach, crisis intervention, adult mentorship, family
 1.15 reunification, safe drop-in spaces, shelter, housing, case management services, and life
 1.16 skills training. It is necessary to offer a continuum of care and services directed at
 1.17 homeless and runaway youth.

1.18 **Subd. 2. Definitions.** (a) The definitions of this subdivision apply to this section.

1.19 (b) "Commissioner" means the commissioner of human services.

1.20 (c) "Homeless youth" means a person 21 years or younger who is unaccompanied
 1.21 by a parent or guardian and is without shelter where appropriate care and supervision are
 1.22 available, whose parent or legal guardian is unable or unwilling to provide shelter and
 1.23 care, or who lacks a fixed, regular, and adequate nighttime residence. The following are
 1.24 not fixed, regular, or adequate nighttime residences:

2.1 (1) a supervised publicly or privately operated shelter designed to provide temporary
2.2 living accommodations;

2.3 (2) an institution publicly or privately operated shelter designed to provide
2.4 temporary living accommodations;

2.5 (3) transitional housing;

2.6 (4) a temporary placement with a peer, friend, or family member that has not offered
2.7 permanent residence, a residential lease, or temporary lodging for more than 30 days; or

2.8 (5) a public or private place not designed for, nor ordinarily used as, a regular
2.9 sleeping accommodation for human beings.

2.10 Homeless youth does not include persons incarcerated or otherwise detained under
2.11 federal or state law.

2.12 (d) "Youth at risk of homelessness" means a person 21 years or younger whose status
2.13 or circumstances indicate a significant danger of experiencing homelessness in the near
2.14 future. Status or circumstances that indicate a significant danger may include youth exiting
2.15 out-of-home placements, youth who previously were homeless, youth whose parents or
2.16 primary caregivers are or were previously homeless, youth who are exposed to abuse and
2.17 neglect in their homes, youth who experience conflict with parents due to chemical or
2.18 alcohol dependency, mental health disabilities, or other disabilities, and runaways.

2.19 (e) "Runaway" means an unmarried child under the age of 18 years who is absent
2.20 from the home of a parent or guardian or other lawful placement without the consent of
2.21 the parent, guardian, or lawful custodian.

2.22 Subd. 3. Homeless and runaway youth initiative. (a) The commissioner shall
2.23 develop a comprehensive initiative for homeless youth, youth at risk of homelessness,
2.24 and runaways. The commissioner shall provide funding to counties to contract with
2.25 organizations and public and private agencies, including faith-based organizations, to
2.26 provide street outreach, emergency shelter services, drop-in services, family mediation
2.27 counseling and conflict resolution, transitional living services, case management services,
2.28 life skills training, and family reunification services to youth, to the extent that funds
2.29 exist or become available. The programs must be culturally competent to serve specific
2.30 populations and must provide voluntary services to homeless youth, youth at risk of
2.31 homelessness, and runaways in an appropriate and responsible manner.

2.32 (b) The commissioner shall plan for and coordinate services for homeless, runaway,
2.33 and at-risk youth. The commissioner may provide support services required to achieve
2.34 the objectives and goals of the initiative.

3.1 (c) Nothing in this section relieves counties from existing responsibilities to provide
3.2 services for homeless youth, youth at risk of being homeless, or runaways under section
3.3 626.556, chapter 256E, or other applicable laws.

3.4 (d) Nothing in this section is intended to preclude homeless youth ages 18 to 21 from
3.5 utilizing other services or programs available to homeless adults.

3.6 Subd. 4. Street and community outreach and drop-in program. Youth drop-in
3.7 centers must provide walk-in access to crisis intervention and ongoing supportive services
3.8 including one-to-one case management services on a self-referral basis. Street and
3.9 community outreach programs must locate, contact, and provide information, referrals,
3.10 and services to homeless youth, youth at risk of homelessness, and runaways. Information,
3.11 referrals, and services provided may include, but are not limited to:

3.12 (1) family reunification services;

3.13 (2) conflict resolution or mediation counseling;

3.14 (3) assistance in obtaining temporary emergency shelter;

3.15 (4) assistance in obtaining food, clothing, medical care, or mental health counseling;

3.16 (5) counseling regarding violence, prostitution, substance abuse, sexually transmitted
3.17 diseases, and pregnancy;

3.18 (6) referrals to other agencies that provide support to services to homeless youth,
3.19 youth at risk of homelessness, and runaways;

3.20 (7) assistance with education, employment, and independent living skills;

3.21 (8) after-care services;

3.22 (9) specialized services for highly vulnerable runaways and homeless youth,
3.23 including teen parents, emotionally disturbed and mentally ill youth, and sexually
3.24 exploited youth; and

3.25 (10) homelessness prevention.

3.26 Subd. 5. Emergency shelter program. (a) Emergency shelter programs must
3.27 provide homeless youth and runaways with referral and walk-in access to emergency,
3.28 short-term residential care. The program shall provide homeless youth and runaways with
3.29 safe, dignified shelter, including private shower facilities, beds, and at least one meal each
3.30 day, and shall assist a runaway with reunification with the family or legal guardian when
3.31 required or appropriate.

3.32 (b) The services provided at emergency shelters may include, but are not limited to:

3.33 (1) family reunification services;

3 (2) individual, family, and group counseling;

3.35 (3) assistance obtaining clothing;

3.36 (4) access to medical and dental care and mental health counseling;

4.1 (5) education and employment services;

4.2 (6) recreational activities;

4.3 (7) advocacy and referral services;

4.4 (8) independent living skills training;

4.5 (9) after-care and follow-up services;

4.6 (10) transportation; and

4.7 (11) homelessness prevention.

4.8 **Subd. 6. Supportive housing and transitional living programs.** Supportive
4.9 housing and transitional living programs must help homeless youth and youth at risk of
4.10 homelessness to find and maintain safe, dignified housing. The program may also provide
4.11 rental assistance and related supportive services, or refer youth to other organizations or
4.12 agencies that provide such services. Services provided may include, but are not limited to:

4.13 (1) educational assessment and referrals to educational programs;

4.14 (2) career planning, employment, work skill training, and independent living skills
4.15 training;

4.16 (3) job placement;

4.17 (4) budgeting and money management;

4.18 (5) assistance in securing housing appropriate to needs and income;

4.19 (6) counseling regarding violence, prostitution, substance abuse, sexually transmitted
4.20 diseases, and pregnancy;

4.21 (7) referral for medical services or chemical dependency treatment;

4.22 (8) parenting skills;

4.23 (9) self-sufficiency support services or life skill training;

4.24 (10) after-care and follow-up services; and

4.25 (11) homelessness prevention.

4.26 **Sec. 2. REPORT ON OUT-OF-SCHOOL CARE FOR CHILDREN BETWEEN**
4.27 **THE AGES OF TEN TO 18.**

4.28 The commissioner of education, in consultation with the commissioners of human
4.29 services and public safety, shall provide a report to the legislature by January 20, 2007,
4.30 which surveys and analyzes out-of-school time opportunities for children ages ten to 18.
4.31 The commissioner must gather representative information from urban, suburban, and
4.32 rural areas regarding where children go after their school day is over and during school
4.33 breaks. Further, the commissioner shall communicate with members of the community,
4.34 parents of children ages ten to 18, child care providers, middle school personnel, and other
4.35 interested individuals to gather information and develop positive, supervised out-of-school

5.1 alternatives for children ages ten to 18, in order to reduce the incidence of sexual activity,
5.2 underage drinking and smoking, use of illegal substances, and other criminal activity.

5.3 **Sec. 3. OPPORTUNITIES FOR YOUTH DURING OUT-OF-SCHOOL TIME.**

5.4 Subdivision 1. **Establishment.** A competitive statewide after-school enrichment
5.5 grant program is established to provide implementation grants to community or nonprofit
5.6 organizations, to political subdivisions, or to school-based programs. The commissioner
5.7 of education shall develop criteria for after-school enrichment programs.

5.8 Subd. 2. **Program outcomes.** The expected outcomes of the after-school
5.9 enrichment programs are to:

5.10 (1) increase the number of children participating in adult-supervised programs
5.11 in nonschool hours;

5.12 (2) increase the number of youth engaged in community services and other activities
5.13 designed to support character improvement, strengthen families, and instill community
5.14 values;

5.15 (3) increase skills in technology, the arts, sports, and other activities;

5.16 (4) reduce the amount of juvenile crime;

5.17 (5) increase and support the academic achievement and character development of
5.18 adolescent parents;

5.19 (6) increase school attendance and reduce the number of school suspensions; and

5.20 (7) support academic achievement, including the areas of reading and math.

5.21 Subd. 3. **Plan.** An applicant shall develop a plan for an after-school enrichment
5.22 program for youth. The plan must include:

5.23 (1) collaboration with and leverage of existing community resources that have
5.24 demonstrated effectiveness;

5.25 (2) outreach to children and youth;

5.26 (3) involvement of local governments, including park and recreation boards or
5.27 schools, unless no government agency is appropriate; and

5.28 (4) community control over the design of the enrichment program and identification
5.29 of the sources of nonpublic funding.

5.30 Subd. 4. **Plan approval; grants.** An applicant shall submit a plan developed under
5.31 subdivision 3 to the commissioner for approval. The commissioner shall award a grant for
5.32 the implementation of an approved plan.

5.33 **Sec. 4. APPROPRIATION.**

6.1 \$..... is appropriated for the biennium ending June 30, 2007, from the general
6.2 fund to the commissioner of human services for purposes of Minnesota Statutes, section
6.3 256K.50.

6.4 \$..... is appropriated for the biennium ending June 30, 2007, from the general fund
6.5 to the commissioner of education for the purposes of section 3.

Senator Limmer introduced-

S.F. No. 2894: Referred to the Committee on Education.

A bill for an act

relating to education; authorizing an election to form two separate school districts from the area currently within Independent School District No. 728, Elk River.

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

Section 1. **VOTER APPROVAL REQUIRED TO SPLIT THE ELK RIVER SCHOOL DISTRICT.**

Subdivision 1. Election required. An election must be held on the first Tuesday after the first Monday in November 2006 proposing the division of Independent School District No. 728, Elk River, into two component school districts, with the first component district consisting of the district's territory currently within the boundaries of Sherburne, Anoka, and Isanti Counties and the other component district consisting of the district's territory currently within the boundaries of Hennepin and Wright Counties.

Subd. 2. Notification. The board of Independent School District No. 728, Elk River, must prepare and deliver by first class mail at least 15 days but no more than 30 days before the day of the referendum to approve the split of the Elk River school district to each taxpayer a notice of the proposed new district boundaries. The board need not mail more than one notice to any taxpayer. For the purpose of giving mailed notice under this subdivision, owners must be those shown to be owners on the records of the county auditor or, in any county where tax statements are mailed by the county treasurer, on the records of the county treasurer. Every property owner whose name does not appear on the records of the county auditor or the county treasurer is deemed to have waived this mailed notice unless the owner has requested in writing that the county auditor or county treasurer, as the case may be, include the name on the records for this purpose.

2.1 Subd. 3. Election question. The school board of Independent School District
 2.2 No. 728, Elk River, must submit to the voters of the district a question proposing to
 2.3 split the school district into two component districts. The ballot may contain a textual
 2.4 portion with information describing the proposed split of the district and a question stating
 2.5 substantially the following:

2.6 "Shall Independent School District No. 728, Elk River, be split into two school
 2.7 districts with the territory in Hennepin and Wright Counties comprising one district and
 2.8 the territory in Sherburne, Anoka, and Isanti Counties comprising another district?

2.9 Yes

2.10 No"

2.11 If a majority of all votes cast on the question at the election approve the split of the
 2.12 school district, the district shall be split according to the provisions of sections 2 to 9.

2.13 Subd. 4. Certification. The school board must certify the results of the election
 2.14 under this section to the Department of Education and the county auditors of Hennepin,
 2.15 Wright, Sherburne, Anoka, and Isanti Counties.

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

2.17 **Sec. 2. DISTRICT BOUNDARIES; ASSIGNMENT OF AREA.**

2.18 Subdivision 1. Sherburne, Anoka, and Isanti counties. Upon successful passage
 2.19 of the referendum in section 1, the commissioner of education shall issue an order
 2.20 detaching and classifying all of the area of the current Independent School District No.
 2.21 728, Elk River, that is located in Sherburne, Anoka, or Isanti County as a new independent
 2.22 school district and assign the district an identification number as of July 1, 2008.

2.23 Subd. 2. Hennepin and Wright counties. Upon successful passage of the
 2.24 referendum in section 1, the commissioner of education shall issue an order detaching and
 2.25 classifying all of the area of the current Independent School District No. 728, Elk River,
 2.26 that is located in Hennepin or Wright County as a new independent school district and
 2.27 assign the district an identification number as of July 1, 2008.

2.28 Subd. 3. Commissioner's records. Upon successful completion of the referendum
 2.29 authorized in section 1, the commissioner of education shall modify the records and any
 2.30 plats, petitions, and proceedings involving the former school district and the newly created
 2.31 school districts to conform to the conditions of this act.

2.32 EFFECTIVE DATE. This section is effective July 1, 2006.

2.33 **Sec. 3. GOVERNANCE.**

3.1 Subdivision 1. School board size. Each of the new school districts created by
3.2 section 1 initially shall be governed by a board of directors consisting of seven members.

3.3 Subd. 2. School board elections and terms. The board of directors for each new
3.4 school district described in section 2 shall be elected according to Minnesota Statutes,
3.5 chapter 205A, at an election held for that purpose at the November 2007 general election.
3.6 Four of the initial board members must be elected for a term of four years and three of
3.7 the initial members shall be elected to a term of two years.

3.8 Subd. 3. Start of term. The terms of the newly elected board members must begin
3.9 on the first Monday in January 2008, and continue until a successor qualifies.

3.10 Subd. 4. Subsequent terms. After the initial election required under subdivision 2,
3.11 the terms of all members shall be governed under Minnesota Statutes, section 123B.09.

3.12 Subd. 5. Serving on two boards. Notwithstanding any law to the contrary, an
3.13 individual may serve on both the school board of Independent School District No. 728,
3.14 Elk River, and on the board of one of the newly created school districts.

3.15 Subd. 6. End of terms. Notwithstanding any law to the contrary, the terms of the
3.16 board members of Independent School District No. 728, Elk River, extend until July 1,
3.17 2008, at which point the terms end and the board is dissolved.

3.18 EFFECTIVE DATE. This section is effective upon successful passage of the
3.19 referendum authorized in section 1.

3.20 Sec. 4. TRANSITION ACTIVITIES.

3.21 Subdivision 1. Existing board. The care, management, and control of Independent
3.22 School District No. 728, Elk River, remains with its board until July 1, 2008.
3.23 Notwithstanding any law to the contrary, the board may enter into one-year contracts with
3.24 its employees for the 2007-2008 school year.

3.25 Subd. 2. New board activities. The newly elected boards under section 3 may begin
3.26 meeting after the first Monday in January 2008. The boards may plan for operation of their
3.27 districts and issue letters of intent to hire employees. Upon specific written authority of
3.28 the board of Independent School District No. 728, Elk River, each board may separately
3.29 join with the board of Independent School District No. 728, Elk River, and jointly enter
3.30 into contracts for the operation of the newly formed school district prior to July 1, 2008.

3.31 EFFECTIVE DATE. This section is effective upon successful passage of the
3.32 referendum authorized in section 1.

3.33 Sec. 5. DISTRIBUTION OF ASSETS AND LIABILITIES.

4.1 Subdivision 1. Order of commissioner. Under the detachments authorized in
4.2 section 2, the commissioner of education shall issue an order for the distribution of all
4.3 assets and liabilities, real and personal, and the legally valid and enforceable claims and
4.4 contract obligations of the former Independent School District No. 728, Elk River, that are
4.5 necessary for the new school districts to operate.

4.6 Subd. 2. Real property. The commissioner shall determine the value of all real
4.7 property. The commissioner's order must transfer the interests in all real property to the
4.8 newly created school districts. The real property must be assigned based upon the borders
4.9 of the newly created school districts. If the commissioner determines that the value of
4.10 the real property substantially favors one district or the other, the commissioner may
4.11 include a dollar amount as a claim against the district receiving the property, and the claim
4.12 shall be paid and enforced in the manner provided by law for the payment of judgments
4.13 against a district.

4.14 EFFECTIVE DATE. This section is effective upon successful passage of the
4.15 referendum authorized in section 1.

4.16 **Sec. 6. TAX LIABILITY FOR EXISTING BONDED DEBT.**

4.17 All taxable property in the areas so detached remains taxable for payment of any
4.18 school purpose obligations already authorized by or outstanding on July 1, 2008. The
4.19 commissioner's order does not relieve the taxable property from the obligation of any
4.20 bonded debt already incurred to which it was subject prior to the order. All taxable
4.21 property in the areas included in the newly created districts is taxable for payment of any
4.22 district obligations of its new district authorized on or subsequent to July 1, 2008.

4.23 EFFECTIVE DATE. This section is effective upon successful passage of the
4.24 referendum authorized in section 1.

4.25 **Sec. 7. EMPLOYEES.**

4.26 Subdivision 1. Licensed employees. The obligations of the newly created school
4.27 districts created in section 2 to licensed employees are governed by Minnesota Statutes,
4.28 section 123A.75, except that the commissioner of education shall assign each teacher
4.29 employed by Independent School District No. 728, Elk River, to the newly created
4.30 districts based upon the location of the building where the teacher was employed during
4.31 the 2006-2007 school year. Any licensed employee who was not assigned to a building
4.32 during the 2006-2007 school year must be assigned according to Minnesota Statutes,
4.33 section 123A.75.

5.1 Subd. 2. Nonlicensed employees. All other employees not included in subdivision
5.2 1 may apply for employment to either of the newly created school boards by February
5.3 15, 2008. Employees who have not received a letter of intent to hire from either of the
5.4 boards of the newly created districts by April 15, 2008, may place their names on a roster
5.5 maintained by the commissioner of education. On June 15, 2008, the commissioner
5.6 shall assign all of the employees on the roster to unfilled positions in the newly created
5.7 school districts in order of seniority. All of the rights and obligations of the nonlicensed
5.8 employees must continue in the same manner as before July 1, 2008.

5.9 EFFECTIVE DATE. This section is effective upon the successful passage of the
5.10 referendum authorized in section 1.

5.11 **Sec. 8. ENROLLMENT OPTIONS.**

5.1 Regardless of the new districts' borders, a student who is enrolled in Independent
5.13 School District No. 728, Elk River, during the 2006-2007 school year may continue to
5.14 attend the school in which that student was enrolled until the student completes the last
5.15 grade offered by that school. Funding for a student under this section is governed by
5.16 Minnesota Statutes, section 124D.03.

5.17 EFFECTIVE DATE. This section is effective upon the successful passage of the
5.18 referendum authorized in section 1.

5.19 **Sec. 9. SCHOOL FINANCES; OPERATING REFERENDUM.**

5.20 The operating referendum amounts of Independent School District No. 728, Elk
5.21 River, continue in the amount and for the timelines approved by the voters in each of the
5.22 newly formed component school districts.

5.23 EFFECTIVE DATE. This section is effective upon the successful passage of the
5.24 referendum authorized in section 1.

Senators Tomassoni, Hann, Kelley, LeClair and Reiter introduced—
S.F. No. 3645: Referred to the Committee on Education.

A bill for an act

relating to education; establishing an advisory task force to recommend options
for accelerated K-12 science and mathematics programs throughout Minnesota.

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

Section 1. ADVISORY TASK FORCE ON OPTIONS FOR ACCELERATED K-12
SCIENCE AND MATHEMATICS PROGRAMS THROUGHOUT MINNESOTA.

(a) An advisory task force on options for accelerated K-12 science and mathematics
programs throughout Minnesota is established to consider and recommend to the
legislature alternatives for delivering accelerated science and mathematics programs
to eligible students throughout Minnesota. Recommended programs must provide
accelerated science and mathematics instruction to eligible students in grades 6 through
12 and be cost effective and efficiently implemented and operated. Other recommended
programs may offer accelerated science and mathematics instruction to other eligible
elementary grade students and provide out-of-school and summer school K-12 science
and mathematics instruction throughout the state.

(b) The advisory task force at least must:

(1) evaluate and compare at least five alternatives for delivering accelerated science
and mathematics programs to Minnesota students, which may include online learning,
satellite science and mathematics centers, a consortium of available accelerated science
and mathematics or accelerated education programs, and residential and nonresidential
accelerated science and mathematics academies that may be patterned after the Perpich
Center for Arts Education under Minnesota Statutes, chapter 129C, among other
alternatives;

2.1 (2) identify and evaluate possible members for a science, mathematics, engineering,
2.2 and technology leadership consortium composed of representatives of corporations,
2.3 organizations, educational institutions, and research facilities to help implement
2.4 accelerated K-12 science and mathematics programs in Minnesota;

2.5 (3) evaluate and compare at least three alternatives for preparing and assisting
2.6 educational leaders who are literate in science and mathematics to help implement
2.7 accelerated K-12 science and mathematics programs in Minnesota, which may include
2.8 gifted education and accelerated science and mathematics teacher training programs and
2.9 residential and nonresidential accelerated science and mathematics academies that also
2.10 provide professional development and educational outreach programs; and

2.11 (4) identify and evaluate postsecondary career and technical education programs
2.12 offering or requiring accelerated science and mathematics instruction.

2.13 (c) The commissioner of education shall appoint an advisory task force on options
2.14 for accelerated K-12 science and mathematics programs throughout Minnesota that is
2.15 composed of the following representatives: a gifted education coordinator, an educator
2.16 holding a gifted education certificate or an instructor in a graduate level gifted education
2.17 program; a currently licensed or retired high school physical science teacher; a currently
2.18 licensed or retired high school mathematics teacher; a faculty member providing
2.19 instruction under the Minnesota postsecondary enrollment options program or an educator
2.20 providing instruction under the college in the schools program; a faculty member or
2.21 educator providing instruction in the Minnesota talented youth mathematics program; a
2.22 University of Minnesota mathematics or engineering professor; a University of Minnesota
2.23 physical science professor; a manager or director in a high technology field, corporation,
2.24 organization, or facility; a manager or director in a medical field or profession; a manager
2.25 or director in a research-based field, corporation, organization, or facility; one parent of a
2.26 high school student gifted in mathematics or science from each congressional district; a
2.27 physical science teacher and a biology teacher, one of whom is licensed to teach middle
2.28 level students and one of whom is licensed to teach high school level students; a high
2.29 school career and technical instructor; a faculty member in a postsecondary institution
2.30 offering technical two-year degrees who provides career and technical instruction; a
2.31 manager or director in a mathematics or science industry who employs persons with
2.32 associate degrees in a technical field; a manager or director in the biosciences industry;
2.33 and two at-large members. Notwithstanding any other law to the contrary, the task force
2.34 may conduct meetings of its members by telephone or other electronic means where all
2.35 members can hear one another and all the discussion, at least one member is physically
2.36 present at the regular meeting location, and interested members of the public can hear all

3.1 the discussion. Task force members' terms and other task force matters are subject to
3.2 Minnesota Statutes, section 15.059. The task force must submit by January 30, 2007, a
3.3 written report and presentation to the Education Policy and Finance committees of the
3.4 legislature that include recommendations on alternatives for delivering accelerated science
3.5 and mathematics programs to eligible students throughout Minnesota.

3.6 (d) Upon request, the commissioner of education must provide the task force with
3.7 technical, fiscal, and other support services.

3.8 (e) The task force expires February 1, 2007.

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

Senators Clark, Dille, Kelley, Stumpf and Hann introduced—

S.F. No. 2826: Referred to the Committee on Education.

1.1 A bill for an act
1.2 relating to education; providing for character development education revenue;
1.3 appropriating money.

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

1.5 Section 1. **CHARACTER DEVELOPMENT EDUCATION REVENUE; PILOT**
1.6 **PROGRAM.**

1.7 **Subdivision 1. Pilot program created.** A pilot program is created to allow school
1.8 districts to receive character development education revenue to purchase curriculum for
1.9 the purposes of Minnesota Statutes, section 120B.232. Character development education
1.10 revenue for school districts equals \$30 times the district's adjusted marginal cost pupil
1.11 units.

1.12 **Subd. 2. Approved provider list.** The commissioner of education shall maintain
1.13 a character development education curriculum approved provider list. The character
1.14 development education curriculum of approved providers shall be research based with
1.15 at least one completed relational study covering a period of no fewer than five years
1.16 and completed by an independent party. Approved character development education
1.17 curriculum must include:

1.18 (1) age appropriate character development for the classroom in all elementary and
1.19 secondary grades;

1.20 (2) curriculum for character development extracurricular activities;

1.21 (3) teacher training workshops and in-service training;

1.22 (4) plans for school assemblies promoting character development;

1.23 (5) midyear consulting between the school district and the provider; and

1.24 (6) an assessment program.

2.1 Subd. 3. Application and selection process. A school district may submit to
 2.2 the commissioner an application for funding in the form and manner specified by the
 2.3 commissioner. The commissioner shall approve applications that propose to use an
 2.4 approved provider and that agree to use the program as recommended by the provider.
 2.5 The commissioner must approve or disapprove an application within 30 days of receipt on
 2.6 a first-come, first-served basis.

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

2.8 Sec. 2. APPROPRIATION.

2.9 Subdivision 1. Department of Education. The sum indicated in this section is
 2.10 appropriated from the general fund to the Department of Education for the fiscal years
 2.11 designated.

2.12 Subd. 2. Character development education revenue. For the character
 2.13 development education revenue pilot program according to section 1:

2.14 \$ 2007

1.1 Senator Kelley from the Committee on Education, to which was referred

1.2 S.F. No. 2894: A bill for an act relating to education; authorizing an election to form
1.3 two separate school districts from the area currently within Independent School District
1.4 No. 728, Elk River.

1.5 Reports the same back with the recommendation that the bill be amended as follows:

1.6 Delete everything after the enacting clause and insert:

1.7 "Section 1. VOLUNTARY LOCAL TASK FORCE TO EXAMINE THE
1.8 GOVERNANCE, FACILITIES, AND PROGRAMMING OF THE ELK RIVER
1.9 SCHOOL DISTRICT.

1.10 Notwithstanding other law to the contrary, the superintendent of Independent School
1.11 District No. 128, Elk River, must convene a voluntary local task force composed of
1.12 the district superintendent, district and school administrators, licensed and nonlicensed
1.13 district and school staff, parents of students enrolled in district schools and interested
1.14 district residents and representatives of community-based entities appointed by the
1.15 superintendent to examine and make recommendations regarding the governance,
1.16 facilities, and programming of the Elk River school district. Task force members may
1.17 elect to create subcommittees to accomplish this task. Task force members may not be
1.18 reimbursed or receive compensation for their participation. The task force must submit a
1.19 written report to the Elk River school board by September 1, 2006, containing its findings
1.20 and recommendations. The Elk River school board must submit the task force report and
1.21 any school board recommendations to the education policy and finance committees of the
1.22 legislature by January 15, 2007.

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

1.24 Amend the title accordingly

1.25 And when so amended the bill do pass. Amendments adopted. Report adopted.

1.26 
1.27 (Committee Chair)

1.28 April 4, 2006
1.29 (Date of Committee recommendation)

1.1 **Senator Kelley from the Committee on Education, to which was referred**

1.2 **S.F. No. 3645:** A bill for an act relating to education; establishing an advisory task
1.3 force to recommend options for accelerated K-12 science and mathematics programs
1.4 throughout Minnesota.

1.5 Reports the same back with the recommendation that the bill be amended as follows:

1.6 Delete everything after the enacting clause and insert:

1.7 "Section 1. [120B.236] ACCELERATED K-12 SCIENCE AND

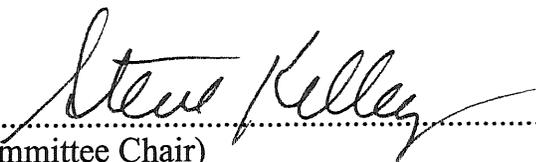
1.8 MATHEMATICS.

1.9 Subdivision 1. Accelerated K-12 science and mathematics education. The
1.10 legislature encourages districts to integrate or offer instruction in accelerated K-12 science
1.11 and mathematics programs throughout Minnesota including, but not limited to, alternative
1.12 programs that provide online learning, satellite science and mathematics centers, summer
1.13 programming, and a consortium of available accelerated science and mathematics or
1.14 accelerated education programs. Instruction should be integrated into a district's existing
1.15 programs, curriculum, or the general school environment.

1.16 Subd. 2. Report. Districts that have experimented with accelerated K-12 science
1.17 and mathematics programming are encouraged to report findings to the house of
1.18 representatives and senate committees having jurisdiction over education."

1.19 Amend the title accordingly

1.20 And when so amended the bill do pass. Amendments adopted. Report adopted.

1.21 
1.22 (Committee Chair)

1.23 April 4, 2006
1.24 (Date of Committee recommendation)

1.1 Senator Kelley from the Committee on Education, to which was referred

1.2 S.F. No. 2826: A bill for an act relating to education; providing for character
1.3 development education revenue; appropriating money.

1.4 Reports the same back with the recommendation that the bill be amended as follows:

1.5 Delete everything after the enacting clause and insert:

1.6 "Section 1. CHARACTER DEVELOPMENT EDUCATION; PILOT
1.7 PROGRAM.

1.8 Subdivision 1. Pilot program created. School districts may develop a pilot
1.9 program to implement comprehensive character development education under Minnesota
1.10 Statutes, section 120B.232, subdivision 1.

1.11 Subd. 2. Approved provider list. (a) Based upon available resources, the
1.12 commissioner of education shall maintain a character development education curriculum
1.13 approved provider list. The character development education curriculum of approved
1.14 providers shall be research based and evaluated by an independent party. Approved
1.15 comprehensive character development education curriculum must include:

1.16 (1) age appropriate character development for the classroom in elementary or
1.17 secondary grades;

1.18 (2) teacher training workshops and in-service training;

1.19 (3) midyear consulting between the school district and the provider; and

1.20 (4) an assessment program.

1.21 (b) Funding for the approved provider list shall be from existing department
1.22 resources under Minnesota Statutes, section 120B.232, subdivision 2.

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

1.24 Amend the title accordingly

1.25 And when so amended the bill do pass. Amendments adopted. Report adopted.

1.26 
1.27 (Committee Chair)

1.28 April 4, 2006
1.29 (Date of Committee recommendation)

1.1 **Senator Kelley from the Committee on Education, to which was referred**

1.2 **S.F. No. 2994:** A bill for an act relating to education; providing for general education
 1.4 revenue, education excellence, special programs, nutrition and accounting, self-sufficiency
 1.5 and lifelong learning, and state agencies; authorizing rulemaking; appropriating money;
 1.6 amending Minnesota Statutes 2004, sections 119A.50, subdivision 1; 119A.52; 119A.53;
 1.7 119A.545; 120A.20, subdivision 1; 120A.22, subdivision 3; 120B.023; 123A.06,
 1.8 subdivision 2; 124D.10, subdivision 16; 124D.518, subdivision 4; 124D.52, subdivision 1;
 1.9 124D.61; 124D.68, subdivision 3; 125A.091, subdivisions 5, 7, 9, 10, 12, 13, 14, 15, 19,
 1.10 20; 125A.27, subdivision 11; 125A.29; 125A.30; 125A.32; 125A.33; 125A.48; 125A.515,
 1.11 subdivisions 1, 3, 5, 6, 7, 9, 10; 125A.63, subdivision 4; 125A.69, subdivision 3; 125A.75,
 1.12 subdivision 1; 126C.05, subdivision 1; 126C.10, subdivision 6; 126C.44; Minnesota
 1.13 Statutes 2005 Supplement, sections 120B.131, subdivision 2; 121A.53, subdivision 1;
 1.14 122A.415, subdivisions 1, 3; 123B.76, subdivision 3; 124D.095, subdivision 4; 124D.68,
 1.15 subdivision 2; 125A.11, subdivision 1; 125A.28; 126C.43, subdivision 2; 127A.45,
 1.16 subdivision 10; Laws 2005, First Special Session chapter 5, article 2, sections 81; 84,
 1.17 subdivision 13; article 7, section 20, subdivision 5; proposing coding for new law in
 1.18 Minnesota Statutes, chapter 119A; repealing Minnesota Statutes 2004, sections 119A.51;
 120A.20, subdivision 3; 123B.10; 125A.10; 125A.515, subdivision 2.

1.19 Reports the same back with the recommendation that the bill be amended as follows:

1.20 Delete everything after the enacting clause and insert:

1.21 **"ARTICLE 1**

1.22 **EDUCATION EXCELLENCE**

1.23 Section 1. Minnesota Statutes 2004, section 120A.22, subdivision 3, is amended to
 1.24 read:

1.25 **Subd. 3. Parent defined; residency determined.** (a) In this section and sections
 1.26 120A.24 and 120A.26, "parent" means a parent, guardian, or other person having legal
 1.27 custody of a child.

1.28 (b) In sections 125A.03 to 125A.24 and 125A.65, "parent" means a parent, guardian,
 1.29 or other person having legal custody of a child under age 18. For an unmarried pupil age
 1.30 18 or over, "parent" means the pupil unless a guardian or conservator has been appointed,
 1.31 in which case it means the guardian or conservator.

1.32 (c) For purposes of sections 125A.03 to 125A.24 and 125A.65, the school district of
 1.33 residence for an unmarried pupil age 18 or over who is a parent under paragraph (b) and
 1.34 who is placed in a center for care and treatment, shall be the school district in which the
 1.35 pupil's biological or adoptive parent or designated guardian resides.

1.36 (d) For a married pupil age 18 or over, the school district of residence is the school
 1.37 district in which the married pupil resides.

1.38 (e) If a district reasonably believes that a student does not meet the residency
 1.39 requirements of the school district in which the student is attending school, the student
 1.40 may be removed from the school only after the district sends the student's parents written
 1.41 notice of the district's belief, including the facts upon which the belief is based, and an
 1.42 opportunity to provide documentary evidence of residency in person to the superintendent
 1.43 or designee, or, at the option of the parents, by sending the documentary evidence to the

2.1 superintendent, or a designee, who will then make a determination as to the residency
2.2 status of the student.

2.3 Sec. 2. Minnesota Statutes 2004, section 120B.021, subdivision 1, is amended to read:

2.4 Subdivision 1. **Required academic standards.** The following subject areas are
2.5 required for statewide accountability:

2.6 (1) language arts;

2.7 (2) mathematics;

2.8 (3) science;

2.9 (4) social studies, including history, geography, economics, and government and
2.10 citizenship;

2.11 (5) health and physical education, for which locally developed academic standards
2.12 apply; and

2.13 (6) the arts, for which statewide or locally developed academic standards apply, as
2.14 determined by the school district. Public elementary and middle schools must offer at least
2.15 three and require at least two of the following four arts areas: dance; music; theater; and
2.16 visual arts. Public high schools must offer at least three and require at least one of the
2.17 following five arts areas: media arts; dance; music; theater; and visual arts.

2.18 The commissioner must submit proposed standards in science and social studies to
2.19 the legislature by February 1, 2004.

2.20 For purposes of applicable federal law, the academic standards for language arts,
2.21 mathematics, and science apply to all public school students, except the very few students
2.22 with extreme cognitive or physical impairments for whom an individualized education
2.23 plan team has determined that the required academic standards are inappropriate.
2.24 An individualized education plan team that makes this determination must establish
2.25 alternative standards.

2.26 A school district, no later than the 2007-2008 school year, must adopt graduation
2.27 requirements that meet or exceed state graduation requirements established in law or
2.28 rule. A school district that incorporates these state graduation requirements before the
2.29 2007-2008 school year must provide students who enter the 9th grade in or before
2.30 the 2003-2004 school year the opportunity to earn a diploma based on existing locally
2.31 established graduation requirements in effect when the students entered the 9th grade.
2.32 District efforts to develop, implement, or improve instruction or curriculum as a result
2.33 of the provisions of this section must be consistent with sections 120B.10, 120B.11,
2.34 and 120B.20.

2.35 At a minimum, school districts must maintain the same physical education and
2.36 health education requirements for students in kindergarten through grade 8 adopted for the

3.1 2005-2006 school year through the 2008-2009 school year. Before a revision of the local
3.2 health and physical education standards, a school district must consult the grade-specific
3.3 benchmarks developed by the Department of Education's health and physical education
3.4 quality teaching network for the six national physical education standards and the seven
3.5 national health standards.

3.6 The commissioner must include the contributions of Minnesota American Indian
3.7 tribes and communities as they relate to each of the academic standards during the review
3.8 and revision of the required academic standards.

3.9 Sec. 3. Minnesota Statutes 2005 Supplement, section 120B.021, subdivision 1a,
3.10 is amended to read:

3.11 Subd. 1a. **Rigorous course of study; waiver.** (a) Upon receiving a student's
3.12 application signed by the student's parent or guardian, a school district, area learning
3.13 center, or charter school must declare that a student meets or exceeds a specific academic
3.14 standard required for graduation under this section if the local school board, the school
3.15 board of the school district in which the area learning center is located, or the charter
3.16 school board of directors determines that the student:

3.17 (1) is participating in a course of study, including an advanced placement or
3.18 international baccalaureate course or program; a learning opportunity outside the
3.19 curriculum of the district, area learning center, or charter school; or an approved
3.20 preparatory program for employment or postsecondary education that is equally or more
3.21 rigorous than the corresponding state or local academic standard required by the district,
3.22 area learning center, or charter school;

3.23 (2) would be precluded from participating in the rigorous course of study, learning
3.24 opportunity, or preparatory employment or postsecondary education program if the student
3.25 were required to achieve the academic standard to be waived; and

3.26 (3) satisfactorily completes the requirements for the rigorous course of study,
3.27 learning opportunity, or preparatory employment or postsecondary education program.

3.28 Consistent with the requirements of this section, the local school board, the school
3.29 board of the school district in which the area learning center is located, or the charter
3.30 school board of directors also may formally determine other circumstances in which to
3.31 declare that a student meets or exceeds a specific academic standard that the site requires
3.32 for graduation under this section.

3.33 (b) A student who satisfactorily completes a postsecondary enrollment options
3.34 course or program under section 124D.09, or an advanced placement or international
3.35 baccalaureate course or program under section 120B.13 is not required to complete other

4.1 requirements of the academic standards corresponding to that specific rigorous course
4.2 of study.

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

4.4 Sec. 4. Minnesota Statutes 2004, section 120B.023, is amended to read:

4.5 **120B.023 BENCHMARKS.**

4.6 Subdivision 1. Benchmarks implement, supplement statewide academic
4.7 standards. (a) The commissioner must supplement required state academic standards with
4.8 grade-level benchmarks. High school benchmarks may cover more than one grade. The
4.9 benchmarks must implement statewide academic standards by specifying the academic
4.10 knowledge and skills that schools must offer and students must achieve to satisfactorily
4.11 complete a state standard. The commissioner must publish benchmarks ~~are published~~ to
4.12 inform and guide parents, teachers, school districts, and other interested persons and for to
4.13 use in developing tests consistent with the benchmarks.

4.14 (b) The commissioner shall publish benchmarks in the State Register and transmit
4.15 the benchmarks in any other manner that makes them accessible to the general public. The
4.16 commissioner may charge a reasonable fee for publications.

4.17 (c) Once established, the commissioner may change the benchmarks only with
4.18 specific legislative authorization and after completing a review under ~~paragraph (d)~~
4.19 subdivision 2.

4.20 (d) The commissioner must develop and implement a system for reviewing ~~on~~
4.21 ~~a four-year cycle~~ each of the required academic standards and related benchmarks and
4.22 elective standards ~~beginning in the 2006-2007 school year~~ on a periodic cycle, consistent
4.23 with subdivision 2.

4.24 (e) The benchmarks are not subject to chapter 14 and section 14.386 does not apply.

4.25 Subd. 2. Revisions and reviews required. (a) The education commissioner must
4.26 revise and appropriately embed technology and information literacy standards consistent
4.27 with recommendations from school media specialists into the state's academic standards
4.28 and graduation requirements and implement a review cycle for state academic standards
4.29 and related benchmarks, consistent with this subdivision. During each review cycle, the
4.30 commissioner also must examine the alignment of each required academic standard and
4.31 related benchmark with the knowledge and skills students need for college readiness and
4.32 advanced work in the particular subject area.

4.33 (b) The commissioner in the 2006-2007 school year must revise and align the state's
4.34 academic standards and high school graduation requirements in mathematics to require

5.1 that students satisfactorily complete the revised mathematics standards, beginning in the
5.2 2010-2011 school year. Under the revised standards:

5.3 (1) students must satisfactorily complete an algebra I credit by the end of eighth
5.4 grade; and

5.5 (2) students scheduled to graduate in the 2014-2015 school year or later must
5.6 satisfactorily complete an algebra II credit or its equivalent.

5.7 The commissioner also must ensure that the statewide mathematics assessments
5.8 administered to students in grades 3 through 8 and 11 beginning in the 2010-2011 school
5.9 year are aligned with the state academic standards in mathematics. The statewide 11th
5.10 grade math test administered to students under clause (2) beginning in the 2013-2014
5.11 school year must include algebra II test items that are aligned with corresponding state
5.12 academic standards in mathematics. The commissioner must implement a review of the
5.13 academic standards and related benchmarks in mathematics beginning in the 2015-2016
5.14 school year.

5.15 (c) The commissioner in the 2007-2008 school year must revise and align the state's
5.16 academic standards and high school graduation requirements in the arts to require that
5.17 students satisfactorily complete the revised arts standards beginning in the 2010-2011
5.18 school year. The commissioner must implement a review of the academic standards and
5.19 related benchmarks in arts beginning in the 2016-2017 school year.

5.20 (d) The commissioner in the 2008-2009 school year must revise and align the state's
5.21 academic standards and high school graduation requirements in science to require that
5.22 students satisfactorily complete the revised science standards, beginning in the 2011-2012
5.23 school year. Under the revised standards, students scheduled to graduate in the 2014-2015
5.24 school year or later must satisfactorily complete a chemistry or physics credit. The
5.25 commissioner must implement a review of the academic standards and related benchmarks
5.26 in science beginning in the 2017-2018 school year.

5.27 (e) The commissioner in the 2009-2010 school year must revise and align the state's
5.28 academic standards and high school graduation requirements in language arts to require
5.29 that students satisfactorily complete the revised language arts standards beginning in the
5.30 2012-2013 school year. The commissioner must implement a review of the academic
5.31 standards and related benchmarks in language arts beginning in the 2018-2019 school year.

5.32 (f) The commissioner in the 2010-2011 school year must revise and align the state's
5.33 academic standards and high school graduation requirements in social studies to require
5.34 that students satisfactorily complete the revised social studies standards beginning in the
5.35 2013-2014 school year. The commissioner must implement a review of the academic
5.36 standards and related benchmarks in social studies beginning in the 2019-2020 school year.

6.1 (g) School districts and charter schools must revise and align local academic
6.2 standards and high school graduation requirements in health, physical education, world
6.3 languages and career and technical education to require students to complete the revised
6.4 standards beginning in a school year determined by the school district or charter school.
6.5 School districts and charter schools must formally establish a periodic review cycle for the
6.6 academic standards and related benchmarks in health, physical education, world languages
6.7 and career and technical education.

