

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 3567

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

1.1A bill for an act

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

1.3education including general education, education excellence, teachers, literacy,

1.4charter schools, nutrition, health and safety, early learning, and education

1.5partnerships and compacts; requiring reports; amending Minnesota Statutes 2022,

1.6sections 120A.05, subdivision 10a, by adding a subdivision; 120A.22, subdivision

1.712; 120A.35; 120B.022, subdivisions 1a, 1b; 120B.13, subdivision 4; 121A.41,

1.8subdivision 8; 122A.181, by adding a subdivision; 122A.182, subdivision 2, by

1.9adding a subdivision; 123B.37, subdivision 2; 124D.151, as amended; 124D.60,

1.10subdivision 1; 124D.61; 124E.05, subdivision 3; 124E.07, subdivisions 3, 8;

1.11124E.10, subdivisions 2, 5; 124E.26; 125A.02, subdivision 1a; 125A.27, subdivision

1.128; 125A.56, subdivision 1; 127A.70, subdivision 1; 260E.14, subdivision 1;

1.13Minnesota Statutes 2023 Supplement, sections 13.32, subdivision 5; 120B.021,

1.14subdivision 1; 120B.024, subdivision 1; 120B.11, subdivision 2; 120B.1117;

1.15120B.1118, subdivisions 4, 7, by adding a subdivision; 120B.117, subdivision 4;

1.16120B.12, subdivisions 1, 2, 2a, 4; 120B.123, subdivisions 1, 2; 120B.124,

1.17subdivision 1; 120B.30, subdivisions 7, 12, by adding a subdivision; 120B.302;

1.18120B.305; 120B.31, subdivision 4; 120B.36, subdivision 1; 121A.20, subdivision

1.192; 122A.092, subdivision 5; 122A.181, subdivisions 2, 2a; 122A.182, subdivision

1.202a; 124D.09, subdivision 5; 124D.094, subdivisions 2, 3; 124D.111, subdivision

1.212a; 124D.165, subdivisions 2, 2a; 124D.42, subdivision 8; 124D.98, subdivision

1.225; 124E.02; 124E.03, subdivision 2; 124E.06, subdivisions 1, 4, 5; 124E.12,

1.23subdivision 1; 124E.16, subdivision 1; 126C.40, subdivision 6; proposing coding

1.24for new law in Minnesota Statutes, chapters 127A; 134; repealing Minnesota

1.25Statutes 2022, section 120B.31, subdivisions 2, 6; Laws 2017, First Special Session

1.26chapter 5, article 8, section 9.

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

2.2 **ARTICLE 1**

2.3 **GENERAL EDUCATION**

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

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

2.9 (1) this subdivision; and

2.10 (2) United States Code, title 20, section 1232g, and Code of Federal Regulations, title
2.11 34, section 99.37, which were in effect on January 3, 2012.

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

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

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

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

3.1 Sec. 2. Minnesota Statutes 2023 Supplement, section 120B.021, subdivision 1, is amended
3.2 to read:

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

3.5 (1) language arts;

3.6 (2) mathematics, encompassing algebra II, integrated mathematics III, or an equivalent
3.7 in high school, and to be prepared for the three credits of mathematics in grades 9 through
3.8 12, the grade 8 standards include completion of algebra;

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

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

3.13 (5) physical education;

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

3.15 (7) the arts. Public elementary and middle schools must offer at least three and require
3.16 at least two of the following five arts areas: dance; media arts; music; theater; and visual
3.17 arts. Public high schools must offer at least three and require at least one of the following
3.18 five arts areas: media arts; dance; music; theater; and visual arts.

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

3.25 ~~(c) The department may modify SHAPE America (Society of Health and Physical~~
3.26 ~~Educators) standards and adapt the national standards to accommodate state interest. The~~
3.27 ~~modification and adaptations must maintain the purpose and integrity of the national~~
3.28 ~~standards. The department must make available sample assessments, which school districts~~
3.29 ~~may use as an alternative to local assessments, to assess students' mastery of the physical~~
3.30 ~~education standards beginning in the 2018-2019 school year.~~

3.31 ~~(d)~~ (c) A school district may include child sexual abuse prevention instruction in a health
3.32 curriculum, consistent with paragraph (a), clause (6). Child sexual abuse prevention

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

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

Sec. 3. Minnesota Statutes 2023 Supplement, section 120B.024, subdivision 1, is amended to read:

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

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

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

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

(4) three and one-half credits of social studies, including credit for a course in government and citizenship in either grade 11 or 12 for students beginning grade 9 in the ~~2024-2025~~ 2025-2026 school year and later or an advanced placement, international baccalaureate, or other rigorous course on government and citizenship under section 120B.021, subdivision 1a, and a combination of other credits encompassing at least United States history, geography, government and citizenship, world history, and economics sufficient to satisfy all of the academic standards in social studies;

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

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

(7) a minimum of seven elective credits.