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

6.9 Sec. 5. Minnesota Statutes 2004, section 120B.024, is amended to read:

6.10 **120B.024 GRADUATION REQUIREMENTS; COURSE CREDITS;**
6.11 **STUDENT TRANSFERS.**

6.12 (a) Students beginning 9th grade in the 2004-2005 school year and later must
6.13 successfully complete the following high school level course credits for graduation:

6.14 (1) four credits of language arts;

6.15 (2) three credits of mathematics, encompassing at least algebra, geometry, statistics,
6.16 and probability sufficient to satisfy the academic standard and beginning the 2010-2011
6.17 school year for students scheduled to graduate in the 2014-2015 school year or later, one
6.18 algebra II credit or its equivalent;

6.19 (3) three credits of science, including at least one credit in biology and for the
6.20 2011-2012 school year and later, one credit in chemistry or physics;

6.21 (4) three and one-half credits of social studies, encompassing at least United
6.22 States history, geography, government and citizenship, world history, and economics or
6.23 three credits of social studies encompassing at least United States history, geography,
6.24 government and citizenship, and world history, and one-half credit of economics taught in
6.25 a school's social studies, agriculture education, or business department;

6.26 (5) one credit in the arts; ~~and~~

6.27 (6) one-half credit in physical education and one-half credit in health education; and

6.28 (7) a minimum of ~~seven~~ six elective course credits.

6.29 (b) A course credit is equivalent to a student successfully completing an academic
6.30 year of study or a student mastering the applicable subject matter, as determined by the
6.31 local school district.

6.32 (c) An agriculture science course may fulfill a science credit requirement under
6.33 this section.

6.34 (d) A district, area learning center, and charter school must establish processes by
6.35 which to transfer as completed:

7.1 (1) those course credit requirements that other school sites within the district or
 7.2 other public schools verify on transcripts as completed; and

7.3 (2) the work that educational institutions outside the state accept for completing the
 7.4 equivalent of course credit requirements and verify on transcripts as completed.

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

7.6 Sec. 6. Minnesota Statutes 2005 Supplement, section 120B.131, subdivision 2, is
 7.7 amended to read:

7.8 Subd. 2. **Reimbursement for examination fees.** The state may reimburse
 7.9 college-level examination program (CLEP) fees for a Minnesota public or nonpublic
 7.10 high school student who has successfully completed one or more college-level courses
 7.11 in high school ~~and earned a satisfactory score on one or more CLEP examinations in the~~
 7.12 subject matter of each examination in the following subjects: composition and literature,
 7.13 mathematics and science, social sciences and history, foreign languages, and business and
 7.14 humanities. The state may reimburse each ~~successful~~ student for up to six examination
 7.15 fees. The commissioner shall establish application procedures and a process and schedule
 7.16 for fee reimbursements. The commissioner must give priority to reimburse the CLEP
 7.17 examination fees of students of low-income families.

7.18 Sec. 7. **[121A.02] SCHOOL SAFETY.**

7.19 **Subdivision 1. School safety advisory council.** A School Safety Advisory Council
 7.20 is established under section 15.059. The advisory council is composed of 12 members
 7.21 representing law enforcement agencies, mental health services, substance abuse services,
 7.22 faith communities, school administrators, students, and school athletic departments and
 7.23 extracurricular organizations. The members of the council shall be appointed by the
 7.24 commissioner and must be from geographically diverse regions of the state.

7.25 **Subd. 2. Duties.** The advisory council shall advise the commissioner on issues
 7.26 related to school safety. The advisory council, in cooperation with the commissioner,
 7.27 shall make recommendations for the creation of a Center for School Safety for the state
 7.28 that serves as the central point for the collection and dissemination of information about
 7.29 successful school safety programs, provide services to schools to assess current school
 7.30 environments, and provide materials, training, and technical assistance.

7.31 **Subd. 3. Center for school safety.** Consistent with the recommendations of
 7.32 the advisory council, the commissioner shall establish the Center for School Safety.
 7.33 The advisory council shall continue to advise the commissioner and the center on its
 7.34 operations. The Center for School Safety shall, at a minimum:

7.35 (1) establish a clearinghouse for information and materials concerning school safety;

- 8.1 (2) provide safe school assessments;
8.2 (3) provide training and technical assistance customized to individual school needs
8.3 for school staff, students, and parents;
8.4 (4) provide services to enhance school climate;
8.5 (5) coordinate school efforts with the broader community; and
8.6 (6) evaluate and report on the implementation and effectiveness of the services
8.7 provided by the center.

8.8 Sec. 8. Minnesota Statutes 2004, section 121A.035, is amended to read:

8.9 **121A.035 CRISIS MANAGEMENT POLICY.**

8.10 Subdivision 1. **Model policy.** ~~By December 1, 1999,~~ The commissioner shall
8.11 maintain and make available to school boards and charter schools a model crisis
8.12 management policy that includes, among other items, school lock-down and tornado drills,
8.13 consistent with subdivision 2, and school fire drills under section 299F.30.

8.14 Subd. 2. **School district and charter school policy.** ~~By July 1, 2000,~~ A school
8.15 board and a charter school must adopt a ~~district~~ crisis management policy to address
8.16 potential violent crisis situations in the district or charter school. The policy must be
8.17 developed ~~in consultation~~ cooperatively with administrators, teachers, employees,
8.18 students, parents, community members, law enforcement agencies, other emergency
8.19 management officials, county attorney offices, social service agencies, emergency medical
8.20 responders, and any other appropriate individuals or organizations. The policy must
8.21 include at least five school lock-down drills, five school fire drills consistent with section
8.22 299F.30, and one tornado drill.

8.23 **EFFECTIVE DATE.** This section is effective for the 2006-2007 school year and
8.24 later.

8.25 Sec. 9. **[121A.231] COMPREHENSIVE FAMILY LIFE AND SEXUALITY**
8.26 **EDUCATION PROGRAMS.**

8.27 Subdivision 1. **Definitions.** (a) "Comprehensive family life and sexuality education"
8.28 means education in grades 7 through 12 that:

- 8.29 (1) respects community values and encourages family communication;
8.30 (2) develops skills in communication, decision making, and conflict resolution;
8.31 (3) contributes to healthy relationships;
8.32 (4) provides human development and sexuality education that is age appropriate
8.33 and medically accurate;

9.1 (5) includes an abstinence-first approach to delaying initiation of sexual activity that
9.2 emphasizes abstinence while also including education about the use of protection and
9.3 contraception; and

9.4 (6) promotes individual responsibility.

9.5 (b) "Age appropriate" refers to topics, messages, and teaching methods suitable to
9.6 particular ages or age groups of children and adolescents, based on developing cognitive,
9.7 emotional, and behavioral capacity typical for the age or age group.

9.8 (c) "Medically accurate" means verified or supported by research conducted in
9.9 compliance with scientific methods and published in peer-reviewed journals, where
9.10 appropriate, and recognized as accurate and objective by professional organizations
9.11 and agencies in the relevant field, such as the federal Centers for Disease Control
9.12 and Prevention, the American Public Health Association, the American Academy of
9.13 Pediatrics, or the American College of Obstetricians and Gynecologists.

9.14 Subd. 2. Curriculum requirements. (a) A school district may offer and may
9.15 independently establish policies, procedures, curriculum, and services for providing
9.16 comprehensive family life and sexuality education that is age appropriate and medically
9.17 accurate for kindergarten through grade 6.

9.18 (b) A school district must offer and may independently establish policies, procedures,
9.19 curriculum, and services for providing comprehensive family life and sexuality education
9.20 that is age appropriate and medically accurate for grades 7 through 12.

9.21 Subd. 3. Notice and parental options. (a) It is the legislature's intent to encourage
9.22 pupils to communicate with their parents or guardians about human sexuality and to respect
9.23 rights of parents or guardians to supervise their children's education on these subjects.

9.24 (b) Parents or guardians may excuse their children from all or part of a
9.25 comprehensive family life and sexuality education program.

9.26 (c) A school district must establish procedures for providing parents or guardians
9.27 reasonable notice with the following information:

9.28 (1) if the district is offering a comprehensive family life and sexuality education
9.29 program to the parents' or guardians' child during the course of the year;

9.30 (2) how the parents or guardians may inspect the written and audio/visual
9.31 educational materials used in the program and the process for inspection;

9.32 (3) if the program is presented by school district personnel or outside consultants,
9.33 and if outside consultants are used, who they may be; and

9.34 (4) parents' or guardians' right to choose not to have their child participate in the
9.35 program and the procedure for exercising that right.

10.1 (d) A school district must establish procedures for reasonably restricting the
10.2 availability of written and audio/visual educational materials from public view of students
10.3 who have been excused from all or part of a comprehensive family life and sexuality
10.4 education program at the request of a parent or guardian.

10.5 Subd. 4. Assistance to school districts. (a) The Department of Education may
10.6 offer services to school districts to help them implement effective comprehensive family
10.7 life and sexuality education programs. In providing these services, the department may
10.8 contract with a school district, or a school district in partnership with a local health agency
10.9 or a nonprofit organization, to establish up to eight regional training sites, taking into
10.10 account geographical balance, to provide:

10.11 (1) training for teachers, parents, and community members in the development of
10.12 comprehensive family life and sexuality education curriculum or services and in planning
10.13 for monitoring and evaluation activities;

10.14 (2) resource staff persons to provide expert training, curriculum development and
10.15 implementation, and evaluation services;

10.16 (3) technical assistance to promote and coordinate community, parent, and youth
10.17 forums in communities identified as having high needs for comprehensive family life
10.18 and sexuality education;

10.19 (4) technical assistance for issue management and policy development training for
10.20 school boards, superintendents, principals, and administrators across the state; and

10.21 (5) funding for grants to school-based comprehensive family life and sexuality
10.22 education programs to promote innovation and to recognize outstanding performance and
10.23 promote replication of demonstrably effective strategies.

10.24 (b) Technical assistance provided by the department to school districts or regional
10.25 training sites may:

10.26 (1) promote instruction and use of materials that are age appropriate;

10.27 (2) provide information that is medically accurate and objective;

10.28 (3) provide instruction and promote use of materials that are respectful of marriage
10.29 and commitments in relationships;

10.30 (4) provide instruction and promote use of materials that are appropriate for use
10.31 with pupils and family experiences based on race, gender, sexual orientation, ethnic
10.32 and cultural background, and appropriately accommodate alternative learning based on
10.33 language or disability;

10.34 (5) provide instruction and promote use of materials that encourage pupils to
10.35 communicate with their parents or guardians about human sexuality;

11.1 (6) provide instruction and promote use of age-appropriate materials that teach
11.2 abstinence from sexual intercourse as the only certain way to prevent unintended
11.3 pregnancy or sexually transmitted infections, including HIV, and provide information
11.4 about the role and value of abstinence while also providing medically accurate information
11.5 on other methods of preventing and reducing risk for unintended pregnancy and sexually
11.6 transmitted infections;

11.7 (7) provide instruction and promote use of age-appropriate materials that are
11.8 medically accurate in explaining transmission modes, risks, symptoms, and treatments for
11.9 sexually transmitted infections, including HIV;

11.10 (8) provide instruction and promote use of age-appropriate materials that address
11.11 varied societal views on sexuality, sexual behaviors, pregnancy, and sexually transmitted
11.12 infections, including HIV, in an age-appropriate manner;

11.13 (9) provide instruction and promote use of age-appropriate materials that provide
11.14 information about the effectiveness and safety of all FDA-approved methods for
11.15 preventing and reducing risk for unintended pregnancy and sexually transmitted
11.16 infections, including HIV;

11.17 (10) provide instruction and promote use of age-appropriate materials that provide
11.18 instruction in skills for making and implementing responsible decisions about sexuality;

11.19 (11) provide instruction and promote use of age-appropriate materials that provide
11.20 instruction in skills for making and implementing responsible decisions about finding and
11.21 using health services; and

11.22 (12) provide instruction and promote use of age-appropriate materials that do not
11.23 teach or promote religious doctrine nor reflect or promote bias against any person on the
11.24 basis of any category protected under the Minnesota Human Rights Act, chapter 363A.

11.25 Sec. 10. Minnesota Statutes 2004, section 122A.09, subdivision 4, is amended to read:

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

11.28 (b) The board must adopt rules requiring a person to successfully complete a skills
11.29 examination in reading, writing, and mathematics as a requirement for initial teacher
11.30 licensure. Such rules must require college and universities offering a board-approved
11.31 teacher preparation program to provide remedial assistance to persons who did not
11.32 achieve a qualifying score on the skills examination, including those for whom English is
11.33 a second language.

11.34 (c) The board must adopt rules to approve teacher preparation programs. The board,
11.35 upon the request of a postsecondary student preparing for teacher licensure or a licensed
11.36 graduate of a teacher preparation program, shall assist in resolving a dispute between the

12.1 person and a postsecondary institution providing a teacher preparation program when the
12.2 dispute involves an institution's recommendation for licensure affecting the person or the
12.3 person's credentials. At the board's discretion, assistance may include the application
12.4 of chapter 14.

12.5 (d) The board must provide the leadership and shall adopt rules for the redesign of
12.6 teacher education programs to implement a research based, results-oriented curriculum that
12.7 focuses on the skills teachers need in order to be effective. The board shall implement new
12.8 systems of teacher preparation program evaluation to assure program effectiveness based
12.9 on proficiency of graduates in demonstrating attainment of program outcomes. The board
12.10 must require that persons enrolled in a teacher preparation program receive instruction
12.11 in historical and cultural competencies related to Minnesota American Indian tribes and
12.12 communities and their contributions to Minnesota, consistent with sections 124D.71 to
12.13 124D.82. The competencies related to Minnesota American Indian tribes and communities
12.14 must include, among other components, standards for instructional practices most effective
12.15 for successfully teaching elementary and secondary American Indian students.

12.16 (e) The board must adopt rules requiring successful completion of an examination
12.17 of general pedagogical knowledge and examinations of licensure-specific teaching
12.18 skills. The rules shall be effective on the dates determined by the board but not later
12.19 than September 1, 2001.

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

12.23 (g) The board must grant licenses to interns and to candidates for initial licenses.

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

12.27 (i) The board must receive recommendations from local committees as established
12.28 by the board for the renewal of teaching licenses.

12.29 (j) The board must grant life licenses to those who qualify according to requirements
12.30 established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and
12.31 214.10. The board must not establish any expiration date for application for life licenses.

12.32 (k) The board must adopt rules that require all licensed teachers who are renewing
12.33 their continuing license to include in their renewal requirements further preparation in
12.34 the areas of using positive behavior interventions and in accommodating, modifying, and
12.35 adapting curricula, materials, and strategies to appropriately meet the needs of individual
12.36 students and ensure adequate progress toward the state's graduation rule.

13.1 (l) In adopting rules to license public school teachers who provide health-related
13.2 services for disabled children, the board shall adopt rules consistent with license or
13.3 registration requirements of the commissioner of health and the health-related boards who
13.4 license personnel who perform similar services outside of the school.

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

13.11 (n) The board must adopt rules that require all licensed teachers who are renewing
13.12 their continuing license to include in their renewal requirements further preparation
13.13 in understanding the key warning signs of early-onset mental illness in children and
13.14 adolescents.

13.15 (o) The board must adopt rules to include instruction and other development
13.16 activities to improve the understanding and effective instruction of and communication
13.17 with Minnesota American Indian tribes and communities, consistent with paragraph (d)
13.18 and sections 124D.71 to 124D.82, in the 125 clock hours of professional development that
13.19 teachers must complete to renew their professional teaching license.

13.20 EFFECTIVE DATE. This section is effective for the 2006-2007 school year and
13.21 later.

13.22 Sec. 11. Minnesota Statutes 2005 Supplement, section 122A.414, subdivision 2b,
is amended to read:

13.24 Subd. 2b. **Approval process.** (a) Consistent with the requirements of this section
13.25 and sections 122A.413 and 122A.415, the department must prepare and transmit to
13.26 interested school districts, intermediate school districts, school sites, and charter schools
13.27 a standard form for applying to participate in the alternative teacher professional pay
13.28 system. An interested school district, intermediate school district, school site, or charter
13.29 school must submit to the commissioner a completed application executed by the district
13.30 superintendent and the exclusive bargaining representative of the teachers if the applicant
13.31 is a school district, intermediate school district, or school site, or executed by the charter
13.32 school board of directors if the applicant is a charter school. The application must include
13.33 the proposed alternative teacher professional pay system agreement under subdivision
13.34 2. The department must convene a review committee that at least includes teachers and
13.35 administrators within 30 days of receiving a completed application to recommend to
13.36 the commissioner whether to approve or disapprove the application. The commissioner

14.1 must approve applications on a first-come, first-served basis. The applicant's alternative
14.2 teacher professional pay system agreement must be legally binding on the applicant
14.3 and the collective bargaining representative before the applicant receives alternative
14.4 compensation revenue. The commissioner must approve or disapprove an application
14.5 based solely on the explicit requirements under subdivisions 2 and 2a and may not impose
14.6 any other conditions for approval.

14.7 (b) If the commissioner disapproves an application, the commissioner must give the
14.8 applicant timely notice of the specific reasons in detail for disapproving the application.
14.9 The applicant may revise and resubmit its application and related documents to the
14.10 commissioner within 30 days of receiving notice of the commissioner's disapproval and
14.11 the commissioner must approve or disapprove the revised application, consistent with this
14.12 subdivision. Applications that are revised and then approved are considered submitted on
14.13 the date the applicant initially submitted the application.

14.14 Sec. 12. Minnesota Statutes 2005 Supplement, section 122A.414, subdivision 3,
14.15 is amended to read:

14.16 Subd. 3. **Report; continued funding.** (a) Participating districts, intermediate
14.17 school districts, school sites, and charter schools must report on the implementation and
14.18 effectiveness of the alternative teacher professional pay system, particularly addressing
14.19 each requirement under subdivision 2 and make annual recommendations by June 15 to
14.20 their school boards. The school board or board of directors shall transmit a copy of the
14.21 report with a summary of the findings and recommendations of the district, intermediate
14.22 school district, school site, or charter school to the commissioner.

14.23 (b) If the commissioner determines that a school district, intermediate school district,
14.24 school site, or charter school that receives alternative teacher compensation revenue is not
14.25 complying with the requirements of this section, the commissioner may withhold funding
14.26 from that participant. Before making the determination, the commissioner must notify the
14.27 participant of any deficiencies and provide the participant an opportunity to comply.

14.28 (c) The commissioner's review and evaluation of an alternative teacher professional
14.29 pay system must be judged relative to the participant's approved plan and may not impose
14.30 any criteria other than are contained in the plan or the explicit requirements of this section.

14.31 Sec. 13. Minnesota Statutes 2004, section 123B.90, subdivision 2, is amended to read:

14.32 Subd. 2. **Student training.** (a) Each district must provide public school pupils
14.33 enrolled in kindergarten through grade 10 with age-appropriate school bus safety training,
14.34 as described in this section, of the following concepts:

14.35 (1) transportation by school bus is a privilege and not a right;

14.36 (2) district policies for student conduct and school bus safety;

- 15.1 (3) appropriate conduct while on the school bus;
15.2 (4) the danger zones surrounding a school bus;
15.3 (5) procedures for safely boarding and leaving a school bus;
15.4 (6) procedures for safe street or road crossing; and
15.5 (7) school bus evacuation.

15.6 (b) Each nonpublic school located within the district must provide all nonpublic
15.7 school pupils enrolled in kindergarten through grade 10 who are transported by school
15.8 bus at public expense and attend school within the district's boundaries with training as
15.9 required in paragraph (a).

15.10 (c) Students enrolled in kindergarten through grade 6 who are transported by school
15.11 bus and are enrolled during the first or second week of school must receive the school bus
15.12 safety training competencies by the end of the third week of school. Students enrolled in
15.13 grades 7 through 10 who are transported by school bus and are enrolled during the first or
15.14 second week of school and have not previously received school bus safety training must
15.15 receive the training or receive bus safety instructional materials by the end of the sixth
15.16 week of school. ~~Students taking driver's training instructional classes and other students in~~
15.17 ~~grades 9 and~~ grade 9 or 10 must receive training in the laws and proper procedures when
15.18 operating a motor vehicle in the vicinity of a school bus. Students enrolled in kindergarten
15.19 through grade 10 who enroll in a school after the second week of school and are
15.20 transported by school bus and have not received training in their previous school district
15.21 shall undergo school bus safety training or receive bus safety instructional materials
15.22 within four weeks of the first day of attendance. Upon request of the superintendent
15.23 of schools, the school transportation safety director in each district must certify to the
15.24 superintendent of schools annually that all students transported by school bus within
15.25 the district have received the school bus safety training according to this section. Upon
15.26 request of the superintendent of the school district where the nonpublic school is located,
15.27 the principal or other chief administrator of each nonpublic school must certify annually to
15.28 the school transportation safety director of the district in which the school is located that
15.29 the school's students transported by school bus at public expense have received training
15.30 according to this section.

15.31 (d) A district and a nonpublic school with students transported by school bus at
15.32 public expense may provide kindergarten pupils with bus safety training before the first
15.33 day of school.

15.34 (e) A district and a nonpublic school with students transported by school bus at
15.35 public expense may also provide student safety education for bicycling and pedestrian
15.36 safety, for students enrolled in kindergarten through grade 5.

16.1 (f) A district and a nonpublic school with students transported by school bus at
 16.2 public expense must make reasonable accommodations for the school bus safety training
 16.3 of pupils known to speak English as a second language and pupils with disabilities.

16.4 (g) The district and a nonpublic school with students transported by school bus at
 16.5 public expense must provide students enrolled in kindergarten through grade 3 school bus
 16.6 safety training twice during the school year.

16.7 (h) A district and a nonpublic school with students transported by school bus at public
 16.8 expense must conduct a school bus evacuation drill at least once during the school year.

16.9 **EFFECTIVE DATE.** This section is effective July 1, 2006.

16.10 Sec. 14. Minnesota Statutes 2004, section 123B.91, is amended by adding a
 16.11 subdivision to read:

16.12 **Subd. 1a. Compliance by nonpublic and charter school students.** A nonpublic or
 16.13 charter school student transported by a public school district shall comply with student bus
 16.14 conduct and student bus discipline policies of the transporting public school district.

16.15 **EFFECTIVE DATE.** This section is effective July 1, 2006.

16.16 Sec. 15. Minnesota Statutes 2005 Supplement, section 123B.92, subdivision 1, is
 16.17 amended to read:

16.18 Subdivision 1. **Definitions.** For purposes of this section and section 125A.76, the
 16.19 terms defined in this subdivision have the meanings given to them.

16.20 (a) "Actual expenditure per pupil transported in the regular and excess transportation
 16.21 categories" means the quotient obtained by dividing:

16.22 (1) the sum of:

16.23 (i) all expenditures for transportation in the regular category, as defined in paragraph
 16.24 (b), clause (1), and the excess category, as defined in paragraph (b), clause (2), plus

16.25 (ii) an amount equal to one year's depreciation on the district's school bus fleet
 16.26 and mobile units computed on a straight line basis at the rate of 15 percent per year for
 16.27 districts operating a program under section 124D.128 for grades 1 to 12 for all students in
 16.28 the district and 12-1/2 percent per year for other districts of the cost of the fleet, plus

16.29 (iii) an amount equal to one year's depreciation on the district's type three school
 16.30 buses, as defined in section 169.01, subdivision 6, clause (5), which must be used a
 16.31 majority of the time for pupil transportation purposes, computed on a straight line basis at
 16.32 the rate of 20 percent per year of the cost of the type three school buses by:

16.33 (2) the number of pupils eligible for transportation in the regular category, as defined
 16.34 in paragraph (b), clause (1), and the excess category, as defined in paragraph (b), clause (2).

17.1 (b) "Transportation category" means a category of transportation service provided to
17.2 pupils as follows:

17.3 (1) Regular transportation is:

17.4 (i) transportation to and from school during the regular school year for resident
17.5 elementary pupils residing one mile or more from the public or nonpublic school they
17.6 attend, and resident secondary pupils residing two miles or more from the public
17.7 or nonpublic school they attend, excluding desegregation transportation and noon
17.8 kindergarten transportation; but with respect to transportation of pupils to and from
17.9 nonpublic schools, only to the extent permitted by sections 123B.84 to 123B.87;

17.10 (ii) transportation of resident pupils to and from language immersion programs;

17.11 (iii) transportation of a pupil who is a custodial parent and that pupil's child between
17.12 the pupil's home and the child care provider and between the provider and the school, if
17.13 the home and provider are within the attendance area of the school;

17.14 (iv) transportation to and from or board and lodging in another district, of resident
17.15 pupils of a district without a secondary school; and

17.16 (v) transportation to and from school during the regular school year required under
17.17 subdivision 3 for nonresident elementary pupils when the distance from the attendance
17.18 area border to the public school is one mile or more, and for nonresident secondary pupils
17.19 when the distance from the attendance area border to the public school is two miles or
17.20 more, excluding desegregation transportation and noon kindergarten transportation.

17.21 For the purposes of this paragraph, a district may designate a licensed day care
17.22 facility, school day care facility, respite care facility, the residence of a relative, or the
17.23 residence of a person chosen by the pupil's parent or guardian as the home of a pupil for
17.24 part or all of the day, if requested by the pupil's parent or guardian, and if that facility or
17.25 residence is within the attendance area of the school the pupil attends.

17.26 (2) Excess transportation is:

17.27 (i) transportation to and from school during the regular school year for resident
17.28 secondary pupils residing at least one mile but less than two miles from the public or
17.29 nonpublic school they attend, and transportation to and from school for resident pupils
17.30 residing less than one mile from school who are transported because of extraordinary
17.31 traffic, drug, or crime hazards; and

17.32 (ii) transportation to and from school during the regular school year required under
17.33 subdivision 3 for nonresident secondary pupils when the distance from the attendance area
17.34 border to the school is at least one mile but less than two miles from the public school
17.35 they attend, and for nonresident pupils when the distance from the attendance area border

18.1 to the school is less than one mile from the school and who are transported because of
18.2 extraordinary traffic, drug, or crime hazards.

18.3 (3) Desegregation transportation is transportation within and outside of the district
18.4 during the regular school year of pupils to and from schools located outside their normal
18.5 attendance areas under a plan for desegregation mandated by the commissioner or under
18.6 court order.

18.7 (4) "Transportation services for pupils with disabilities" is:

18.8 (i) transportation of pupils with disabilities who cannot be transported on a regular
18.9 school bus between home or a respite care facility and school;

18.10 (ii) necessary transportation of pupils with disabilities from home or from school to
18.11 other buildings, including centers such as developmental achievement centers, hospitals,
18.12 and treatment centers where special instruction or services required by sections 125A.03
18.13 to 125A.24, 125A.26 to 125A.48, and 125A.65 are provided, within or outside the district
18.14 where services are provided;

18.15 (iii) necessary transportation for resident pupils with disabilities required by sections
18.16 125A.12, and 125A.26 to 125A.48;

18.17 (iv) board and lodging for pupils with disabilities in a district maintaining special
18.18 classes;

18.19 (v) transportation from one educational facility to another within the district for
18.20 resident pupils enrolled on a shared-time basis in educational programs, and necessary
18.21 transportation required by sections 125A.18, and 125A.26 to 125A.48, for resident pupils
18.22 with disabilities who are provided special instruction and services on a shared-time basis
18.23 or if resident pupils are not transported, the costs of necessary travel between public
18.24 and private schools or neutral instructional sites by essential personnel employed by the
18.25 district's program for children with a disability;

18.26 (vi) transportation for resident pupils with disabilities to and from board and lodging
18.27 facilities when the pupil is boarded and lodged for educational purposes; and

18.28 (vii) services described in clauses (i) to (vi), when provided for pupils with
18.29 disabilities in conjunction with a summer instructional program that relates to the pupil's
18.30 individual education plan or in conjunction with a learning year program established
18.31 under section 124D.128.

18.32 For purposes of computing special education base revenue under section 125A.76,
18.33 subdivision 2, the cost of providing transportation for children with disabilities includes
18.34 (A) the additional cost of transporting a homeless student from a temporary nonshelter
18.35 home in another district to the school of origin, or a formerly homeless student from a
18.36 permanent home in another district to the school of origin but only through the end of the

19.1 academic year; and (B) depreciation on district-owned school buses purchased after July 1,
19.2 2005, and used primarily for transportation of pupils with disabilities, calculated according
19.3 to paragraph (a), clauses (ii) and (iii). Depreciation costs included in the disabled
19.4 transportation category must be excluded in calculating the actual expenditure per pupil
19.5 transported in the regular and excess transportation categories according to paragraph (a).

19.6 (5) "Nonpublic nonregular transportation" is:

19.7 (i) transportation from one educational facility to another within the district for
19.8 resident pupils enrolled on a shared-time basis in educational programs, excluding
19.9 transportation for nonpublic pupils with disabilities under clause (4);

19.10 (ii) transportation within district boundaries between a nonpublic school and a
19.11 public school or a neutral site for nonpublic school pupils who are provided pupil support
19.12 services pursuant to section 123B.44; and

19.13 (iii) late transportation home from school or between schools within a district for
19.14 nonpublic school pupils involved in after-school activities.

19.15 (c) "Mobile unit" means a vehicle or trailer designed to provide facilities for
19.16 educational programs and services, including diagnostic testing, guidance and counseling
19.17 services, and health services. A mobile unit located off nonpublic school premises is a
19.18 neutral site as defined in section 123B.41, subdivision 13.

19.19 **EFFECTIVE DATE.** This section is effective July 1, 2006.

19.20 Sec. 16. Minnesota Statutes 2005 Supplement, section 123B.92, subdivision 5, is
19.21 amended to read:

19.22 Subd. 5. **District reports.** (a) Each district must report data to the department as
19.23 required by the department to account for transportation expenditures.

19.24 (b) Salaries and fringe benefits of district employees whose primary duties are
19.25 other than transportation, including central office administrators and staff, building
19.26 administrators and staff, teachers, social workers, school nurses, and instructional aides,
19.27 must not be included in a district's transportation expenditures, except that a district may
19.28 include salaries and benefits according to paragraph (c) for (1) an employee designated
19.29 as the district transportation director, (2) an employee providing direct support to the
19.30 transportation director, or (3) an employee providing direct transportation services such as
19.31 a bus driver or bus aide.

19.32 (c) Salaries and fringe benefits of ~~other~~ the district employees listed in paragraph
19.33 (b), clauses (1), (2), and (3), who work part time in transportation and part time in other
19.34 areas must not be included in a district's transportation expenditures unless the district
19.35 maintains documentation of the employee's time spent on pupil transportation matters in
19.36 the form and manner prescribed by the department.

20.1 (d) Pupil transportation expenditures, excluding expenditures for capital outlay,
20.2 leased buses, student board and lodging, crossing guards, and aides on buses, must
20.3 be allocated among transportation categories based on cost-per-mile, cost-per-student,
20.4 cost-per-hour, or cost-per-route, regardless of whether the transportation services are
20.5 provided on district-owned or contractor-owned school buses. Districts using contracted
20.6 services will be exempt from the standard cost allocation method for authorized categories
20.7 if the district's cost-per-mile, cost-per-hour, or cost-per-route for authorized categories
20.8 does not vary more than 15 percent among authorized categories, excluding salaries and
20.9 fringe benefits of bus aides. Both district-owned and contractor-owned operations shall
20.10 report a cost-per-mile, cost-per-hour, or cost-per-route for nonauthorized categories that is
20.11 within 15 percent of what is used for authorized categories, excluding salaries and fringe
20.12 benefits of bus aides. If the costs reported by either district-owned or contractor-owned
20.13 operations vary more than the parameters outlined above, the department can require
20.14 the district to reallocate its transportation costs among categories. Expenditures for
20.15 school bus driver salaries and fringe benefits may either be directly charged to the
20.16 appropriate transportation category or may be allocated among transportation categories
20.17 based on cost-per-mile, cost-per-student, cost-per-hour, or cost-per-route. Expenditures
20.18 by private contractors or individuals who provide transportation exclusively in one
20.19 transportation category must be charged directly to the appropriate transportation category.
20.20 Transportation services provided by contractor-owned school bus companies incorporated
20.21 under different names but owned by the same individual or group of individuals must be
20.22 treated as the same company for cost allocation purposes.

20.23 **EFFECTIVE DATE.** This section is effective for fiscal year 2006.

20.24 Sec. 17. Minnesota Statutes 2004, section 124D.095, subdivision 3, is amended to read:

20.25 Subd. 3. **Authorization; notice; limitations on enrollment.** (a) A student may
20.26 apply to an on-line learning provider to enroll in on-line learning. A student age 17 or
20.27 younger must have the written consent of a parent or guardian to apply. No school district
20.28 or charter school may prohibit a student from applying to enroll in on-line learning. An
20.29 on-line learning provider that accepts a student under this section must, within ten days,
20.30 notify the student and the enrolling district if the enrolling district is not the on-line
20.31 learning provider. The notice must report the student's course or program and hours
20.32 of instruction.

20.33 (b) An on-line learning student must notify the enrolling district at least ~~30~~ 45
20.34 days before taking an on-line learning course or program ~~if the enrolling district is not~~
20.35 ~~providing the on-line learning.~~ An on-line learning provider must notify the commissioner

21.1 that it is delivering on-line learning and report the number of on-line learning students it is
21.2 accepting and the on-line learning courses and programs it is delivering.

21.3 (c) An on-line learning provider may limit enrollment if the provider's school board
21.4 or board of directors adopts by resolution specific standards for accepting and rejecting
21.5 students' applications.

21.6 (d) An enrolling district may reduce an on-line learning student's regular classroom
21.7 instructional membership in proportion to the student's membership in on-line learning
21.8 courses.

21.9 Sec. 18. Minnesota Statutes 2005 Supplement, section 124D.095, subdivision 4,
21.10 is amended to read:

21.11 Subd. 4. **Online learning parameters.** (a) An online learning student must receive
21.12 academic credit for completing the requirements of an online learning course or program.
21.13 Secondary credits granted to an online learning student must be counted toward the
21.14 graduation and credit requirements of the enrolling district. The enrolling district must
21.15 apply the same graduation requirements to all students, including online learning students,
21.16 and must continue to provide nonacademic services to online learning students. If a
21.17 student completes an online learning course or program that meets or exceeds a graduation
21.18 standard or grade progression requirement at the enrolling district, that standard or
21.19 requirement is met. The enrolling district must use the same criteria for accepting online
21.20 learning credits or courses as it does for accepting credits or courses for transfer students
21.21 under section 124D.03, subdivision 9. The enrolling district may reduce the teacher
21.22 contact time of an online learning student in proportion to the number of online learning
21.23 courses the student takes from an online learning provider that is not the enrolling district.

21.24 (b) An online learning student may:

21.25 (1) enroll during a single school year in a maximum of 12 semester-long courses or
21.26 their equivalent delivered by an online learning provider or the enrolling district;

21.27 (2) complete course work at a grade level that is different from the student's current
21.28 grade level; and

21.29 (3) enroll in additional courses with the online learning provider under a separate
21.30 agreement that includes terms for payment of any tuition or course fees.

21.31 ~~(c) A student with a disability may enroll in an online learning course or program~~
21.32 ~~if the student's IEP team determines that online learning is appropriate education for~~
21.33 ~~the student.~~

21.34 ~~(c)~~ (c) An online learning student has the same access to the computer hardware
21.35 and education software available in a school as all other students in the enrolling district.
21.36 An online learning provider must assist an online learning student whose family qualifies

22.1 for the education tax credit under section 290.0674 to acquire computer hardware and
22.2 educational software for online learning purposes.

22.3 ~~(e)~~ (d) An enrolling district may offer online learning to its enrolled students.
22.4 Such online learning does not generate online learning funds under this section. An
22.5 enrolling district that offers online learning only to its enrolled students is not subject
22.6 to the reporting requirements or review criteria under subdivision 7. A teacher with a
22.7 Minnesota license must assemble and deliver instruction to enrolled students receiving
22.8 online learning from an enrolling district. The delivery of instruction occurs when the
22.9 student interacts with the computer or the teacher and receives ongoing assistance and
22.10 assessment of learning. The instruction may include curriculum developed by persons
22.11 other than a teacher with a Minnesota license.

22.12 ~~(f)~~ (e) An online learning provider that is not the enrolling district is subject to
22.13 the reporting requirements and review criteria under subdivision 7. A teacher with a
22.14 Minnesota license must assemble and deliver instruction to online learning students. The
22.15 delivery of instruction occurs when the student interacts with the computer or the teacher
22.16 and receives ongoing assistance and assessment of learning. The instruction may include
22.17 curriculum developed by persons other than a teacher with a Minnesota license. Unless
22.18 the commissioner grants a waiver, a teacher providing online learning instruction must not
22.19 instruct more than 40 students in any one online learning course or program.

22.20 Sec. 19. Minnesota Statutes 2004, section 124D.10, subdivision 16, is amended to read:

22.21 Subd. 16. **Transportation.** ~~(a) By July 1 of each year, a charter school~~ A charter
22.22 school after its first fiscal year of operation by March 1 of each fiscal year and a charter
22.23 school by July 1 of its first fiscal year of operation must notify the district in which the
22.24 school is located and the Department of Education if it will provide ~~transportation for~~
22.25 ~~pupils enrolled in the school~~ its own transportation or use the transportation services of the
22.26 district in which it is located for the fiscal year.

22.27 (b) If a charter school elects to provide transportation for pupils, the transportation
22.28 must be provided by the charter school within the district in which the charter school is
22.29 located. The state must pay transportation aid to the charter school according to section
22.30 124D.11, subdivision 2.

22.31 For pupils who reside outside the district in which the charter school is located, the
22.32 charter school is not required to provide or pay for transportation between the pupil's
22.33 residence and the border of the district in which the charter school is located. A parent
22.34 may be reimbursed by the charter school for costs of transportation from the pupil's
22.35 residence to the border of the district in which the charter school is located if the pupil is
22.36 from a family whose income is at or below the poverty level, as determined by the federal

23.1 government. The reimbursement may not exceed the pupil's actual cost of transportation
 23.2 or 15 cents per mile traveled, whichever is less. Reimbursement may not be paid for
 23.3 more than 250 miles per week.

23.4 At the time a pupil enrolls in a charter school, the charter school must provide the
 23.5 parent or guardian with information regarding the transportation.

23.6 (c) If a charter school does not elect to provide transportation, transportation for
 23.7 pupils enrolled at the school must be provided by the district in which the school is
 23.8 located, according to sections 123B.88, subdivision 6, and 124D.03, subdivision 8, for a
 23.9 pupil residing in the same district in which the charter school is located. Transportation
 23.10 may be provided by the district in which the school is located, according to sections
 23.11 123B.88, subdivision 6, and 124D.03, subdivision 8, for a pupil residing in a different
 23.12 district. If the district provides the transportation, the scheduling of routes, manner and
 23.13 method of transportation, control and discipline of the pupils, and any other matter relating
 23.14 to the transportation of pupils under this paragraph shall be within the sole discretion,
 23.15 control, and management of the district.

23.16 Sec. 20. Minnesota Statutes 2004, section 124D.61, is amended to read:

23.17 **124D.61 GENERAL REQUIREMENTS FOR PROGRAMS.**

23.18 A district ~~which receives aid pursuant to section 124D.65 must comply with that~~
 23.19 enrolls one or more children of limited English proficiency must implement an educational
 23.20 program that includes at a minimum the following program requirements:

23.21 (1) identification and reclassification criteria for children of limited English
 23.22 proficiency and program entrance and exit criteria for children with limited English
 23.23 proficiency must be documented by the district, applied uniformly to children of limited
 23.24 English proficiency, and made available to parents and other stakeholders upon request;

23.25 (2) a written plan of services that describes programming by English proficiency
 23.26 level made available to parents upon request. The plan must articulate the amount and
 23.27 scope of service offered to children of limited English proficiency through an educational
 23.28 program for children of limited English proficiency;

23.29 (3) professional development opportunities for ESL, bilingual education,
 23.30 mainstream, and all staff working with children of limited English proficiency which are:
 23.31 (i) coordinated with the district's professional development activities; (ii) related to the
 23.32 needs of children of limited English proficiency; and (iii) ongoing;

23.33 (4) to the extent possible, the district must avoid isolating children of limited English
 23.34 proficiency for a substantial part of the school day; and

23.35 ~~(2)~~ (5) in predominantly nonverbal subjects, such as art, music, and physical
 23.36 education, permit pupils of limited English proficiency ~~shall be permitted~~ to participate

24.1 fully and on an equal basis with their contemporaries in public school classes provided
24.2 for these subjects. To the extent possible, the district must assure to pupils enrolled in a
24.3 program for limited English proficient students an equal and meaningful opportunity to
24.4 participate fully with other pupils in all extracurricular activities.

24.5 Sec. 21. Minnesota Statutes 2004, section 169.01, subdivision 6, is amended to read:

24.6 Subd. 6. **School bus.** "School bus" means a motor vehicle used to transport pupils
24.7 to or from a school defined in section 120A.22, or to or from school-related activities, by
24.8 the school or a school district, or by someone under an agreement with the school or a
24.9 school district. A school bus does not include a motor vehicle transporting children to or
24.10 from school for which parents or guardians receive direct compensation from a school
24.11 district, a motor coach operating under charter carrier authority, a transit bus providing
24.12 services as defined in section 174.22, subdivision 7, a multifunction school activity bus
24.13 as defined by federal motor vehicle safety standards, or a vehicle otherwise qualifying
24.14 as a type III vehicle under paragraph (5), when the vehicle is properly registered and
24.15 insured and being driven by an employee or agent of a school district for nonscheduled
24.16 or nonregular transportation. A school bus may be type A, type B, type C, or type D, or
24.17 type III as follows:

24.18 (1) A "type A school bus" is a ~~van conversion or bus~~ constructed utilizing a cutaway
24.19 front section vehicle with a left-side driver's door. ~~The entrance door is behind the front~~
24.20 ~~wheels.~~ This definition includes two classifications: type A-I, with a gross vehicle weight
24.21 rating (GVWR) ~~less than or equal to 10,000~~ 14,500 pounds or less; and type A-II, with a
24.22 GVWR greater than ~~10,000~~ 14,500 pounds and less than or equal to 21,500 pounds.

24.23 (2) A "type B school bus" is constructed utilizing a stripped chassis. The entrance
24.24 door is behind the front wheels. This definition includes two classifications: type B-I,
24.25 with a GVWR less than or equal to 10,000 pounds; and type B-II, with a GVWR greater
24.26 than 10,000 pounds.

24.27 (3) A "type C school bus" is constructed utilizing a chassis with a hood and front
24.28 fender assembly. The entrance door is behind the front wheels. A "type C school bus" also
24.29 includes a cutaway truck chassis or truck chassis with cab with or without a left side door
24.30 and with a GVWR greater than 21,500 pounds.

24.31 (4) A "type D school bus" is constructed utilizing a stripped chassis. The entrance
24.32 door is ahead of the front wheels.

24.33 (5) Type III school buses and type III Head Start buses are restricted to passenger
24.34 cars, station wagons, vans, and buses having a maximum manufacturer's rated seating
24.35 capacity of ten or fewer people, including the driver, and a gross vehicle weight rating of
24.36 10,000 pounds or less. In this subdivision, "gross vehicle weight rating" means the value

25.1 specified by the manufacturer as the loaded weight of a single vehicle. A "type III school
25.2 bus" and "type III Head Start bus" must not be outwardly equipped and identified as a type
25.3 A, B, C, or D school bus or type A, B, C, or D Head Start bus. A van or bus converted to a
25.4 seating capacity of ten or fewer and placed in service on or after August 1, 1999, must
25.5 have been originally manufactured to comply with the passenger safety standards.

25.6 **EFFECTIVE DATE.** This section is effective January 1, 2007.

25.7 Sec. 22. Minnesota Statutes 2004, section 169.447, subdivision 2, is amended to read:

25.8 Subd. 2. **Driver seat belt.** ~~New~~ School buses and Head Start buses manufactured
25.9 after December 31, 1994, must be equipped with driver seat belts and seat belt assemblies
25.10 of the type described in section 169.685, subdivision 3. School bus drivers and Head
25.11 Start bus drivers must use these seat belts.

EFFECTIVE DATE. This section is effective July 1, 2006.

25.13 Sec. 23. Minnesota Statutes 2004, section 169.4501, subdivision 1, is amended to read:

25.14 Subdivision 1. **National standards adopted.** Except as provided in sections
25.15 169.4502 and 169.4503, the construction, design, equipment, and color of types A,
25.16 B, C, and D school buses used for the transportation of school children shall meet the
25.17 requirements of the "bus chassis standards" and "bus body standards" in the ~~2000~~ 2005
25.18 edition of the "National School Transportation Specifications and Procedures" adopted
25.19 by the National ~~Conference~~ Congress on School Transportation. Except as provided
25.20 in section 169.4504, the construction, design, and equipment of types A, B, C, and D
25.21 school buses used for the transportation of students with disabilities also shall meet the
25.22 requirements of the "specially equipped school bus standards" in the ~~2000~~ 2005 National
25.23 School Transportation Specifications and Procedures. The "bus chassis standards," "bus
25.24 body standards," and "specially equipped school bus standards" sections of the ~~2000~~
25.25 2005 edition of the "National School Transportation Specifications and Procedures" are
25.26 incorporated by reference in this chapter.

25.27 **EFFECTIVE DATE.** This section is effective January 1, 2007.

25.28 Sec. 24. Minnesota Statutes 2004, section 169.4501, subdivision 2, is amended to read:

25.29 Subd. 2. **Applicability.** (a) The standards adopted in this section and sections
25.30 169.4502 and 169.4503, govern the construction, design, equipment, and color of school
25.31 buses used for the transportation of school children, when owned or leased and operated
25.32 by a school or privately owned or leased and operated under a contract with a school.
25.33 Each school, its officers and employees, and each person employed under the contract is
25.34 subject to these standards.

26.1 (b) The standards apply to school buses manufactured after ~~October 31, 2004~~
26.2 December 31, 2006. Buses complying with the standards when manufactured need not
26.3 comply with standards established later except as specifically provided for by law.

26.4 (c) A school bus manufactured on or before ~~October 31, 2004~~ December 31,
26.5 2006, must conform to the Minnesota standards in effect on the date the vehicle was
26.6 manufactured except as specifically provided for in law.

26.7 (d) A new bus body may be remounted on a used chassis provided that the remounted
26.8 vehicle meets state and federal standards for new buses which are current at the time of the
26.9 remounting. Permission must be obtained from the commissioner of public safety before
26.10 the remounting is done. A used bus body may not be remounted on a new or used chassis.

26.11 **EFFECTIVE DATE.** This section is effective January 1, 2007.

26.12 Sec. 25. Minnesota Statutes 2004, section 169.4502, subdivision 5, is amended to read:

26.13 Subd. 5. **Electrical system; battery.** (a) The storage battery, as established by the
26.14 manufacturer's rating, must be of sufficient capacity to care for starting, lighting, signal
26.15 devices, heating, and other electrical equipment. In a bus with a gas-powered chassis, the
26.16 battery or batteries must provide a minimum of 800 cold cranking amperes. In a bus
26.17 with a diesel-powered chassis, the battery or batteries must provide a minimum of 1050
26.18 cold cranking amperes.

26.19 (b) In a type B bus with a gross vehicle weight rating of 15,000 pounds or more, and
26.20 type C and D buses, the battery shall be temporarily mounted on the chassis frame. The
26.21 final location of the battery and the appropriate cable lengths in these buses must comply
26.22 with the SBMI design objectives booklet.

26.23 (c) All batteries shall be mounted according to chassis manufacturers'
26.24 recommendations.

26.25 (d) In a type C bus, other than are powered by diesel fuel, a battery providing at least
26.26 550 cold cranking amperes may be installed in the engine compartment only if used in
26.27 combination with a generator or alternator of at least ~~120~~ 130 amperes.

26.28 (e) A bus with a gross vehicle weight rating of 15,000 pounds or less may be
26.29 equipped with a battery to provide a minimum of 550 cold cranking amperes only if used
26.30 in combination with an alternator of at least ~~80~~ 130 amperes. This paragraph does not
26.31 apply to those buses with wheelchair lifts or diesel engines.

26.32 **EFFECTIVE DATE.** This section is effective January 1, 2007.

26.33 Sec. 26. Minnesota Statutes 2004, section 169.4503, subdivision 20, is amended to
26.34 read:

27.1 Subd. 20. **Seat and crash barriers.** (a) All restraining barriers and passenger seats
27.2 shall be covered with a material that has fire retardant or fire block characteristics.

27.3 (b) All seats must have a minimum cushion depth of 15 inches and a seat back
27.4 height of at least 20 inches above the seating reference point.

27.5 **EFFECTIVE DATE.** This section is effective January 1, 2007.

27.6 Sec. 27. Minnesota Statutes 2004, section 171.321, subdivision 4, is amended to read:

27.7 Subd. 4. **Training.** (a) No person shall drive a class A, B, C, or D school bus when
27.8 transporting school children to or from school or upon a school-related trip or activity
27.9 without having demonstrated sufficient skills and knowledge to transport students in
27.10 a safe and legal manner.

27.11 (b) A bus driver must have training or experience that allows the driver to meet at
27.12 least the following competencies:

27.13 (1) safely operate the type of school bus the driver will be driving;

27.14 (2) understand student behavior, including issues relating to students with
27.15 disabilities;

27.16 (3) encourage orderly conduct of students on the bus and handle incidents of
27.17 misconduct appropriately;

27.18 (4) know and understand relevant laws, rules of the road, and local school bus
27.19 safety policies;

27.20 (5) handle emergency situations; and

27.21 (6) safely load and unload students.

27.22 (c) The commissioner of public safety shall develop a comprehensive model
27.23 school bus driver training program and model assessments for school bus driver training
27.24 competencies, which are not subject to chapter 14. A school district, nonpublic school, or
27.25 private contractor may use alternative assessments for bus driver training competencies
27.26 with the approval of the commissioner of public safety. After completion of bus driver
27.27 training competencies, a driver may receive at least eight hours of school bus in-service
27.28 training any year, as an alternative to being assessed for bus driver competencies. The
27.29 employer shall keep the assessment and a record of the in-service training for the current
27.30 period available for inspection by representatives of the commissioner.

27.31 **EFFECTIVE DATE.** This section is effective July 1, 2006.

27 Sec. 28. Minnesota Statutes 2004, section 171.321, subdivision 5, is amended to read:

28.1 Subd. 5. **Annual evaluation and license verification.** (a) A school district,
28.2 nonpublic school, or private contractor shall provide in-service training annually by June
28.3 30 of each year to each school bus driver.

28.4 (b) A school district, nonpublic school, or private contractor shall annually by June
28.5 30 of each year verify the validity of the driver's license of each employee who regularly
28.6 transports students for the district in a type A school bus, a type B school bus, a type C
28.7 school bus, or type D school bus, or regularly transports students for the district in a type
28.8 III vehicle with the National Driver Register or with the Department of Public Safety.

28.9 (c) Members of a nonprofit bus drivers' trade association under private contract
28.10 with an independent school district shall not be charged a fee greater than the fee, if any,
28.11 imposed upon an independent school district for accessing an employee's driver's license
28.12 records from the Department of Public Safety in compliance with this section.

28.13 **EFFECTIVE DATE.** This section is effective July 1, 2006.

28.14 Sec. 29. Minnesota Statutes 2004, section 299F.30, is amended to read:

28.15 **299F.30 FIRE DRILL IN SCHOOL; DOORS AND EXITS.**

28.16 Subdivision 1. **Duties of fire marshal.** Consistent with section 121A.035 and this
28.17 section, it shall be the duty of the state fire marshal, deputies and assistants, to require
28.18 public and private schools and educational institutions to have ~~at least nine~~ fire drills each
28.19 school year and to keep all doors and exits unlocked from the inside of the building during
28.20 school hours. The fire marshal must require private schools and educational institutions
28.21 not subject to section 121A.035 to have at least one fire drill each month during the school
28.22 year.

28.23 Subd. 2. **Fire drill.** Each superintendent, principal or other person in charge of a
28.24 public or private school, educational institution, children's home or orphanage housing 20
28.25 or more students or other persons, shall instruct and train such students or other persons to
28.26 quickly and expeditiously quit the premises in case of fire or other emergency by means of
28.27 drills or rapid dismissals ~~at least once each month~~ while such school, institution, home or
28.28 orphanage is in operation. Records of such drills shall be posted so that such records are
28.29 available for review by the state fire marshal at all times and shall include the drill date
28.30 and the time required to evacuate the building.

28.31 Subd. 3. **School doors and exits.** Consistent with section 121A.035 and this
28.32 section, each superintendent, principal or other person in charge of a public or private
28.33 school, educational institution, children's home or orphanage shall keep all doors and exits
28.34 of such school, institution, home or orphanage unlocked so that persons can leave by such
28.35 doors or exits at any time during the hours of normal operation.

29.1 **EFFECTIVE DATE.** This section is effective for the 2006-2007 school year and
29.2 later.

29.3 Sec. 30. Minnesota Statutes 2005 Supplement, section 626.556, subdivision 3, is
29.4 amended to read:

29.5 Subd. 3. **Persons mandated to report.** (a) Subject to paragraph (c), a person who
29.6 knows or has reason to believe a child is being neglected or physically or sexually abused,
29.7 as defined in subdivision 2, or has been neglected or physically or sexually abused within
29.8 the preceding three years, shall immediately report the information to the local welfare
29.9 agency, agency responsible for assessing or investigating the report, police department, or
29.10 the county sheriff if the person is:

29.11 (1) a professional or professional's delegate who is engaged in the practice of
29.12 the healing arts, social services, hospital administration, psychological or psychiatric
29.13 treatment, child care, education, correctional supervision, probation and correctional
29.14 services, or law enforcement; or

29.15 (2) employed as a member of the clergy and received the information while
29.16 engaged in ministerial duties, provided that a member of the clergy is not required by
29.17 this subdivision to report information that is otherwise privileged under section 595.02,
29.18 subdivision 1, paragraph (c).

29.19 The police department or the county sheriff, upon receiving a report, shall
29.20 immediately notify the local welfare agency or agency responsible for assessing or
29.21 investigating the report, orally and in writing. The local welfare agency, or agency
29.22 responsible for assessing or investigating the report, upon receiving a report, shall
29.23 immediately notify the local police department or the county sheriff orally and in writing.
29.24 The county sheriff and the head of every local welfare agency, agency responsible for
29.25 assessing or investigating reports, and police department shall each designate a person
29.26 within their agency, department, or office who is responsible for ensuring that the
29.27 notification duties of this paragraph and paragraph (b) are carried out. Nothing in this
29.28 subdivision shall be construed to require more than one report from any institution, facility,
29.29 school, or agency. If the agency receiving a report determines that it is not responsible for
29.30 assessing or investigating the report, the agency shall immediately notify the agency it
29.31 determines is responsible for assessing or investigating the report under this section.

29.32 (b) Any person may voluntarily report to the local welfare agency, agency
29.33 responsible for assessing or investigating the report, police department, or the county
29.34 sheriff if the person knows, has reason to believe, or suspects a child is being or has been
29.35 neglected or subjected to physical or sexual abuse. The police department or the county
29.36 sheriff, upon receiving a report, shall immediately notify the local welfare agency or

30.1 agency responsible for assessing or investigating the report, orally and in writing. The
30.2 local welfare agency or agency responsible for assessing or investigating the report, upon
30.3 receiving a report, shall immediately notify the local police department or the county
30.4 sheriff orally and in writing.

30.5 (c) A person mandated to report physical or sexual child abuse or neglect occurring
30.6 within a ~~licensed facility~~ or a school as defined under subdivision 3b, shall report the
30.7 information to the agency responsible for licensing the facility under sections 144.50 to
30.8 144.58; 241.021; 245A.01 to 245A.16; or chapter 245B; ~~or a nonlicensed personal care~~
30.9 ~~provider organization as defined in sections 256B.04, subdivision 16, and 256B.0625,~~
30.10 subdivision 19 or to the agency responsible for assessing or investigating the report, if the
30.11 facility is not licensed. A health or corrections agency receiving a report may request the
30.12 local welfare agency to provide assistance pursuant to subdivisions 10, 10a, and 10b. A
30.13 board or other entity whose licensees perform work within a school facility, upon receiving
30.14 a complaint of alleged maltreatment, shall provide information about the circumstances of
30.15 the alleged maltreatment to the commissioner of education. Section 13.03, subdivision 4,
30.16 applies to data received by the commissioner of education from a licensing entity.

30.17 (d) Any person mandated to report shall receive a summary of the disposition of
30.18 any report made by that reporter, including whether the case has been opened for child
30.19 protection or other services, or if a referral has been made to a community organization,
30.20 unless release would be detrimental to the best interests of the child. Any person who is
30.21 not mandated to report shall, upon request to the local welfare agency, receive a concise
30.22 summary of the disposition of any report made by that reporter, unless release would be
30.23 detrimental to the best interests of the child.

30.24 (e) For purposes of this subdivision, "immediately" means as soon as possible but in
30.25 no event longer than 24 hours.

30.26 Sec. 31. Minnesota Statutes 2004, section 626.556, subdivision 3b, is amended to read:

30.27 Subd. 3b. Agency Department of Education responsible for assessing or
30.28 investigating reports of maltreatment. The Department of Education is the agency
30.29 responsible for assessing or investigating allegations of child maltreatment in schools
30.30 as defined in sections ~~120A.05, subdivisions 9, 11, and 13;~~ 120A.05, subdivisions 9,
30.31 11, 13, and 17, and 124D.10, unless the alleged maltreatment occurred in a program or
30.32 facility licensed by the commissioner of human services. "School" includes a school-age
30.33 care program, Head Start program, early childhood family education program, school
30.34 district-administered day treatment facility, or other program licensed or administered
30.35 by the commissioner of education that provides services for minors and is located in
30.36 or operated by a school.

31.1 Sec. 32. Minnesota Statutes 2004, section 626.556, subdivision 3c, is amended to read:

31.2 Subd. 3c. Agency Local welfare agency, Department of Human Services
31.3 or Department of Health responsible for assessing or investigating reports of
31.4 maltreatment. The following agencies are the administrative agencies responsible for
31.5 assessing or investigating reports of alleged child maltreatment in facilities made under
31.6 this section:

31.7 (1) (a) The county local welfare agency is the agency responsible for assessing or
31.8 investigating:

31.9 (1) allegations of maltreatment in child foster care, family child care, and legally
31.10 unlicensed child care and in juvenile correctional facilities licensed under section 241.021
31.11 located in the local welfare agency's county; and

31.12 (2) other allegations of maltreatment that are not the responsibility of another agency
31.13 under this subdivision or subdivision 3b.

31.14 (2) (b) The Department of Human Services is the agency responsible for assessing
31.15 or investigating allegations of maltreatment in facilities licensed under chapters 245A and
31.16 245B, except for child foster care and family child care; and.

31.17 (3) (c) The Department of Health is the agency responsible for assessing or
31.18 investigating allegations of child maltreatment in facilities licensed under sections 144.50
31.19 to 144.58, and in unlicensed home health care.

31.20 Sec. 33. Laws 2005, First Special Session chapter 5, article 2, section 84, subdivision
31.21 13, is amended to read:

31.22 Subd. 13. **Examination fees; teacher training and support programs.** (a) For
31.23 students' advanced placement and international baccalaureate examination fees under
31.24 Minnesota Statutes, section 120B.13, subdivision 3, and the training and related costs
31.25 for teachers and other interested educators under Minnesota Statutes, section 120B.13,
31.26 subdivision 1:

31.27	\$	4,500,000	2006
31.28	\$	4,500,000	2007

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

32.1 (c) Notwithstanding Minnesota Statutes, section 120B.13, subdivision 1, at least
 32.2 \$500,000 each year is for teachers to attend subject matter summer training programs
 32.3 and follow-up support workshops approved by the advanced placement or international
 32.4 baccalaureate programs. ~~The amount of the subsidy for each teacher attending an~~
 32.5 ~~advanced placement or international baccalaureate summer training program or workshop~~
 32.6 ~~shall be the same. The commissioner shall determine the payment process and the amount~~
 32.7 ~~of the subsidy.~~ Teachers shall apply for teacher training scholarships to prepare for
 32.8 teaching in the advanced placement or international baccalaureate program. Any reserved
 32.9 funding not expended for teacher training may be used for exam fees and other support
 32.10 programs for each program.

32.11 (d) The commissioner shall pay all examination fees for all students of low-income
 32.12 families under Minnesota Statutes, section 120B.13, subdivision 3, and to the extent
 32.13 of available appropriations shall also pay examination fees for students sitting for an
 32.14 advanced placement examination, international baccalaureate examination, or both.

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

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

32.17 **Sec. 34. ADVISORY TASK FORCE ON SCHOOL AND STAFF**
 32.18 **EMERGENCY/ALL HAZARD PREPAREDNESS.**

32.19 (a) An advisory task force on school and staff emergency/all hazard preparedness is
 32.20 established to consider and recommend to the legislature proposals for strengthening K-12
 32.21 crisis management and school safety efforts including, at least, whether or not to:

32.22 (1) develop specific K-12 teacher and school administrator competencies related to
 32.23 emergency/all hazard preparedness;

32.24 (2) provide emergency/all hazard preparedness training to currently licensed K-12
 32.25 teachers and school administrators;

32.26 (3) incorporate emergency/all hazard preparedness competencies into existing
 32.27 teacher and school administrator preparation curriculum;

32.28 (4) identify key emergency/all hazard preparedness competencies appropriate to
 32.29 teacher and school administrator preparation curriculum and ongoing teacher and school
 32.30 administrator training; and

32.31 (5) expect federal funds to supplement state emergency/all hazard preparedness
 32.32 initiatives.

32.33 (b) The commissioner of education shall appoint an advisory task force on school
 32.34 and staff emergency/all hazard preparedness that is composed of a representative from
 32.35 each of the following entities: the state Board of Teaching; the state Board of School
 32.36 Administrators; the state fire marshal; law enforcement agencies; emergency responders;

33.1 school principals; school counselors; other school employees; the Minnesota Association
33.2 of School Administrators; the Minnesota School Boards Association; Education
33.3 Minnesota; the Minnesota Department of Education; the Minnesota Department of
33.4 Health; the Minnesota Department of Public Safety; and others recommended by task
33.5 force members. Task force members' terms and other task force matters are subject to
33.6 Minnesota Statutes, section 15.059. The task force must submit by February 15, 2007, to
33.7 the education policy and finance committees of the legislature a written report that includes
33.8 recommendations on strengthening K-12 crisis management and school safety efforts.

33.9 (c) Upon request, the commissioner of education must provide the task force on
33.10 strengthening K-12 crisis management and school safety efforts with technical, fiscal,
33.11 and other support services.

33.12 (d) The task force expires February 16, 2007.

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

33.14 Sec. 35. CHARACTER DEVELOPMENT EDUCATION REVENUE; PILOT
33.15 PROGRAM.

33.16 Subdivision 1. Pilot program created. A pilot program is created to allow school
33.17 districts to receive character development education revenue to purchase comprehensive
33.18 curriculum for the purposes of Minnesota Statutes, section 120B.232. Character
33.19 development education revenue for school districts equals \$30 times the district's adjusted
33.20 marginal cost pupil units.

33.21 Subd. 2. Approved provider list. The commissioner of education shall maintain
33.22 a character development education curriculum approved provider list. The character
33.23 development education curriculum of approved providers shall be research based and
33.24 evaluated by an independent party. Approved character development education curriculum
33.25 must include:

33.26 (1) age appropriate character development for the classroom in elementary or
33.27 secondary grades;

33.28 (2) teacher training workshops and in-service training;

33.29 (3) midyear consulting between the school district and the provider; and

33.30 (4) an assessment program.

33.31 Subd. 3. Application and selection process. A school district may submit to
33.32 the commissioner an application for funding in the form and manner specified by the
33.33 commissioner. The commissioner shall approve applications that propose to use an
33.34 approved provider and that agree to use the program as recommended by the provider.
33.35 The commissioner must approve or disapprove an application within 30 days of receipt on
33.36 a first-come, first-served basis.

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

34.2 **Sec. 36. 2006 SCHOOL ACCOUNTABILITY REPORT.**

34.3 Notwithstanding Minnesota Statutes, section 120B.36, for 2006 reporting only, the
34.4 Department of Education may delay the release to the public and the posting of the 2006
34.5 school performance report cards and adequate yearly progress data on its public Web
34.6 site to no later than November 30, 2006.

34.7 **Sec. 37. ADVISORY TASK FORCE ON OPTIONS FOR ACCELERATED K-12**
34.8 **SCIENCE AND MATHEMATICS PROGRAMS THROUGHOUT MINNESOTA.**

34.9 (a) An advisory task force on options for accelerated K-12 science and mathematics
34.10 programs throughout Minnesota is established to consider and recommend to the
34.11 legislature alternatives for delivering accelerated science and mathematics programs
34.12 to eligible students throughout Minnesota. Recommended programs must provide
34.13 accelerated science and mathematics instruction to eligible students in grades 6 through
34.14 12 and be cost effective and efficiently implemented and operated. Other recommended
34.15 programs may offer accelerated science and mathematics instruction to other eligible
34.16 elementary grade students and provide out-of-school and summer school K-12 science
34.17 and mathematics instruction throughout the state.

34.18 (b) The advisory task force at least must:

34.19 (1) evaluate and compare at least five alternatives for delivering accelerated science
34.20 and mathematics programs to Minnesota students, which may include online learning,
34.21 satellite science and mathematics centers, a consortium of available accelerated science
34.22 and mathematics or accelerated education programs, and residential and nonresidential
34.23 accelerated science and mathematics academies that may be patterned after the Perpich
34.24 Center for Arts Education under Minnesota Statutes, chapter 129C, among other
34.25 alternatives;

34.26 (2) identify and evaluate possible members for a science, mathematics, engineering,
34.27 and technology leadership consortium composed of representatives of corporations,
34.28 organizations, educational institutions, and research facilities to help implement
34.29 accelerated K-12 science and mathematics programs in Minnesota;

34.30 (3) evaluate and compare at least three alternatives for preparing and assisting
34.31 educational leaders who are literate in science and mathematics to help implement
34.32 accelerated K-12 science and mathematics programs in Minnesota, which may include
34.33 gifted education and accelerated science and mathematics teacher training programs and
34.34 residential and nonresidential accelerated science and mathematics academies that also
34.35 provide professional development and educational outreach programs; and

35.1 (4) identify and evaluate postsecondary career and technical education programs
35.2 offering or requiring accelerated science and mathematics instruction.

35.3 (c) The commissioner of education shall appoint an advisory task force on options
35.4 for accelerated K-12 science and mathematics programs throughout Minnesota that is
35.5 composed of the following representatives: a gifted education coordinator, an educator
35.6 holding a gifted education certificate or an instructor in a graduate level gifted education
35.7 program; a currently licensed or retired high school physical science teacher; a currently
35.8 licensed or retired high school mathematics teacher; a faculty member providing
35.9 instruction under the Minnesota postsecondary enrollment options program or an educator
35.10 providing instruction under the college in the schools program; a faculty member or
35.11 educator providing instruction in the Minnesota talented youth mathematics program; a
35.12 University of Minnesota mathematics or engineering professor; a University of Minnesota
35.13 physical science professor; a manager or director in a high technology field, corporation,
35.14 organization, or facility; a manager or director in a medical field or profession; a manager
35.15 or director in a research-based field, corporation, organization, or facility; one parent of a
35.16 high school student gifted in mathematics or science from each congressional district; a
35.17 physical science teacher and a biology teacher, one of whom is licensed to teach middle
35.18 level students and one of whom is licensed to teach high school level students; a high
35.19 school career and technical instructor; a faculty member in a postsecondary institution
35.20 offering technical two-year degrees who provides career and technical instruction; a
35.21 manager or director in a mathematics or science industry who employs persons with
35.22 associate degrees in a technical field; a manager or director in the biosciences industry;
35.23 and two at-large members. Notwithstanding any other law to the contrary, the task force
35.24 may conduct meetings of its members by telephone or other electronic means where all
35.25 members can hear one another and all the discussion, at least one member is physically
35.26 present at the regular meeting location, and interested members of the public can hear all
35.27 the discussion. Task force members' terms and other task force matters are subject to
35.28 Minnesota Statutes, section 15.059. The task force must submit by January 30, 2007, a
35.29 written report and presentation to the Education Policy and Finance committees of the
35.30 legislature that include recommendations on alternatives for delivering accelerated science
35.31 and mathematics programs to eligible students throughout Minnesota.

35.32 (d) Upon request, the commissioner of education must provide the task force with
35.33 technical, fiscal, and other support services.

35.34 (e) The task force expires February 1, 2007.

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

36.1 **Sec. 38. ADVISORY TASK FORCE ON MINNESOTA AMERICAN INDIAN**
36.2 **TRIBES AND COMMUNITIES AND K-12 STANDARDS-BASED REFORM.**

36.3 (a) An advisory task force on Minnesota American Indian tribes and communities
36.4 and K-12 standards-based reform is established to examine the impact of state and
36.5 federal standards-based reform on Minnesota's K-12 students, including American
36.6 Indian students, and to recommend to the legislature changes to the state's performance
36.7 standards, content requirements, assessments measures, and teacher preparation programs
36.8 to most effectively meet the education needs of all students, including American Indian
36.9 students, enrolled in Minnesota schools. The task force, in consultation with American
36.10 Indian educators and parents, and others who advocate for American Indian children, at
36.11 least must determine if (1) state education standards and assessments are appropriate
36.12 for American Indian students; (2) American Indian students are fairly compared; (3)
36.13 American Indian students receive the assistance they need to achieve the state standards;
36.14 and (4) schools receive financial and technical assistance sufficient to meet the education
36.15 needs of American Indian students.

36.16 (b) The commissioner of education shall appoint an advisory task force on
36.17 Minnesota American Indian tribes and communities and K-12 standards-based reform
36.18 that is composed of the following representatives: education department staff experienced
36.19 in working with American Indian students and programs; Minnesota American Indian
36.20 tribes and communities; Minnesota School Boards Association; school administrators;
36.21 Education Minnesota; the state Board of Teaching; a minority member and majority
36.22 member both from the Minnesota House of Representatives and from the Minnesota
36.23 Senate; the Minnesota Council on Indian Affairs; postsecondary faculty who serve as
36.24 instructors in teacher preparation programs; local community service providers who work
36.25 with Minnesota American Indian tribes and communities; and other representatives
36.26 recommended by task force members. Task force members' terms and other task
36.27 force matters are subject to Minnesota Statutes, section 15.059, subject to the limits of
36.28 available appropriations. The task force must submit to the legislative committees having
36.29 jurisdiction over education policy and finance a preliminary written report by February 15,
36.30 2007, and a final report by February 15, 2008, that includes any recommended changes to
36.31 the state's performance standards, content requirements, assessment measures, and teacher
36.32 preparation programs to most effectively meet the educational needs of all students,
36.33 including American Indian students, enrolled in Minnesota schools.

36.34 (c) Upon request, the commissioner of education must provide the task force with
36.35 technical, fiscal, and other support.

36.36 (d) The task force expires on February 16, 2008.

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

37.2 Sec. 39. REPORT ON OUT-OF-SCHOOL CARE FOR CHILDREN BETWEEN
37.3 THE AGES OF TEN TO 18.

37.4 The commissioner of education, in consultation with the commissioners of human
37.5 services and public safety, shall provide a report to the legislature by January 20, 2007,
37.6 which surveys and analyzes out-of-school time opportunities for children ages ten to 18.
37.7 The commissioner must gather representative information from urban, suburban, and
37.8 rural areas regarding where children go after their school day is over and during school
37.9 breaks. Further, the commissioner shall communicate with members of the community,
37.10 parents of children ages ten to 18, child care providers, middle school personnel, and other
37.11 interested individuals to gather information and develop positive, supervised out-of-school
37.12 alternatives for children ages ten to 18, in order to reduce the incidence of sexual activity,
37.13 underage drinking and smoking, use of illegal substances, and other criminal activity.

37.14 Sec. 40. OPPORTUNITIES FOR YOUTH DURING OUT-OF-SCHOOL TIME.

37.15 Subdivision 1. Establishment. A competitive statewide after-school enrichment
37.16 grant program is established to provide implementation grants to community or nonprofit
37.17 organizations, to political subdivisions, or to school-based programs. The commissioner
37.18 of education shall develop criteria for after-school enrichment programs.

37.19 Subd. 2. Program outcomes. The expected outcomes of the after-school
37.20 enrichment programs are to:

37.21 (1) increase the number of children participating in adult-supervised programs
37.22 in nonschool hours;

37.23 (2) increase the number of youth engaged in community services and other activities
37.24 designed to support character improvement, strengthen families, and instill community
37.25 values;

37.26 (3) increase skills in technology, the arts, sports, and other activities;

37.27 (4) reduce the amount of juvenile crime;

37.28 (5) increase and support the academic achievement and character development of
37.29 adolescent parents;

37.30 (6) increase school attendance and reduce the number of school suspensions; and

37.31 (7) support academic achievement, including the areas of reading and math.

37.32 Subd. 3. Plan. An applicant shall develop a plan for an after-school enrichment
37.33 program for youth. The plan must include:

37.34 (1) collaboration with and leverage of existing community resources that have
37.35 demonstrated effectiveness;

37.36 (2) outreach to children and youth;

38.1 (3) involvement of local governments, including park and recreation boards or
38.2 schools, unless no government agency is appropriate; and

38.3 (4) community control over the design of the enrichment program and identification
38.4 of the sources of nonpublic funding.

38.5 Subd. 4. Plan approval; grants. An applicant shall submit a plan developed under
38.6 subdivision 3 to the commissioner for approval. The commissioner shall award a grant for
38.7 the implementation of an approved plan.

38.8 Sec. 41. APPROPRIATION.

38.9 Subdivision 1. Department of Education. The sum indicated in this section is
38.10 appropriated from the general fund to the Department of Education for the fiscal years
38.11 designated.

38.12 Subd. 2. Character development education revenue. For the character
38.13 development education revenue pilot program:

38.14 \$ 2007

38.15 Subd. 3. After-school enrichment grants. For the after-school enrichment grant
38.16 program:

38.17 \$ 2007

38.18 Sec. 42. REPEALER.

38.19 (a) Minnesota Statutes 2004, section 121A.23, is repealed.

38.20 (b) Minnesota Statutes 2004, sections 169.4502, subdivision 15; and 169.4503,
38.21 subdivisions 17, 18, and 26, are repealed.

38.22 EFFECTIVE DATE. Paragraph (b) of this section is effective January 1, 2007.

38.23 **ARTICLE 2**

38.24 **EDUCATION FUNDING**

38.25 **Section 1. [120B.132] RAISED ACADEMIC ACHIEVEMENT; ADVANCED**
38.26 **PLACEMENT, INTERNATIONAL BACCALAUREATE, AND CONCURRENT**
38.27 **ENROLLMENT PROGRAMS.**

38.28 Subdivision 1. Establishment; eligibility. A program is established to raise K-12
38.29 academic achievement through increased student participation in advanced placement,
38.30 international baccalaureate, and concurrent enrollment programs, consistent with sections
38.31 120B.13 and 124D.04. Schools and charter schools eligible to participate under this
38.32 section must:

- 39.1 (1) have a three-year plan approved by the local school board to establish a new
39.2 international baccalaureate program leading to international baccalaureate authorization,
39.3 or expand an existing program that leads to international baccalaureate authorization, or
39.4 expand an existing authorized international baccalaureate program; or
- 39.5 (2) have a three-year plan approved by the local school board to create a new or
39.6 expand an existing program to implement the college board advanced placement courses
39.7 and exams, preadvanced placement initiative, or concurrent enrollment programs; and
- 39.8 (3) have entered into an agreement to provide courses under section 124D.09,
39.9 subdivision 10; and
- 39.10 (4) propose to further raise students' academic achievement by:
- 39.11 (i) increasing the availability of and all students' access to advanced placement,
39.12 international baccalaureate, or concurrent enrollment courses or programs;
- 39.13 (ii) expanding the breadth of advanced placement, international baccalaureate, or
39.14 concurrent enrollment courses or programs that are available to students;
- 39.15 (iii) increasing the number and the diversity of the students who participate in
39.16 advanced placement, international baccalaureate, or concurrent enrollment courses or
39.17 programs and succeed;
- 39.18 (iv) providing low-income and other disadvantaged students with increased access
39.19 to advanced placement, international baccalaureate, or concurrent enrollment courses
39.20 or programs; or
- 39.21 (v) increasing the number of high school students, including low-income and other
39.22 disadvantaged students, who receive college credit by successfully completing advanced
39.23 placement, international baccalaureate, or concurrent enrollment courses or programs and
39.24 achieving satisfactory grades or scores on related exams.

39.25 **Subd. 2. Application and review process; funding priority. (a) Charter schools**
39.26 **and school districts in which eligible schools under subdivision 1 are located may apply to**
39.27 **the commissioner, in the form and manner the commissioner determines, for competitive**
39.28 **funding to further raise students' academic achievement. The application must detail the**
39.29 **specific efforts the applicant intends to undertake in further raising students' academic**
39.30 **achievement consistent with subdivision 1, and a proposed budget detailing the district or**
39.31 **charter school's current and proposed expenditures for advanced placement, preadvanced**
39.32 **placement, international baccalaureate, and concurrent enrollment courses and programs.**
39.33 **The proposed budget must demonstrate that the applicant's efforts will supplement but not**
39.34 **supplant any expenditures for advanced placement, preadvanced placement, international**
39.35 **baccalaureate, and concurrent enrollment courses and programs the applicant currently**
39.36 **makes available to students. Expenditures for administration must not exceed five percent**

40.1 of the proposed budget. The commissioner may require an applicant to provide additional
40.2 information.

40.3 (b) When reviewing applications, the commissioner must determine whether
40.4 the applicant satisfied all the requirements in this subdivision and subdivision 1.
40.5 The commissioner may give funding priority to an otherwise qualified applicant that
40.6 demonstrates:

40.7 (1) a focus on developing or expanding advanced placement, international
40.8 baccalaureate, or concurrent enrollment courses or programs or increasing students'
40.9 participation in, access to, or success with the courses or programs, including the
40.10 participation, access, or success of low-income and other disadvantaged students;

40.11 (2) a compelling need for access to advanced placement, international baccalaureate,
40.12 or concurrent enrollment courses or programs;

40.13 (3) an effective ability to actively involve local business and community
40.14 organizations in student activities that are integral to advanced placement, international
40.15 baccalaureate, or concurrent enrollment courses or programs;

40.16 (4) access to additional public or nonpublic funds or in-kind contributions that are
40.17 available for advanced placement, international baccalaureate, or concurrent enrollment
40.18 courses or programs; or

40.19 (5) an intent to implement activities that target low-income and other disadvantaged
40.20 students.

40.21 Subd. 3. Funding; permissible funding uses. (a) The commissioner shall award
40.22 grants to applicant school districts and charter schools that meet the requirements of
40.23 subdivisions 1 and 2. The commissioner must award grants on an equitable geographical
40.24 basis to the extent feasible and consistent with this section. Grant awards must not exceed
40.25 the lesser of: (1) \$85 times the number of pupils enrolled at the participating sites on
40.26 October 1 of the previous fiscal year, or (2) the approved supplemental expenditures
40.27 based on the budget submitted under subdivision 2. For charter schools in their first
40.28 year of operation, the maximum grant award must be calculated using the number of
40.29 pupils enrolled on October 1 of the current fiscal year. The commissioner may adjust
40.30 the maximum grant award computed using prior year data for changes in enrollment
40.31 attributable to school closings, school openings, grade level reconfigurations, or school
40.32 district reorganizations between the prior fiscal year and the current fiscal year.

40.33 (b) School districts and charter schools that submit an application and receive
40.34 funding under this section must use the funding, consistent with the application, to:

41.1 (1) provide teacher training and instruction to more effectively serve students,
 41.2 including low-income and other disadvantaged students, who participate in advanced
 41.3 placement, international baccalaureate, or concurrent enrollment courses or programs;

41.4 (2) further develop advanced placement, international baccalaureate, or concurrent
 41.5 enrollment courses or programs;

41.6 (3) improve the transition between grade levels to better prepare students, including
 41.7 low-income and other disadvantaged students, for succeeding in advanced placement,
 41.8 international baccalaureate, or concurrent enrollment courses or programs;

41.9 (4) purchase books and supplies;

41.10 (5) pay course or program fees;

41.11 (6) increase students participation in and success with advanced placement,
 41.12 international baccalaureate, or concurrent enrollment courses or programs;

41.13 (7) expand students' access to advanced placement, international baccalaureate, or
 41.14 concurrent enrollment courses or programs through online learning;

41.15 (8) hire appropriately licensed personnel to teach additional advanced placement,
 41.16 international baccalaureate, or concurrent enrollment courses or programs; or

41.17 (9) engage in other activity directly related to expanding students' access to,
 41.18 participation in, and success with advanced placement, international baccalaureate,
 41.19 or concurrent enrollment courses or programs, including low-income and other
 41.20 disadvantaged students.

41.21 Subd. 4. Annual reports. (a) Each school district and charter school that receives
 41.22 a grant under this section annually must collect demographic and other student data to
 41.23 demonstrate and measure the extent to which the district or charter school raised students'
 41.24 academic achievement under this program and must report the data to the commissioner
 41.25 in the form and manner the commissioner determines. The commissioner annually, by
 41.26 February 15, must make summary data about this program available to the education
 41.27 policy and finance committees of the legislature.

41.28 (b) Each school district and charter school that receives a grant under this section
 41.29 annually must report to the commissioner, consistent with the uniform financial accounting
 41.30 and reporting standards, its actual expenditures for advanced placement, preadvanced
 41.31 placement, international baccalaureate, and concurrent enrollment courses and programs.
 41.32 The report must demonstrate that the school district or charter school has maintained its
 41.33 effort from other sources for advanced placement, preadvanced placement, international
 41.34 baccalaureate, and concurrent enrollment courses and programs compared with the
 41.35 previous fiscal year, and the district or charter school has expended all grant funds,
 41.36 consistent with its approved budget.

42.1 **EFFECTIVE DATE.** This section is effective the day following final enactment
42.2 and applies to the 2006-2007 school year and later.

42.3 Sec. 2. Minnesota Statutes 2004, section 122A.18, subdivision 2, is amended to read:

42.4 **Subd. 2. Teacher and support personnel qualifications.** (a) The Board of
42.5 Teaching must issue licenses under its jurisdiction to persons the board finds to be
42.6 qualified and competent for their respective positions.

42.7 (b) The board must require a person to successfully complete an examination of
42.8 skills in reading, writing, and mathematics before being granted an initial teaching license
42.9 to provide direct instruction to pupils in prekindergarten, elementary, secondary, or special
42.10 education programs. The board must require colleges and universities offering a board
42.11 approved teacher preparation program to provide remedial assistance that includes a
42.12 formal diagnostic component to persons enrolled in their institution who did not achieve a
42.13 qualifying score on the skills examination, including those for whom English is a second
42.14 language. The colleges and universities must provide assistance in the specific academic
42.15 areas of deficiency in which the person did not achieve a qualifying score. School
42.16 districts must provide similar, appropriate, and timely remedial assistance that includes a
42.17 formal diagnostic component and mentoring to those persons employed by the district
42.18 who completed their teacher education program outside the state of Minnesota, received
42.19 a one-year license to teach in Minnesota and did not achieve a qualifying score on the
42.20 skills examination, including those persons for whom English is a second language. The
42.21 Board of Teaching shall report annually to the education committees of the legislature
42.22 on the total number of teacher candidates during the most recent school year taking the
42.23 skills examination, the number who achieve a qualifying score on the examination, the
42.24 number who do not achieve a qualifying score on the examination, the distribution of all
42.25 candidates' scores, the number of candidates who have taken the examination at least once
42.26 before, and the number of candidates who have taken the examination at least once before
42.27 and achieve a qualifying score.

42.28 (c) A person who has completed an approved teacher preparation program and
42.29 obtained a one-year license to teach, but has not successfully completed the skills
42.30 examination, may renew the one-year license for two additional one-year periods. Each
42.31 renewal of the one-year license is contingent upon the licensee:

42.32 (1) providing evidence of participating in an approved remedial assistance program
42.33 provided by a school district or postsecondary institution that includes a formal diagnostic
42.34 component in the specific areas in which the licensee did not obtain qualifying scores; and

42.35 (2) attempting to successfully complete the skills examination during the period
42.36 of each one-year license.

43.1 (d) The Board of Teaching must grant continuing licenses only to those persons who
 43.2 have met board criteria for granting a continuing license, which includes successfully
 43.3 completing the skills examination in reading, writing, and mathematics.

43.4 (e) All colleges and universities approved by the board of teaching to prepare
 43.5 persons for teacher licensure must include in their teacher preparation programs a common
 43.6 core of teaching knowledge and skills to be acquired by all persons recommended
 43.7 for teacher licensure. This common core shall meet the standards developed by the
 43.8 interstate new teacher assessment and support consortium in its 1992 "model standards
 43.9 for beginning teacher licensing and development;" and must include technology and
 43.10 information literacy standards that are consistent with recommendations from media
 43.11 specialists and the department's educator licensing and teacher quality division. The board
 43.12 must develop and implement a system for reviewing on a seven-year cycle all standards of
 43.13 effective practice for teachers beginning in the 2007-2008 school year. Amendments to
 43.14 standards adopted under this paragraph are covered by chapter 14. The board of teaching
 43.15 shall report annually to the education committees of the legislature on the performance
 43.16 of teacher candidates on common core assessments of knowledge and skills under this
 43.17 paragraph during the most recent school year.

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

43.19 Sec. 3. Minnesota Statutes 2004, section 122A.31, subdivision 1, is amended to read:

43.20 Subdivision 1. **Requirements for American sign language/English interpreters.**

43.21 (a) Except as provided under subdivision 1a and in addition to any other requirements
 43.22 that a school district establishes, any person employed to provide American sign
 43.23 language/English interpreting or sign transliterating services on a full-time or part-time
 43.24 basis for a school district after July 1, 2000, must:

43.25 (1) hold current interpreter and transliterator certificates awarded by the Registry
 43.26 of Interpreters for the Deaf (RID), or the general level interpreter proficiency certificate
 43.27 awarded by the National Association of the Deaf (NAD), or a comparable state
 43.28 certification from the commissioner of education; and

43.29 (2) satisfactorily complete an interpreter/transliterator training program affiliated
 43.30 with an accredited educational institution.

43.31 (b) New graduates of an interpreter/transliterator program affiliated with an
 43.32 accredited education institution shall be granted a two-year provisional certificate by
 43.33 the commissioner. During the two-year provisional period, the interpreter/transliterator
 43.34 must develop and implement an education plan in collaboration with a mentor under
 43.35 paragraph (c).

44.1 (c) A mentor of a provisionally certified interpreter/transliterater must be an
44.2 interpreter/transliterater who has either NAD level IV or V certification or RID
44.3 certified interpreter and certified transliterater certification and have at least three
44.4 years interpreting/transliterating experience in any educational setting. The mentor, in
44.5 collaboration with the provisionally certified interpreter/transliterater, shall develop and
44.6 implement an education plan designed to meet the requirements of paragraph (a), clause
44.7 (1), and include a weekly on-site mentoring process.

44.8 (d) Consistent with the requirements of this paragraph, a person holding a
44.9 provisional certificate may apply to the commissioner for one time-limited extension. The
44.10 commissioner, in consultation with the Commission Serving Deaf and Hard-of-Hearing
44.11 People, must grant the person a time-limited extension of the provisional certificate based
44.12 on the following documentation:

44.13 (1) letters of support from the person's mentor, a parent of a pupil the person serves,
44.14 the special education director of the district in which the person is employed, and a
44.15 representative from the regional service center of the deaf and hard-of-hearing;

44.16 (2) records of the person's formal education, training, experience, and progress on
44.17 the person's education plan; and

44.18 (3) an explanation of why the extension is needed.