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

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

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

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

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

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

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

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

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

Sec. 5. Minnesota Statutes 2023 Supplement, section 120B.30, subdivision 7, is amended to read:

Subd. 7. **Assessments.** A student who demonstrates attainment of required state academic standards, which include career and college readiness benchmarks, on high school assessments under ~~subdivision 1a~~ section 120B.302 is academically ready for a career or college and is encouraged to participate in courses awarding college credit to high school

students. Such courses and programs may include sequential courses of study within broad career areas and technical skill assessments that extend beyond course grades.

Sec. 6. Minnesota Statutes 2023 Supplement, section 120B.30, subdivision 12, is amended to read:

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

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

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

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

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

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

Sec. 7. Minnesota Statutes 2023 Supplement, section 120B.30, is amended by adding a subdivision to read:

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

Sec. 8. Minnesota Statutes 2023 Supplement, section 120B.302, is amended to read:

120B.302 GENERAL REQUIREMENTS; TEST DESIGN.

Subdivision 1. **Definitions.** For purposes of conforming with existing federal educational accountability requirements, the commissioner must develop and implement computer-adaptive reading and mathematics assessments for grades 3 through 8, state-developed high school reading and mathematics tests aligned with state academic standards, a high school writing test aligned with state standards when it becomes available,

and science assessments ~~under clause (2)~~ that districts and sites must use to monitor student growth toward achieving those standards. The commissioner must:

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

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

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

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

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

~~(1) mathematics;~~

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

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

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

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

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

~~(c) The commissioner must ensure that for annual computer adaptive assessments:~~

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

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

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

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

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

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

Sec. 9. Minnesota Statutes 2023 Supplement, section 120B.305, is amended to read:

120B.305 ASSESSMENT REPORTING REQUIREMENTS.

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

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

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

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

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

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

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

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

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

(4) useful diagnostic information about areas of students' academic strengths and weaknesses is available to teachers and school administrators for improving student instruction and indicating the specific skills and concepts that should be introduced and

10.1 developed for students at given performance levels, organized by strands within subject
10.2 areas, and aligned to state academic standards.

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

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

10.10 (1) uniform statewide computer-adaptive assessments of all students in grades 3 through
10.11 8 and testing at the high school levels that provides appropriate, technically sound
10.12 accommodations or alternate assessments;

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

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

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

10.21 (b) The commissioner shall report test results publicly and to stakeholders, including
10.22 the performance achievement levels developed from students' unweighted test scores in
10.23 each tested subject and a listing of demographic factors that strongly correlate with student
10.24 performance, including student homelessness, as data are available, among other factors.
10.25 The test results must not include personally identifiable information as defined in Code of
10.26 Federal Regulations, title 34, section 99.3. ~~The commissioner shall also report data that~~
10.27 ~~compares performance results among school sites, school districts, Minnesota and other~~
10.28 ~~states, and Minnesota and other nations.~~ The commissioner shall disseminate to schools
10.29 and school districts a more comprehensive report containing testing information that meets
10.30 local needs for evaluating instruction and curriculum. The commissioner shall disseminate
10.31 to charter school authorizers a more comprehensive report containing testing information
10.32 that contains anonymized data where cell count data are sufficient to protect student identity
10.33 and that meets the authorizer's needs in fulfilling its obligations under chapter 124E.

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

11.5 Sec. 10. Minnesota Statutes 2023 Supplement, section 120B.31, subdivision 4, is amended
11.6 to read:

11.7 Subd. 4. **Student performance data.** In developing policies and assessment processes
11.8 to hold schools and districts accountable for high levels of academic standards under section
11.9 120B.021, the commissioner shall ~~aggregate and disaggregate student data over time to~~
11.10 ~~report summary student performance and growth levels and, under section 120B.11,~~
11.11 ~~subdivision 2, clause (2), student learning and outcome data measured at the school, school~~
11.12 ~~district, and statewide level. The commissioner shall use the student categories identified~~
11.13 under the federal Elementary and Secondary Education Act, as most recently reauthorized,
11.14 and student categories of:

11.15 (1) homelessness;

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

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

11.18 (4) home language;

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

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

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

11.24 Any report the commissioner disseminates containing summary data on student performance
11.25 must integrate student performance and the demographic factors that strongly correlate with
11.26 that performance.