44.19 As a condition of receiving the extension, the person must comply with a plan
44.20 and the accompanying time line for meeting the requirements of this subdivision. A
44.21 committee composed of the director of the Minnesota Resource Center Serving Deaf and
44.22 Hard-of-Hearing, or the director's designee, a representative of the Minnesota Association
44.23 of Deaf Citizens, a representative of the Minnesota Registry of Interpreters of the Deaf,
44.24 and other appropriate persons selected by the commissioner must develop the plan and
44.25 time line for the person receiving the extension.

44.26 (e) A school district may employ ~~only~~ an interpreter/transliterater who has been
44.27 certified under paragraph (a) or (b), or for whom a time-limited extension has been
44.28 granted under paragraph (d), a person qualified as an interpreter/transliterater under
44.29 subdivision 1a.

44.30 **EFFECTIVE DATE.** This section is effective for the 2006-2007 school year and
44.31 later.

44.32 Sec. 4. Minnesota Statutes 2004, section 122A.31, is amended by adding a subdivision
44.33 to read:

44.34 **Subd. 1a. Qualified deaf and hard-of-hearing interpreters/transliteraters.** In
44.35 addition to employing a qualified interpreter/transliterater under subdivision 1, a school
44.36 district or charter school also may employ as an interpreter/transliterater a person who is

45.1 deaf or hard of hearing and holds a current reverse skills certificate (RSC) or a certified
 45.2 deaf interpreter (CDI) certificate awarded by the Registry of Interpreters for the Deaf
 45.3 (RID). The qualified deaf or hard-of-hearing person must be able to interpret between
 45.4 American sign language and English-based sign language or transliterate between spoken
 45.5 English and a signed code for English. The district or charter school may employ a
 45.6 qualified person under this subdivision for a broad range of interpreting or transliterating
 45.7 assignments.

45.8 **EFFECTIVE DATE.** This section is effective for the 2006-2007 school year and
 45.9 later.

45.10 Sec. 5. **[122A.416] ALTERNATIVE TEACHER COMPENSATION REVENUE**
 45.11 **FOR PERPICH CENTER FOR ARTS EDUCATION AND MULTIDISTRICT**
 45.12 **INTEGRATION COLLABORATIVES.**

45.13 Notwithstanding sections 122A.413, 122A.414, 122A.415, and 126C.10,
 45.14 multidistrict integration collaboratives and the Perpich Center for Arts Education are
 45.15 eligible to receive alternative teacher compensation revenue as if they were intermediate
 45.16 school districts. To qualify for alternative teacher compensation revenue, a multidistrict
 45.17 integration collaborative or the Perpich Center for Arts Education must meet all of the
 45.18 requirements of sections 122A.413, 122A.414, and 122A.415 that apply to intermediate
 45.19 school districts, must report its enrollment as of October 1 of each year to the department,
 45.20 and must annually report its expenditures for the alternative teacher professional pay
 45.21 system consistent with the uniform financial accounting and reporting standards to the
 45.22 department by November 30 of each year.

45.23 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2007.

45.24 Sec. 6. Minnesota Statutes 2004, section 123B.77, is amended by adding a subdivision
 45.25 to read:

45.26 Subd. 1a. **School district consolidated financial statement.** The commissioner,
 45.27 in consultation with the advisory committee on financial management, accounting, and
 45.28 reporting, shall develop and maintain a school district consolidated financial statement
 45.29 format that converts uniform financial accounting and reporting standards data under
 45.30 subdivision 1 into a more understandable format.

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

45.32 Sec. 7. Minnesota Statutes 2004, section 123B.77, subdivision 3, is amended to read:

45.33 Subd. 3. **Statement for comparison and correction.** (a) By November 30 of the
 45.34 calendar year of the submission of the unaudited financial data, the district must provide to
 45.35 the commissioner audited financial data for the preceding fiscal year. The audit must be

46.1 conducted in compliance with generally accepted governmental auditing standards, the
46.2 federal Single Audit Act, and the Minnesota legal compliance guide issued by the Office
46.3 of the State Auditor. An audited financial statement prepared in a form which will allow
46.4 comparison with and correction of material differences in the unaudited financial data
46.5 shall be submitted to the commissioner and the state auditor by December 31. The audited
46.6 financial statement must also provide a statement of assurance pertaining to uniform
46.7 financial accounting and reporting standards compliance and a copy of the management
46.8 letter submitted to the district by the school district's auditor.

46.9 (b) By January 15 of the calendar year following the submission of the unaudited
46.10 financial data, the commissioner shall convert the audited financial data required by this
46.11 subdivision into the consolidated financial statement format required under subdivision 1a
46.12 and publish the information on the department's Web site.

46.13 EFFECTIVE DATE. This section is effective for financial statements prepared in
46.14 2006 and later.

46.15 Sec. 8. [124D.935] HIGH SCHOOL REDESIGN GRANTS.

46.16 Subdivision 1. Establishment; eligibility. A ten-year grant program is established
46.17 to improve student achievement in, improve teaching and learning of, and provide
46.18 expanded access to science, technology, engineering, and mathematics in a high school
46.19 through innovative strategies that better prepare students to succeed at postsecondary
46.20 education or complex work. School districts, charter schools, intermediate districts,
46.21 groups of districts that cooperate for a particular purpose, and other public educational
46.22 institutions interested in participating in this grant program must:

46.23 (1) design new or improve and adapt existing courses, programs, or a series of
46.24 aligned learning opportunities in science, technology, engineering, and mathematics to
46.25 incorporate algebra I in grade 8 and algebra II in high school and to integrate algebra II
46.26 into career and technical education programs where appropriate;

46.27 (2) use applied learning strategies to improve the quality of and access to science,
46.28 technology, engineering, and mathematics courses, curricula, and laboratories for all
46.29 students, with strategies to aggressively increase the number of low-income and other
46.30 educationally at-risk students enrolling in these courses;

46.31 (3) improve science, technology, engineering, and mathematics instruction for
46.32 students in underserved rural or urban areas or economically disadvantaged areas and for
46.33 other students who are educationally at-risk;

47.1 (4) develop innovative ways to integrate technology into teaching and learning using
47.2 modern computers, networking, high quality educational software, multimedia across
47.3 curriculum, and affordable Internet connections;

47.4 (5) advance the use of new technology, assistive technology, and media and materials
47.5 effective in educating youth with disabilities;

47.6 (6) improve the content, interdisciplinary, and pedagogical knowledge of teachers,
47.7 administrators, and other educators who play a significant role in providing students with
47.8 challenging science, technology, engineering, and mathematics education, and focus on
47.9 teacher professional development;

47.10 (7) use the ACT explore and plan system in grades 8 and 10 or other appropriate
47.11 education and career planning resources to identify the academic strengths and remedial
47.12 needs of individual students and provide individual students with education and career
47.13 planning information sufficient to select an appropriate planned high school course
47.14 sequence and make a successful transition to postsecondary education or advanced work;

47.15 (8) enable teachers to individualize student instruction and allow students to
47.16 experiment, acquire skills, and apply content knowledge in science, technology,
47.17 engineering, and mathematics;

47.18 (9) sustain educational improvements in science, technology, engineering, and
47.19 mathematics by providing expert and peer advice and identifying, documenting, and
47.20 disseminating best practices and lessons to teachers and administrators statewide; and

47.21 (10) develop partnerships with postsecondary institutions, business organizations,
47.22 professional organizations, and community-based organizations interested in science,
47.23 technology, engineering, or mathematics.

47.24 Subd. 2. Application and review process; funding priority. (a) School districts,
47.25 charter schools, intermediate districts, groups of districts that cooperate for a particular
47.26 purpose, and other public educational institutions interested in participating in this grant
47.27 program may apply to the commissioner, in the form and manner the commissioner
47.28 determines, for competitive funding to improve student achievement in, improve teaching
47.29 and learning of, and provide expanded access to science, technology, engineering, and
47.30 mathematics in a high school, consistent with subdivision 1. The application must detail
47.31 the specific efforts the applicant intends to undertake to successfully implement innovative
47.32 strategies that affect the learning environment, academic content, and educational practices
47.33 in high school, and must include a proposed budget detailing the applicant's current and
47.34 proposed expenditures for these purposes. The proposed budget must demonstrate that the
47.35 applicant's efforts will supplement but not supplant expenditures the applicant currently
47.36 makes for science, technology, engineering, and mathematics teaching and learning.

48.1 Administrative expenditures must not exceed five percent of the proposed budget. The
48.2 commissioner may require an applicant to provide additional information.

48.3 (b) When reviewing applications, the commissioner must determine whether
48.4 the applicant satisfied all the requirements in this subdivision and subdivision 1. The
48.5 commissioner may give funding priority to an otherwise qualified candidate that:

48.6 (1) combines day and evening programs;

48.7 (2) restructures grade 12 to allow students to complete out-of-school learning
48.8 experiences aligned with their in-school program;

48.9 (3) uses online learning options;

48.10 (4) embeds higher level science, technology, engineering, and mathematics into
48.11 redesigned career and technical programs;

48.12 (5) enables students to receive both high school and college credit for successfully
48.13 completing science, technology, engineering, and mathematics programs and meeting
48.14 postsecondary institution placement requirements;

48.15 (6) targets low-income and other educationally at-risk students to improve their
48.16 participation and performance in science, technology, engineering, and mathematics
48.17 courses and careers; or

48.18 (7) strongly supports all students in exploring and preparing for careers in science,
48.19 technology, engineering, or mathematics.

48.20 The commissioner shall give funding priority to an otherwise qualified recipient
48.21 that received a grant for the previous fiscal year if the annual reports the recipient
48.22 submitted under subdivision 4 demonstrate that the recipient continues to improve student
48.23 achievement in and teaching and learning of and provide expanded access to science,
48.24 technology, engineering, and mathematics in a high school.

48.25 Subd. 3. Grants; permissible uses. (a) The commissioner may award grants to
48.26 applicants meeting the requirements of subdivisions 1 and 2. The commissioner must
48.27 award grants on an equitable geographical basis to the extent feasible and consistent
48.28 with this section.

48.29 (b) Each grant recipient must expend all grant funds it receives consistent with its
48.30 approved application and budget and this section.

48.31 Subd. 4. Annual reports. (a) Each recipient of a grant under this section must
48.32 annually collect student and teacher data to demonstrate and measure the extent to which
48.33 the grant recipient improves student achievement in, improves teaching and learning of,
48.34 and provides expanded access to science, technology, engineering, and mathematics in
48.35 a high school, and must report the data to the commissioner in the form and manner
48.36 the commissioner determines. The commissioner must, annually by February 15, make

49.1 summary data about this program available to the committees with jurisdiction over
 49.2 education policy and finance in the house of representatives and senate.

49.3 (b) Each grant recipient under this section must annually report to the commissioner,
 49.4 consistent with the Uniform Financial Accounting and Reporting System, its actual
 49.5 expenditures for the efforts it undertakes under this section. The report must demonstrate
 49.6 that the grant recipient has maintained its effort from other sources for science, technology,
 49.7 engineering, and mathematics teaching and learning efforts compared with the previous
 49.8 fiscal year, and that the grant recipient has expended all grant funds it received under this
 49.9 section consistent with its approved application and budget. Any unexpended grant funds
 49.10 remaining at the end of a fiscal year must be reserved and expended consistent with the
 49.11 grant recipient's approved budget for the subsequent fiscal year.

49.12 **EFFECTIVE DATE.** This section is effective the day following final enactment
 49.13 and applies to the 2006-2007 school year and later.

49.14 Sec. 9. Minnesota Statutes 2004, section 125A.02, subdivision 1, is amended to read:

49.15 Subdivision 1. **Child with a disability.** Every child who has a hearing impairment,
 49.16 blindness, visual disability, speech or language impairment, physical handicap, other
 49.17 health impairment, mental handicap, emotional/behavioral disorder, specific learning
 49.18 disability, autism, traumatic brain injury, multiple disabilities, or deaf/blind disability and
 49.19 needs special instruction and services, as determined by the standards of the commissioner,
 49.20 is a child with a disability. In addition, every child under age three, and at local district
 49.21 discretion from age three to age seven, who needs special instruction and services, as
 49.22 determined by the standards of the commissioner, because the child has a substantial delay
 49.23 or has an identifiable physical or mental condition known to hinder normal development is
 49.24 a child with a disability.

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

49.26 Sec. 10. Minnesota Statutes 2004, section 125A.75, is amended by adding a
 49.27 subdivision to read:

49.28 Subd. 9. **Litigation costs; annual report.** (a) By November 30 of each year,
 49.29 a school district must annually report the district's special education litigation costs,
 49.30 including attorney fees and costs of due process hearings, to the commissioner of
 49.31 education, consistent with the Uniform Financial Accounting and Reporting Standards.

49.32 (b) By January 15 of each year, the commissioner shall report school district special
 49.33 education litigation costs to the house of representatives and the senate committees having
 49.34 jurisdiction over kindergarten through grade 12 education finance.

50.1 Sec. 11. Minnesota Statutes 2005 Supplement, section 126C.17, subdivision 9, is
50.2 amended to read:

50.3 Subd. 9. **Referendum revenue.** (a) The revenue authorized by section 126C.10,
50.4 subdivision 1, may be increased in the amount approved by the voters of the district at a
50.5 referendum called for the purpose. The referendum may be called by the board or shall be
50.6 called by the board upon written petition of qualified voters of the district. The referendum
50.7 must be conducted one or two calendar years before the increased levy authority, if
50.8 approved, first becomes payable. ~~Only one election~~ No more than two elections to
50.9 approve an increase may be held in a calendar year. Unless the referendum is conducted
50.10 by mail under paragraph (g), the referendum must be held on the first Tuesday after the
50.11 first Monday in June or the first Tuesday after the first Monday in November. The ballot
50.12 must state the maximum amount of the increased revenue per resident marginal cost pupil
50.13 unit. The ballot may state a schedule, determined by the board, of increased revenue per
50.14 resident marginal cost pupil unit that differs from year to year over the number of years for
50.15 which the increased revenue is authorized. The ballot may state that existing referendum
50.16 levy authority is expiring. In this case, the ballot may also compare the proposed levy
50.17 authority to the existing expiring levy authority, and express the proposed increase as the
50.18 amount, if any, over the expiring referendum levy authority. The ballot must designate
50.19 the specific number of years, not to exceed ten, for which the referendum authorization
50.20 applies. The ballot, including a ballot on the question to revoke or reduce the increased
50.21 revenue amount under paragraph (c), must abbreviate the term "per resident marginal cost
50.22 pupil unit" as "per pupil." The notice required under section 275.60 may be modified to
50.23 read, in cases of renewing existing levies:

50.24 "BY VOTING "YES" ON THIS BALLOT QUESTION, YOU MAY BE VOTING
50.25 FOR A PROPERTY TAX INCREASE."

50.26 The ballot may contain a textual portion with the information required in this
50.27 subdivision and a question stating substantially the following:

50.28 "Shall the increase in the revenue proposed by (petition to) the board of,
50.29 School District No. ..., be approved?"

50.30 If approved, an amount equal to the approved revenue per resident marginal cost
50.31 pupil unit times the resident marginal cost pupil units for the school year beginning in
50.32 the year after the levy is certified shall be authorized for certification for the number of
50.33 years approved, if applicable, or until revoked or reduced by the voters of the district at a
50.34 subsequent referendum.

50.35 (b) The board must prepare and deliver by first class mail at least 15 days but no more
50.36 than 30 days before the day of the referendum to each taxpayer a notice of the referendum
50.37 and the proposed revenue increase. The board need not mail more than one notice to any

51.1 taxpayer. For the purpose of giving mailed notice under this subdivision, owners must be
51.2 those shown to be owners on the records of the county auditor or, in any county where
51.3 tax statements are mailed by the county treasurer, on the records of the county treasurer.
51.4 Every property owner whose name does not appear on the records of the county auditor
51.5 or the county treasurer is deemed to have waived this mailed notice unless the owner
51.6 has requested in writing that the county auditor or county treasurer, as the case may be,
51.7 include the name on the records for this purpose. The notice must project the anticipated
51.8 amount of tax increase in annual dollars for typical residential homesteads, agricultural
51.9 homesteads, apartments, and commercial-industrial property within the school district.

51.10 The notice for a referendum may state that an existing referendum levy is expiring
51.11 and project the anticipated amount of increase over the existing referendum levy in
51.12 the first year, if any, in annual dollars for typical residential homesteads, agricultural
51.13 homesteads, apartments, and commercial-industrial property within the district.

51.14 The notice must include the following statement: "Passage of this referendum will
51.15 result in an increase in your property taxes." However, in cases of renewing existing
51.16 levies, the notice may include the following statement: "Passage of this referendum may
51.17 result in an increase in your property taxes."

51.18 (c) A referendum on the question of revoking or reducing the increased revenue
51.19 amount authorized pursuant to paragraph (a) may be called by the board and shall be called
51.20 by the board upon the written petition of qualified voters of the district. A referendum to
51.21 revoke or reduce the revenue amount must state the amount per resident marginal cost
51.22 pupil unit by which the authority is to be reduced. Revenue authority approved by the
51.23 voters of the district pursuant to paragraph (a) must be available to the school district at
51.24 least once before it is subject to a referendum on its revocation or reduction for subsequent
51.25 years. Only one revocation or reduction referendum may be held to revoke or reduce
51.26 referendum revenue for any specific year and for years thereafter.

51.27 (d) A petition authorized by paragraph (a) or (c) is effective if signed by a number of
51.28 qualified voters in excess of 15 percent of the registered voters of the district on the day
51.29 the petition is filed with the board. A referendum invoked by petition must be held on the
51.30 date specified in paragraph (a).

51.31 (e) The approval of 50 percent plus one of those voting on the question is required to
51.32 pass a referendum authorized by this subdivision.

51.33 (f) At least 15 days before the day of the referendum, the district must submit a
51.34 copy of the notice required under paragraph (b) to the commissioner and to the county
51.35 auditor of each county in which the district is located. Within 15 days after the results
51.36 of the referendum have been certified by the board, or in the case of a recount, the

52.1 certification of the results of the recount by the canvassing board, the district must notify
52.2 the commissioner of the results of the referendum.

52.3 **Sec. 12. RULE ON VISUALLY IMPAIRED TO INCLUDE REFERENCES TO**
52.4 **"BLIND" AND "BLINDNESS."**

52.5 The commissioner of education, where appropriate, must incorporate references to
52.6 "blind" and "blindness" into the definition of visually impaired under Minnesota Rules,
52.7 part 3525.1345, and amend the rule title to include the word "blind."

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

52.9 **Sec. 13. PILOT PROGRAM TO FACILITATE YOUNG CHILDREN'S SECOND**
52.10 **LANGUAGE LEARNING AND STRONGER LITERACY AND VERBAL SKILLS.**

52.11 (a) A pilot program for fiscal year 2007 is established to allow school districts to
52.12 use child-relevant American sign language to encourage children in kindergarten through
52.13 third grade to learn a second language and develop stronger literacy and verbal skills and
52.14 better classroom attention. School districts that have (i) child care centers or Head Start
52.15 classrooms, (ii) English language learners, foreign language classrooms or language
52.16 immersion programs, (iii) resident families with internationally adopted children or (iv)
52.17 classrooms in which children with special needs are served may apply to the education
52.18 commissioner, in the form and manner the commissioner determines, for a pilot program
52.19 grant. School districts that receive a grant under this section must use the grant to train
52.20 education staff who work with children in kindergarten through grade three, including
52.21 at least classroom teachers, teachers' assistants, ESL teachers and special education
52.22 teachers, to use 600 child-relevant signs in sign language to help hearing students
52.23 acquire vocabulary quickly and easily, become better problem solvers, creative thinkers
52.24 and communicators and better prepared academically, and to use effective strategies to
52.25 incorporate sign language into classroom instruction.

52.26 (b) The commissioner may awards grants to qualified school districts on a
52.27 first-come-first-served basis to allow training for 1000 education staff under this section.

52.28 (c) The commissioner shall provide for an independent evaluation of the efficacy
52.29 of the pilot program under this section and shall recommend to the education policy and
52.30 finance committees of the legislature by February 15, 2008, whether or not the program
52.31 should be continued and expanded.

52.32 **EFFECTIVE DATE. This section is effective for the 2006-2007 school year and**
52.33 **later.**

52.34 **Sec. 14. CHINESE LANGUAGE PROGRAMS; CURRICULUM**
52.35 **DEVELOPMENT PROJECT.**

53.1 Subdivision 1. Project parameters. (a) Notwithstanding other law to the contrary,
53.2 the commissioner of education may contract with the Board of Regents of the University
53.3 of Minnesota or other Minnesota public entity the commissioner determines is qualified
53.4 to undertake the development of an articulated K-12 Chinese curriculum for Minnesota
53.5 schools that involves:

53.6 (1) creating a network of Chinese teachers and educators able to develop new and
53.7 modify or expand existing world languages K-12 curricula, materials, assessments, and
53.8 best practices needed to provide Chinese language instruction to students; and

53.9 (2) coordinating statewide efforts to develop and expand Chinese language
53.10 instruction so that it is uniformly available to students throughout the state, and making
53.11 innovative use of media and technology, including television, distance learning, and online
53.12 courses to broaden students' access to the instruction.

53.13 (b) The entity with which the commissioner contracts under paragraph (a) must have
53.14 sufficient knowledge and expertise to ensure the professional development of appropriate,
53.15 high quality curricula, supplementary materials, aligned assessments, and best practices
53.16 that accommodate different levels of student ability and types of programs.

53.17 (c) Project participants must:

53.18 (1) work throughout the project to develop curriculum, supplementary materials,
53.19 aligned assessments, and best practices; and

53.20 (2) make curriculum, supplementary materials, aligned assessments, and best
53.21 practices equitably available to Minnesota schools and students.

53.22 Subd. 2. Project participants. The entity with which the commissioner contracts
53.23 must work with the network of Chinese teachers and educators to:

53.24 (1) conduct an inventory of Chinese language curricula, supplementary materials,
53.25 and professional development initiatives currently used in Minnesota or other states;

53.26 (2) develop Chinese language curricula and benchmarks aligned to local world
53.27 language standards and classroom-based assessments; and

53.28 (3) review and recommend to the commissioner how best to build an educational
53.29 infrastructure to provide more students with Chinese language instruction, including
53.30 how to develop and provide: an adequate supply of Chinese language teachers; an
53.31 adequate number of high quality school programs; appropriate curriculum, instructional
53.32 materials, and aligned assessments that include technology-based delivery systems;
53.33 teacher preparation programs to train Chinese language teachers; expedited licensing of
53.34 Chinese language teachers; best practices in existing educational programs that can be
53.35 used to establish K-12 Chinese language programs; and technical assistance resources.

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

54.1 **Sec. 15. SCHOOL BUILDING CONDITION REPORT.**

54.2 The commissioner of education, by January 15, 2007, must report to the house of
 54.3 representatives and senate committees having jurisdiction over kindergarten through
 54.4 grade 12 education finance on the condition of school buildings in Minnesota that cannot
 54.5 economically be repaired and renovated and must be replaced within the next five years
 54.6 in order to provide educational opportunities to students consistent with state academic
 54.7 standards. The report shall, at a minimum, identify each building, efforts by the school
 54.8 district to raise the revenue to replace the building, the cost of replacement, total school
 54.9 property taxes levied by each district, and the commissioner's recommendations of what
 54.10 role, if any, the state should play in providing funding for the replacement.

54.11 **Sec. 16. APPROPRIATIONS.**

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

54.15 Subd. 2. AP, IB, and concurrent enrollment increased student participation. For
 54.16 the increased participation of students in advanced placement, international baccalaureate,
 54.17 and concurrent enrollment programs under Minnesota Statutes, section 120B.132:

54.18 \$ 7,319,000 2007

54.19 This appropriation includes \$0 for fiscal year 2006 and \$7,319,000 for fiscal year
 54.20 2007.

54.21 Subd. 3. High school redesign grants. To implement the high school redesign
 54.22 grants under section 8:

54.23 \$ 5,000,000 2007

54.24 Subd. 4. Chinese language. For the Chinese language curriculum project under
 54.25 section 14:

54.26 \$ 250,000 2007

54.27 The commissioner must report to the house of representatives and senate committees
 54.28 having jurisdiction over kindergarten through grade 12 education policy and finance on
 54.29 the range of the program by February 15, 2007. The report shall address the applicability
 54.30 of the Chinese language curriculum project to other world languages and include the
 54.31 availability of instructors, curriculum, high-quality school programs, assessments, and
 54.32 best practices as they apply to world languages.

54.33 This is a onetime appropriation.

55.1 Subd. 5. Child-relevant American sign language. For a contract with a qualified
 55.2 provider to train education staff to use child-relevant American sign language to facilitate
 55.3 young children's development of second language learning and stronger literacy and
 55.4 verbal skills.

55.5 \$ 225,000 2007

55.6 Of this appropriation, \$150,000 is for actual training costs, \$35,000 is for
 55.7 an independent evaluation of the efficacy of the pilot program and \$40,000 is for
 55.8 administrative and marketing costs incurred by the Education Department.

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

55.10 Sec. 17. REPEALER.

55.11 Minnesota Statutes 2004, section 123B.749, is repealed.

55.12 **ARTICLE 3**

55.13 **SPECIAL PROGRAMS**

55.14 Section 1. Minnesota Statutes 2005 Supplement, section 125A.11, subdivision 1,
 55.15 is amended to read:

55.16 Subdivision 1. **Nonresident tuition rate; other costs.** (a) For fiscal year 2006,
 55.17 when a school district provides instruction and services outside the district of residence,
 55.18 board and lodging, and any tuition to be paid, shall be paid by the district of residence. The
 55.19 tuition rate to be charged for any child with a disability, excluding a pupil for whom tuition
 55.20 is calculated according to section 127A.47, subdivision 7, paragraph (d), must be the sum
 55.21 of (1) the actual cost of providing special instruction and services to the child including
 55.22 a proportionate amount for special transportation and unreimbursed building lease and
 55.23 debt service costs for facilities used primarily for special education, plus (2) the amount
 55.24 of general education revenue and referendum aid attributable to the pupil, minus (3) the
 55.25 amount of special education aid for children with a disability received on behalf of that
 55.26 child, minus (4) if the pupil receives special instruction and services outside the regular
 55.27 classroom for more than 60 percent of the school day, the amount of general education
 55.28 revenue and referendum aid, excluding portions attributable to district and school
 55.29 administration, district support services, operations and maintenance, capital expenditures,
 55.30 and pupil transportation, attributable to that pupil for the portion of time the pupil receives
 55.31 special instruction in and services outside the regular classroom. If the boards involved
 55.32 do not agree upon the tuition rate, either board may apply to the commissioner to fix the
 55.33 rate. Notwithstanding chapter 14, the commissioner must then set a date for a hearing or
 55.34 request a written statement from each board, giving each board at least ten days' notice,
 55.35 and after the hearing or review of the written statements the commissioner must make an

56.1 order fixing the tuition rate, which is binding on both school districts. General education
56.2 revenue and referendum aid attributable to a pupil must be calculated using the resident
56.3 district's average general education and referendum revenue per adjusted pupil unit.

56.4 (b) For fiscal year 2007 and later, when a school district provides special instruction
56.5 and services for a pupil with a disability as defined in section 125A.02 outside the district
56.6 of residence, excluding a pupil for whom an adjustment to special education aid is
56.7 calculated according to section 127A.47, subdivision 7, paragraph (e), special education
56.8 aid paid to the resident district must be reduced by an amount equal to (1) the actual
56.9 cost of providing special instruction and services to the pupil, including a proportionate
56.10 amount for special transportation and unreimbursed building lease and debt service costs
56.11 for facilities used primarily for special education, plus (2) the amount of general education
56.12 revenue and referendum aid attributable to that pupil, minus (3) the amount of special
56.13 education aid for children with a disability received on behalf of that child, minus (4) if the
56.14 pupil receives special instruction and services outside the regular classroom for more than
56.15 60 percent of the school day, the amount of general education revenue and referendum
56.16 aid, excluding portions attributable to district and school administration, district support
56.17 services, operations and maintenance, capital expenditures, and pupil transportation,
56.18 attributable to that pupil for the portion of time the pupil receives special instruction in
56.19 and services outside the regular classroom. General education revenue and referendum
56.20 aid attributable to a pupil must be calculated using the resident district's average general
56.21 education revenue and referendum aid per adjusted pupil unit. Special education aid
56.22 paid to the district or cooperative providing special instruction and services for the pupil
56.23 must be increased by the amount of the reduction in the aid paid to the resident district.
56.24 Amounts paid to cooperatives under this subdivision and section 127A.47, subdivision
56.25 7, shall be recognized and reported as revenues and expenditures on the resident school
56.26 district's books of account under sections 123B.75 and 123B.76. If the resident district's
56.27 special education aid is insufficient to make the full adjustment, the remaining adjustment
56.28 shall be made to other state aid due to the district.

56.29 (c) Notwithstanding paragraphs (a) and (b) and section 127A.47, subdivision 7,
56.30 paragraphs (d) and (e), a charter school where more than 30 percent of enrolled students
56.31 receive special education and related services, an intermediate district, or a special
56.32 education cooperative may apply to the commissioner for authority to charge the resident
56.33 district an additional amount to recover any remaining unreimbursed costs of serving
56.34 pupils with a disability. The application must include a description of the costs and the
56.35 calculations used to determine the unreimbursed portion to be charged to the resident
56.36 district. Amounts approved by the commissioner under this paragraph must be included

57.1 in the tuition billings or aid adjustments under paragraph (a) or (b), or section 127A.47,
57.2 subdivision 7, paragraph (d) or (e), as applicable.

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

57.4 Sec. 2. Minnesota Statutes 2004, section 125A.27, subdivision 11, is amended to read:

57.5 Subd. 11. **Interagency child find systems.** "Interagency child find systems"
57.6 means activities developed on an interagency basis with the involvement of interagency
57.7 early intervention committees and other relevant community groups using rigorous
57.8 standards to actively seek out, identify, and refer infants and young children, with, or at
57.9 risk of, disabilities, and their families, including a child under the age of three who: (1)
57.10 is involved in a substantiated case of abuse or neglect, or (2) is identified as affected by
57.11 illegal substance abuse, or withdrawal symptoms resulting from prenatal drug exposure, to
57.12 reduce the need for future services.

57.13 Sec. 3. Minnesota Statutes 2005 Supplement, section 125A.28, is amended to read:

57.14 **125A.28 STATE INTERAGENCY COORDINATING COUNCIL.**

57.15 An Interagency Coordinating Council of at least 17, but not more than 25 members
57.16 is established, in compliance with Public Law ~~102-119~~ 108-446, section ~~682~~ 641. The
57.17 members must be appointed by the governor. Council members must elect the council
57.18 chair. The representative of the commissioner may not serve as the chair. The council
57.19 must be composed of at least five parents, including persons of color, of children with
57.20 disabilities under age 12, including at least three parents of a child with a disability
57.21 under age seven, five representatives of public or private providers of services for
57.22 children with disabilities under age five, including a special education director, county
57.23 social service director, local Head Start director, and a community health services or
57.24 public health nursing administrator, one member of the senate, one member of the
57.25 house of representatives, one representative of teacher preparation programs in early
57.26 childhood-special education or other preparation programs in early childhood intervention,
57.27 at least one representative of advocacy organizations for children with disabilities under
57.28 age five, one physician who cares for young children with special health care needs, one
57.29 representative each from the commissioners of commerce, education, health, human
57.30 services, a representative from the state agency responsible for child care, foster care,
57.31 mental health, homeless coordinator of education of homeless children and youth, and a
57.32 representative from Indian health services or a tribal council. Section 15.059, subdivisions
57.33 2 to 5, apply to the council. ~~The council must meet at least quarterly.~~

58.1 ~~The council must address methods of implementing the state policy of developing~~
58.2 ~~and implementing comprehensive, coordinated, multidisciplinary interagency programs of~~
58.3 ~~early intervention services for children with disabilities and their families.~~

58.4 ~~The duties of the council include recommending policies to ensure a comprehensive~~
58.5 ~~and coordinated system of all state and local agency services for children under age five~~
58.6 ~~with disabilities and their families. The policies must address how to incorporate each~~
58.7 ~~agency's services into a unified state and local system of multidisciplinary assessment~~
58.8 ~~practices, individual intervention plans, comprehensive systems to find children in need of~~
58.9 ~~services, methods to improve public awareness, and assistance in determining the role of~~
58.10 ~~interagency early intervention committees.~~

58.11 On the date that Minnesota Part C Annual Performance Report is submitted to the
58.12 federal Office of Special Education, the council must recommend to the governor and the
58.13 commissioners of education, health, human services, commerce, and employment and
58.14 economic development policies for a comprehensive and coordinated system.

58.15 Notwithstanding any other law to the contrary, the State Interagency Coordinating
58.16 Council expires on June 30, 2009.

58.17 Sec. 4. Minnesota Statutes 2004, section 125A.29, is amended to read:

58.18 **125A.29 RESPONSIBILITIES OF COUNTY BOARDS AND SCHOOL**
58.19 **BOARDS.**

58.20 (a) It is the joint responsibility of county boards and school boards to coordinate,
58.21 provide, and pay for appropriate services, and to facilitate payment for services from public
58.22 and private sources. Appropriate services for children eligible under section 125A.02 must
58.23 be determined in consultation with parents, physicians, and other educational, medical,
58.24 health, and human services providers. The services provided must be in conformity with:

58.25 (1) an IFSP for each eligible infant and toddler from birth through age two and its
58.26 the infant's or toddler's family; including:

58.27 (i) Indian infants and toddlers with disabilities and their families residing on a
58.28 reservation geographically located in the state;

58.29 (ii) infants and toddlers with disabilities who are homeless children and their
58.30 families; and

58.31 (iii) infants and toddlers with disabilities who are wards of the state; or

58.32 (2) an individual education plan (IEP) or individual service plan (ISP) for each
58.33 eligible child ages three through four.

58.34 (b) Appropriate services include family education and counseling, home visits,
58.35 occupational and physical therapy, speech pathology, audiology, psychological services,
58.36 special instruction, nursing, respite, nutrition, assistive technology, transportation

59.1 and related costs, social work, vision services, case management including service
59.2 coordination under section 125A.33, medical services for diagnostic and evaluation
59.3 purposes, early identification, and screening, assessment, and health services necessary to
59.4 enable children with disabilities to benefit from early intervention services.

59.5 (c) School and county boards shall coordinate early intervention services. In the
59.6 absence of agreements established according to section 125A.39, service responsibilities
59.7 for children birth through age two are as follows:

59.8 (1) school boards must provide, pay for, and facilitate payment for special education
59.9 and related services required under sections 125A.05 and 125A.06;

59.10 (2) county boards must provide, pay for, and facilitate payment for noneducational
59.11 services of social work, psychology, transportation and related costs, nursing, respite, and
59.12 nutrition services not required under clause (1).

59.13 (d) School and county boards may develop an interagency agreement according
59.14 to section 125A.39 to establish agency responsibility that assures early intervention
59.15 services are coordinated, provided, paid for, and that payment is facilitated from public
59.16 and private sources.

59.17 (e) County and school boards must jointly determine the primary agency in this
59.18 cooperative effort and must notify the commissioner of the state lead agency of their
59.19 decision.

59.20 Sec. 5. Minnesota Statutes 2004, section 125A.30, is amended to read:

59.21 **125A.30 INTERAGENCY EARLY INTERVENTION COMMITTEES.**

59.22 (a) A school district, group of districts, or special education cooperative, in
59.23 cooperation with the health and human service agencies located in the county or counties
59.24 in which the district or cooperative is located, must establish an Interagency Early
59.25 Intervention Committee for children with disabilities under age five and their families
59.26 under this section, and for children with disabilities ages three to 22 consistent with
59.27 the requirements under sections 125A.023 and 125A.027. Committees must include
59.28 representatives of local health, education, and county human service agencies, county
59.29 boards, school boards, early childhood family education programs, Head Start, parents of
59.30 young children with disabilities under age 12, child care resource and referral agencies,
59.31 school readiness programs, current service providers, and may also include representatives
59.32 from other private or public agencies and school nurses. The committee must elect a chair
59.33 from among its members and must meet at least quarterly.

59.34 (b) The committee must develop and implement interagency policies and procedures
59.35 concerning the following ongoing duties:

60.1 (1) develop public awareness systems designed to inform potential recipient
60.2 families, especially parents with premature infants, or infants with other physical risk
60.3 factors associated with learning or development complications, of available programs
60.4 and services;

60.5 (2) implement interagency child find systems designed to actively seek out, identify,
60.6 and refer infants and young children with, or at risk of, disabilities, including a child under
60.7 the age of three who: (i) is involved in a substantiated case of abuse or (ii) is identified
60.8 as affected by illegal substance abuse, or withdrawal symptoms resulting from prenatal
60.9 drug exposure; to reduce the need for future services; and their families, especially parents
60.10 with premature infants, or infants with other physical risk factors associated with learning
60.11 or development complications;

60.12 (3) establish and evaluate the identification, referral, child and family assessment
60.13 systems, procedural safeguard process, and community learning systems to recommend,
60.14 where necessary, alterations and improvements;

60.15 (4) assure the development of individualized family service plans for all eligible
60.16 infants and toddlers with disabilities from birth through age two, and their families, and
60.17 individual education plans and individual service plans when necessary to appropriately
60.18 serve children with disabilities, age three and older, and their families and recommend
60.19 assignment of financial responsibilities to the appropriate agencies;

60.20 ~~(5) encourage agencies to develop individual family service plans for children with~~
60.21 ~~disabilities, age three and older;~~

60.22 ~~(6)~~ implement a process for assuring that services involve cooperating agencies at all
60.23 steps leading to individualized programs;

60.24 ~~(7)~~ (6) facilitate the development of a transitional plan if a service provider is not
60.25 recommended to continue to provide services;

60.26 ~~(8)~~ (7) identify the current services and funding being provided within the
60.27 community for children with disabilities under age five and their families;

60.28 ~~(9)~~ (8) develop a plan for the allocation and expenditure of additional state and
60.29 federal early intervention funds under United States Code, title 20, section 1471 et seq.
60.30 (Part C, Public Law ~~102-119~~ 108-446) and United States Code, title 20, section 631, et
60.31 seq. (Chapter I, Public Law 89-313); and

60.32 ~~(10)~~ (9) develop a policy that is consistent with section 13.05, subdivision 9, and
60.33 federal law to enable a member of an interagency early intervention committee to allow
60.34 another member access to data classified as not public.

60.35 (c) The local committee shall also:

61.1 (1) participate in needs assessments and program planning activities conducted by
 61.2 local social service, health and education agencies for young children with disabilities and
 61.3 their families; and

61.4 (2) review and comment on the early intervention section of the total special
 61.5 education system for the district, the county social service plan, the section or sections of
 61.6 the community health services plan that address needs of and service activities targeted
 61.7 to children with special health care needs, the section on children with special needs in
 61.8 the county child care fund plan, sections in Head Start plans on coordinated planning and
 61.9 services for children with special needs, any relevant portions of early childhood education
 61.10 plans, such as early childhood family education or school readiness, or other applicable
 61.11 coordinated school and community plans for early childhood programs and services, and
 61.12 the section of the maternal and child health special project grants that address needs of and
 61.13 service activities targeted to children with chronic illness and disabilities.

61.14 Sec. 6. Minnesota Statutes 2004, section 125A.32, is amended to read:

61.15 **125A.32 INDIVIDUALIZED FAMILY SERVICE PLAN.**

61.16 (a) A team must participate in IFSP meetings to develop the IFSP. The team shall
 61.17 include:

61.18 (1) a parent or parents of the child;

61.19 (2) other family members, as requested by the parent, if feasible to do so;

61.20 (3) an advocate or person outside of the family, if the parent requests that the
 61.21 person participate;

61.22 (4) the service coordinator who has been working with the family since the
 61.23 initial referral, or who has been designated by the public agency to be responsible for
 61.24 implementation of the IFSP and coordination with other agencies including transition
 61.25 services; and

61.26 (5) a person or persons involved in conducting evaluations and assessments.

61.27 (b) The IFSP must include:

61.28 (1) information about the child's developmental status;

61.29 (2) family information, with the consent of the family;

61.30 (3) measurable results or major outcomes expected to be achieved by the child and
 61.31 the family that include preliteracy and language skills, as developmentally appropriate
 61.32 for the child, and the criteria, procedures, and timelines;

61.33 (4) specific early intervention services based on peer-reviewed research, to the
 61.34 extent practicable, necessary to meet the unique needs of the child and the family to
 61.35 achieve the outcomes;

61.36 (5) payment arrangements, if any;

62.1 (6) medical and other services that the child needs, but that are not required under
 62.2 the Individual with Disabilities Education Act, United States Code, title 20, section 1471
 62.3 et seq. (Part C, Public Law ~~102-119~~ 108-446) including funding sources to be used in
 62.4 paying for those services and the steps that will be taken to secure those services through
 62.5 public or private sources;

62.6 (7) dates and duration of early intervention services;

62.7 (8) name of the service coordinator;

62.8 (9) steps to be taken to support a child's transition from early intervention services to
 62.9 other appropriate services, including convening a transition conference at least 90 days, or
 62.10 at the discretion of all parties, not more than nine months prior to the child's eligibility for
 62.11 preschool services; and

62.12 (10) signature of the parent and authorized signatures of the agencies responsible
 62.13 for providing, paying for, or facilitating payment, or any combination of these, for early
 62.14 intervention services.

62.15 Sec. 7. Minnesota Statutes 2004, section 125A.33, is amended to read:

62.16 **125A.33 SERVICE COORDINATION.**

62.17 (a) The team developing the IFSP under section 125A.32 must select a service
 62.18 coordinator to carry out service coordination activities on an interagency basis. Service
 62.19 coordination must actively promote a family's capacity and competency to identify,
 62.20 obtain, coordinate, monitor, and evaluate resources and services to meet the family's
 62.21 needs. Service coordination activities include:

62.22 (1) coordinating the performance of evaluations and assessments;

62.23 (2) facilitating and participating in the development, review, and evaluation of
 62.24 individualized family service plans;

62.25 (3) assisting families in identifying available service providers;

62.26 (4) coordinating and monitoring the delivery of available services;

62.27 (5) informing families of the availability of advocacy services;

62.28 (6) coordinating with medical, health, and other service providers;

62.29 (7) facilitating the development of a transition plan at least 90 days before the time
 62.30 the child is no longer eligible for early intervention services, or at the discretion of all
 62.31 parties, not more than nine months prior to the child's eligibility for preschool services,
 62.32 if appropriate;

62.33 (8) managing the early intervention record and submitting additional information to
 62.34 the local primary agency at the time of periodic review and annual evaluations; and

62.35 (9) notifying a local primary agency when disputes between agencies impact service
 62.36 delivery required by an IFSP.

63.1 (b) A service coordinator must be knowledgeable about children and families
 63.2 receiving services under this section, requirements of state and federal law, and services
 63.3 available in the interagency early childhood intervention system.

63.4 Sec. 8. Minnesota Statutes 2004, section 125A.48, is amended to read:

63.5 **125A.48 STATE INTERAGENCY AGREEMENT.**

63.6 (a) The commissioners of the Departments of Education, Health, and Human
 63.7 Services must enter into an agreement to implement this section and Part H C, Public
 63.8 Law ~~102-119~~ 108-446, and as required by Code of Federal Regulations, title 34, section
 63.9 303.523, to promote the development and implementation of interagency, coordinated,
 63.10 multidisciplinary state and local early childhood intervention service systems for serving
 63.11 eligible young children with disabilities, birth through age two, and their families and
 63.12 to ensure the meaningful involvement of underserved groups, including minority,
 63.13 low-income, homeless, and rural families and children with disabilities who are wards
 63.14 of the state. The agreement must be reviewed annually.

63.15 (b) The state interagency agreement must outline at a minimum the conditions,
 63.16 procedures, purposes, and responsibilities of the participating state and local agencies
 63.17 for the following:

63.18 (1) membership, roles, and responsibilities of a state interagency committee for
 63.19 the oversight of priorities and budget allocations under Part H C, Public Law ~~102-119~~
 63.20 108-446, and other state allocations for this program;

63.21 (2) child find;

63.22 (3) establishment of local interagency agreements;

63.23 (4) review by a state interagency committee of the allocation of additional state and
 63.24 federal early intervention funds by local agencies;

63.25 (5) fiscal responsibilities of the state and local agencies;

63.26 (6) intraagency and interagency dispute resolution;

63.27 (7) payor of last resort;

63.28 (8) maintenance of effort;

63.29 (9) procedural safeguards, including mediation;

63.30 (10) complaint resolution;

63.31 (11) quality assurance;

63.32 (12) data collection;

63.33 (13) an annual summary to the state Interagency Coordinating Council regarding
 63.34 conflict resolution activities including disputes, due process hearings, and complaints; and

63.35 (14) other components of the state and local early intervention system consistent
 63.36 with Public Law ~~102-119~~ 108-446.

64.1 Written materials must be developed for parents, IEIC's, and local service providers
64.2 that describe procedures developed under this section as required by Code of Federal
64.3 Regulations, title 34, section 303.

64.4 Sec. 9. Minnesota Statutes 2004, section 125A.515, subdivision 1, is amended to read:

64.5 **Subdivision 1. Approval of education programs.** The commissioner shall
64.6 approve education programs for placement of children and youth in ~~care and treatment~~
64.7 residential facilities including detention centers, before being licensed by the Department
64.8 of Human Services ~~under Minnesota Rules, parts 9545.0905 to 9545.1125 and 9545.1400~~
64.9 ~~to 9545.1480~~; or the Department of Corrections ~~under Minnesota Rules, chapters 2925,~~
64.10 ~~2930, 2935, and 2950.~~ Education programs in these facilities shall conform to state and
64.11 federal education laws including the Individuals with Disabilities Education Act (IDEA).
64.12 This section applies only to placements in facilities licensed by the Department of Human
64.13 Services or the Department of Corrections.

64.14 Sec. 10. Minnesota Statutes 2004, section 125A.515, subdivision 3, is amended to read:

64.15 **Subd. 3. Responsibilities for providing education.** (a) The district in which the
64.16 residential facility is located must provide education services, including special education
64.17 if eligible, to all students placed in a facility ~~for care and treatment.~~

64.18 (b) For education programs operated by the Department of Corrections, the
64.19 providing district shall be the Department of Corrections. For students remanded to the
64.20 commissioner of corrections, the providing and resident district shall be the Department
64.21 of Corrections.

64.22 ~~(c) Placement for care and treatment does not automatically make a student eligible~~
64.23 ~~for special education. A student placed in a care and treatment facility is eligible for~~
64.24 ~~special education under state and federal law including the Individuals with Disabilities~~
64.25 ~~Education Act under United States Code, title 20, chapter 33.~~

64.26 Sec. 11. Minnesota Statutes 2004, section 125A.515, subdivision 5, is amended to read:

64.27 **Subd. 5. Education programs for students placed in residential facilities for**
64.28 ~~care and treatment.~~ (a) When a student is placed in a ~~care and treatment~~ facility
64.29 approved under this section that has an on-site education program, the providing district,
64.30 upon notice from the care and treatment facility, must contact the resident district within
64.31 one business day to determine if a student has been identified as having a disability, and
64.32 to request at least the student's transcript, and for students with disabilities, the most
64.33 recent individualized education plan (IEP) and evaluation report, and to determine if the
64.34 student has been identified as a student with a disability. The resident district must send a
64.35 facsimile copy to the providing district within two business days of receiving the request.

65.1 (b) If a student placed ~~for care and treatment~~ under this section has been identified as
 65.2 having a disability and has an individual education plan in the resident district:

65.3 (1) the providing agency must conduct an individualized education plan meeting
 65.4 to reach an agreement about continuing or modifying special education services in
 65.5 accordance with the current individualized education plan goals and objectives and to
 65.6 determine if additional evaluations are necessary; and

65.7 (2) at least the following people shall receive written notice or documented phone
 65.8 call to be followed with written notice to attend the individualized education plan meeting:

65.9 (i) the person or agency placing the student;

65.10 (ii) the resident district;

65.11 (iii) the appropriate teachers and related services staff from the providing district;

65.12 (iv) appropriate staff from the ~~care and treatment~~ residential facility;

65.13 (v) the parents or legal guardians of the student; and

65.14 (vi) when appropriate, the student.

65.15 (c) For a student who has not been identified as a student with a disability, a
 65.16 screening must be conducted by the providing districts as soon as possible to determine
 65.17 the student's educational and behavioral needs and must include a review of the student's
 65.18 educational records.

65.19 Sec. 12. Minnesota Statutes 2004, section 125A.515, subdivision 6, is amended to read:

65.20 Subd. 6. **Exit report summarizing educational progress.** If a student has been
 65.21 placed in a ~~care and treatment~~ facility under this section for 15 or more business days, the
 65.22 providing district must prepare an exit report summarizing the regular education, special
 65.23 education, evaluation, educational progress, and service information and must send the
 65.24 report to the resident district and the next providing district if different, the parent or
 65.25 legal guardian, and any appropriate social service agency. For students with disabilities,
 65.26 this report must include the student's IEP.

65.27 Sec. 13. Minnesota Statutes 2004, section 125A.515, subdivision 7, is amended to read:

65.28 Subd. 7. **Minimum educational services required.** When a student is placed in a
 65.29 facility approved under this section, at a minimum, the providing district is responsible for:

65.30 (1) the education necessary, including summer school services, for a student who is
 65.31 not performing at grade level as indicated in the education record or IEP; and

65.32 (2) a school day, of the same length as the school day of the providing district, unless
 65.33 the unique needs of the student, as documented through the IEP or education record in
 65.34 consultation with treatment providers, requires an alteration in the length of the school day.

65.35 Sec. 14. Minnesota Statutes 2004, section 125A.515, subdivision 9, is amended to read:

66.1 Subd. 9. **Reimbursement for education services.** (a) Education services
 66.2 provided to students who have been placed ~~for care and treatment~~ under this section are
 66.3 reimbursable in accordance with special education and general education statutes.

66.4 (b) Indirect or consultative services provided in conjunction with regular education
 66.5 prereferral interventions and assessment provided to regular education students suspected
 66.6 of being disabled and who have demonstrated learning or behavioral problems in a
 66.7 screening are reimbursable with special education categorical aids.

66.8 (c) Regular education, including screening, provided to students with or without
 66.9 disabilities is not reimbursable with special education categorical aids.

66.10 Sec. 15. Minnesota Statutes 2004, section 125A.515, subdivision 10, is amended to
 66.11 read:

66.12 Subd. 10. **Students unable to attend school but not placed in care and treatment**
 66.13 **facilities covered under this section.** Students who are absent from, or predicted to
 66.14 be absent from, school for 15 consecutive or intermittent days, and placed at home or
 66.15 in facilities not licensed by the Departments of Corrections or Human Services are ~~not~~
 66.16 ~~students placed for care and treatment~~ entitled to regular and special education services
 66.17 consistent with applicable law and rule. These students include students with and without
 66.18 disabilities who are home due to accident or illness, in a hospital or other medical facility,
 66.19 or in a day treatment center. ~~These students are entitled to education services through~~
 66.20 ~~their district of residence.~~

66.21 Sec. 16. Minnesota Statutes 2004, section 125A.63, subdivision 4, is amended to read:

66.22 Sec. 17. Minnesota Statutes 2004, section 125A.75, subdivision 1, is amended to read:

66.23 Subdivision 1. **Travel aid.** The state must pay each district one-half of the sum
 66.24 actually expended by a district, based on mileage, for necessary travel of essential
 66.25 personnel providing home-based services to children with a disability under age five
 66.26 and their families.

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

66.28 Sec. 18. **DEPARTMENT OF EDUCATION RULES.**

66.29 Before July 1, 2007, the Department of Education shall amend Minnesota Rules,
 66.30 part 3525.2325, to conform with Minnesota Statutes, section 125A.515.

66.31 Sec. 19. **REPEALER.**

66.32 Minnesota Statutes 2004, sections 125A.10; and 125A.515, subdivision 2, are
 66.33 repealed."

66.34 Amend the title accordingly

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and Fiscal Analysis**

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State of Minnesota

**S.F. No. 2894 - Authorizing an election to form two
separate school districts from the area currently within
Independent School District No. 728, Elk River**

Author: Senator Warren Limmer

Prepared by: Shelby Winiecki, Senate Research (651/296-5259)

Date: April 3, 2006

SW

Section 1. [Voter Approval Required to Split the Elk River School District.]

Subdivision 1 [Election Required.] requires that an election be held to propose that Independent School District No. 728, Elk River be split into two districts.

Subdivision 2 [Notification.] requires the board to mail notification of the referendum to taxpayers in the district.

Subdivision 3 [Election question.] identifies the textual wording that should be included on the ballot. Requires that if a majority of the voters approve the split, the district will be split.

Subdivision 4 [Certification.] requires that the board certify the results of the election to the Department of Education and the county auditors of Hennepin, Wright, Sherburne, Anoka, and Isanti Counties.

Section 2. [District Boundaries; Assignment of Area.]

Subdivision 1 [Sherburne, Anoka, and Isanti Counties.] requires the commissioner of education, upon approval of the split, to issue an order identifying the part of Independent School District No. 728, Elk River, that is located in Sherburne, Anoka, and Isanti Counties as a new independent school district. Requires the commissioner to assign the new school district an identification number as of July 1, 2008.

Subdivision 2 [Hennepin and Wright Counties.] requires the commissioner of education, upon approval of the split, to issue an order identifying the part of Independent School District No. 728, Elk River, that is located in Hennepin and Wright Counties as a new independent school district. Requires the commissioner to assign the new school district an identification number as of July 1, 2008.

Subdivision 3 [Commissioner's Records.] requires the commissioner to modify the records involving the former school district and the newly created school districts to conform to the conditions of this act.

Section 3. [Governance.]

Subdivision 1 [School Board Size.] requires the newly created school districts to be governed initially by seven members.

Subdivision 2 [School Board Elections and Terms.] requires that the board for each school district be elected according to Minnesota Statutes, chapter 205A, at an election held at the November 2007 general election. Requires that four members be elected for a four-year term and three members for a two-year term.

Subdivision 3 [Start of Term.] requires that the term of the newly elected board members begin on the first Monday in January 2008.

Subdivision 4 [Subsequent Terms.] indicates that after the initial election, terms of the board members will be governed by section 123B.09.

Subdivision 5 [Serving on Two Boards.] allows a board member to serve on the board of Independent School District No. 728 and on the board of one of the newly created districts.

Subdivision 6 [End of Terms.] expires the terms of the board members serving Independent School District No. 728 on July 1, 2008.

[Effective Date.] This section is effective upon successful passage of the referendum in Section 1.

Section 4. [Transition Activities.]

Subdivision 1 [Existing Board.] maintains that Independent School District No. 728 is under the care, management, and control of the board until July 1, 2008. Allows for the board to enter into a one-year contract with its employees for the 2007-2008 school year.

Subdivision 2 [New Board Activities.] allows the boards to begin meeting after the first Monday of January 2008. Allows the board of Independent School District No. 728 to authorize each newly created school district to enter into contracts with the board of Independent School

District No. 728 prior to July 1, 2008.

[Effective Date.] This section is effective upon successful passage of the referendum in Section 1.

Section 5. [Distribution of Assets and Liabilities.]

Subdivision 1 [Order of Commissioner.] requires the commissioner to distribute to the newly created school districts all assets and liabilities, real and personal, and the legally valid and enforceable contract obligations of the former Independent School District No. 728.

Subdivision 2 [Real Property.] requires the commissioner to determine the value of all real property and transfer the interests in all real property to the newly created districts based on the borders of the new districts. If the commissioner determines that the real property substantially favors one district, this subdivision allows the commissioner to issue claims against the district receiving property.

[Effective Date.] This section is effective upon successful passage of the referendum in Section 1.

Section 6. [Tax Liability for Existing Bonded Debt.] requires that all taxable property in the former Independent School District No. 728 remain taxable for payments authorized by or outstanding on July 1, 2008. In addition, all taxable property in the newly created districts is taxable for payments authorized on or after July 1, 2008.

[Effective Date.] This section is effective upon successful passage of the referendum in Section 1.

Section 7. [Employees.]

Subdivision 1 [Licensed Employees.] requires the commissioner to assign each teacher to a newly created school district based on the building the teacher was employed at during the 2006-2007 school year. Licensed employees not assigned to a building during the 2006-2007 school year will be assigned according to section 123A.75.

Subdivision 2 [Nonlicensed Employees.] directs employees not included in subdivision 1 to apply to either of the newly created school boards by February 15, 2008. Employees who have not received a letter of intent to hire from one of the boards by April 15, 2008, may place their names on a roster maintained by the commissioner. The commissioner is required to assign all employees on the roster to unfilled positions in either of the school districts based on seniority by June 15, 2008. Requires that the rights and obligations of the nonlicensed employees continue in the same manner as before July 1, 2008.

[Effective Date.] This section is effective upon successful passage of the referendum in Section 1.

Section 8. [Enrollment Options.] allows a student enrolled in Independent School District No. 728 during the 2007-2008 school year to continue to attend the school in which that student was enrolled until the student completes the last grade offered by that school.

[Effective Date.] This section is effective upon successful passage of the referendum in Section 1.

Section 9. [School Finances; Operating Referendum.] permits the operating referendum amounts of Independent School District No. 728 to continue in the amount and for the timelines approved by the voters in each of the newly formed school districts.

[Effective Date.] This section is effective upon successful passage of the referendum in Section 1.

SEW:mvm

1.1 Senator moves to amend the delete-everything amendment
1.2 (SCS2994A-7) to S.F. No. 2994 as follows:

1.3 Page 15, after line 20, insert:

1.4 "Sec. 18. REPORT ON OUT-OF-SCHOOL CARE FOR CHILDREN
1.5 BETWEEN THE AGES OF TEN TO 18.

1.6 The commissioner of education, in consultation with the commissioners of human
1.7 services and public safety, shall provide a report to the legislature by January 20, 2007,
1.8 which surveys and analyzes out-of-school time opportunities for children ages ten to 18.
1.9 The commissioner must gather representative information from urban, suburban, and
1.10 rural areas regarding where children go after their school day is over and during school
1.11 breaks. Further, the commissioner shall communicate with members of the community,
1.12 parents of children ages ten to 18, child care providers, middle school personnel, and other
1.13 interested individuals to gather information and develop positive, supervised out-of-school
1.14 alternatives for children ages ten to 18, in order to reduce the incidence of sexual activity,
1.15 underage drinking and smoking, use of illegal substances, and other criminal activity.

1.16 Sec. 19. OPPORTUNITIES FOR YOUTH DURING OUT-OF-SCHOOL TIME.

1.17 Subdivision 1. Establishment. A competitive statewide after-school enrichment
1.18 grant program is established to provide implementation grants to community or nonprofit
1.19 organizations, to political subdivisions, or to school-based programs. The commissioner
1.20 of education shall develop criteria for after-school enrichment programs.

1.21 Subd. 2. Program outcomes. The expected outcomes of the after-school
1.22 enrichment programs are to:

1.23 (1) increase the number of children participating in adult-supervised programs
1.24 in nonschool hours;

1.25 (2) increase the number of youth engaged in community services and other activities
1.26 designed to support character improvement, strengthen families, and instill community
1.27 values;

1.28 (3) increase skills in technology, the arts, sports, and other activities;

1.29 (4) reduce the amount of juvenile crime;

1.30 (5) increase and support the academic achievement and character development of
1.31 adolescent parents;

1.32 (6) increase school attendance and reduce the number of school suspensions; and

1.33 (7) support academic achievement, including the areas of reading and math.

1.34 Subd. 3. Plan. An applicant shall develop a plan for an after-school enrichment
1.35 program for youth. The plan must include:

2.1 (1) collaboration with and leverage of existing community resources that have
2.2 demonstrated effectiveness;

2.3 (2) outreach to children and youth;

2.4 (3) involvement of local governments, including park and recreation boards or
2.5 schools, unless no government agency is appropriate; and

2.6 (4) community control over the design of the enrichment program and identification
2.7 of the sources of nonpublic funding.

2.8 Subd. 4. **Plan approval; grants.** An applicant shall submit a plan developed under
2.9 subdivision 3 to the commissioner for approval. The commissioner shall award a grant for
2.10 the implementation of an approved plan."

2.11 Page 15, after line 27, insert:

2.12 "Subd. 3. **After-school enrichment grants.** For the after-school enrichment grant
2.13 program:

2.14 § 2007

2.15 "

2.16 Renumber the sections in sequence and correct the internal references

2.17 Amend the title accordingly

1.1 Senator moves to amend S.F. No. 2994 as follows:

Delete everything after the enacting clause and insert:

1.3 " **ARTICLE 1**
1.4 **EDUCATION EXCELLENCE**

1.5 Section 1. Minnesota Statutes 2004, section 120A.22, subdivision 3, is amended to
1.6 read:

1.7 Subd. 3. **Parent defined; residency determined.** (a) In this section and sections
1.8 120A.24 and 120A.26, "parent" means a parent, guardian, or other person having legal
1.9 custody of a child.

1.10 (b) In sections 125A.03 to 125A.24 and 125A.65, "parent" means a parent, guardian,
1.11 or other person having legal custody of a child under age 18. For an unmarried pupil age
1.12 18 or over, "parent" means the pupil unless a guardian or conservator has been appointed,
1.13 in which case it means the guardian or conservator.

1.14 (c) For purposes of sections 125A.03 to 125A.24 and 125A.65, the school district of
1.15 residence for an unmarried pupil age 18 or over who is a parent under paragraph (b) and
1.16 who is placed in a center for care and treatment, shall be the school district in which the
1.17 pupil's biological or adoptive parent or designated guardian resides.

1.18 (d) For a married pupil age 18 or over, the school district of residence is the school
1.19 district in which the married pupil resides.

1.20 (e) If a district believes that a student does not meet the residency requirements of
1.21 the school district in which the student is attending school, the student may be removed
1.22 from the school only after receiving due process as determined by the district school
1.23 board. The due process requirements must, at a minimum, include notice to the parent
1.24 and an opportunity for the parent to be heard in a forum as determined by the policy
1.25 of the school board.

1.26 Sec. 2. Minnesota Statutes 2004, section 120B.021, subdivision 1, is amended to read:

1.27 Subdivision 1. **Required academic standards.** The following subject areas are
1.28 required for statewide accountability:

1.29 (1) language arts;

1.30 (2) mathematics;

1.31 (3) science;

1.32 (4) social studies, including history, geography, economics, and government and
1 citizenship;

1.34 (5) health and physical education, for which locally developed academic standards
1.35 apply; and

2.1 (6) the arts, for which statewide or locally developed academic standards apply, as
2.2 determined by the school district. Public elementary and middle schools must offer at least
2.3 three and require at least two of the following four arts areas: dance; music; theater; and
2.4 visual arts. Public high schools must offer at least three and require at least one of the
2.5 following five arts areas: media arts; dance; music; theater; and visual arts.

2.6 The commissioner must submit proposed standards in science and social studies to
2.7 the legislature by February 1, 2004.

2.8 For purposes of applicable federal law, the academic standards for language arts,
2.9 mathematics, and science apply to all public school students, except the very few students
2.10 with extreme cognitive or physical impairments for whom an individualized education
2.11 plan team has determined that the required academic standards are inappropriate.

2.12 An individualized education plan team that makes this determination must establish
2.13 alternative standards.

2.14 A school district, no later than the 2007-2008 school year, must adopt graduation
2.15 requirements that meet or exceed state graduation requirements established in law or
2.16 rule. A school district that incorporates these state graduation requirements before the
2.17 2007-2008 school year must provide students who enter the 9th grade in or before
2.18 the 2003-2004 school year the opportunity to earn a diploma based on existing locally
2.19 established graduation requirements in effect when the students entered the 9th grade.
2.20 District efforts to develop, implement, or improve instruction or curriculum as a result
2.21 of the provisions of this section must be consistent with sections 120B.10, 120B.11,
2.22 and 120B.20.

2.23 At a minimum, school districts must maintain the same physical education and
2.24 health education requirements for students in kindergarten through grade 8 adopted for the
2.25 2005-2006 school year through the 2008-2009 school year. Before a revision of the local
2.26 health and physical education standards, a school district must consult the grade-specific
2.27 benchmarks developed by the Department of Education's health and physical education
2.28 quality teaching network for the six national physical education standards and the seven
2.29 national health standards.

2.30 Sec. 3. Minnesota Statutes 2005 Supplement, section 120B.021, subdivision 1a,
2.31 is amended to read:

2.32 Subd. 1a. **Rigorous course of study; waiver.** (a) Upon receiving a student's
2.33 application signed by the student's parent or guardian, a school district, area learning
2.34 center, or charter school must declare that a student meets or exceeds a specific academic
2.35 standard required for graduation under this section if the local school board, the school

3.1 board of the school district in which the area learning center is located, or the charter
3.2 school board of directors determines that the student:

3.3 (1) is participating in a course of study, including an advanced placement or
3.4 international baccalaureate course or program; a learning opportunity outside the
3.5 curriculum of the district, area learning center, or charter school; or an approved
3.6 preparatory program for employment or postsecondary education that is equally or more
3.7 rigorous than the corresponding state or local academic standard required by the district,
3.8 area learning center, or charter school;

3.9 (2) would be precluded from participating in the rigorous course of study, learning
3.10 opportunity, or preparatory employment or postsecondary education program if the student
3.11 were required to achieve the academic standard to be waived; and

3.12 (3) satisfactorily completes the requirements for the rigorous course of study,
3.13 learning opportunity, or preparatory employment or postsecondary education program.
3.14 Consistent with the requirements of this section, the local school board, the school board
3.15 of the school district in which the area learning center is located, or the charter school
3.16 board of directors also may formally determine other circumstances in which to declare
3.17 that a student meets or exceeds a specific academic standard that the site requires for
3.18 graduation under this section.

3.19 (b) A student who satisfactorily completes a postsecondary enrollment options
3.20 course or program under section 124D.09, or an advanced placement or international
3.21 baccalaureate course or program under section 120B.13 is not required to complete other
3.22 requirements of the academic standards corresponding to that specific rigorous course
of study.

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

3.25 Sec. 4. Minnesota Statutes 2004, section 120B.024, is amended to read:

3.26 **120B.024 GRADUATION REQUIREMENTS; COURSE CREDITS.**

3.27 Students beginning 9th grade in the 2004-2005 school year and later must
3.28 successfully complete the following high school level course credits for graduation:

3.29 (1) four credits of language arts;

3.30 (2) three credits of mathematics, encompassing at least algebra, geometry, statistics,
3.31 and probability sufficient to satisfy the academic standard;

3.32 (3) three credits of science, including at least one credit in biology;

3.33 (4) three and one-half credits of social studies, encompassing at least United
3.34 States history, geography, government and citizenship, world history, and economics or
3.35 three credits of social studies encompassing at least United States history, geography,

4.1 government and citizenship, and world history, and one-half credit of economics taught in
4.2 a school's social studies or business department;

4.3 (5) one credit in the arts; ~~and~~

4.4 (6) one-half credit in physical education and one-half credit in health education; and

4.5 (7) a minimum of ~~seven~~ six elective course credits.

4.6 A course credit is equivalent to a student successfully completing an academic
4.7 year of study or a student mastering the applicable subject matter, as determined by the
4.8 local school district.

4.9 Sec. 5. Minnesota Statutes 2005 Supplement, section 120B.131, subdivision 2, is
4.10 amended to read:

4.11 Subd. 2. **Reimbursement for examination fees.** The state may reimburse
4.12 college-level examination program (CLEP) fees for a Minnesota public or nonpublic
4.13 high school student who has successfully completed one or more college-level courses
4.14 in high school ~~and earned a satisfactory score on one or more CLEP examinations in the~~
4.15 subject matter of each examination in the following subjects: composition and literature,
4.16 mathematics and science, social sciences and history, foreign languages, and business and
4.17 humanities. The state may reimburse each ~~successful~~ student for up to six examination
4.18 fees. The commissioner shall establish application procedures and a process and schedule
4.19 for fee reimbursements. The commissioner must give priority to reimburse the CLEP
4.20 examination fees of students of low-income families.

4.21 Sec. 6. Minnesota Statutes 2004, section 121A.035, is amended to read:

4.22 **121A.035 CRISIS MANAGEMENT POLICY.**

4.23 Subdivision 1. **Model policy.** ~~By December 1, 1999,~~ The commissioner shall
4.24 maintain and make available to school boards and charter schools a model crisis
4.25 management policy that includes, among other items, school lock-down and tornado drills,
4.26 consistent with subdivision 2, and school fire drills under section 299F.30.

4.27 Subd. 2. **School district and charter school policy.** ~~By July 1, 2000,~~ A school
4.28 board and a charter school must adopt a ~~district~~ crisis management policy to address
4.29 potential violent crisis situations in the district or charter school. The policy must be
4.30 developed ~~in consultation~~ cooperatively with administrators, teachers, employees,
4.31 students, parents, community members, law enforcement agencies, other emergency
4.32 management officials, county attorney offices, social service agencies, emergency medical
4.33 responders, and any other appropriate individuals or organizations. The policy must
4.34 include at least five school lock-down drills, five school fire drills consistent with section
4.35 299F.30, and one tornado drill.

5.1 **EFFECTIVE DATE.** This section is effective for the 2006-2007 school year and
5.2 later.

5.3 **Sec. 7. [121A.231] COMPREHENSIVE FAMILY LIFE AND SEXUALITY**
5.4 **EDUCATION PROGRAMS.**

5.5 **Subdivision 1. Definitions.** (a) "Comprehensive family life and sexuality education"
5.6 means education in grades 7 through 12 that:

5.7 (1) respects community values and encourages family communication;

5.8 (2) develops skills in communication, decision making, and conflict resolution;

5.9 (3) contributes to healthy relationships;

5.10 (4) provides human development and sexuality education that is age appropriate
5.11 and medically accurate;

5.12 (5) includes an abstinence-first approach to delaying initiation of sexual activity that
5.13 emphasizes abstinence while also including education about the use of protection and
5.14 contraception; and

5.15 (6) promotes individual responsibility.

5.16 (b) "Age appropriate" refers to topics, messages, and teaching methods suitable to
5.17 particular ages or age groups of children and adolescents, based on developing cognitive,
5.18 emotional, and behavioral capacity typical for the age or age group.

5.19 (c) "Medically accurate" means verified or supported by research conducted in
5.20 compliance with scientific methods and published in peer-reviewed journals, where
5.21 appropriate, and recognized as accurate and objective by professional organizations
5.22 and agencies in the relevant field, such as the federal Centers for Disease Control
5.23 and Prevention, the American Public Health Association, the American Academy of
5.24 Pediatrics, or the American College of Obstetricians and Gynecologists.

5.25 **Subd. 2. Curriculum requirements.** (a) A school district may offer and may
5.26 independently establish policies, procedures, curriculum, and services for providing
5.27 comprehensive family life and sexuality education that is age appropriate and medically
5.28 accurate for kindergarten through grade 6.

5.29 (b) A school district must offer and may independently establish policies, procedures,
5.30 curriculum, and services for providing comprehensive family life and sexuality education
5.31 that is age appropriate and medically accurate for grades 7 through 12.

5.32 **Subd. 3. Notice and parental options.** (a) It is the legislature's intent to encourage
5.33 pupils to communicate with their parents or guardians about human sexuality and to respect
5.34 rights of parents or guardians to supervise their children's education on these subjects.

6.1 (b) Parents or guardians may excuse their children from all or part of a
6.2 comprehensive family life and sexuality education program.

6.3 (c) A school district must establish procedures for providing parents or guardians
6.4 reasonable notice with the following information:

6.5 (1) if the district is offering a comprehensive family life and sexuality education
6.6 program to the parents' or guardians' child during the course of the year;

6.7 (2) how the parents or guardians may inspect the written and audio/visual
6.8 educational materials used in the program and the process for inspection;

6.9 (3) if the program is presented by school district personnel or outside consultants,
6.10 and if outside consultants are used, who they may be; and

6.11 (4) parents' or guardians' right to choose not to have their child participate in the
6.12 program and the procedure for exercising that right.

6.13 (d) A school district must establish procedures for reasonably restricting the
6.14 availability of written and audio/visual educational materials from public view of students
6.15 who have been excused from all or part of a comprehensive family life and sexuality
6.16 education program at the request of a parent or guardian.

6.17 Subd. 4. Assistance to school districts. (a) The Department of Education may
6.18 offer services to school districts to help them implement effective comprehensive family
6.19 life and sexuality education programs. In providing these services, the department may
6.20 contract with a school district, or a school district in partnership with a local health agency
6.21 or a nonprofit organization, to establish up to eight regional training sites, taking into
6.22 account geographical balance, to provide:

6.23 (1) training for teachers, parents, and community members in the development of
6.24 comprehensive family life and sexuality education curriculum or services and in planning
6.25 for monitoring and evaluation activities;

6.26 (2) resource staff persons to provide expert training, curriculum development and
6.27 implementation, and evaluation services;

6.28 (3) technical assistance to promote and coordinate community, parent, and youth
6.29 forums in communities identified as having high needs for comprehensive family life
6.30 and sexuality education;

6.31 (4) technical assistance for issue management and policy development training for
6.32 school boards, superintendents, principals, and administrators across the state; and

6.33 (5) funding for grants to school-based comprehensive family life and sexuality
6.34 education programs to promote innovation and to recognize outstanding performance and
6.35 promote replication of demonstrably effective strategies.

- 7.1 (b) Technical assistance provided by the department to school districts or regional
7.2 training sites may:
- 7.3 (1) promote instruction and use of materials that are age appropriate;
7.4 (2) provide information that is medically accurate and objective;
7.5 (3) provide instruction and promote use of materials that are respectful of marriage
7.6 and commitments in relationships;
7.7 (4) provide instruction and promote use of materials that are appropriate for use
7.8 with pupils and family experiences based on race, gender, sexual orientation, ethnic
7.9 and cultural background, and appropriately accommodate alternative learning based on
7.10 language or disability;
7.11 (5) provide instruction and promote use of materials that encourage pupils to
7.12 communicate with their parents or guardians about human sexuality;
7.13 (6) provide instruction and promote use of age-appropriate materials that teach
7.14 abstinence from sexual intercourse as the only certain way to prevent unintended
7.15 pregnancy or sexually transmitted infections, including HIV, and provide information
7.16 about the role and value of abstinence while also providing medically accurate information
7.17 on other methods of preventing and reducing risk for unintended pregnancy and sexually
7.18 transmitted infections;
7.19 (7) provide instruction and promote use of age-appropriate materials that are
7.20 medically accurate in explaining transmission modes, risks, symptoms, and treatments for
7.21 sexually transmitted infections, including HIV;
7.22 (8) provide instruction and promote use of age-appropriate materials that address
7.23 varied societal views on sexuality, sexual behaviors, pregnancy, and sexually transmitted
7.24 infections, including HIV, in an age-appropriate manner;
7.25 (9) provide instruction and promote use of age-appropriate materials that provide
7.26 information about the effectiveness and safety of all FDA-approved methods for
7.27 preventing and reducing risk for unintended pregnancy and sexually transmitted
7.28 infections, including HIV;
7.29 (10) provide instruction and promote use of age-appropriate materials that provide
7.30 instruction in skills for making and implementing responsible decisions about sexuality;
7.31 (11) provide instruction and promote use of age-appropriate materials that provide
7.32 instruction in skills for making and implementing responsible decisions about finding and
7.33 using health services; and
7.34 (12) provide instruction and promote use of age-appropriate materials that do not
7.35 teach or promote religious doctrine nor reflect or promote bias against any person on the
7.36 basis of any category protected under the Minnesota Human Rights Act, chapter 363A.

8.1 Sec. 8. Minnesota Statutes 2005 Supplement, section 122A.414, subdivision 2b,
8.2 is amended to read:

8.3 Subd. 2b. **Approval process.** (a) Consistent with the requirements of this section
8.4 and sections 122A.413 and 122A.415, the department must prepare and transmit to
8.5 interested school districts, intermediate school districts, school sites, and charter schools
8.6 a standard form for applying to participate in the alternative teacher professional pay
8.7 system. An interested school district, intermediate school district, school site, or charter
8.8 school must submit to the commissioner a completed application executed by the district
8.9 superintendent and the exclusive bargaining representative of the teachers if the applicant
8.10 is a school district, intermediate school district, or school site, or executed by the charter
8.11 school board of directors if the applicant is a charter school. The application must include
8.12 the proposed alternative teacher professional pay system agreement under subdivision
8.13 2. The department must convene a review committee that at least includes teachers and
8.14 administrators within 30 days of receiving a completed application to recommend to
8.15 the commissioner whether to approve or disapprove the application. The commissioner
8.16 must approve applications on a first-come, first-served basis. The applicant's alternative
8.17 teacher professional pay system agreement must be legally binding on the applicant
8.18 and the collective bargaining representative before the applicant receives alternative
8.19 compensation revenue. The commissioner must approve or disapprove an application
8.20 based solely on the explicit requirements under subdivisions 2 and 2a and may not impose
8.21 any other conditions for approval.

8.22 (b) If the commissioner disapproves an application, the commissioner must give the
8.23 applicant timely notice of the specific reasons in detail for disapproving the application.
8.24 The applicant may revise and resubmit its application and related documents to the
8.25 commissioner within 30 days of receiving notice of the commissioner's disapproval and
8.26 the commissioner must approve or disapprove the revised application, consistent with this
8.27 subdivision. Applications that are revised and then approved are considered submitted on
8.28 the date the applicant initially submitted the application.

8.29 Sec. 9. Minnesota Statutes 2005 Supplement, section 122A.414, subdivision 3, is
8.30 amended to read:

8.31 Subd. 3. **Report; continued funding.** (a) Participating districts, intermediate
8.32 school districts, school sites, and charter schools must report on the implementation and
8.33 effectiveness of the alternative teacher professional pay system, particularly addressing
8.34 each requirement under subdivision 2 and make annual recommendations by June 15 to
8.35 their school boards. The school board or board of directors shall transmit a copy of the

9.1 report with a summary of the findings and recommendations of the district, intermediate
9.2 school district, school site, or charter school to the commissioner.

9.3 (b) If the commissioner determines that a school district, intermediate school district,
9.4 school site, or charter school that receives alternative teacher compensation revenue is not
9.5 complying with the requirements of this section, the commissioner may withhold funding
9.6 from that participant. Before making the determination, the commissioner must notify the
9.7 participant of any deficiencies and provide the participant an opportunity to comply.

9.8 (c) The commissioner's review and evaluation of an alternative teacher professional
9.9 pay system must be judged relative to the participant's approved plan and may not impose
9.10 any criteria other than are contained in the plan or the explicit requirements of this section.

9.11 Sec. 10. Minnesota Statutes 2005 Supplement, section 124D.095, subdivision 4,
9.12 is amended to read:

9.13 Subd. 4. **Online learning parameters.** (a) An online learning student must receive
9.14 academic credit for completing the requirements of an online learning course or program.
9.15 Secondary credits granted to an online learning student must be counted toward the
9.16 graduation and credit requirements of the enrolling district. The enrolling district must
9.17 apply the same graduation requirements to all students, including online learning students,
9.18 and must continue to provide nonacademic services to online learning students. If a
9.19 student completes an online learning course or program that meets or exceeds a graduation
9.20 standard or grade progression requirement at the enrolling district, that standard or
9.21 requirement is met. The enrolling district must use the same criteria for accepting online
9.22 learning credits or courses as it does for accepting credits or courses for transfer students
9.23 under section 124D.03, subdivision 9. The enrolling district may reduce the teacher
9.24 contact time of an online learning student in proportion to the number of online learning
9.25 courses the student takes from an online learning provider that is not the enrolling district.

9.26 (b) An online learning student may:

9.27 (1) enroll during a single school year in a maximum of 12 semester-long courses or
9.28 their equivalent delivered by an online learning provider or the enrolling district;

9.29 (2) complete course work at a grade level that is different from the student's current
9.30 grade level; and

9.31 (3) enroll in additional courses with the online learning provider under a separate
9.32 agreement that includes terms for payment of any tuition or course fees.

9.33 ~~(c) A student with a disability may enroll in an online learning course or program~~
9.34 ~~if the student's IEP team determines that online learning is appropriate education for~~
9.35 ~~the student.~~

10.1 (d) (c) An online learning student has the same access to the computer hardware
 10.2 and education software available in a school as all other students in the enrolling district.
 10.3 An online learning provider must assist an online learning student whose family qualifies
 10.4 for the education tax credit under section 290.0674 to acquire computer hardware and
 10.5 educational software for online learning purposes.

10.6 (e) (d) An enrolling district may offer online learning to its enrolled students.
 10.7 Such online learning does not generate online learning funds under this section. An
 10.8 enrolling district that offers online learning only to its enrolled students is not subject
 10.9 to the reporting requirements or review criteria under subdivision 7. A teacher with a
 10.10 Minnesota license must assemble and deliver instruction to enrolled students receiving
 10.11 online learning from an enrolling district. The delivery of instruction occurs when the
 10.12 student interacts with the computer or the teacher and receives ongoing assistance and
 10.13 assessment of learning. The instruction may include curriculum developed by persons
 10.14 other than a teacher with a Minnesota license.

10.15 (f) (e) An online learning provider that is not the enrolling district is subject to
 10.16 the reporting requirements and review criteria under subdivision 7. A teacher with a
 10.17 Minnesota license must assemble and deliver instruction to online learning students. The
 10.18 delivery of instruction occurs when the student interacts with the computer or the teacher
 10.19 and receives ongoing assistance and assessment of learning. The instruction may include
 10.20 curriculum developed by persons other than a teacher with a Minnesota license. Unless
 10.21 the commissioner grants a waiver, a teacher providing online learning instruction must not
 10.22 instruct more than 40 students in any one online learning course or program.

10.23 Sec. 11. Minnesota Statutes 2004, section 124D.10, subdivision 16, is amended to read:

10.24 Subd. 16. **Transportation.** (a) By July 1 of each fiscal year, a charter school must
 10.25 notify the district in which the school is located and the Department of Education if it will
 10.26 provide ~~transportation for pupils enrolled in the school~~ its own transportation or use the
 10.27 transportation services of the district in which it is located for the fiscal year.

10.28 (b) If a charter school elects to provide transportation for pupils, the transportation
 10.29 must be provided by the charter school within the district in which the charter school is
 10.30 located. The state must pay transportation aid to the charter school according to section
 10.31 124D.11, subdivision 2.

10.32 For pupils who reside outside the district in which the charter school is located, the
 10.33 charter school is not required to provide or pay for transportation between the pupil's
 10.34 residence and the border of the district in which the charter school is located. A parent
 10.35 may be reimbursed by the charter school for costs of transportation from the pupil's
 10.36 residence to the border of the district in which the charter school is located if the pupil is

11.1 from a family whose income is at or below the poverty level, as determined by the federal
 11.2 government. The reimbursement may not exceed the pupil's actual cost of transportation
 11.3 or 15 cents per mile traveled, whichever is less. Reimbursement may not be paid for
 11.4 more than 250 miles per week.

11.5 At the time a pupil enrolls in a charter school, the charter school must provide the
 11.6 parent or guardian with information regarding the transportation.

11.7 (c) If a charter school does not elect to provide transportation, transportation for
 11.8 pupils enrolled at the school must be provided by the district in which the school is
 11.9 located, according to sections 123B.88, subdivision 6, and 124D.03, subdivision 8, for a
 11.10 pupil residing in the same district in which the charter school is located. Transportation
 11.11 may be provided by the district in which the school is located, according to sections
 11.12 123B.88, subdivision 6, and 124D.03, subdivision 8, for a pupil residing in a different
 11.13 district. If the district provides the transportation, the scheduling of routes, manner and
 11.14 method of transportation, control and discipline of the pupils, and any other matter relating
 11.15 to the transportation of pupils under this paragraph shall be within the sole discretion,
 11.16 control, and management of the district.

11.17 Sec. 12. Minnesota Statutes 2004, section 124D.61, is amended to read:

11.18 **124D.61 GENERAL REQUIREMENTS FOR PROGRAMS.**

11.19 A district ~~which receives aid pursuant to section 124D.65 must comply with that~~
 11.20 enrolls one or more children of limited English proficiency must implement an educational
 11.21 program that includes at a minimum the following program requirements:

11.22 (1) identification and reclassification criteria for children of limited English
 11.23 proficiency and program entrance and exit criteria for children with limited English
 11.24 proficiency must be documented by the district, applied uniformly to children of limited
 11.25 English proficiency, and made available to parents and other stakeholders upon request;

11.26 (2) a written plan of services that describes programming by English proficiency
 11.27 level made available to parents upon request. The plan must articulate the amount and
 11.28 scope of service offered to children of limited English proficiency through an educational
 11.29 program for children of limited English proficiency;

11.30 (3) professional development opportunities for ESL, bilingual education,
 11.31 mainstream, and all staff working with children of limited English proficiency which are:
 11.32 (i) coordinated with the district's professional development activities; (ii) related to the
 11.33 needs of children of limited English proficiency; and (iii) ongoing;

11.34 (4) to the extent possible, the district must avoid isolating children of limited English
 11.35 proficiency for a substantial part of the school day; and

12.1 ~~(2)~~ (5) in predominantly nonverbal subjects, such as art, music, and physical
 12.2 education, permit pupils of limited English proficiency ~~shall be permitted~~ to participate
 12.3 fully and on an equal basis with their contemporaries in public school classes provided
 12.4 for these subjects. To the extent possible, the district must assure to pupils enrolled in a
 12.5 program for limited English proficient students an equal and meaningful opportunity to
 12.6 participate fully with other pupils in all extracurricular activities.

12.7 Sec. 13. Minnesota Statutes 2004, section 299F.30, is amended to read:

12.8 **299F.30 FIRE DRILL IN SCHOOL; DOORS AND EXITS.**

12.9 **Subdivision 1. Duties of fire marshal.** Consistent with section 121A.035 and this
 12.10 section, it shall be the duty of the state fire marshal, deputies and assistants, to require
 12.11 public and private schools and educational institutions to have at least nine fire drills each
 12.12 school year and to keep all doors and exits unlocked from the inside of the building during
 12.13 school hours. The fire marshal must require private schools and educational institutions
 12.14 not subject to section 121A.035 to have at least one fire drill each month during the school
 12.15 year.

12.16 **Subd. 2. Fire drill.** Each superintendent, principal or other person in charge of a
 12.17 public or private school, educational institution, children's home or orphanage housing 20
 12.18 or more students or other persons, shall instruct and train such students or other persons to
 12.19 quickly and expeditiously quit the premises in case of fire or other emergency by means of
 12.20 drills or rapid dismissals ~~at least once each month~~ while such school, institution, home or
 12.21 orphanage is in operation. Records of such drills shall be posted so that such records are
 12.22 available for review by the state fire marshal at all times and shall include the drill date
 12.23 and the time required to evacuate the building.