11.27 Sec. 11. Minnesota Statutes 2023 Supplement, section 120B.36, subdivision 1, is amended
11.28 to read:

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

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

- 12.1 (2) academic progress consistent with federal expectations;
- 12.2 (3) school safety and student engagement and connection under section 120B.35,
- 12.3 subdivision 3, paragraph (d);
- 12.4 (4) rigorous coursework under section 120B.35, subdivision 3, paragraph (c);
- 12.5 (5) the percentage of students under section 120B.35, subdivision 3, paragraph (b), clause
- 12.6 (2), whose progress and performance levels are meeting career and college readiness
- 12.7 benchmarks under sections 120B.307 and 120B.35, subdivision 3, paragraph (e);
- 12.8 (6) longitudinal data on the progress of eligible districts in reducing disparities in students'
- 12.9 academic achievement and realizing racial and economic integration under section 124D.861;
- 12.10 (7) the acquisition of English, and where practicable, native language academic literacy,
- 12.11 including oral academic language, and the academic progress of all English learners enrolled
- 12.12 in a Minnesota public school course or program who are currently or were previously counted
- 12.13 as English learners under section 124D.59;
- 12.14 (8) two separate student-to-teacher ratios that clearly indicate the definition of teacher
- 12.15 consistent with sections 122A.06 and 122A.15 for purposes of determining these ratios;
- 12.16 (9) staff characteristics excluding salaries;
- 12.17 (10) student enrollment demographics;
- 12.18 (11) foster care status, including all students enrolled in a Minnesota public school course
- 12.19 or program who are currently or were previously in foster care, student homelessness, and
- 12.20 district mobility; and
- 12.21 (12) extracurricular activities.
- 12.22 (b) The school performance report for a school site and a school district must include
- 12.23 school performance reporting information and calculate proficiency rates as required by the
- 12.24 most recently reauthorized Elementary and Secondary Education Act.
- 12.25 (c) The commissioner shall develop, annually update, and post on the department website
- 12.26 school performance reports consistent with paragraph (a) and section 120B.11.
- 12.27 (d) The commissioner must make available performance reports by the beginning of
- 12.28 each school year.
- 12.29 (e) A school or district may appeal its results in a form and manner determined by the
- 12.30 commissioner and consistent with federal law. The commissioner's decision to uphold or
- 12.31 deny an appeal is final.

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

Sec. 12. Minnesota Statutes 2023 Supplement, section 124D.09, subdivision 5, is amended to read:

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

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

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

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

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

Sec. 13. Minnesota Statutes 2023 Supplement, section 124D.094, subdivision 2, is amended to read:

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

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

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

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

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

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

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

Sec. 14. Minnesota Statutes 2023 Supplement, section 124D.094, subdivision 3, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15.30 (f) A supplemental online course provider may request that the Department of Education
15.31 review an enrolling district's written decision to not accept a student's supplemental online
15.32 course application. The student may participate in the supplemental online course while the

16.1 application is under review. Decisions shall be final and binding for both the enrolling
16.2 district and the supplemental online course provider.

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

16.5 Sec. 15. Minnesota Statutes 2023 Supplement, section 126C.40, subdivision 6, is amended
16.6 to read:

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

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

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

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

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

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

16.23 (1) Special School District No. 1, Minneapolis, Independent School District No. 625,
16.24 St. Paul, Independent School District No. 709, Duluth, or Independent School District No.
16.25 535, Rochester, if the district's ~~desegregation~~ achievement and integration plan has been
16.26 determined by the commissioner to be in compliance with Department of Education rules
16.27 relating to equality of educational opportunity and where the acquisition, as defined in
16.28 section 475.51, subdivision 7, of property under this subdivision is ~~determined~~ approved
16.29 in the form and manner prescribed by the commissioner to contribute to the implementation
16.30 of the ~~desegregation~~ approved achievement and integration plan; or

16.31 (2) other districts eligible for revenue under section 124D.862 if the facility acquired
16.32 under this subdivision is to be primarily used for a joint program ~~for interdistrict~~

17.1 ~~desegregation~~ and the commissioner determines ~~that the joint programs are~~ is being
17.2 undertaken to implement the districts' ~~desegregation~~ approved achievement and integration
17.3 plan.