12.24 **Subd. 3. School doors and exits.** Consistent with section 121A.035 and this
 12.25 section, each superintendent, principal or other person in charge of a public or private
 12.26 school, educational institution, children's home or orphanage shall keep all doors and exits
 12.27 of such school, institution, home or orphanage unlocked so that persons can leave by such
 12.28 doors or exits at any time during the hours of normal operation.

12.29 **EFFECTIVE DATE.** This section is effective for the 2006-2007 school year and
 12.30 later.

12.31 Sec. 14. Laws 2005, First Special Session chapter 5, article 2, section 84, subdivision
 12.32 13, is amended to read:

12.33 **Subd. 13. Examination fees; teacher training and support programs.** (a) For
 12.34 students' advanced placement and international baccalaureate examination fees under
 12.35 Minnesota Statutes, section 120B.13, subdivision 3, and the training and related costs

13.1 for teachers and other interested educators under Minnesota Statutes, section 120B.13,
13.2 subdivision 1:

13.3	\$	4,500,000	2006
13.4	\$	4,500,000	2007

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

13.12 (c) ~~Notwithstanding Minnesota Statutes, section 120B.13, subdivision 1, at least~~
13.13 ~~\$500,000 each year is for teachers to attend subject matter summer training programs~~
13.14 ~~and follow-up support workshops approved by the advanced placement or international~~
13.15 ~~baccalaureate programs. The amount of the subsidy for each teacher attending an~~
13.16 ~~advanced placement or international baccalaureate summer training program or workshop~~
13.17 ~~shall be the same. The commissioner shall determine the payment process and the amount~~
13.18 ~~of the subsidy. Teachers shall apply for teacher training scholarships to prepare for~~
13.19 ~~teaching in the advanced placement or international baccalaureate program. Any reserved~~
13.20 ~~funding not expended for teacher training may be used for exam fees and other support~~
13.21 ~~programs for each program.~~

13.22 (d) The commissioner shall pay all examination fees for all students of low-income
13.23 families under Minnesota Statutes, section 120B.13, subdivision 3, and to the extent
13.24 of available appropriations shall also pay examination fees for students sitting for an
13.25 advanced placement examination, international baccalaureate examination, or both.

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

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

13.28 **Sec. 15. ADVISORY TASK FORCE ON SCHOOL AND STAFF**

13.29 **EMERGENCY/ALL HAZARD PREPAREDNESS.**

13.30 (a) An advisory task force on school and staff emergency/all hazard preparedness is
13.31 established to consider and recommend to the legislature proposals for strengthening K-12
13.32 crisis management and school safety efforts including, at least, whether or not to:

13.33 (1) develop specific K-12 teacher and school administrator competencies related to
13.34 emergency/all hazard preparedness;

14.1 (2) provide emergency/all hazard preparedness training to currently licensed K-12
14.2 teachers and school administrators;

14.3 (3) incorporate emergency/all hazard preparedness competencies into existing
14.4 teacher and school administrator preparation curriculum;

14.5 (4) identify key emergency/all hazard preparedness competencies appropriate to
14.6 teacher and school administrator preparation curriculum and ongoing teacher and school
14.7 administrator training; and

14.8 (5) expect federal funds to supplement state emergency/all hazard preparedness
14.9 initiatives.

14.10 (b) The commissioner of education shall appoint an advisory task force on school
14.11 and staff emergency/all hazard preparedness that is composed of a representative from
14.12 each of the following entities: the state Board of Teaching; the state Board of School
14.13 Administrators; the state fire marshal; law enforcement agencies; emergency responders;
14.14 school principals; school counselors; other school employees; the Minnesota Association
14.15 of School Administrators; the Minnesota School Boards Association; Education
14.16 Minnesota; the Minnesota Department of Education; the Minnesota Department of
14.17 Health; the Minnesota Department of Public Safety; and others recommended by task
14.18 force members. Task force members' terms and other task force matters are subject to
14.19 Minnesota Statutes, section 15.059. The task force must submit by February 15, 2007, to
14.20 the education policy and finance committees of the legislature a written report that includes
14.21 recommendations on strengthening K-12 crisis management and school safety efforts.

14.22 (c) Upon request, the commissioner of education must provide the task force on
14.23 strengthening K-12 crisis management and school safety efforts with technical, fiscal,
14.24 and other support services.

14.25 (d) The task force expires February 16, 2007.

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

14.27 **Sec. 16. CHARACTER DEVELOPMENT EDUCATION REVENUE; PILOT**
14.28 **PROGRAM.**

14.29 **Subdivision 1. Pilot program created.** A pilot program is created to allow school
14.30 districts to receive character development education revenue to purchase curriculum for
14.31 the purposes of Minnesota Statutes, section 120B.232. Character development education
14.32 revenue for school districts equals \$30 times the district's adjusted marginal cost pupil
14.33 units.

14.34 **Subd. 2. Approved provider list.** The commissioner of education shall maintain
14.35 a character development education curriculum approved provider list. The character

15.1 development education curriculum of approved providers shall be research based and
15.2 evaluated by an independent party. Approved character development education curriculum
15.3 must include:

- 15.4 (1) age appropriate character development for the classroom in elementary or
- 15.5 secondary grades;
- 15.6 (2) teacher training workshops and in-service training;
- 15.7 (3) midyear consulting between the school district and the provider; and
- 15.8 (4) an assessment program.

15.9 Subd. 3. Application and selection process. A school district may submit to
15.10 the commissioner an application for funding in the form and manner specified by the
15.11 commissioner. The commissioner shall approve applications that propose to use an
15.12 approved provider and that agree to use the program as recommended by the provider.
15.13 The commissioner must approve or disapprove an application within 30 days of receipt on
15.14 a first-come, first-served basis.

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

15.16 **Sec. 17. 2006 SCHOOL ACCOUNTABILITY REPORT.**

15.17 Notwithstanding Minnesota Statutes, section 120B.36, for 2006 reporting only, the
15.18 Department of Education may delay the release to the public and the posting of the 2006
15.19 school performance report cards and adequate yearly progress data on its public Web
15.20 site to no later than November 30, 2006.

15.21 **Sec. 18. APPROPRIATION.**

15.22 Subdivision 1. Department of Education. The sum indicated in this section is
15.23 appropriated from the general fund to the Department of Education for the fiscal years
15.24 designated.

15.25 Subd. 2. Character development education revenue. For the character
15.26 development education revenue pilot program:

15.27 \$ 2007

15.28 **Sec. 19. REPEALER.**

15.29 Minnesota Statutes 2004, section 121A.23, is repealed.

15.30 **ARTICLE 2**
15.31 **EDUCATION FUNDING**

15.32 **Section 1. [120B.132] RAISED ACADEMIC ACHIEVEMENT; ADVANCED**
15.33 **PLACEMENT, INTERNATIONAL BACCALAUREATE, AND CONCURRENT**
15.34 **ENROLLMENT PROGRAMS.**

16.1 Subdivision 1. Establishment; eligibility. A program is established to raise K-12
 16.2 academic achievement through increased student participation in advanced placement,
 16.3 international baccalaureate, and concurrent enrollment programs, consistent with sections
 16.4 120B.13 and 124D.04. Schools and charter schools eligible to participate under this
 16.5 section must:

16.6 (1) be authorized by the international baccalaureate organization to teach the
 16.7 international baccalaureate curriculum; or

16.8 (2) be a site approved by the college board to offer advanced placement courses
 16.9 and exams or must participate in the college board-sponsored preadvanced placement
 16.10 initiative; or

16.11 (3) have entered into an agreement to provide courses under section 124D.09,
 16.12 subdivision 10; and

16.13 (4) propose to further raise students' academic achievement by:

16.14 (i) increasing the availability of and all students' access to advanced placement,
 16.15 international baccalaureate, or concurrent enrollment courses or programs;

16.16 (ii) expanding the breadth of advanced placement, international baccalaureate, or
 16.17 concurrent enrollment courses or programs that are available to students;

16.18 (iii) increasing the number and the diversity of the students who participate in
 16.19 advanced placement, international baccalaureate, or concurrent enrollment courses or
 16.20 programs and succeed;

16.21 (iv) providing low-income and other disadvantaged students with increased access
 16.22 to advanced placement, international baccalaureate, or concurrent enrollment courses
 16.23 or programs; or

16.24 (v) increasing the number of high school students, including low-income and other
 16.25 disadvantaged students, who receive college credit by successfully completing advanced
 16.26 placement, international baccalaureate, or concurrent enrollment courses or programs and
 16.27 achieving satisfactory grades or scores on related exams.

16.28 Subd. 2. Application and review process; funding priority. (a) Charter schools
 16.29 and school districts in which eligible schools under subdivision 1 are located may apply to
 16.30 the commissioner, in the form and manner the commissioner determines, for competitive
 16.31 funding to further raise students' academic achievement. The application must detail the
 16.32 specific efforts the applicant intends to undertake in further raising students' academic
 16.33 achievement consistent with subdivision 1, and a proposed budget detailing the district or
 16.34 charter school's current and proposed expenditures for advanced placement, preadvanced
 16.35 placement, international baccalaureate, and concurrent enrollment courses and programs.
 16.36 The proposed budget must demonstrate that the applicant's efforts will supplement but not

17.1 supplant any expenditures for advanced placement, preadvanced placement, international
17.2 baccalaureate, and concurrent enrollment courses and programs the applicant currently
17.3 makes available to students. Expenditures for administration must not exceed five percent
17.4 of the proposed budget. The commissioner may require an applicant to provide additional
17.5 information.

17.6 (b) When reviewing applications, the commissioner must determine whether
17.7 the applicant satisfied all the requirements in this subdivision and subdivision 1.
17.8 The commissioner may give funding priority to an otherwise qualified applicant that
17.9 demonstrates:

17.10 (1) a focus on developing or expanding advanced placement, international
17.11 baccalaureate, or concurrent enrollment courses or programs or increasing students'
17.12 participation in, access to, or success with the courses or programs, including the
17.13 participation, access, or success of low-income and other disadvantaged students;

17.14 (2) a compelling need for access to advanced placement, international baccalaureate,
17.15 or concurrent enrollment courses or programs;

17.16 (3) an effective ability to actively involve local business and community
17.17 organizations in student activities that are integral to advanced placement, international
17.18 baccalaureate, or concurrent enrollment courses or programs;

17.19 (4) access to additional public or nonpublic funds or in-kind contributions that are
17.20 available for advanced placement, international baccalaureate, or concurrent enrollment
17.21 courses or programs; or

17.22 (5) an intent to implement activities that target low-income and other disadvantaged
17.23 students.

17.24 Subd. 3. Funding; permissible funding uses. (a) The commissioner shall award
17.25 grants to applicant school districts and charter schools that meet the requirements of
17.26 subdivisions 1 and 2. The commissioner must award grants on an equitable geographical
17.27 basis to the extent feasible and consistent with this section. Grant awards must not exceed
17.28 the lesser of: (1) \$85 times the number of pupils enrolled at the participating sites on
17.29 October 1 of the previous fiscal year, or (2) the approved supplemental expenditures
17.30 based on the budget submitted under subdivision 2. For charter schools in their first
17.31 year of operation, the maximum grant award must be calculated using the number of
17.32 pupils enrolled on October 1 of the current fiscal year. The commissioner may adjust
17.33 the maximum grant award computed using prior year data for changes in enrollment
17.34 attributable to school closings, school openings, grade level reconfigurations, or school
17.35 district reorganizations between the prior fiscal year and the current fiscal year.

- 18.1 (b) School districts and charter schools that submit an application and receive
18.2 funding under this section must use the funding, consistent with the application, to:
18.3 (1) provide teacher training and instruction to more effectively serve students,
18.4 including low-income and other disadvantaged students, who participate in advanced
18.5 placement, international baccalaureate, or concurrent enrollment courses or programs;
18.6 (2) further develop advanced placement, international baccalaureate, or concurrent
18.7 enrollment courses or programs;
18.8 (3) improve the transition between grade levels to better prepare students, including
18.9 low-income and other disadvantaged students, for succeeding in advanced placement,
18.10 international baccalaureate, or concurrent enrollment courses or programs;
18.11 (4) purchase books and supplies;
18.12 (5) pay course or program application fees;
18.13 (6) increase students participation in and success with advanced placement,
18.14 international baccalaureate, or concurrent enrollment courses or programs;
18.15 (7) expand students' access to advanced placement, international baccalaureate, or
18.16 concurrent enrollment courses or programs through online learning;
18.17 (8) hire appropriately licensed personnel to teach additional advanced placement,
18.18 international baccalaureate, or concurrent enrollment courses or programs; or
18.19 (9) engage in other activity directly related to expanding students' access to,
18.20 participation in, and success with advanced placement, international baccalaureate,
18.21 or concurrent enrollment courses or programs, including low-income and other
18.22 disadvantaged students.

18.23 Subd. 4. Annual reports. (a) Each school district and charter school that receives
18.24 a grant under this section annually must collect demographic and other student data to
18.25 demonstrate and measure the extent to which the district or charter school raised students'
18.26 academic achievement under this program and must report the data to the commissioner
18.27 in the form and manner the commissioner determines. The commissioner annually, by
18.28 February 15, must make summary data about this program available to the education
18.29 policy and finance committees of the legislature.

18.30 (b) Each school district and charter school that receives a grant under this section
18.31 annually must report to the commissioner, consistent with the uniform financial accounting
18.32 and reporting standards, its actual expenditures for advanced placement, preadvanced
18.33 placement, international baccalaureate, and concurrent enrollment courses and programs.
18.34 The report must demonstrate that the school district or charter school has maintained its
18.35 effort from other sources for advanced placement, preadvanced placement, international
18.36 baccalaureate, and concurrent enrollment courses and programs compared with the

19.1 previous fiscal year, and the district or charter school has expended all grant funds,
19.2 consistent with its approved budget.

19.3 **EFFECTIVE DATE.** This section is effective the day following final enactment
19.4 and applies to the 2006-2007 school year and later.

19.5 Sec. 2. Minnesota Statutes 2004, section 122A.18, subdivision 2, is amended to read:

19.6 **Subd. 2. Teacher and support personnel qualifications.** (a) The Board of
19.7 Teaching must issue licenses under its jurisdiction to persons the board finds to be
19.8 qualified and competent for their respective positions.

19.9 (b) The board must require a person to successfully complete an examination of
19.10 skills in reading, writing, and mathematics before being granted an initial teaching license
19.11 to provide direct instruction to pupils in prekindergarten, elementary, secondary, or special
19.12 education programs. The board must require colleges and universities offering a board
19.13 approved teacher preparation program to provide remedial assistance that includes a
19.14 formal diagnostic component to persons enrolled in their institution who did not achieve a
19.15 qualifying score on the skills examination, including those for whom English is a second
19.16 language. The colleges and universities must provide assistance in the specific academic
19.17 areas of deficiency in which the person did not achieve a qualifying score. School
19.18 districts must provide similar, appropriate, and timely remedial assistance that includes a
19.19 formal diagnostic component and mentoring to those persons employed by the district
19.20 who completed their teacher education program outside the state of Minnesota, received
19.21 a one-year license to teach in Minnesota and did not achieve a qualifying score on the
19.22 skills examination, including those persons for whom English is a second language. The
19.23 Board of Teaching shall report annually to the education committees of the legislature
19.24 on the total number of teacher candidates during the most recent school year taking the
19.25 skills examination, the number who achieve a qualifying score on the examination, the
19.26 number who do not achieve a qualifying score on the examination, the distribution of all
19.27 candidates' scores, the number of candidates who have taken the examination at least once
19.28 before, and the number of candidates who have taken the examination at least once before
19.29 and achieve a qualifying score.

19.30 (c) A person who has completed an approved teacher preparation program and
19.31 obtained a one-year license to teach, but has not successfully completed the skills
19.32 examination, may renew the one-year license for two additional one-year periods. Each
19.33 renewal of the one-year license is contingent upon the licensee:

20.1 (1) providing evidence of participating in an approved remedial assistance program
20.2 provided by a school district or postsecondary institution that includes a formal diagnostic
20.3 component in the specific areas in which the licensee did not obtain qualifying scores; and

20.4 (2) attempting to successfully complete the skills examination during the period
20.5 of each one-year license.

20.6 (d) The Board of Teaching must grant continuing licenses only to those persons who
20.7 have met board criteria for granting a continuing license, which includes successfully
20.8 completing the skills examination in reading, writing, and mathematics.

20.9 (e) All colleges and universities approved by the board of teaching to prepare
20.10 persons for teacher licensure must include in their teacher preparation programs a common
20.11 core of teaching knowledge and skills to be acquired by all persons recommended
20.12 for teacher licensure. This common core shall meet the standards developed by the
20.13 interstate new teacher assessment and support consortium in its 1992 "model standards
20.14 for beginning teacher licensing and development," and must include technology and
20.15 information literacy standards that are consistent with recommendations from media
20.16 specialists and the department's educator licensing and teacher quality division. The board
20.17 must develop and implement a system for reviewing on a seven-year cycle all standards of
20.18 effective practice for teachers beginning in the 2007-2008 school year. Amendments to
20.19 standards adopted under this paragraph are covered by chapter 14. The board of teaching
20.20 shall report annually to the education committees of the legislature on the performance
20.21 of teacher candidates on common core assessments of knowledge and skills under this
20.22 paragraph during the most recent school year.

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

20.24 Sec. 3. Minnesota Statutes 2004, section 122A.31, subdivision 1, is amended to read:

20.25 Subdivision 1. **Requirements for American sign language/English interpreters.**

20.26 (a) Except as provided under subdivision 1a and in addition to any other requirements
20.27 that a school district establishes, any person employed to provide American sign
20.28 language/English interpreting or sign transliterating services on a full-time or part-time
20.29 basis for a school district after July 1, 2000, must:

20.30 (1) hold current interpreter and transliterator certificates awarded by the Registry
20.31 of Interpreters for the Deaf (RID), or the general level interpreter proficiency certificate
20.32 awarded by the National Association of the Deaf (NAD), or a comparable state
20.33 certification from the commissioner of education; and

20.34 (2) satisfactorily complete an interpreter/transliterator training program affiliated
20.35 with an accredited educational institution.

21.1 (b) New graduates of an interpreter/transliterators program affiliated with an
21.2 accredited education institution shall be granted a two-year provisional certificate by
21.3 the commissioner. During the two-year provisional period, the interpreter/transliterators
21.4 must develop and implement an education plan in collaboration with a mentor under
21.5 paragraph (c).

21.6 (c) A mentor of a provisionally certified interpreter/transliterators must be an
21.7 interpreter/transliterators who has either NAD level IV or V certification or RID
21.8 certified interpreter and certified transliterators certification and have at least three
21.9 years interpreting/transliterating experience in any educational setting. The mentor, in
21.10 collaboration with the provisionally certified interpreter/transliterators, shall develop and
21.11 implement an education plan designed to meet the requirements of paragraph (a), clause
21.12 (1), and include a weekly on-site mentoring process.

21.13 (d) Consistent with the requirements of this paragraph, a person holding a
21.14 provisional certificate may apply to the commissioner for one time-limited extension. The
21.15 commissioner, in consultation with the Commission Serving Deaf and Hard-of-Hearing
21.16 People, must grant the person a time-limited extension of the provisional certificate based
21.17 on the following documentation:

21.18 (1) letters of support from the person's mentor, a parent of a pupil the person serves,
21.19 the special education director of the district in which the person is employed, and a
21.20 representative from the regional service center of the deaf and hard-of-hearing;

21.21 (2) records of the person's formal education, training, experience, and progress on
21.22 the person's education plan; and

21.23 (3) an explanation of why the extension is needed.

21.24 As a condition of receiving the extension, the person must comply with a plan
21.25 and the accompanying time line for meeting the requirements of this subdivision. A
21.26 committee composed of the director of the Minnesota Resource Center Serving Deaf and
21.27 Hard-of-Hearing, or the director's designee, a representative of the Minnesota Association
21.28 of Deaf Citizens, a representative of the Minnesota Registry of Interpreters of the Deaf,
21.29 and other appropriate persons selected by the commissioner must develop the plan and
21.30 time line for the person receiving the extension.

21.31 (e) A school district may employ ~~only~~ an interpreter/transliterators who has been
21.32 certified under paragraph (a) or (b), or for whom a time-limited extension has been
21.33 granted under paragraph (d), or a person qualified as an interpreter/transliterators under
21.34 subdivision 1a.

21.35 **EFFECTIVE DATE.** This section is effective for the 2006-2007 school year and
21.36 later.

22.1 Sec. 4. Minnesota Statutes 2004, section 122A.31, is amended by adding a subdivision
22.2 to read:

22.3 Subd. 1a. Qualified deaf and hard-of-hearing interpreters/transliterators. In
22.4 addition to employing a qualified interpreter/transliterater under subdivision 1, a school
22.5 district or charter school also may employ as an interpreter/transliterator a person who is
22.6 deaf or hard of hearing and holds a current reverse skills certificate (RSC) or a certified
22.7 deaf interpreter (CDI) certificate awarded by the Registry of Interpreters for the Deaf
22.8 (RID). The qualified deaf or hard-of-hearing person must be able to interpret between
22.9 American sign language and English-based sign language or transliterate between spoken
22.10 English and a signed code for English. The district or charter school may employ a
22.11 qualified person under this subdivision for a broad range of interpreting or transliterating
22.12 assignments.

22.13 EFFECTIVE DATE. This section is effective for the 2006-2007 school year and
22.14 later.

22.15 Sec. 5. [122A.416] ALTERNATIVE TEACHER COMPENSATION REVENUE
22.16 FOR PERPICH CENTER FOR ARTS EDUCATION AND MULTIDISTRICT
22.17 INTEGRATION COLLABORATIVES.

22.18 Notwithstanding sections 122A.413, 122A.414, 122A.415, and 126C.10,
22.19 multidistrict integration collaboratives and the Perpich Center for Arts Education are
22.20 eligible to receive alternative teacher compensation revenue as if they were intermediate
22.21 school districts. To qualify for alternative teacher compensation revenue, a multidistrict
22.22 integration collaborative or the Perpich Center for Arts Education must meet all of the
22.23 requirements of sections 122A.413, 122A.414, and 122A.415 that apply to intermediate
22.24 school districts, must report its enrollment as of October 1 of each year to the department,
22.25 and must annually report its expenditures for the alternative teacher professional pay
22.26 system consistent with the uniform financial accounting and reporting standards to the
22.27 department by November 30 of each year.

22.28 EFFECTIVE DATE. This section is effective for revenue for fiscal year 2007.

22.29 Sec. 6. Minnesota Statutes 2004, section 123B.77, is amended by adding a subdivision
22.30 to read:

22.31 Subd. 1a. School district consolidated financial statement. The commissioner,
22.32 in consultation with the consolidated financial statement task force, shall develop and
22.33 maintain a school district consolidated financial statement format that converts uniform
22.34 financial accounting and reporting standards data under subdivision 1 into a more
22.35 understandable format.

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

Sec. 7. Minnesota Statutes 2004, section 123B.77, subdivision 3, is amended to read:

23.3 Subd. 3. **Statement for comparison and correction.** (a) By November 30 of the
23.4 calendar year of the submission of the unaudited financial data, the district must provide to
23.5 the commissioner audited financial data for the preceding fiscal year. The audit must be
23.6 conducted in compliance with generally accepted governmental auditing standards, the
23.7 federal Single Audit Act, and the Minnesota legal compliance guide issued by the Office
23.8 of the State Auditor. An audited financial statement prepared in a form which will allow
23.9 comparison with and correction of material differences in the unaudited financial data
23.10 shall be submitted to the commissioner and the state auditor by December 31. The audited
23.11 financial statement must also provide a statement of assurance pertaining to uniform
23.12 financial accounting and reporting standards compliance and a copy of the management
23.13 letter submitted to the district by the school district's auditor.

23.14 (b) By December 15 of the calendar year of the submission of the unaudited financial
23.15 data, the commissioner shall convert the audited financial data required by this subdivision
23.16 into the consolidated financial statement format required under subdivision 1a and publish
23.17 the information on the department's Web site.

23.18 **EFFECTIVE DATE. This section is effective for financial statements prepared in**
23.19 **2006 and later.**

23.20 Sec. 8. **[124D.935] HIGH SCHOOL REDESIGN GRANTS.**

23.21 **Subdivision 1. Establishment; eligibility. A ten-year grant program is established**
23.22 **to improve student achievement in, improve teaching and learning of, and provide**
23.23 **expanded access to science, technology, engineering, and mathematics in a high school**
23.24 **through innovative strategies that better prepare students to succeed at postsecondary**
23.25 **education or complex work. School districts, charter schools, intermediate districts,**
23.26 **groups of districts that cooperate for a particular purpose, and other public educational**
23.27 **institutions interested in participating in this grant program must:**

23.28 (1) **design new or improve and adapt existing courses, programs, or a series of**
23.29 **aligned learning opportunities in science, technology, engineering, and mathematics to**
23.30 **incorporate algebra I in grade 8 and algebra II in high school and to integrate algebra II**
23.31 **into career and technical education programs where appropriate;**

23.32 (2) **use applied learning strategies to improve the quality of and access to science,**
23.33 **technology, engineering, and mathematics courses, curricula, and laboratories for all**
23.34 **students, with strategies to aggressively increase the number of low-income and other**
23.35 **educationally at-risk students enrolling in these courses;**

- 24.1 (3) improve science, technology, engineering, and mathematics instruction for
24.2 students in underserved rural or urban areas or economically disadvantaged areas and for
24.3 other students who are educationally at-risk;
- 24.4 (4) develop innovative ways to integrate technology into teaching and learning using
24.5 modern computers, networking, high quality educational software, multimedia across
24.6 curriculum, and affordable Internet connections;
- 24.7 (5) advance the use of new technology, assistive technology, and media and materials
24.8 effective in educating youth with disabilities;
- 24.9 (6) improve the content, interdisciplinary, and pedagogical knowledge of teachers,
24.10 administrators, and other educators who play a significant role in providing students with
24.11 challenging science, technology, engineering, and mathematics education, and focus on
24.12 teacher professional development;
- 24.13 (7) use the ACT explore and plan system in grades 8 and 10 or other appropriate
24.14 education and career planning resources to identify the academic strengths and remedial
24.15 needs of individual students and provide individual students with education and career
24.16 planning information sufficient to select an appropriate planned high school course
24.17 sequence and make a successful transition to postsecondary education or advanced work;
- 24.18 (8) enable teachers to individualize student instruction and allow students to
24.19 experiment, acquire skills, and apply content knowledge in science, technology,
24.20 engineering, and mathematics;
- 24.21 (9) sustain educational improvements in science, technology, engineering, and
24.22 mathematics by providing expert and peer advice and identifying, documenting, and
24.23 disseminating best practices and lessons to teachers and administrators statewide; and
- 24.24 (10) develop partnerships with postsecondary institutions, business organizations,
24.25 professional organizations, and community-based organizations interested in science,
24.26 technology, engineering, or mathematics.
- 24.27 Subd. 2. Application and review process; funding priority. (a) School districts,
24.28 charter schools, intermediate districts, groups of districts that cooperate for a particular
24.29 purpose, and other public educational institutions interested in participating in this grant
24.30 program may apply to the commissioner, in the form and manner the commissioner
24.31 determines, for competitive funding to improve student achievement in, improve teaching
24.32 and learning of, and provide expanded access to science, technology, engineering, and
24.33 mathematics in a high school, consistent with subdivision 1. The application must detail
24.34 the specific efforts the applicant intends to undertake to successfully implement innovative
24.35 strategies that affect the learning environment, academic content, and educational practices
24.36 in high school, and must include a proposed budget detailing the applicant's current and

25.1 proposed expenditures for these purposes. The proposed budget must demonstrate that the
25.2 applicant's efforts will supplement but not supplant expenditures the applicant currently
25.3 makes for science, technology, engineering, and mathematics teaching and learning.
25.4 Administrative expenditures must not exceed five percent of the proposed budget. The
25.5 commissioner may require an applicant to provide additional information.

25.6 (b) When reviewing applications, the commissioner must determine whether
25.7 the applicant satisfied all the requirements in this subdivision and subdivision 1. The
25.8 commissioner may give funding priority to an otherwise qualified candidate that:

25.9 (1) combines day and evening programs;

25.10 (2) restructures grade 12 to allow students to complete out-of-school learning
25.11 experiences aligned with their in-school program;

25.12 (3) uses online learning options;

25.13 (4) embeds higher level science, technology, engineering, and mathematics into
25.14 redesigned career and technical programs;

25.15 (5) enables students to receive both high school and college credit for successfully
25.16 completing science, technology, engineering, and mathematics programs and meeting
25.17 postsecondary institution placement requirements;

25.18 (6) targets low-income and other educationally at-risk students to improve their
25.19 participation and performance in science, technology, engineering, and mathematics
25.20 courses and careers; or

25.21 (7) strongly supports all students in exploring and preparing for careers in science,
25.22 technology, engineering, or mathematics.

25.23 The commissioner shall give funding priority to an otherwise qualified recipient
25.24 that received a grant for the previous fiscal year if the annual reports the recipient
25.25 submitted under subdivision 4 demonstrate that the recipient continues to improve student
25.26 achievement in and teaching and learning of and provide expanded access to science,
25.27 technology, engineering, and mathematics in a high school.

25.28 Subd. 3. Grants; permissible uses. (a) The commissioner may award grants to
25.29 applicants meeting the requirements of subdivisions 1 and 2. The commissioner must
25.30 award grants on an equitable geographical basis to the extent feasible and consistent
25.31 with this section.

25.32 (b) Each grant recipient must expend all grant funds it receives consistent with its
25.33 approved application and budget and this section.

25.34 Subd. 4. Annual reports. (a) Each recipient of a grant under this section must
25.35 annually collect student and teacher data to demonstrate and measure the extent to which
25.36 the grant recipient improves student achievement in, improves teaching and learning of,

25.1 proposed expenditures for these purposes. The proposed budget must demonstrate that the
25.2 applicant's efforts will supplement but not supplant expenditures the applicant currently
25.3 makes for science, technology, engineering, and mathematics teaching and learning.
25.4 Administrative expenditures must not exceed five percent of the proposed budget. The
25.5 commissioner may require an applicant to provide additional information.

25.6 (b) When reviewing applications, the commissioner must determine whether
25.7 the applicant satisfied all the requirements in this subdivision and subdivision 1. The
25.8 commissioner may give funding priority to an otherwise qualified candidate that:

25.9 (1) combines day and evening programs;

25.10 (2) restructures grade 12 to allow students to complete out-of-school learning
25.11 experiences aligned with their in-school program;

25.12 (3) uses online learning options;

25.13 (4) embeds higher level science, technology, engineering, and mathematics into
25.14 redesigned career and technical programs;

25.15 (5) enables students to receive both high school and college credit for successfully
25.16 completing science, technology, engineering, and mathematics programs and meeting
25.17 postsecondary institution placement requirements;

25.18 (6) targets low-income and other educationally at-risk students to improve their
25.19 participation and performance in science, technology, engineering, and mathematics
25.20 courses and careers; or

25.21 (7) strongly supports all students in exploring and preparing for careers in science,
25.22 technology, engineering, or mathematics.

25.23 The commissioner shall give funding priority to an otherwise qualified recipient
25.24 that received a grant for the previous fiscal year if the annual reports the recipient
25.25 submitted under subdivision 4 demonstrate that the recipient continues to improve student
25.26 achievement in and teaching and learning of and provide expanded access to science,
25.27 technology, engineering, and mathematics in a high school.

25.28 Subd. 3. Grants; permissible uses. (a) The commissioner may award grants to
25.29 applicants meeting the requirements of subdivisions 1 and 2. The commissioner must
25.30 award grants on an equitable geographical basis to the extent feasible and consistent
25.31 with this section.

25.32 (b) Each grant recipient must expend all grant funds it receives consistent with its
25.33 approved application and budget and this section.

25.34 Subd. 4. Annual reports. (a) Each recipient of a grant under this section must
25.35 annually collect student and teacher data to demonstrate and measure the extent to which
25.36 the grant recipient improves student achievement in, improves teaching and learning of,

27.1 (b) By January 15 of each year, the commissioner shall report school district special
 27.2 education litigation costs to the house of representatives and the senate committees having
 27.3 jurisdiction over kindergarten through grade 12 education finance.

27.4 **Sec. 11. RULE ON VISUALLY IMPAIRED TO INCLUDE REFERENCES TO**
 27.5 **"BLIND" AND "BLINDNESS."**

27.6 The commissioner of education, where appropriate, must incorporate references to
 27.7 "blind" and "blindness" into the definition of visually impaired under Minnesota Rules,
 27.8 part 3525.1345, and amend the rule title to include the word "blind."

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

27.10 **Sec. 12. PILOT PROGRAM TO FACILITATE YOUNG CHILDREN'S SECOND**
 27.11 **LANGUAGE LEARNING AND STRONGER LITERACY AND VERBAL SKILLS.**

27.12 (a) A pilot program for fiscal year 2007 is established to allow school districts to
 27.13 use child-relevant American sign language to encourage children in kindergarten through
 27.14 third grade to learn a second language and develop stronger literacy and verbal skills and
 27.15 better classroom attention. School districts that have (i) child care centers or Head Start
 27.16 classrooms, (ii) English language learners, foreign language classrooms or language
 27.17 immersion programs, (iii) resident families with internationally adopted children or (iv)
 27.18 classrooms in which children with special needs are served may apply to the education
 27.19 commissioner, in the form and manner the commissioner determines, for a pilot program
 27.20 grant. School districts that receive a grant under this section must use the grant to train
 27.21 education staff who work with children in kindergarten through grade three, including
 27.22 at least classroom teachers, teachers' assistants, ESL teachers and special education
 27.23 teachers, to use 600 child-relevant signs in sign language to help hearing students
 27.24 acquire vocabulary quickly and easily, become better problem solvers, creative thinkers
 27.25 and communicators and better prepared academically, and to use effective strategies to
 27.26 incorporate sign language into classroom instruction.

27.27 (b) The commissioner may awards grants to qualified school districts on a
 27.28 first-come-first-served basis to allow training for 1000 education staff under this section.

27.29 (c) The commissioner shall provide for an independent evaluation of the efficacy
 27.30 of the pilot program under this section and shall recommend to the education policy and
 27.31 finance committees of the legislature by February 15, 2008, whether or not the program
 27.32 should be continued and expanded.

27.33 **EFFECTIVE DATE.** This section is effective for the 2006-2007 school year and
 27.34 later.

28.1 **Sec. 13. GRANTS FOR INTENSIVE ENGLISH INSTRUCTION FOR ADULT**
28.2 **IMMIGRANTS AND REFUGEES.**

28.3 The commissioner of education shall establish a reimbursement grant program
28.4 to fund intensive English as a second language (ESL) programs for adult immigrants
28.5 and refugees. Intensive ESL programming must provide intensive instruction for adult
28.6 immigrants and refugees who are making inadequate literacy progress as measured by
28.7 a standard assessment test. The intensive instruction must be focused on participants
28.8 gaining sufficient literacy to achieve self-sufficiency through employment. Organizations
28.9 eligible for grants under this section include adult basic education programs, school
28.10 districts, postsecondary institutions, and nonprofit or community-based organizations or
28.11 other private organizations with experience in providing English language instruction
28.12 to non-English speaking immigrants and refugees. Grant applications must be in the
28.13 form and manner determined by the commissioner. At a minimum, the application must
28.14 document experience in literacy programs serving immigrants and refugees, describe fiscal
28.15 accounting systems and reporting capacity, ensure that administrative expenses are limited
28.16 to five percent of grant funds, and provide a description of the proposed instructional
28.17 services and training plans. Funds must be paid to programs on a reimbursement basis.

28.18 **Sec. 14. CHINESE LANGUAGE PROGRAMS; CURRICULUM**
28.19 **DEVELOPMENT PROJECT.**

28.20 Subdivision 1. Project parameters. (a) Notwithstanding other law to the contrary,
28.21 the commissioner of education may contract with the Board of Regents of the University
28.22 of Minnesota or other Minnesota public entity the commissioner determines is qualified
28.23 to undertake the development of an articulated K-12 Chinese curriculum for Minnesota
28.24 schools that involves:

28.25 (1) creating a network of Chinese teachers and educators able to develop new and
28.26 modify or expand existing world languages K-12 curricula, materials, assessments, and
28.27 best practices needed to provide Chinese language instruction to students; and

28.28 (2) coordinating statewide efforts to develop and expand Chinese language
28.29 instruction so that it is uniformly available to students throughout the state, and making
28.30 innovative use of media and technology, including television, distance learning, and online
28.31 courses to broaden students' access to the instruction.

28.32 (b) The entity with which the commissioner contracts under paragraph (a) must have
28.33 sufficient knowledge and expertise to ensure the professional development of appropriate,
28.34 high quality curricula, supplementary materials, aligned assessments, and best practices
28.35 that accommodate different levels of student ability and types of programs.

28.36 (c) Project participants must:

29.1 (1) work throughout the project to develop curriculum, supplementary materials,
aligned assessments, and best practices; and

29.3 (2) make curriculum, supplementary materials, aligned assessments, and best
29.4 practices equitably available to Minnesota schools and students.

29.5 Subd. 2. Project participants. The entity with which the commissioner contracts
29.6 must work with the network of Chinese teachers and educators to:

29.7 (1) conduct an inventory of Chinese language curricula, supplementary materials,
29.8 and professional development initiatives currently used in Minnesota or other states;

29.9 (2) develop Chinese language curricula and benchmarks aligned to local world
29.10 language standards and classroom-based assessments; and

29.11 (3) review and recommend to the commissioner how best to build an educational
29.12 infrastructure to provide more students with Chinese language instruction, including
29.13 how to develop and provide: an adequate supply of Chinese language teachers; an
29.14 adequate number of high quality school programs; appropriate curriculum, instructional
29.15 materials, and aligned assessments that include technology-based delivery systems;
29.16 teacher preparation programs to train Chinese language teachers; expedited licensing of
29.17 Chinese language teachers; best practices in existing educational programs that can be
29.18 used to establish K-12 Chinese language programs; and technical assistance resources.

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

29.20 Sec. 15. APPROPRIATIONS.

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

29.24 Subd. 2. AP, IB, and concurrent enrollment increased student participation. For
29.25 the increased participation of students in advanced placement, international baccalaureate,
29.26 and concurrent enrollment programs under Minnesota Statutes, section 120B.132:

29.27 \$ 7,319,000 2007

29.28 This appropriation includes \$0 for fiscal year 2006 and \$7,319,000 for fiscal year
29.29 2007.

29.30 Subd. 3. High school redesign grants. To implement the high school redesign
29.31 grants under section 8:

29.32 \$ 5,000,000 2007

30.1 Subd. 4. Intensive English instruction for immigrants and refugees. For a
 30.2 grant program for intensive English instruction for adult immigrants and refugees under
 30.3 section 13:

30.4 \$ 1,000,000 2007

30.5 This appropriation does not cancel but is available to June 30, 2009. The base for
 30.6 this program in fiscal year 2008 is \$1,000,000. The base for this program in fiscal year
 30.7 2009 and later is \$0.

30.8 Subd. 5. Chinese language. For the Chinese language curriculum project under
 30.9 section 14:

30.10 \$ 250,000 2007

30.11 The commissioner must report to the house of representatives and senate committees
 30.12 having jurisdiction over kindergarten through grade 12 education policy and finance on
 30.13 the range of the program by February 15, 2007. The report shall address the applicability
 30.14 of the Chinese language curriculum project to other world languages and include the
 30.15 availability of instructors, curriculum, high-quality school programs, assessments, and
 30.16 best practices as they apply to world languages.

30.17 This is a onetime appropriation.

30.18 Subd. 6. Child-relevant American sign language. For a contract with a qualified
 30.19 provider to train education staff to use child-relevant American sign language to facilitate
 30.20 young children's development of second language learning and stronger literacy and
 30.21 verbal skills.

30.22 \$ 225,000 2007

30.23 Of this appropriation, \$150,000 is for actual training costs, \$35,000 is for
 30.24 an independent evaluation of the efficacy of the pilot program and \$40,000 is for
 30.25 administrative and marketing costs incurred by the Education Department.

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

30.27 Sec. 16. REPEALER.

30.28 Minnesota Statutes 2004, section 123B.749, is repealed."

30.29 Amend the title accordingly

1.1 moves to amend S. F. No. 2894 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. **VOLUNTARY LOCAL TASK FORCE TO EXAMINE THE**
1.4 **GOVERNANCE, FACILITIES AND PROGRAMMING OF THE ELK RIVER**
1.5 **SCHOOL DISTRICT.**

1.6 Notwithstanding other law to the contrary, the superintendent of Independent School
1.7 District No. 128, Elk River, must convene a voluntary local task force composed of
1.8 the district superintendent, district and school administrators, licensed and nonlicensed
1.9 district and school staff, parents of students enrolled in district schools and interested
1.10 district residents and representatives of community-based entities appointed by the
1.11 superintendent to examine and make recommendations regarding the governance,
1.12 facilities and programming of the Elk River school district. Task force members may
1.13 elect to create subcommittees to accomplish this task. Task force members may not be
4 reimbursed or receive compensation for their participation. The task force must submit a
1.15 written report to the Elk River school board by September 1, 2006, containing its findings
1.16 and recommendations. The Elk River school board must submit the task force report and
1.17 any school board recommendations to the education policy and finance committees of the
1.18 legislature by January 15, 2007.

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

1.20 Amend the title accordingly

1.1 Senator moves to amend S.F. No. 3645 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. [120B.236] ACCELERATED K-12 SCIENCE AND
1.4 MATHEMATICS.

1.5 Subdivision 1. Accelerated K-12 science and mathematics education. The
1.6 legislature encourages districts to integrate or offer instruction in accelerated K-12 science
1.7 and mathematics programs throughout Minnesota including, but not limited to, alternative
1.8 programs that provide online learning, satellite science and mathematics centers, summer
1.9 programming, and a consortium of available accelerated science and mathematics or
1.10 accelerated education programs. Instruction should be integrated into a district's existing
1.11 programs, curriculum, or the general school environment.

1.12 Subd. 2. Report. Districts that have experimented with accelerated K-12 science
1.13 and mathematics programming are encouraged to report findings to the house of
1.14 representatives and senate committees having jurisdiction over education."

1.15 Amend the title accordingly

1.1 Senator moves to amend the delete-everything amendment
1.2 (SCS2994A-7) to S.F. No. 2994 as follows:

1.3 Page 9, after line 10, insert:

1.4 "Sec. 10. Minnesota Statutes 2004, section 123B.90, subdivision 2, is amended to
1.5 read:

1.6 Subd. 2. **Student training.** (a) Each district must provide public school pupils
1.7 enrolled in kindergarten through grade 10 with age-appropriate school bus safety training,
1.8 as described in this section, of the following concepts:

- 1.9 (1) transportation by school bus is a privilege and not a right;
- 1.10 (2) district policies for student conduct and school bus safety;
- 1.11 (3) appropriate conduct while on the school bus;
- 1.12 (4) the danger zones surrounding a school bus;
- 1.13 (5) procedures for safely boarding and leaving a school bus;
- 1.14 (6) procedures for safe street or road crossing; and
- 1.15 (7) school bus evacuation.

1.16 (b) Each nonpublic school located within the district must provide all nonpublic
1.17 school pupils enrolled in kindergarten through grade 10 who are transported by school
1.18 bus at public expense and attend school within the district's boundaries with training as
1.19 required in paragraph (a).

1.20 (c) Students enrolled in kindergarten through grade 6 who are transported by school
1.21 bus and are enrolled during the first or second week of school must receive the school bus
1.22 safety training competencies by the end of the third week of school. Students enrolled in
1.23 grades 7 through 10 who are transported by school bus and are enrolled during the first or
1.24 second week of school and have not previously received school bus safety training must
1.25 receive the training or receive bus safety instructional materials by the end of the sixth
1.26 week of school. ~~Students taking driver's training instructional classes and other students~~
1.27 ~~in grades 9 and grade 10~~ must receive training in the laws and proper procedures when
1.28 operating a motor vehicle in the vicinity of a school bus. Students enrolled in kindergarten
1.29 through grade 10 who enroll in a school after the second week of school and are
1.30 transported by school bus and have not received training in their previous school district
1.31 shall undergo school bus safety training or receive bus safety instructional materials
1.32 within four weeks of the first day of attendance. Upon request of the superintendent
1.33 of schools, the school transportation safety director in each district must certify to the
1.34 superintendent ~~of schools annually~~ that all students transported by school bus within
1.35 the district have received the school bus safety training according to this section. The
1.36 principal or other chief administrator of each nonpublic school must certify annually to

2.1 the school transportation safety director of the district in which the school is located that
2.2 the school's students transported by school bus at public expense have received training
2.3 according to this section.

2.4 (d) A district and a nonpublic school with students transported by school bus at
2.5 public expense may provide kindergarten pupils with bus safety training before the first
2.6 day of school.

2.7 (e) A district and a nonpublic school with students transported by school bus at
2.8 public expense may also provide student safety education for bicycling and pedestrian
2.9 safety, for students enrolled in kindergarten through grade 5.

2.10 (f) A district and a nonpublic school with students transported by school bus at
2.11 public expense must make reasonable accommodations for the school bus safety training
2.12 of pupils known to speak English as a second language and pupils with disabilities.

2.13 (g) The district and a nonpublic school with students transported by school bus at
2.14 public expense must provide students enrolled in kindergarten through grade 3 school bus
2.15 safety training twice during the school year.

2.16 (h) A district and a nonpublic school with students transported by school bus at public
2.17 expense must conduct a school bus evacuation drill at least once during the school year.

2.18 **EFFECTIVE DATE.** This section is effective July 1, 2006.

2.19 Sec. 11. Minnesota Statutes 2004, section 123B.91, is amended by adding a subdivision
2.20 to read:

2.21 **Subd. 1a. Compliance by nonpublic and charter school students.** A nonpublic
2.22 charter school student transported by a public school district shall comply with student bus
2.23 conduct and student bus discipline policies of the transporting public school district.

2.24 **EFFECTIVE DATE.** This section is effective July 1, 2006.

2.25 Sec. 12. Minnesota Statutes 2005 Supplement, section 123B.92, subdivision 1, is
2.26 amended to read:

2.27 Subdivision 1. **Definitions.** For purposes of this section and section 125A.76, the
2.28 terms defined in this subdivision have the meanings given to them.

2.29 (a) "Actual expenditure per pupil transported in the regular and excess transportation
2.30 categories" means the quotient obtained by dividing:

2.31 (1) the sum of:

2.32 (i) all expenditures for transportation in the regular category, as defined in paragraph
2.33 (b), clause (1), and the excess category, as defined in paragraph (b), clause (2), plus

2.34 (ii) an amount equal to one year's depreciation on the district's school bus fleet
2.35 and mobile units computed on a straight line basis at the rate of 15 percent per year for

3.1 districts operating a program under section 124D.128 for grades 1 to 12 for all students in
3.2 the district and 12-1/2 percent per year for other districts of the cost of the fleet, plus

3.3 (iii) an amount equal to one year's depreciation on the district's type three school
3.4 buses, as defined in section 169.01, subdivision 6, clause (5), which must be used a
3.5 majority of the time for pupil transportation purposes, computed on a straight line basis at
3.6 the rate of 20 percent per year of the cost of the type three school buses by:

3.7 (2) the number of pupils eligible for transportation in the regular category, as defined
3.8 in paragraph (b), clause (1), and the excess category, as defined in paragraph (b), clause (2).

3.9 (b) "Transportation category" means a category of transportation service provided to
3.10 pupils as follows:

3.11 (1) Regular transportation is:

3.12 (i) transportation to and from school during the regular school year for resident
3.13 elementary pupils residing one mile or more from the public or nonpublic school they
3.14 attend, and resident secondary pupils residing two miles or more from the public
3.15 or nonpublic school they attend, excluding desegregation transportation and noon
3.16 kindergarten transportation; but with respect to transportation of pupils to and from
3.17 nonpublic schools, only to the extent permitted by sections 123B.84 to 123B.87;

3.18 (ii) transportation of resident pupils to and from language immersion programs;

3.19 (iii) transportation of a pupil who is a custodial parent and that pupil's child between
3.20 the pupil's home and the child care provider and between the provider and the school, if
3.21 the home and provider are within the attendance area of the school;

3.22 (iv) transportation to and from or board and lodging in another district, of resident
3.23 pupils of a district without a secondary school; and

3.24 (v) transportation to and from school during the regular school year required under
3.25 subdivision 3 for nonresident elementary pupils when the distance from the attendance
3.26 area border to the public school is one mile or more, and for nonresident secondary pupils
3.27 when the distance from the attendance area border to the public school is two miles or
3.28 more, excluding desegregation transportation and noon kindergarten transportation.

3.29 For the purposes of this paragraph, a district may designate a licensed day care
3.30 facility, school day care facility, respite care facility, the residence of a relative, or the
3.31 residence of a person chosen by the pupil's parent or guardian as the home of a pupil for
3.32 part or all of the day, if requested by the pupil's parent or guardian, and if that facility or
3.33 residence is within the attendance area of the school the pupil attends.

(2) Excess transportation is:

3.35 (i) transportation to and from school during the regular school year for resident
3.36 secondary pupils residing at least one mile but less than two miles from the public or

4.1 nonpublic school they attend, and transportation to and from school for resident pupils
4.2 residing less than one mile from school who are transported because of extraordinary
4.3 traffic, drug, or crime hazards; and

4.4 (ii) transportation to and from school during the regular school year required under
4.5 subdivision 3 for nonresident secondary pupils when the distance from the attendance area
4.6 border to the school is at least one mile but less than two miles from the public school
4.7 they attend, and for nonresident pupils when the distance from the attendance area border
4.8 to the school is less than one mile from the school and who are transported because of
4.9 extraordinary traffic, drug, or crime hazards.

4.10 (3) Desegregation transportation is transportation within and outside of the district
4.11 during the regular school year of pupils to and from schools located outside their normal
4.12 attendance areas under a plan for desegregation mandated by the commissioner or under
4.13 court order.

4.14 (4) "Transportation services for pupils with disabilities" is:

4.15 (i) transportation of pupils with disabilities who cannot be transported on a regular
4.16 school bus between home or a respite care facility and school;

4.17 (ii) necessary transportation of pupils with disabilities from home or from school to
4.18 other buildings, including centers such as developmental achievement centers, hospitals,
4.19 and treatment centers where special instruction or services required by sections 125A.03
4.20 to 125A.24, 125A.26 to 125A.48, and 125A.65 are provided, within or outside the district
4.21 where services are provided;

4.22 (iii) necessary transportation for resident pupils with disabilities required by sections
4.23 125A.12, and 125A.26 to 125A.48;

4.24 (iv) board and lodging for pupils with disabilities in a district maintaining special
4.25 classes;

4.26 (v) transportation from one educational facility to another within the district for
4.27 resident pupils enrolled on a shared-time basis in educational programs, and necessary
4.28 transportation required by sections 125A.18, and 125A.26 to 125A.48, for resident pupils
4.29 with disabilities who are provided special instruction and services on a shared-time basis
4.30 or if resident pupils are not transported, the costs of necessary travel between public
4.31 and private schools or neutral instructional sites by essential personnel employed by the
4.32 district's program for children with a disability;

4.33 (vi) transportation for resident pupils with disabilities to and from board and lodging
4.34 facilities when the pupil is boarded and lodged for educational purposes; and

4.35 (vii) services described in clauses (i) to (vi), when provided for pupils with
4.36 disabilities in conjunction with a summer instructional program that relates to the pupil's

5.1 individual education plan or in conjunction with a learning year program established
5.2 under section 124D.128.

5.3 For purposes of computing special education base revenue under section 125A.76,
5.4 subdivision 2, the cost of providing transportation for children with disabilities includes
5.5 (A) the additional cost of transporting a homeless student from a temporary nonshelter
5.6 home in another district to the school of origin, or a formerly homeless student from a
5.7 permanent home in another district to the school of origin but only through the end of the
5.8 academic year; and (B) depreciation on district-owned school buses purchased after July 1,
5.9 2005, and used primarily for transportation of pupils with disabilities, calculated according
5.10 to paragraph (a), clauses (ii) and (iii). Depreciation costs included in the disabled
5.11 transportation category must be excluded in calculating the actual expenditure per pupil
5.12 transported in the regular and excess transportation categories according to paragraph (a).

5.13 (5) "Nonpublic nonregular transportation" is:

5.14 (i) transportation from one educational facility to another within the district for
5.15 resident pupils enrolled on a shared-time basis in educational programs, excluding
5.16 transportation for nonpublic pupils with disabilities under clause (4);

5.17 (ii) transportation within district boundaries between a nonpublic school and a
5.18 public school or a neutral site for nonpublic school pupils who are provided pupil support
5.19 services pursuant to section 123B.44; and

5.20 (iii) late transportation home from school or between schools within a district for
5.21 nonpublic school pupils involved in after-school activities.

5.22 (c) "Mobile unit" means a vehicle or trailer designed to provide facilities for
5.23 educational programs and services, including diagnostic testing, guidance and counseling
5.24 services, and health services. A mobile unit located off nonpublic school premises is a
5.25 neutral site as defined in section 123B.41, subdivision 13.

5.26 **EFFECTIVE DATE.** This section is effective July 1, 2006.

5.27 Sec. 13. Minnesota Statutes 2005 Supplement, section 123B.92, subdivision 5, is
5.28 amended to read:

5.29 Subd. 5. **District reports.** (a) Each district must report data to the department as
5.30 required by the department to account for transportation expenditures.

5.31 (b) Salaries and fringe benefits of district employees whose primary duties are
5.32 other than transportation, including central office administrators and staff, building
5.33 administrators and staff, teachers, social workers, school nurses, and instructional aides,
5.34 must not be included in a district's transportation expenditures, except that a district may
5.35 include salaries and benefits according to paragraph (c) for (1) an employee designated

6.1 as the district transportation director, (2) an employee providing direct support to the
6.2 transportation director, or (3) an employee providing direct transportation services such as
6.3 a bus driver or bus aide.

6.4 (c) Salaries and fringe benefits of ~~other~~ the district employees listed in paragraph
6.5 (b), clauses (1), (2), and (3) who work part time in transportation and part time in other
6.6 areas must not be included in a district's transportation expenditures unless the district
6.7 maintains documentation of the employee's time spent on pupil transportation matters in
6.8 the form and manner prescribed by the department.

6.9 (d) Pupil transportation expenditures, excluding expenditures for capital outlay,
6.10 leased buses, student board and lodging, crossing guards, and aides on buses, must
6.11 be allocated among transportation categories based on cost-per-mile, cost-per-student,
6.12 cost-per-hour, or cost-per-route, regardless of whether the transportation services are
6.13 provided on district-owned or contractor-owned school buses. Districts using contracted
6.14 services will be exempt from the standard cost allocation method for authorized categories
6.15 if the district's cost-per-mile, cost-per-hour, or cost-per-route for authorized categories
6.16 does not vary more than 15 percent among authorized categories, excluding salaries and
6.17 fringe benefits of bus aides. Both district-owned and contractor-owned operations shall
6.18 report a cost-per-mile, cost-per-hour, or cost-per-route for nonauthorized categories that is
6.19 within 15 percent of what is used for authorized categories, excluding salaries and fringe
6.20 benefits of bus aides. If the costs reported by either district-owned or contractor-owned
6.21 operations vary more than the parameters outlined above, the department can require
6.22 the district to reallocate its transportation costs among categories. Expenditures for
6.23 school bus driver salaries and fringe benefits may either be directly charged to the
6.24 appropriate transportation category or may be allocated among transportation categories
6.25 based on cost-per-mile, cost-per-student, cost-per-hour, or cost-per-route. Expenditures
6.26 by private contractors or individuals who provide transportation exclusively in one
6.27 transportation category must be charged directly to the appropriate transportation category.
6.28 Transportation services provided by contractor-owned school bus companies incorporated
6.29 under different names but owned by the same individual or group of individuals must be
6.30 treated as the same company for cost allocation purposes.

6.31 **EFFECTIVE DATE.** This section is effective for fiscal year 2006. "

6.32 Page 12, after line 6, insert:

6.33 "Sec. 17. Minnesota Statutes 2004, section 169.01, subdivision 6, is amended to
6.34 read:

7.1 Subd. 6. **School bus.** "School bus" means a motor vehicle used to transport pupils
7.2 to or from a school defined in section 120A.22, or to or from school-related activities, by
7.3 the school or a school district, or by someone under an agreement with the school or a
7.4 school district. A school bus does not include a motor vehicle transporting children to or
7.5 from school for which parents or guardians receive direct compensation from a school
7.6 district, a motor coach operating under charter carrier authority, a transit bus providing
7.7 services as defined in section 174.22, subdivision 7, a multifunction school activity bus
7.8 as defined by federal motor vehicle safety standards, or a vehicle otherwise qualifying
7.9 as a type III vehicle under paragraph (5), when the vehicle is properly registered and
7.10 insured and being driven by an employee or agent of a school district for nonscheduled
7.11 or nonregular transportation. A school bus may be type A, type B, type C, or type D, or
7.12 type III as follows:

7.13 (1) A "type A school bus" is a ~~van conversion or~~ bus constructed utilizing a cutaway
7.14 front section vehicle with a left-side driver's door. ~~The entrance door is behind the front~~
7.15 ~~wheels.~~ This definition includes two classifications: type A-I, with a gross vehicle weight
7.16 rating (GVWR) ~~less than or equal to 10,000~~ 14,500 pounds or less; and type A-II, with a
7.17 GVWR greater than ~~10,000~~ 14,500 pounds and less than or equal to 21,500 pounds.

7.18 (2) A "type B school bus" is constructed utilizing a stripped chassis. The entrance
7.19 door is behind the front wheels. This definition includes two classifications: type B-I,
7.20 with a GVWR less than or equal to 10,000 pounds; and type B-II, with a GVWR greater
7.21 than 10,000 pounds.

7.22 (3) A "type C school bus" is constructed utilizing a chassis with a hood and front
7.23 fender assembly. The entrance door is behind the front wheels. A "type C school bus" also
7.24 includes a cutaway truck chassis or truck chassis with cab with or without a left side door
7.25 and with a GVWR greater than 21,500 pounds.

7.26 (4) A "type D school bus" is constructed utilizing a stripped chassis. The entrance
7.27 door is ahead of the front wheels.

7.28 (5) Type III school buses and type III Head Start buses are restricted to passenger
7.29 cars, station wagons, vans, and buses having a maximum manufacturer's rated seating
7.30 capacity of ten or fewer people, including the driver, and a gross vehicle weight rating of
7.31 10,000 pounds or less. In this subdivision, "gross vehicle weight rating" means the value
7.32 specified by the manufacturer as the loaded weight of a single vehicle. A "type III school
7.33 bus" and "type III Head Start bus" must not be outwardly equipped and identified as a type
7.34 A, B, C, or D school bus or type A, B, C, or D Head Start bus. A van or bus converted to a
7.35 seating capacity of ten or fewer and placed in service on or after August 1, 1999, must
7.36 have been originally manufactured to comply with the passenger safety standards.

10.1 **EFFECTIVE DATE.** This section is effective January 1, 2007.

10.2 Sec. 23. Minnesota Statutes 2004, section 171.321, subdivision 4, is amended to read:

10.3 Subd. 4. **Training.** (a) No person shall drive a class A, B, C, or D school bus when
10.4 transporting school children to or from school or upon a school-related trip or activity
10.5 without having demonstrated sufficient skills and knowledge to transport students in
10.6 a safe and legal manner.

10.7 (b) A bus driver must have training or experience that allows the driver to meet at
10.8 least the following competencies:

10.9 (1) safely operate the type of school bus the driver will be driving;

10.10 (2) understand student behavior, including issues relating to students with
10.11 disabilities;

10.12 (3) encourage orderly conduct of students on the bus and handle incidents of
10.13 misconduct appropriately;

10.14 (4) know and understand relevant laws, rules of the road, and local school bus
10.15 safety policies;

10.16 (5) handle emergency situations; and

10.17 (6) safely load and unload students.

10.18 (c) The commissioner of public safety shall develop a comprehensive model
10.19 school bus driver training program and model assessments for school bus driver training
10.20 competencies, which are not subject to chapter 14. A school district, nonpublic school, or
10.21 private contractor may use alternative assessments for bus driver training competencies
10.22 with the approval of the commissioner of public safety. After completion of bus driver
10.23 training competencies, a driver may receive at least eight hours of school bus in-service
10.24 training any year, as an alternative to being assessed for bus driver competencies. The
10.25 employer shall keep the assessment and a record of the in-service training for the current
10.26 period available for inspection by representatives of the commissioner.

10.27 **EFFECTIVE DATE.** This section is effective July 1, 2006.

10.28 Sec. 24. Minnesota Statutes 2004, section 171.321, subdivision 5, is amended to read:

10.29 Subd. 5. **Annual evaluation and license verification.** (a) A school district,
10.30 nonpublic school, or private contractor shall provide in-service training ~~annually~~ by June
10.31 30 of each year to each school bus driver.

10.32 (b) A school district, nonpublic school, or private contractor shall ~~annually~~ by June
10.33 30 of each year verify the validity of the driver's license of each employee who regularly
10.34 transports students for the district in a type A school bus, a type B school bus, a type C

11.1 school bus, or type D school bus, or regularly transports students for the district in a type
11.2 III vehicle with the National Driver Register or with the Department of Public Safety.

11.3 (c) Members of a nonprofit bus drivers' trade association under private contract
11.4 with an independent school district shall not be charged a fee greater than the fee, if any,
11.5 imposed upon an independent school district for accessing an employee's driver's license
11.6 records from the Department of Public Safety in compliance with this section.

11.7 **EFFECTIVE DATE.** This section is effective July 1, 2006. "

11.8 Page 15, line 29, before "Minnesota" insert "(a)"

11.9 Page 15, after line 29, insert:"

11.10 (b) Minnesota Statutes 2004, sections 169.4502, subdivision 15; and 169.4503,
11.11 subdivisions 17, 18, and 26, are repealed.

2 **EFFECTIVE DATE.** Paragraph (b) of this section is effective January 1, 2007."

11.13 Renumber the sections in sequence and correct the internal references

11.14 Amend the title accordingly

1.1 Senator moves to amend the SCS2994A29 amendment to S.F. No.

1.2 2994 as follows:

1.3 Page 1, line 27, after "grade" insert "9 or"

1.4 Page 1, line 35, after the period, insert "Upon request of the superintendent of the
1.5 school district where the nonpublic school is located, "

1.6 Page 1, line 36, strike "annually"

1.7 Page 9, line 34, delete "mounting height" and insert "cushion depth"

1.1 Senator moves to amend the delete-everything amendment
1.2 (SCS2994A-7) to S.F. No. 2994 as follows:

1.3 Page 2, after line 29, insert:"

1.4 The commissioner must include the contributions of Minnesota American Indian
1.5 tribes and communities as they relate to each of the academic standards during the review
1.6 and revision of the required academic standards."

1.7 Page 7, after line 36, insert:

1.8 "Sec. 8. Minnesota Statutes 2004, section 122A.09, subdivision 4, is amended to
1.9 read:

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

1.12 (b) The board must adopt rules requiring a person to successfully complete a skills
1.13 examination in reading, writing, and mathematics as a requirement for initial teacher
1.14 licensure. Such rules must require college and universities offering a board-approved
1.15 teacher preparation program to provide remedial assistance to persons who did not
1.16 achieve a qualifying score on the skills examination, including those for whom English is
1.17 a second language.

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

1.25 (d) The board must provide the leadership and shall adopt rules for the redesign of
1.26 teacher education programs to implement a research based, results-oriented curriculum that
1.27 focuses on the skills teachers need in order to be effective. The board shall implement new
1.28 systems of teacher preparation program evaluation to assure program effectiveness based
1.29 on proficiency of graduates in demonstrating attainment of program outcomes. The board
1.30 must require that persons enrolled in a teacher preparation program receive instruction
1.31 in historical and cultural competencies related to Minnesota American Indian tribes and
1.32 communities and their contributions to Minnesota, consistent with sections 124D.71 to
1.33 124D.82. The competencies related to Minnesota American Indian tribes and communities
1.34 must include, among other components, standards for instructional practices most effective
1.35 for successfully teaching elementary and secondary American Indian students.

2.1 (e) The board must adopt rules requiring successful completion of an examination
2.2 of general pedagogical knowledge and examinations of licensure-specific teaching
2.3 skills. The rules shall be effective on the dates determined by the board but not later
2.4 than September 1, 2001.

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

2.8 (g) The board must grant licenses to interns and to candidates for initial licenses.

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

2.12 (i) The board must receive recommendations from local committees as established
2.13 by the board for the renewal of teaching licenses.

2.14 (j) The board must grant life licenses to those who qualify according to requirements
2.15 established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and
2.16 214.10. The board must not establish any expiration date for application for life licenses.

2.17 (k) The board must adopt rules that require all licensed teachers who are renewing
2.18 their continuing license to include in their renewal requirements further preparation in
2.19 the areas of using positive behavior interventions and in accommodating, modifying, and
2.20 adapting curricula, materials, and strategies to appropriately meet the needs of individual
2.21 students and ensure adequate progress toward the state's graduation rule.

2.22 (l) In adopting rules to license public school teachers who provide health-related
2.23 services for disabled children, the board shall adopt rules consistent with license or
2.24 registration requirements of the commissioner of health and the health-related boards who
2.25 license personnel who perform similar services outside of the school.

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

2.32 (n) The board must adopt rules that require all licensed teachers who are renewing
2.33 their continuing license to include in their renewal requirements further preparation
2.34 in understanding the key warning signs of early-onset mental illness in children and
2.35 adolescents.

3.1 (o) The board must adopt rules to include instruction and other development
 3.2 activities to improve the understanding and effective instruction of and communication
 3.3 with Minnesota American Indian tribes and communities, consistent with paragraph (d)
 3.4 and sections 124D.71 to 124D.82, in the 125 clock hours of professional development that
 3.5 teachers must complete to renew their professional teaching license.

3.6 **EFFECTIVE DATE.** This section is effective for the 2006-2007 school year and
 3.7 later."

3.8 Page 15, after line 20, insert:

3.9 "Sec. 18. **ADVISORY TASK FORCE ON MINNESOTA AMERICAN INDIAN**
 3.10 **TRIBES AND COMMUNITIES AND K-12 STANDARDS-BASED REFORM.**

3.11 (a) An advisory task force on Minnesota American Indian tribes and communities
 3.12 and K-12 standards-based reform is established to examine the impact of state and
 3.13 federal standards-based reform on Minnesota's K-12 students, including American
 3.14 Indian students, and to recommend to the legislature changes to the state's performance
 3.15 standards, content requirements, assessments measures, and teacher preparation programs
 3.16 to most effectively meet the educational needs of all students, including American Indian
 3.17 students, enrolled in Minnesota schools. The task force, in consultation with American
 3.18 Indian educators and parents, and others who advocate for American Indian children, at
 3.19 least must determine if (1) state education standards and assessments are appropriate
 3.20 for American Indian students; (2) American Indian students are fairly compared; (3)
 3.21 American Indian students receive the assistance they need to achieve the state standards;
 3.22 and (4) schools receive financial and technical assistance sufficient to meet the educational
 3.23 needs of American Indian students.

3.24 (b) The commissioner of education shall appoint an advisory task force on
 3.25 Minnesota American Indian tribes and communities and K-12 standards-based reform
 3.26 that is composed of the following representatives: education department staff experienced
 3.27 in working with American Indian students and programs; Minnesota American Indian
 3.28 tribes and communities; Minnesota School Boards Association; school administrators;
 3.29 Education Minnesota; the state Board of Teaching; a minority member and majority
 3.30 member both from the Minnesota House of Representatives and from the Minnesota
 3.31 Senate; the Minnesota Council on Indian Affairs; postsecondary faculty who serve as
 3.32 instructors in teacher preparation programs; local community service providers who work
 3.33 with Minnesota American Indian tribes and communities; and other representatives
 3.34 recommended by task force members. Task force members' terms and other task
 3.35 force matters are subject to Minnesota Statutes, section 15.059, subject to the limits of

4.1 available appropriations. The task force must submit to the legislative committees having
4.2 jurisdiction over education policy and finance a preliminary written report by February 15,
4.3 2007, and a final report by February 15, 2008, that includes any recommended changes
4.4 to the state's performance standards, content requirements, assessments measures, and
4.5 teacher preparation programs to most effectively meet the educational needs of all
4.6 students, including American Indian students, enrolled in Minnesota schools.

4.7 (c) Upon request, the commissioner of education must provide the task force with
4.8 technical, fiscal, and other support.

4.9 (d) The task force expires on February 16, 2008.

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

4.11 Renumber the sections in sequence and correct the internal references

4.12 Amend the title accordingly

1.1 Senator moves to amend the delete-everything amendment
1.2 (SCS2994A-7) to S.F. No. 2994 as follows:

1.3 Page 27, after line 3, insert:

1.4 "Sec. 11. Minnesota Statutes 2005 Supplement, section 126C.17, subdivision 9,
1.5 is amended to read:

1.6 Subd. 9. **Referendum revenue.** (a) The revenue authorized by section 126C.10,
1.7 subdivision 1, may be increased in the amount approved by the voters of the district at a
1.8 referendum called for the purpose. The referendum may be called by the board or shall be
1.9 called by the board upon written petition of qualified voters of the district. The referendum
1.10 must be conducted one or two calendar years before the increased levy authority, if
1.11 approved, first becomes payable. ~~Only one election~~ No more than two elections to
1.12 approve an increase may be held in a calendar year. Unless the referendum is conducted
1.13 by mail under paragraph (g), the referendum must be held on the first Tuesday after the
1.14 first Monday in June or the first Tuesday after the first Monday in November. The ballot
1.15 must state the maximum amount of the increased revenue per resident marginal cost pupil
1.16 unit. The ballot may state a schedule, determined by the board, of increased revenue per
1.17 resident marginal cost pupil unit that differs from year to year over the number of years for
1.18 which the increased revenue is authorized. The ballot may state that existing referendum
1.19 levy authority is expiring. In this case, the ballot may also compare the proposed levy
1.20 authority to the existing expiring levy authority, and express the proposed increase as the
1.21 amount, if any, over the expiring referendum levy authority. The ballot must designate
1.22 the specific number of years, not to exceed ten, for which the referendum authorization
1.23 applies. The ballot, including a ballot on the question to revoke or reduce the increased
1.24 revenue amount under paragraph (c), must abbreviate the term "per resident marginal cost
1.25 pupil unit" as "per pupil." The notice required under section 275.60 may be modified to
1.26 read, in cases of renewing existing levies:

1.27 "BY VOTING "YES" ON THIS BALLOT QUESTION, YOU MAY BE VOTING
1.28 FOR A PROPERTY TAX INCREASE."

1.29 The ballot may contain a textual portion with the information required in this
1.30 subdivision and a question stating substantially the following:

1.31 "Shall the increase in the revenue proposed by (petition to) the board of,
1.32 School District No. .., be approved?"

1.33 If approved, an amount equal to the approved revenue per resident marginal cost
1.34 pupil unit times the resident marginal cost pupil units for the school year beginning in
1.35 the year after the levy is certified shall be authorized for certification for the number of

2.1 years approved, if applicable, or until revoked or reduced by the voters of the district at a
2.2 subsequent referendum.

2.3 (b) The board must prepare and deliver by first class mail at least 15 days but no more
2.4 than 30 days before the day of the referendum to each taxpayer a notice of the referendum
2.5 and the proposed revenue increase. The board need not mail more than one notice to any
2.6 taxpayer. For the purpose of giving mailed notice under this subdivision, owners must be
2.7 those shown to be owners on the records of the county auditor or, in any county where
2.8 tax statements are mailed by the county treasurer, on the records of the county treasurer.
2.9 Every property owner whose name does not appear on the records of the county auditor
2.10 or the county treasurer is deemed to have waived this mailed notice unless the owner
2.11 has requested in writing that the county auditor or county treasurer, as the case may be,
2.12 include the name on the records for this purpose. The notice must project the anticipated
2.13 amount of tax increase in annual dollars for typical residential homesteads, agricultural
2.14 homesteads, apartments, and commercial-industrial property within the school district.

2.15 The notice for a referendum may state that an existing referendum levy is expiring
2.16 and project the anticipated amount of increase over the existing referendum levy in
2.17 the first year, if any, in annual dollars for typical residential homesteads, agricultural
2.18 homesteads, apartments, and commercial-industrial property within the district.

2.19 The notice must include the following statement: "Passage of this referendum will
2.20 result in an increase in your property taxes." However, in cases of renewing existing
2.21 levies, the notice may include the following statement: "Passage of this referendum may
2.22 result in an increase in your property taxes."

2.23 (c) A referendum on the question of revoking or reducing the increased revenue
2.24 amount authorized pursuant to paragraph (a) may be called by the board and shall be called
2.25 by the board upon the written petition of qualified voters of the district. A referendum to
2.26 revoke or reduce the revenue amount must state the amount per resident marginal cost
2.27 pupil unit by which the authority is to be reduced. Revenue authority approved by the
2.28 voters of the district pursuant to paragraph (a) must be available to the school district at
2.29 least once before it is subject to a referendum on its revocation or reduction for subsequent
2.30 years. Only one revocation or reduction referendum may be held to revoke or reduce
2.31 referendum revenue for any specific year and for years thereafter.

2.32 (d) A petition authorized by paragraph (a) or (c) is effective if signed by a number of
2.33 qualified voters in excess of 15 percent of the registered voters of the district on the day
2.34 the petition is filed with the board. A referendum invoked by petition must be held on the
2.35 date specified in paragraph (a).

3.1 (e) The approval of 50 percent plus one of those voting on the question is required to
3.2 pass a referendum authorized by this subdivision.

3.3 (f) At least 15 days before the day of the referendum, the district must submit a
3.4 copy of the notice required under paragraph (b) to the commissioner and to the county
3.5 auditor of each county in which the district is located. Within 15 days after the results
3.6 of the referendum have been certified by the board, or in the case of a recount, the
3.7 certification of the results of the recount by the canvassing board, the district must notify
3.8 the commissioner of the results of the referendum."

3.9 Renumber the sections in sequence and correct the internal references

3.10 Amend the title accordingly

1.1 Senator moves to amend the delete-everything amendment
1.2 (SCS2994A-7) to S.F. No. 2994 as follows:

1.3 Page 4, after line 20, insert:

1.4 "Sec. 6. [121A.02] SCHOOL SAFETY.

1.5 Subdivision 1. School safety advisory council. A School Safety Advisory Council
1.6 is established under section 15.059. The advisory council is composed of 12 members
1.7 representing law enforcement agencies, mental health services, substance abuse services,
1.8 faith communities, ^{School Administrators,} and school athletic departments and extracurricular organizations.
1.9 The members of the council shall be appointed by the commissioner and must be from
1.10 geographically diverse regions of the state.

1.11 Subd. 2. Duties. The advisory council shall advise the commissioner on issues
1.12 related to school safety. The advisory council, in cooperation with the commissioner,
1.13 shall make recommendations for the creation of a Center for School Safety for the state
1.14 that serves as the central point for the collection and dissemination of information about
1.15 successful school safety programs, provide services to schools to assess current school
1.16 environments, and provide materials, training, and technical assistance.

1.17 Subd. 3. Center for school safety. Consistent with the recommendations of
1.18 the advisory council, the commissioner shall establish the Center for School Safety.
1.19 The advisory council shall continue to advise the commissioner and the center on its
1.20 operations. The Center for School Safety shall, at a minimum:

- 1.21 (1) establish a clearinghouse for information and materials concerning school safety;
- 1.22 (2) provide safe school assessments;
- 1.23 (3) provide training and technical assistance customized to individual school needs
1.24 for school staff, students, and parents;
- 1.25 (4) provide services to enhance school climate;
- 1.26 (5) coordinate school efforts with the broader community; and
- 1.27 (6) evaluate and report on the implementation and effectiveness of the services
1.28 provided by the center."

1.29 Renumber the sections in sequence and correct the internal references

1.30 Amend the title accordingly

1.1 Senator moves to amend the delete-everything amendment
1.2 (SCS2994A-7) to S.F. No. 2994 as follows:

1.3 Page 9, after line 10, insert:

1.4 "Sec. 10 Minnesota Statutes 2004, section 124D.095, subdivision 3, is amended to
1.5 read:

1.6 Subd. 3. **Authorization; notice; limitations on enrollment.** (a) A student may
1.7 apply to an on-line learning provider to enroll in on-line learning. A student age 17 or
1.8 younger must have the written consent of a parent or guardian to apply. No school district
1.9 or charter school may prohibit a student from applying to enroll in on-line learning. An
1.10 on-line learning provider that accepts a student under this section must, within ten days,
1.11 notify the student and the enrolling district if the enrolling district is not the on-line
1.12 learning provider. The notice must report the student's course or program and hours
3 of instruction.

1.14 (b) An on-line learning student must notify the enrolling district at least ~~30~~ 45
1.15 days before taking an on-line learning course or program ~~if the enrolling district is not~~
1.16 ~~providing the on-line learning~~. An on-line learning provider must notify the commissioner
1.17 that it is delivering on-line learning and report the number of on-line learning students it is
1.18 accepting and the on-line learning courses and programs it is delivering.

1.19 (c) An on-line learning provider may limit enrollment if the provider's school board
1.20 or board of directors adopts by resolution specific standards for accepting and rejecting
1.21 students' applications.

1.22 (d) An enrolling district may reduce an on-line learning student's regular classroom
3 instructional membership in proportion to the student's membership in on-line learning
1.24 courses."

1.25 Renumber the sections in sequence and correct the internal references

1.26 Amend the title accordingly



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Online-learning policy proves divisive for school board members

Friday, March 31, 2006

By Mark Brouwer, Staff Writer

Although the proposition of offering online courses at Stillwater Area High School drew both support and derision among School Board members Thursday night, one thing is clear, it's an issue they can't ignore.

Don Schuld, the district's assistant superintendent of teaching and learning, offered the board, at a meeting held at Stillwater City Hall, a draft of an online-learning policy statement that it could approve as soon as its next meeting. What he did not offer them is the ability to prohibit, or even strictly limit, its online offerings. The state Legislature settled that issue last year, when it passed a state law requiring schools to offer students online learning options.

The real issue, Schuld said, is whether the district will create its own online coursework, or if it will import its coursework from other schools. To do the latter, however, could divert state funding away from the district, he said.

"State aid goes to the school offering the course," he explained to board members, some of whom seemed incredulous of the proposal.

If a Stillwater high student took one course online at another school, that school would be paid the course's weight in state aid

amounting to about \$325.

Two courses would double the amount, and so on. Stillwater would not be compensated for the lost revenue.

Local levy money would also be diverted in the same way, according to Ray Queener, the district's assistant superintendent of business and administrative services.

However, the school district would retain funding for any courses it develops and that its students take online.

Likewise, it would gain additional funding for any courses in which students from other school districts enroll.

Ten district teachers are already in training to develop online courses to be offered this fall in health, physical education, psychology, music, English, biology and social studies, Schuld said.

During the 2004-05 school year, the school district offered 26 online learning courses that enrolled 19 students. This year, 18 courses are offered and 15 are enrolled. The proposed policy would set guidelines for online courses. Under the draft policy, students enrolled full-time in seventh through 12th grades could pursue online classes that are supervised by a teacher. All classes must meet state department of education standards, as well as the school's graduation requirements.

Although Schuld indicated it would be highly unlikely that a typical student would take all of his or her courses

online, it is possible. This possibility worried at least three board members.

"This sounds like the worst thing I've heard of in my entire life," said George Thole, the board's chairman. "It just makes no sense to this mind."

Thole was particularly concerned that a student could get a Stillwater diploma without forming relationships with teachers and other students, which he considers a vital part of the learning experience, he said. After the meeting, he expressed displeasure that health and physical education are among the candidates for online courses.

"It's a mom with a stopwatch signing a piece of paper," said Thole, who for 29 years taught physical education at the high school. "There's a heck of a lot more to phys ed than that."

Board member David "Choc" Junker said he could see offering online courses for handicapped children and those who can't attend classes, but voiced concern that someone could "get a diploma and never go to school."

After the meeting, Board member Nancy Hoffman said she is concerned about a "slippery slope" of allowing students easy access to online coursework, in part because she believes students need interaction with teachers and other students.

Schuld emphasized that online learning is used mostly by students with special needs or by those seeking additional or remedial education.

"I don't think a lot of students will take a majority of their courses online, I think we'll see an increasing number of students taking one or two courses online," Schuld responded. Most students taking online courses this year, he said, are homebound due to significant health concerns.

Others, Schuld said, take the courses for "credit advancement," such as high school students who already take a full load of six courses, but want to take a seventh course not offered at the school. In such cases, the students, not the state, pay the cost of the coursework.

Another reason for students to take online courses, Schuld said, is for "credit recovery." Students who fail classes or need to catch up on their credits for graduation can recover lost credits in this way. Special education students also can take online courses.

Not all board members seemed worried by the policy.

Board member Andrée Aronson said her daughter would benefit from taking a seventh course online.

"She might want to try other things, other kinds of writing classes ... and will not have that opportunity, but if she can take an online health class, that opens some doors for her," Aronson said. Offering online summer school would give students more choices, she said.

"I see offering increased options for our students, and that's a good thing," added Board member Kathy Buchholz, who said she'd like more information from administrators regarding traditional class options, including those for biology and music, for the high school's "zero" and "seventh" hours.

The board is expected to revisit the issue at its next scheduled meeting April 6.

At the close of discussion, Keith Ryskoski, the district's superintendent, suggested that at a future meeting, the board consider online learning in the context of the high school's change from a trimester to a semester system. He suggested also that the board view the policy as a way for it to control how online learning occurs in district schools.

"The policy is going to put some control in your hands over what's happening," he said.

Brouwer can be reached at mbrouwer@stillwatercourier.com.

1.1 Senator moves to amend the delete-everything amendment
1.2 (SCS2994A-7) to S.F. No. 2994 as follows:

1.3 Page 30, after line 28, insert:

1.4 " **ARTICLE 3**
1.5 **SPECIAL PROGRAMS**

1.6 Section 1. Minnesota Statutes 2005 Supplement, section 125A.11, subdivision 1,
1.7 is amended to read:

1.8 Subdivision 1. **Nonresident tuition rate; other costs.** (a) For fiscal year 2006,
1.9 when a school district provides instruction and services outside the district of residence,
1.10 board and lodging, and any tuition to be paid, shall be paid by the district of residence. The
1.11 tuition rate to be charged for any child with a disability, excluding a pupil for whom tuition
1.12 is calculated according to section 127A.47, subdivision 7, paragraph (d), must be the sum
1.13 of (1) the actual cost of providing special instruction and services to the child including
1.14 a proportionate amount for special transportation and unreimbursed building lease and
1.15 debt service costs for facilities used primarily for special education, plus (2) the amount
1.16 of general education revenue and referendum aid attributable to the pupil, minus (3) the
1.17 amount of special education aid for children with a disability received on behalf of that
1.18 child, minus (4) if the pupil receives special instruction and services outside the regular
1.19 classroom for more than 60 percent of the school day, the amount of general education
1.20 revenue and referendum aid, excluding portions attributable to district and school
1.21 administration, district support services, operations and maintenance, capital expenditures,
1.22 and pupil transportation, attributable to that pupil for the portion of time the pupil receives
1.23 special instruction in and services outside the regular classroom. If the boards involved
1.24 do not agree upon the tuition rate, either board may apply to the commissioner to fix the
1.25 rate. Notwithstanding chapter 14, the commissioner must then set a date for a hearing or
1.26 request a written statement from each board, giving each board at least ten days' notice,
1.27 and after the hearing or review of the written statements the commissioner must make an
1.28 order fixing the tuition rate, which is binding on both school districts. General education
1.29 revenue and referendum aid attributable to a pupil must be calculated using the resident
1.30 district's average general education and referendum revenue per adjusted pupil unit.

1.31 (b) For fiscal year 2007 and later, when a school district provides special instruction
1.32 and services for a pupil with a disability as defined in section 125A.02 outside the district
1.33 of residence, excluding a pupil for whom an adjustment to special education aid is
1.34 calculated according to section 127A.47, subdivision 7, paragraph (e), special education
1.35 aid paid to the resident district must be reduced by an amount equal to (1) the actual
1.36 cost of providing special instruction and services to the pupil, including a proportionate

2.1 amount for special transportation and unreimbursed building lease and debt service costs
2.2 for facilities used primarily for special education, plus (2) the amount of general education
2.3 revenue and referendum aid attributable to that pupil, minus (3) the amount of special
2.4 education aid for children with a disability received on behalf of that child, minus (4) if the
2.5 pupil receives special instruction and services outside the regular classroom for more than
2.6 60 percent of the school day, the amount of general education revenue and referendum
2.7 aid, excluding portions attributable to district and school administration, district support
2.8 services, operations and maintenance, capital expenditures, and pupil transportation,
2.9 attributable to that pupil for the portion of time the pupil receives special instruction in
2.10 and services outside the regular classroom. General education revenue and referendum
2.11 aid attributable to a pupil must be calculated using the resident district's average general
2.12 education revenue and referendum aid per adjusted pupil unit. Special education aid
2.13 paid to the district or cooperative providing special instruction and services for the pupil
2.14 must be increased by the amount of the reduction in the aid paid to the resident district.
2.15 Amounts paid to cooperatives under this subdivision and section 127A.47, subdivision
2.16 7, shall be recognized and reported as revenues and expenditures on the resident school
2.17 district's books of account under sections 123B.75 and 123B.76. If the resident district's
2.18 special education aid is insufficient to make the full adjustment, the remaining adjustment
2.19 shall be made to other state aid due to the district.

2.20 (c) Notwithstanding paragraphs (a) and (b) and section 127A.47, subdivision 7,
2.21 paragraphs (d) and (e), a charter school where more than 30 percent of enrolled students
2.22 receive special education and related services, an intermediate district, or a special
2.23 education cooperative may apply to the commissioner for authority to charge the resident
2.24 district an additional amount to recover any remaining unreimbursed costs of serving
2.25 pupils with a disability. The application must include a description of the costs and the
2.26 calculations used to determine the unreimbursed portion to be charged to the resident
2.27 district. Amounts approved by the commissioner under this paragraph must be included
2.28 in the tuition billings or aid adjustments under paragraph (a) or (b), or section 127A.47,
2.29 subdivision 7, paragraph (d) or (e), as applicable.

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

2.31 Sec. 2. Minnesota Statutes 2004, section 125A.27, subdivision 11, is amended to read:

2.32 Subd. 11. **Interagency child find systems.** "Interagency child find systems"
2.33 means activities developed on an interagency basis with the involvement of interagency
2.34 early intervention committees and other relevant community groups using rigorous
2.35 standards to actively seek out, identify, and refer infants and young children, with, or at

3.1 risk of, disabilities, and their families, including a child under the age of three who: (1)
 3.2 is involved in a substantiated case of abuse or neglect, or (2) is identified as affected by
 3.3 illegal substance abuse, or withdrawal symptoms resulting from prenatal drug exposure, to
 3.4 reduce the need for future services.

3.5 Sec. 3. Minnesota Statutes 2005 Supplement, section 125A.28, is amended to read:

3.6 **125A.28 STATE INTERAGENCY COORDINATING COUNCIL.**

3.7 An Interagency Coordinating Council of at least 17, but not more than 25 members
 3.8 is established, in compliance with Public Law ~~102-119~~ 108-446, section ~~682~~ 641. The
 3.9 members must be appointed by the governor. Council members must elect the council
 3.10 chair. The representative of the commissioner may not serve as the chair. The council
 3.11 must be composed of at least five parents, including persons of color, of children with
 3.12 disabilities under age 12, including at least three parents of a child with a disability
 3.13 under age seven, five representatives of public or private providers of services for
 3.14 children with disabilities under age five, including a special education director, county
 3.15 social service director, local Head Start director, and a community health services or
 3.16 public health nursing administrator, one member of the senate, one member of the
 3.17 house of representatives, one representative of teacher preparation programs in early
 3.18 childhood-special education or other preparation programs in early childhood intervention,
 3.19 at least one representative of advocacy organizations for children with disabilities under
 3.20 age five, one physician who cares for young children with special health care needs, one
 3.21 representative each from the commissioners of commerce, education, health, human
 3.22 services, a representative from the state agency responsible for child care, foster care,
 3.23 mental health, homeless coordinator of education of homeless children and youth, and a
 3.24 representative from Indian health services or a tribal council. Section 15.059, subdivisions
 3.25 2 to 5, apply to the council. ~~The council must meet at least quarterly.~~

3.26 ~~The council must address methods of implementing the state policy of developing~~
 3.27 ~~and implementing comprehensive, coordinated, multidisciplinary interagency programs of~~
 3.28 ~~early intervention services for children with disabilities and their families.~~

3.29 ~~The duties of the council include recommending policies to ensure a comprehensive~~
 3.30 ~~and coordinated system of all state and local agency services for children under age five~~
 3.31 ~~with disabilities and their families. The policies must address how to incorporate each~~
 3.32 ~~agency's services into a unified state and local system of multidisciplinary assessment~~
 3.33 ~~practices, individual intervention plans, comprehensive systems to find children in need of~~
 3.34 ~~services, methods to improve public awareness, and assistance in determining the role of~~
 3.35 ~~interagency early intervention committees.~~

4.1 On the date that Minnesota Part C Annual Performance Report is submitted to the
4.2 federal Office of Special Education, the council must recommend to the governor and the
4.3 commissioners of education, health, human services, commerce, and employment and
4.4 economic development policies for a comprehensive and coordinated system.

4.5 Notwithstanding any other law to the contrary, the State Interagency Coordinating
4.6 Council expires on June 30, 2009.

4.7 Sec. 4. Minnesota Statutes 2004, section 125A.29, is amended to read:

4.8 **125A.29 RESPONSIBILITIES OF COUNTY BOARDS AND SCHOOL**
4.9 **BOARDS.**

4.10 (a) It is the joint responsibility of county boards and school boards to coordinate,
4.11 provide, and pay for appropriate services, and to facilitate payment for services from public
4.12 and private sources. Appropriate services for children eligible under section 125A.02 must
4.13 be determined in consultation with parents, physicians, and other educational, medical,
4.14 health, and human services providers. The services provided must be in conformity with:

4.15 (1) an IFSP for each eligible infant and toddler from birth through age two and its
4.16 the infant's or toddler's family; including:

4.17 (i) Indian infants and toddlers with disabilities and their families residing on a
4.18 reservation geographically located in the state;

4.19 (ii) infants and toddlers with disabilities who are homeless children and their
4.20 families; and

4.21 (iii) infants and toddlers with disabilities who are wards of the state; or

4.22 (2) an individual education plan (IEP) or individual service plan (ISP) for each
4.23 eligible child ages three through four.

4.24 (b) Appropriate services include family education and counseling, home visits,
4.25 occupational and physical therapy, speech pathology, audiology, psychological services,
4.26 special instruction, nursing, respite, nutrition, assistive technology, transportation
4.27 and related costs, social work, vision services, case management including service
4.28 coordination under section 125A.33, medical services for diagnostic and evaluation
4.29 purposes, early identification, and screening, assessment, and health services necessary to
4.30 enable children with disabilities to benefit from early intervention services.

4.31 (c) School and county boards shall coordinate early intervention services. In the
4.32 absence of agreements established according to section 125A.39, service responsibilities
4.33 for children birth through age two are as follows:

4.34 (1) school boards must provide, pay for, and facilitate payment for special education
4.35 and related services required under sections 125A.05 and 125A.06;

5.1 (2) county boards must provide, pay for, and facilitate payment for noneducational
5.2 services of social work, psychology, transportation and related costs, nursing, respite, and
5.3 nutrition services not required under clause (1).

5.4 (d) School and county boards may develop an interagency agreement according
5.5 to section 125A.39 to establish agency responsibility that assures early intervention
5.6 services are coordinated, provided, paid for, and that payment is facilitated from public
5.7 and private sources.

5.8 (e) County and school boards must jointly determine the primary agency in this
5.9 cooperative effort and must notify the commissioner of the state lead agency of their
5.10 decision.

5.11 Sec. 5. Minnesota Statutes 2004, section 125A.30, is amended to read:

5.12 **125A.30 INTERAGENCY EARLY INTERVENTION COMMITTEES.**

5.13 (a) A school district, group of districts, or special education cooperative, in
5.14 cooperation with the health and human service agencies located in the county or counties
5.15 in which the district or cooperative is located, must establish an Interagency Early
5.16 Intervention Committee for children with disabilities under age five and their families
5.17 under this section, and for children with disabilities ages three to 22 consistent with
5.18 the requirements under sections 125A.023 and 125A.027. Committees must include
5.19 representatives of local health, education, and county human service agencies, county
5.20 boards, school boards, early childhood family education programs, Head Start, parents of
5.21 young children with disabilities under age 12, child care resource and referral agencies,
5.22 school readiness programs, current service providers, and may also include representatives
5.23 from other private or public agencies and school nurses. The committee must elect a chair
5.24 from among its members and must meet at least quarterly.

5.25 (b) The committee must develop and implement interagency policies and procedures
5.26 concerning the following ongoing duties:

5.27 (1) develop public awareness systems designed to inform potential recipient
5.28 families, especially parents with premature infants, or infants with other physical risk
5.29 factors associated with learning or development complications, of available programs
5.30 and services;

5.31 (2) implement interagency child find systems designed to actively seek out, identify,
5.32 and refer infants and young children with, or at risk of, disabilities, including a child under
5.33 the age of three who: (i) is involved in a substantiated case of abuse or (ii) is identified
5.34 as affected by illegal substance abuse, or withdrawal symptoms resulting from prenatal
5.35 drug exposure; to reduce the need for future services; and their families, especially parents

6.1 with premature infants, or infants with other physical risk factors associated with learning
6.2 or development complications;

6.3 (3) establish and evaluate the identification, referral, child and family assessment
6.4 systems, procedural safeguard process, and community learning systems to recommend,
6.5 where necessary, alterations and improvements;

6.6 (4) assure the development of individualized family service plans for all eligible
6.7 infants and toddlers with disabilities from birth through age two, and their families, and
6.8 individual education plans and individual service plans when necessary to appropriately
6.9 serve children with disabilities, age three and older, and their families and recommend
6.10 assignment of financial responsibilities to the appropriate agencies;

6.11 ~~(5) encourage agencies to develop individual family service plans for children with~~
6.12 ~~disabilities, age three and older;~~

6.13 ~~(6)~~ implement a process for assuring that services involve cooperating agencies at all
6.14 steps leading to individualized programs;

6.15 ~~(7)~~ (6) facilitate the development of a transitional plan if a service provider is not
6.16 recommended to continue to provide services;

6.17 ~~(8)~~ (7) identify the current services and funding being provided within the
6.18 community for children with disabilities under age five and their families;

6.19 ~~(9)~~ (8) develop a plan for the allocation and expenditure of additional state and
6.20 federal early intervention funds under United States Code, title 20, section 1471 et seq.
6.21 (Part C, Public Law ~~102-119~~ 108-446) and United States Code, title 20, section 631, et
6.22 seq. (Chapter I, Public Law 89-313); and

6.23 ~~(10)~~ (9) develop a policy that is consistent with section 13.05, subdivision 9, and
6.24 federal law to enable a member of an interagency early intervention committee to allow
6.25 another member access to data classified as not public.

6.26 (c) The local committee shall also:

6.27 (1) participate in needs assessments and program planning activities conducted by
6.28 local social service, health and education agencies for young children with disabilities and
6.29 their families; and

6.30 (2) review and comment on the early intervention section of the total special
6.31 education system for the district, the county social service plan, the section or sections of
6.32 the community health services plan that address needs of and service activities targeted
6.33 to children with special health care needs, the section on children with special needs in
6.34 the county child care fund plan, sections in Head Start plans on coordinated planning and
6.35 services for children with special needs, any relevant portions of early childhood education
6.36 plans, such as early childhood family education or school readiness, or other applicable

7.1 coordinated school and community plans for early childhood programs and services, and
7.2 the section of the maternal and child health special project grants that address needs of and
7.3 service activities targeted to children with chronic illness and disabilities.

7.4 Sec. 6. Minnesota Statutes 2004, section 125A.32, is amended to read:

7.5 **125A.32 INDIVIDUALIZED FAMILY SERVICE PLAN.**

7.6 (a) A team must participate in IFSP meetings to develop the IFSP. The team shall
7.7 include:

7.8 (1) a parent or parents of the child;

7.9 (2) other family members, as requested by the parent, if feasible to do so;

7.10 (3) an advocate or person outside of the family, if the parent requests that the
7.11 person participate;

7.12 (4) the service coordinator who has been working with the family since the
7.13 initial referral, or who has been designated by the public agency to be responsible for
7.14 implementation of the IFSP and coordination with other agencies including transition
7.15 services; and

7.16 (5) a person or persons involved in conducting evaluations and assessments.

7.17 (b) The IFSP must include:

7.18 (1) information about the child's developmental status;

7.19 (2) family information, with the consent of the family;

7.20 (3) measurable results or major outcomes expected to be achieved by the child and
7.21 the family that include preliteracy and language skills, as developmentally appropriate
7.22 for the child, and the criteria, procedures, and timelines;

7.23 (4) specific early intervention services based on peer-reviewed research, to the
7.24 extent practicable, necessary to meet the unique needs of the child and the family to
7.25 achieve the outcomes;

7.26 (5) payment arrangements, if any;

7.27 (6) medical and other services that the child needs, but that are not required under
7.28 the Individual with Disabilities Education Act, United States Code, title 20, section 1471
7.29 et seq. (Part C, Public Law ~~102-119~~ 108-446) including funding sources to be used in
7.30 paying for those services and the steps that will be taken to secure those services through
7.31 public or private sources;

7.32 (7) dates and duration of early intervention services;

7.33 (8) name of the service coordinator;

7.34 (9) steps to be taken to support a child's transition from early intervention services to
7.35 other appropriate services, including convening a transition conference at least 90 days, or

8.1 at the discretion of all parties, not more than nine months prior to the child's eligibility for
8.2 preschool services; and

8.3 (10) signature of the parent and authorized signatures of the agencies responsible
8.4 for providing, paying for, or facilitating payment, or any combination of these, for early
8.5 intervention services.

8.6 Sec. 7. Minnesota Statutes 2004, section 125A.33, is amended to read:

8.7 **125A.33 SERVICE COORDINATION.**

8.8 (a) The team developing the IFSP under section 125A.32 must select a service
8.9 coordinator to carry out service coordination activities on an interagency basis. Service
8.10 coordination must actively promote a family's capacity and competency to identify,
8.11 obtain, coordinate, monitor, and evaluate resources and services to meet the family's
8.12 needs. Service coordination activities include:

8.13 (1) coordinating the performance of evaluations and assessments;

8.14 (2) facilitating and participating in the development, review, and evaluation of
8.15 individualized family service plans;

8.16 (3) assisting families in identifying available service providers;

8.17 (4) coordinating and monitoring the delivery of available services;

8.18 (5) informing families of the availability of advocacy services;

8.19 (6) coordinating with medical, health, and other service providers;

8.20 (7) facilitating the development of a transition plan at least 90 days before the time
8.21 the child is no longer eligible for early intervention services, or at the discretion of all
8.22 parties, not more than nine months prior to the child's eligibility for preschool services,
8.23 if appropriate;

8.24 (8) managing the early intervention record and submitting additional information to
8.25 the local primary agency at the time of periodic review and annual evaluations; and

8.26 (9) notifying a local primary agency when disputes between agencies impact service
8.27 delivery required by an IFSP.

8.28 (b) A service coordinator must be knowledgeable about children and families
8.29 receiving services under this section, requirements of state and federal law, and services
8.30 available in the interagency early childhood intervention system.

8.31 Sec. 8. Minnesota Statutes 2004, section 125A.48, is amended to read:

8.32 **125A.48 STATE INTERAGENCY AGREEMENT.**

8.33 (a) The commissioners of the Departments of Education, Health, and Human
8.34 Services must enter into an agreement to implement this section and Part H C, Public
8.35 Law ~~102-119~~ 108-446, and as required by Code of Federal Regulations, title 34, section
8.36 303.523, to promote the development and implementation of interagency, coordinated,

9.1 multidisciplinary state and local early childhood intervention service systems for serving
 9.2 eligible young children with disabilities, birth through age two, and their families and
 9.3 to ensure the meaningful involvement of underserved groups, including minority,
 9.4 low-income, homeless, and rural families and children with disabilities who are wards
 9.5 of the state. The agreement must be reviewed annually.

9.6 (b) The state interagency agreement must outline at a minimum the conditions,
 9.7 procedures, purposes, and responsibilities of the participating state and local agencies
 9.8 for the following:

9.9 (1) membership, roles, and responsibilities of a state interagency committee for
 9.10 the oversight of priorities and budget allocations under Part ~~H C~~, Public Law ~~102-119~~
 9.11 108-446, and other state allocations for this program;

9.12 (2) child find;

9.13 (3) establishment of local interagency agreements;

9.14 (4) review by a state interagency committee of the allocation of additional state and
 9.15 federal early intervention funds by local agencies;

9.16 (5) fiscal responsibilities of the state and local agencies;

9.17 (6) intraagency and interagency dispute resolution;

9.18 (7) payor of last resort;

9.19 (8) maintenance of effort;

9.20 (9) procedural safeguards, including mediation;

9.21 (10) complaint resolution;

9.22 (11) quality assurance;

9.23 (12) data collection;

9.24 (13) an annual summary to the state Interagency Coordinating Council regarding
 9.25 conflict resolution activities including disputes, due process hearings, and complaints; and

9.26 (14) other components of the state and local early intervention system consistent
 9.27 with Public Law ~~102-119~~ 108-446.

9.28 Written materials must be developed for parents, IEIC's, and local service providers
 9.29 that describe procedures developed under this section as required by Code of Federal
 9.30 Regulations, title 34, section 303.

9.31 Sec. 9. Minnesota Statutes 2004, section 125A.515, subdivision 1, is amended to read:

9.32 Subdivision 1. **Approval of education programs.** The commissioner shall
 9.33 approve education programs for placement of children and youth in ~~care and treatment~~
 9.34 residential facilities including detention centers, before being licensed by the Department
 9.35 of Human Services ~~under Minnesota Rules, parts 9545.0905 to 9545.1125 and 9545.1400~~
 9.36 ~~to 9545.1480~~, or the Department of Corrections ~~under Minnesota Rules, chapters 2925,~~

10.1 ~~2930, 2935, and 2950.~~ Education programs in these facilities shall conform to state and
10.2 federal education laws including the Individuals with Disabilities Education Act (IDEA).
10.3 This section applies only to placements in facilities licensed by the Department of Human
10.4 Services or the Department of Corrections.

10.5 Sec. 10. Minnesota Statutes 2004, section 125A.515, subdivision 3, is amended to read:

10.6 Subd. 3. **Responsibilities for providing education.** (a) The district in which the
10.7 residential facility is located must provide education services, including special education
10.8 if eligible, to all students placed in a facility ~~for care and treatment.~~

10.9 (b) For education programs operated by the Department of Corrections, the
10.10 providing district shall be the Department of Corrections. For students remanded to the
10.11 commissioner of corrections, the providing and resident district shall be the Department
10.12 of Corrections.

10.13 ~~(c) Placement for care and treatment does not automatically make a student eligible~~
10.14 ~~for special education. A student placed in a care and treatment facility is eligible for~~
10.15 ~~special education under state and federal law including the Individuals with Disabilities~~
10.16 ~~Education Act under United States Code, title 20, chapter 33.~~

10.17 Sec. 11. Minnesota Statutes 2004, section 125A.515, subdivision 5, is amended to read:

10.18 Subd. 5. **Education programs for students placed in residential facilities for**
10.19 ~~**care and treatment.**~~ (a) When a student is placed in a ~~care and treatment~~ facility
10.20 approved under this section that has an on-site education program, the providing district,
10.21 upon notice from the care and treatment facility, must contact the resident district within
10.22 one business day to determine if a student has been identified as having a disability, and
10.23 to request at least the student's transcript, and for students with disabilities, the most
10.24 recent individualized education plan (IEP) and evaluation report, and to determine if the
10.25 student has been identified as a student with a disability. The resident district must send a
10.26 facsimile copy to the providing district within two business days of receiving the request.

10.27 (b) If a student placed ~~for care and treatment~~ under this section has been identified as
10.28 having a disability and has an individual education plan in the resident district:

10.29 (1) the providing agency must conduct an individualized education plan meeting
10.30 to reach an agreement about continuing or modifying special education services in
10.31 accordance with the current individualized education plan goals and objectives and to
10.32 determine if additional evaluations are necessary; and

10.33 (2) at least the following people shall receive written notice or documented phone
10.34 call to be followed with written notice to attend the individualized education plan meeting:

10.35 (i) the person or agency placing the student;

10.36 (ii) the resident district;

- 11.1 (iii) the appropriate teachers and related services staff from the providing district;
11.2 (iv) appropriate staff from the ~~care and treatment~~ residential facility;
11.3 (v) the parents or legal guardians of the student; and
11.4 (vi) when appropriate, the student.

11.5 (c) For a student who has not been identified as a student with a disability, a
11.6 screening must be conducted by the providing districts as soon as possible to determine
11.7 the student's educational and behavioral needs and must include a review of the student's
11.8 educational records.

11.9 Sec. 12. Minnesota Statutes 2004, section 125A.515, subdivision 6, is amended to read:

11.10 Subd. 6. **Exit report summarizing educational progress.** If a student has been
11.11 placed in a ~~care and treatment~~ facility under this section for 15 or more business days, the
11.12 providing district must prepare an exit report summarizing the regular education, special
11.13 education, evaluation, educational progress, and service information and must send the
11.14 report to the resident district and the next providing district if different, the parent or
11.15 legal guardian, and any appropriate social service agency. For students with disabilities,
11.16 this report must include the student's IEP.

11.17 Sec. 13. Minnesota Statutes 2004, section 125A.515, subdivision 7, is amended to read:

11.18 Subd. 7. **Minimum educational services required.** When a student is placed in a
11.19 facility approved under this section, at a minimum, the providing district is responsible for:

11.20 (1) the education necessary, including summer school services, for a student who is
11.21 not performing at grade level as indicated in the education record or IEP; and

11.22 (2) a school day, of the same length as the school day of the providing district, unless
11.23 the unique needs of the student, as documented through the IEP or education record in
11.24 consultation with treatment providers, requires an alteration in the length of the school day.

11.25 Sec. 14. Minnesota Statutes 2004, section 125A.515, subdivision 9, is amended to read:

11.26 Subd. 9. **Reimbursement for education services.** (a) Education services
11.27 provided to students who have been placed ~~for care and treatment~~ under this section are
11.28 reimbursable in accordance with special education and general education statutes.

11.29 (b) Indirect or consultative services provided in conjunction with regular education
11.30 prereferral interventions and assessment provided to regular education students suspected
11.31 of being disabled and who have demonstrated learning or behavioral problems in a
11.32 screening are reimbursable with special education categorical aids.

11.33 (c) Regular education, including screening, provided to students with or without
11.34 disabilities is not reimbursable with special education categorical aids.

12.1 Sec. 15. Minnesota Statutes 2004, section 125A.515, subdivision 10, is amended to
12.2 read:

12.3 Subd. 10. **Students unable to attend school but not ~~placed in care and treatment~~**
12.4 **facilities covered under this section.** Students who are absent from, or predicted to
12.5 be absent from, school for 15 consecutive or intermittent days, and placed at home or
12.6 in facilities not licensed by the Departments of Corrections or Human Services are ~~not~~
12.7 ~~students placed for care and treatment~~ entitled to regular and special education services
12.8 consistent with applicable law and rule. These students include students with and without
12.9 disabilities who are home due to accident or illness, in a hospital or other medical facility,
12.10 or in a day treatment center. ~~These students are entitled to education services through~~
12.11 ~~their district of residence.~~

12.12 Sec. 16. Minnesota Statutes 2004, section 125A.63, subdivision 4, is amended to read:

12.13 Subd. 4. **Advisory committees.** ~~The Special Education Advisory Council~~
12.14 commissioner shall establish an advisory committee for each resource center. The
12.15 advisory committees shall develop recommendations regarding the resource centers and
12.16 submit an annual report to the commissioner on the form and in the manner prescribed by
12.17 the commissioner.

12.18 Sec. 17. Minnesota Statutes 2004, section 125A.75, subdivision 1, is amended to read:

12.19 Subdivision 1. **Travel aid.** The state must pay each district one-half of the sum
12.20 actually expended by a district, based on mileage, for necessary travel of essential
12.21 personnel providing home-based services to children with a disability under age five
12.22 and their families.

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

12.24 Sec. 18. **DEPARTMENT OF EDUCATION RULES.**

12.25 Before July 1, 2007, the Department of Education shall amend Minnesota Rules,
12.26 part 3525.2325, to conform with Minnesota Statutes, section 125A.515.

12.27 Sec. 19. **REPEALER.**

12.28 Minnesota Statutes 2004, sections 125A.10; and 125A.515, subdivision 2, are
12.29 repealed."

1.1 Senator moves to amend the delete-everything amendment
1.2 (SCS2994A-7) to S.F. No. 2994 as follows:

1.3 Page 1, delete lines 20 to 25 and insert:

1.4 "(e) If a district reasonably believes that a student does not meet the residency
1.5 requirements of the school district in which the student is attending school, the student
1.6 may be removed from the school only after the district sends the student's parents written
1.7 notice of the district's belief, including the facts upon which the belief is based, and an
1.8 opportunity to provide documentary evidence of residency in person to the superintendent
1.9 or designee, or, at the option of the parents, by sending the documentary evidence to the
1.10 superintendent, or a designee, who will then make a determination as to the residency
1.11 status of the student."

1.12 Page 3, after line 24, insert:

"Sec. 4. Minnesota Statutes 2004, section 120B.023, is amended to read:

1.14 **120B.023 BENCHMARKS.**

1.15 **Subdivision 1. Benchmarks implement, supplement statewide academic**

1.16 **standards.** (a) The commissioner must supplement required state academic standards with
1.17 grade-level benchmarks. High school benchmarks may cover more than one grade. The
1.18 benchmarks must implement statewide academic standards by specifying the academic
1.19 knowledge and skills that schools must offer and students must achieve to satisfactorily
1.20 complete a state standard. The commissioner must publish benchmarks ~~are published~~ to
1.21 inform and guide parents, teachers, school districts, and other interested persons and ~~for~~ to
1.22 use in developing tests consistent with the benchmarks.

(b) The commissioner shall publish benchmarks in the State Register and transmit
1.24 the benchmarks in any other manner that makes them accessible to the general public. The
1.25 commissioner may charge a reasonable fee for publications.

(c) Once established, the commissioner may change the benchmarks only with
1.27 specific legislative authorization and after completing a review under ~~paragraph (d)~~
1.28 subdivision 2.

(d) The commissioner must develop and implement a system for reviewing ~~on~~
1.30 ~~a four-year cycle~~ each of the required academic standards and related benchmarks and
1.31 elective standards ~~beginning in the 2006-2007 school year~~ on a periodic cycle, consistent
1.32 with subdivision 2.

(e) The benchmarks are not subject to chapter 14 and section 14.386 does not apply.

1.34 **Subd. 2. Revisions and reviews required.** (a) The education commissioner must
1.35 revise and appropriately embed technology and information literacy standards into the

2.1 state's academic standards and graduation requirements and implement a review cycle for
2.2 state academic standards and related benchmarks, consistent with this subdivision. During
2.3 each review cycle, the commissioner also must examine the alignment of each required
2.4 academic standard and related benchmark with the knowledge and skills students need for
2.5 college readiness and advanced work in the particular subject area.

2.6 (b) The commissioner in the 2006-2007 school year must revise and align the state's
2.7 academic standards and high school graduation requirements in mathematics to require
2.8 that students satisfactorily complete the revised mathematics standards, beginning in the
2.9 2010-2011 school year. Under the revised standards:

2.10 (1) students must satisfactorily complete an algebra I credit by the end of eighth
2.11 grade; and

2.12 (2) students scheduled to graduate in the 2014-2015 school year or later must
2.13 satisfactorily complete an algebra II credit or its equivalent.

2.14 The commissioner also must ensure that the statewide mathematics assessments
2.15 administered to students in grades 3 through 8 and 11 beginning in the 2010-2011 school
2.16 year are aligned with the state academic standards in mathematics. The statewide 11th
2.17 grade math test administered to students under clause (2) beginning in the 2013-2014
2.18 school year must include algebra II test items that are aligned with corresponding state
2.19 academic standards in mathematics. The commissioner must implement a review of the
2.20 academic standards and related benchmarks in mathematics beginning in the 2015-2016
2.21 school year.

2.22 (c) The commissioner in the 2007-2008 school year must revise and align the state's
2.23 academic standards and high school graduation requirements in the arts to require that
2.24 students satisfactorily complete the revised arts standards beginning in the 2010-2011
2.25 school year. The commissioner must implement a review of the academic standards and
2.26 related benchmarks in arts beginning in the 2016-2017 school year.

2.27 (d) The commissioner in the 2008-2009 school year must revise and align the state's
2.28 academic standards and high school graduation requirements in science to require that
2.29 students satisfactorily complete the revised science standards, beginning in the 2011-2012
2.30 school year. Under the revised standards, students scheduled to graduate in the 2014-2015
2.31 school year or later must satisfactorily complete a chemistry or physics credit. The
2.32 commissioner must implement a review of the academic standards and related benchmarks
2.33 in science beginning in the 2017-2018 school year.

2.34 (e) The commissioner in the 2009-2010 school year must revise and align the state's
2.35 academic standards and high school graduation requirements in language arts to require
2.36 that students satisfactorily complete the revised language arts standards beginning in the

3.1 2012-2013 school year. The commissioner must implement a review of the academic
 3.2 standards and related benchmarks in language arts beginning in the 2018-2019 school year.

3.3 (f) The commissioner in the 2010-2011 school year must revise and align the state's
 3.4 academic standards and high school graduation requirements in social studies to require
 3.5 that students satisfactorily complete the revised social studies standards beginning in the
 3.6 2013-2014 school year. The commissioner must implement a review of the academic
 3.7 standards and related benchmarks in social studies beginning in the 2019-2020 school year.

3.8 (g) School districts and charter schools must revise and align local academic
 3.9 standards and high school graduation requirements in health, physical education, world
 3.10 languages and career and technical education to require students to complete the revised
 3.11 standards beginning in a school year determined by the school district or charter school.
 3.12 School districts and charter schools must formally establish a periodic review cycle for the
 3.13 academic standards and related benchmarks in health, physical education, world languages
 3.14 and career and technical education.

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

3.16 Page 3, line 26, after "CREDITS" insert "STUDENT TRANSFERS"

3.17 Page 3, line 27, before "Students" insert "(a)"

3.18 Page 3, line 31, after "standard" insert "and beginning the 2010-2011 school year
 3.19 for students scheduled to graduate in the 2014-2015 school year or later, one algebra II
 3.20 credit or its equivalent"

3.21 Page 3, line 32, after "biology" insert "and for the 2011-2012 school year and later,
 3.22 one credit in chemistry or physics"

3.23 Page 4, line 6, before "A course" insert "(b)"

3.24 Page 4, after line 8, insert:"

3.25 (c) A district, area learning center, and charter school must establish processes by
 3.26 which to transfer as completed:

3.27 (1) those course credit requirements that other school sites within the district or
 3.28 other public schools verify on transcripts as completed; and

3.29 (2) the work that educational institutions outside the state accept for completing the
 3.30 equivalent of course credit requirements and verify on transcripts as completed.

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

4.1 Page 10, line 24, strike "By July 1 of each" and delete "fiscal" and strike "year, a
4.2 charter school" and insert "A charter school after its first fiscal year of operation by March
4.3 1 of each fiscal year and a charter school by July 1 of its first fiscal year of operation"

4.4 Page 16, delete lines 6 to 10 and insert:

4.5 "(1) have a three-year plan approved by the local school board to establish a new
4.6 international baccalaureate program leading to international baccalaureate authorization,
4.7 or expand an existing program that leads to international baccalaureate authorization, or
4.8 expand an existing authorized international baccalaureate program; or

4.9 (2) have a three-year plan approved by the local school board to create a new or
4.10 expand an existing program to implement the college board advanced placement courses
4.11 and exams, preadvanced placement initiative, or concurrent enrollment programs; and"

4.12 Page 18, line 12, delete "application"

4.13 Renumber the sections in sequence and correct the internal references

4.14 Amend the title accordingly

Standards and Graduation Requirement Revisions
 Changes Proposed by the Minnesota Department of Education
 Updated 4/3/06

SUBJECT AREAS	Revision of Standards	Implementation of Standards for School Districts	Additional Graduation or Course Requirements	Graduation Test Implementation	MCA Test Implementation (New Standards Aligned to MCA s)	Follow-up Revision Cycle
Mathematics	2006-07 school year Current law: 2006-07 school year	2010-11 school year	Algebra I or equivalent in 8 th grade Class of 2015 Algebra II or equivalent Class of 2015	Class of 2015 subject to requirement	2010-11 school year	2015-16 school year*
Arts	2007-08 school year Current law: 2006-07 school year	2010-11 school year	No additional requirements	N/A	N/A	2016-17 school year*
Science	2008-09 school year Current law: 2007 -08 school year	2011-12 school year	Chemistry or Physics 3 science credits, including 1 in biology (current requirement) and 1 in chemistry or physics (additional requirement). Class of 2015	N/A	2011-12 school year Note: High school test must be biology taken at the end of course	2017-18 school year*
Language Arts	2009-10 school year Current law: 2006-07 school year	2012-13 school year	No additional requirements	Class of 2015 subject to changes, if any, to graduation test	2012-13 school year	2018-19 school year*
Social Studies	2010-11 school year Current law: 2007-08 school year	2013-14 school year	No additional requirements	N/A	N/A	2019-2020 school year*
Local Standards: Health & Physical Education; World Languages; Career & Technical Ed.	Districts determine periodic revision cycle	Districts determine periodic revision cycle	No additional requirements	N/A	N/A	Districts determine periodic revision cycle

*The follow-up revision cycle will be six years following the revision of the standards listed on the left hand side of this document. Technology and information literacy standards will be embedded into the standards and graduation requirements.

- 1.1 Senator moves to amend the delete-everything amendment
- 1.2 (SCS2994A-7) to S.F. No. 2994 as follows:
- 1.3 Page 30, delete section 16

1.1 Senator moves to amend the delete-everything amendment
1.2 (SCS2994A-7) to S.F. No. 2994 as follows:

1.3 Page 7, after line 36, insert:"

1.4 (c) Nothing in this section shall be construed to:

1.5 (1) mean the state of Minnesota condones homosexuality or bisexuality or any
1.6 equivalent lifestyle;

1.7 (2) authorize or permit the promotion of homosexuality or bisexuality in education
1.8 institutions or require the teaching in education institutions of homosexuality or
1.9 bisexuality as an acceptable lifestyle;

1.10 (3) authorize or permit the use of numerical goals or quotas, or other types
1.11 of affirmative action programs, with respect to homosexuality or bisexuality in the
1.12 administration or enforcement of the provisions of this chapter; or

3 (4) authorize the recognition of or the right of marriage between persons of the
1.14 same sex."

1.1 Senator moves to amend the delete-everything amendment
1.2 (SCS2994A-7) to S.F. No. 2994 as follows:

1.3 Page 29, after line 19, insert:

1.4 "Sec. 15. **SCHOOL BUILDING CONDITION REPORT.**

1.5 The commissioner of education, by January 15, 2007, must report to the house of
1.6 representatives and senate committees having jurisdiction over kindergarten through
1.7 grade 12 education finance on the condition of school buildings in Minnesota that cannot
1.8 economically be repaired and renovated and must be replaced within the next five years
1.9 in order to provide educational opportunities to students consistent with state academic
1.10 standards. The report shall, at a minimum, identify each building, efforts by the school
1.11 district to raise the revenue to replace the building, the cost of replacement, total school
1.12 property taxes levied by each district, and the commissioner's recommendations of what
role, if any, the state should play in providing funding for the replacement."

1.14 Renumber the sections in sequence and correct the internal references

1.15 Amend the title accordingly

1.1 Senator moves to amend the delete-everything amendment
1.2 (SCS2994A-7) to S.F. No. 2994 as follows:

1.3 Page 12, after line 30, insert:

1.4 "Sec. 14. Minnesota Statutes 2005 Supplement, section 626.556, subdivision 3,
1.5 is amended to read:

1.6 Subd. 3. **Persons mandated to report.** (a) Subject to paragraph (c), a person who
1.7 knows or has reason to believe a child is being neglected or physically or sexually abused,
1.8 as defined in subdivision 2, or has been neglected or physically or sexually abused within
1.9 the preceding three years, shall immediately report the information to the local welfare
1.10 agency, agency responsible for assessing or investigating the report, police department, or
1.11 the county sheriff if the person is:

1.12 (1) a professional or professional's delegate who is engaged in the practice of
1.13 the healing arts, social services, hospital administration, psychological or psychiatric
1.14 treatment, child care, education, correctional supervision, probation and correctional
1.15 services, or law enforcement; or

1.16 (2) employed as a member of the clergy and received the information while
1.17 engaged in ministerial duties, provided that a member of the clergy is not required by
1.18 this subdivision to report information that is otherwise privileged under section 595.02,
1.19 subdivision 1, paragraph (c).

1.20 The police department or the county sheriff, upon receiving a report, shall
1.21 immediately notify the local welfare agency or agency responsible for assessing or
1.22 investigating the report, orally and in writing. The local welfare agency, or agency
1.23 responsible for assessing or investigating the report, upon receiving a report, shall
1.24 immediately notify the local police department or the county sheriff orally and in writing.
1.25 The county sheriff and the head of every local welfare agency, agency responsible for
1.26 assessing or investigating reports, and police department shall each designate a person
1.27 within their agency, department, or office who is responsible for ensuring that the
1.28 notification duties of this paragraph and paragraph (b) are carried out. Nothing in this
1.29 subdivision shall be construed to require more than one report from any institution, facility,
1.30 school, or agency. If the agency receiving a report determines that it is not responsible for
1.31 assessing or investigating the report, the agency shall immediately notify the agency it
1.32 determines is responsible for assessing or investigating the report under this section.

1.33 (b) Any person may voluntarily report to the local welfare agency, agency
1.34 responsible for assessing or investigating the report, police department, or the county
1.35 sheriff if the person knows, has reason to believe, or suspects a child is being or has been
1.36 neglected or subjected to physical or sexual abuse. The police department or the county

2.1 sheriff, upon receiving a report, shall immediately notify the local welfare agency or
 2.2 agency responsible for assessing or investigating the report, orally and in writing. The
 2.3 local welfare agency or agency responsible for assessing or investigating the report, upon
 2.4 receiving a report, shall immediately notify the local police department or the county
 2.5 sheriff orally and in writing.

2.6 (c) A person mandated to report physical or sexual child abuse or neglect occurring
 2.7 within a ~~licensed facility~~ or a school as defined under subdivision 3b, shall report the
 2.8 information to the agency responsible for licensing the facility under sections 144.50 to
 2.9 144.58; 241.021; 245A.01 to 245A.16; or chapter 245B; ~~or a nonlicensed personal care~~
 2.10 ~~provider organization as defined in sections 256B.04, subdivision 16, and 256B.0625,~~
 2.11 ~~subdivision 19~~ or to the agency responsible for assessing or investigating the report, if the
 2.12 facility is not licensed. A health or corrections agency receiving a report may request the
 2.13 local welfare agency to provide assistance pursuant to subdivisions 10, 10a, and 10b. A
 2.14 board or other entity whose licensees perform work within a school facility, upon receiving
 2.15 a complaint of alleged maltreatment, shall provide information about the circumstances of
 2.16 the alleged maltreatment to the commissioner of education. Section 13.03, subdivision 4,
 2.17 applies to data received by the commissioner of education from a licensing entity.

2.18 (d) Any person mandated to report shall receive a summary of the disposition of
 2.19 any report made by that reporter, including whether the case has been opened for child
 2.20 protection or other services, or if a referral has been made to a community organization,
 2.21 unless release would be detrimental to the best interests of the child. Any person who is
 2.22 not mandated to report shall, upon request to the local welfare agency, receive a concise
 2.23 summary of the disposition of any report made by that reporter, unless release would be
 2.24 detrimental to the best interests of the child.

2.25 (e) For purposes of this subdivision, "immediately" means as soon as possible but in
 2.26 no event longer than 24 hours.

2.27 Sec. 15. Minnesota Statutes 2004, section 626.556, subdivision 3b, is amended to read:

2.28 Subd. 3b. **Agency Department of Education responsible for assessing or**
 2.29 **investigating reports of maltreatment.** The Department of Education is the agency
 2.30 responsible for assessing or investigating allegations of child maltreatment in schools
 2.31 as defined in sections ~~120A.05, subdivisions 9, 11, and 13;~~ 120A.05, subdivisions 9,
 2.32 11, 13, and 17, and 124D.10, unless the alleged maltreatment occurred in a program or
 2.33 facility licensed by the commissioner of human services. "School" includes a school-age
 2.34 care program, Head Start program, early childhood family education program, school
 2.35 district-administered day treatment facility, or other program licensed or administered

3.1 by the commissioner of education that provides services for minors and is located in
3.2 or operated by a school.

3.3 Sec. 16. Minnesota Statutes 2004, section 626.556, subdivision 3c, is amended to read:

3.4 Subd. 3c. **Agency Local welfare agency, Department of Human Services**
3.5 **or Department of Health responsible for assessing or investigating reports of**
3.6 **maltreatment.** ~~The following agencies are the administrative agencies responsible for~~
3.7 ~~assessing or investigating reports of alleged child maltreatment in facilities made under~~
3.8 ~~this section.~~

3.9 ~~(1)~~ (a) The county local welfare agency is the agency responsible for assessing or
3.10 investigating:

3.11 (1) allegations of maltreatment in child foster care, family child care, and legally
3.12 unlicensed child care and in juvenile correctional facilities licensed under section 241.021
located in the local welfare agency's county; and

3.14 (2) other allegations of maltreatment that are not the responsibility of another agency
3.15 under this subdivision or subdivision 3b.

3.16 ~~(2)~~ (b) The Department of Human Services is the agency responsible for assessing
3.17 or investigating allegations of maltreatment in facilities licensed under chapters 245A and
3.18 245B, except for child foster care and family child care; ~~and.~~

3.19 ~~(3)~~ (c) The Department of Health is the agency responsible for assessing or
3.20 investigating allegations of child maltreatment in facilities licensed under sections 144.50
3.21 to 144.58, and in unlicensed home health care. "

3.22 Renumber the sections in sequence and correct the internal references

3 Amend the title accordingly

1.1 Senator moves to amend the delete-everything amendment
1.2 (SCS2994A-7) to S.F. No. 2994 as follows:

1.3 Page 10, after line 22, insert:

1.4 "Sec. 11. Minnesota Statutes 2004, section 124D.10, subdivision 3, is amended to
1.5 read:

1.6 Subd. 3. **Sponsor.** (a) A school board; intermediate school district school board;
1.7 education district organized under sections 123A.15 to 123A.19; charitable organization
1.8 under section 501(c)(3) of the Internal Revenue Code of 1986 that is a member of the
1.9 Minnesota Council of Nonprofits or the Minnesota Council on Foundations, registered
1.10 with the attorney general's office, and reports an end-of-year fund balance of at least
1.11 \$2,000,000; Minnesota private college that grants two- or four-year degrees and is
1.12 registered with the Higher Education Services Office under chapter 136A; community
1.13 college, state university, or technical college, governed by the Board of Trustees of the
1.14 Minnesota State Colleges and Universities; or the University of Minnesota may sponsor
1.15 one or more charter schools.

1.16 (b) A nonprofit corporation subject to chapter 317A, described in section 317A.905,
1.17 and exempt from federal income tax under section 501(c)(6) of the Internal Revenue Code
1.18 of 1986, may sponsor one or more charter schools if the charter school has operated for
1.19 at least three years under a different sponsor and if the nonprofit corporation has existed
1.20 for at least 25 years.

1.21 (c) The commissioner may approve up to two charitable organizations under section
1.22 501(c)(3) of the Internal Revenue Code of 1986, which have as their primary activity the
1.23 sponsoring of charter schools. Each approved organization may sponsor no more than
1.24 two new charter schools. In addition to sponsoring up to two new charter schools, an
1.25 approved organization is an eligible sponsor for a previously authorized charter school
1.26 that needs to change sponsors under subdivision 23. A charter school sponsored by an
1.27 approved organization must be located within the seven-county metropolitan area. The
1.28 commissioner may terminate its authorization for a charitable organization to sponsor a
1.29 charter school under this paragraph if the charitable organization demonstrates persistent
1.30 financial mismanagement or repeated violations of law."

1.31 Renumber the sections in sequence and correct the internal references

1.32 Amend the title accordingly

- 1.1 Senator moves to amend the delete-everything amendment
- 1.2 (SCS2994A-7) to S.F. No. 2994 as follows:
- 1.3 Page 13, lines 12 to 14, reinstate the stricken language
- 1.4 Page 13, line 15, reinstate "baccalaureate programs."

1.1 Senator moves to amend the delete-everything amendment
1.2 (SCS2994A-7) to S.F. No. 2994 as follows:

1.3 Page 22, line 32, delete "consolidated financial statement task force" and insert "
1.4 advisory committee on financial management, accounting and reporting"

1.5 Page 23, line 14, delete "December" and insert "January" and delete the second "
1.6 of" and insert "following"

1.1 Senator moves to amend S.F. No. 2826 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. **CHARACTER DEVELOPMENT EDUCATION; PILOT**
1.4 **PROGRAM.**

1.5 Subdivision 1. **Pilot program created.** School districts may develop a pilot
1.6 program to implement comprehensive character development education under Minnesota
1.7 Statutes, section 120B.232, subdivision 1.

1.8 Subd. 2. **Approved provider list.** (a) Based upon available resources, the
1.9 commissioner of education shall maintain a character development education curriculum
1.10 approved provider list. The character development education curriculum of approved
1.11 providers shall be research based and evaluated by an independent party. Approved
1.12 character development education curriculum must include:

3 (1) age appropriate character development for the classroom in elementary or
1.14 secondary grades;

1.15 (2) teacher training workshops and in-service training;

1.16 (3) midyear consulting between the school district and the provider; and

1.17 (4) an assessment program.

1.18 (b) Funding for the approved provider list shall be from existing department
1.19 resources under Minnesota Statutes, section 120B.232, subdivision 2.

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

1.21 Amend the title accordingly