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

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

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

17.12 Sec. 16. **REVISOR INSTRUCTION.**

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

17.16 Sec. 17. **REPEALER.**

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

17.18 **ARTICLE 2**

17.19 **EDUCATION EXCELLENCE**

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

17.21 Subd. 12. **Legitimate exemptions.** (a) A parent, guardian, or other person having control
17.22 of a child may apply to a school district to have the child excused from attendance for the
17.23 whole or any part of the time school is in session during any school year. Application may
17.24 be made to any member of the board, a truant officer, a principal, or the superintendent.
17.25 The school district may state in its school attendance policy that it may ask the student's
17.26 parent or legal guardian to verify in writing the reason for the child's absence from school.
17.27 A note from a physician or a licensed mental health professional stating that the child cannot
17.28 attend school is a valid excuse. The board of the district ~~in which the child resides~~ may
17.29 approve the application upon the following being demonstrated to the satisfaction of that
17.30 board:

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

(i) child illness, medical, dental, orthodontic, or counseling appointments;

(ii) family emergencies;

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

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

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

or

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

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

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

(b) Notwithstanding subdivision 6, paragraph (a), a parent may withdraw a child from an all-day, every day kindergarten program and put their child in a half-day program, if offered, or an alternate-day program without being truant. A school board must excuse a kindergarten child from a part of a school day at the request of the child's parent.

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

120A.35 ABSENCE FROM SCHOOL FOR RELIGIOUS OBSERVANCE AND CULTURAL OBSERVANCES.

Reasonable efforts must be made by a school district to accommodate any pupil who wishes to be excused from a curricular activity for a religious observance or American Indian cultural practice, observance, or ceremony. A school board must provide annual

19.1 notice to parents of the school district's policy relating to a pupil's absence from school for
19.2 ~~religious observance~~ under this section.

19.3 Sec. 3. Minnesota Statutes 2022, section 120B.022, subdivision 1a, is amended to read:

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

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

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

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

19.20 Subd. 1b. **State bilingual and multilingual seals.** (a) Consistent with efforts to strive
19.21 for the world's best workforce under sections 120B.11 and 124E.03, subdivision 2, paragraph
19.22 (i), and close the academic achievement and opportunity gap under sections 124D.861 and
19.23 124D.862, voluntary state bilingual and multilingual seals are established to recognize
19.24 graduating high school students in any school district, charter school, or nonpublic school
19.25 who demonstrate an overall Advanced-Low level or an intermediate-high overall
19.26 Intermediate-High level of functional proficiency in listening, speaking, reading, and writing
19.27 on either derived from assessment consisting of the domains of listening, reading, speaking,
19.28 and writing assessments either aligned with American Council on the Teaching of Foreign
19.29 Languages' (ACTFL) proficiency guidelines or on equivalent valid and reliable assessments
19.30 in one or more languages in addition to English. Indigenous American Indian languages
19.31 and American Sign Language is a language are languages other than English for purposes
19.32 of this subdivision and a world language for purposes of subdivision 1a.

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

- 20.1 ~~(1) students must satisfactorily complete all required English language arts credits; and,~~
 20.2 ~~(2) students must demonstrate mastery of Minnesota's English language proficiency~~
 20.3 ~~standards.~~
- 20.4 (c) Consistent with this subdivision, a high school student who demonstrates an overall
 20.5 intermediate high ACTFL level of ~~functional~~ proficiency derived from assessment consisting
 20.6 of the domains of listening, reading, speaking, and writing in one language in addition to
 20.7 English is eligible to receive the state bilingual gold seal. A high school student who
 20.8 demonstrates an overall intermediate high ACTFL level of ~~functional~~ ~~native~~ proficiency
 20.9 derived from assessment consisting of the domains of listening, reading, speaking, and
 20.10 writing in more than one language in addition to English is eligible to receive the state
 20.11 multilingual gold seal. A high school student who demonstrates an overall advanced-low
 20.12 and above ACTFL level of ~~functional~~ proficiency derived from assessment consisting of
 20.13 the domains of listening, reading, speaking, and writing in one language in addition to
 20.14 English is eligible to receive the state bilingual platinum seal. A high school student who
 20.15 demonstrates an overall advanced-low and above ACTFL level of ~~functional~~ proficiency
 20.16 derived from assessment consisting of the domains of listening, reading, speaking, and
 20.17 writing in more than one language in addition to English is eligible to receive the state
 20.18 multilingual platinum seal.
- 20.19 (d) School districts and charter schools may give students periodic opportunities to
 20.20 demonstrate their level of proficiency in listening, speaking, reading, and writing in a
 20.21 language in addition to English. Where valid and reliable assessments are unavailable, a
 20.22 school district or charter school may rely on evaluators trained in assessing under ACTFL
 20.23 proficiency guidelines to assess a student's level of ~~foreign, heritage, or Indigenous~~
 20.24 non-English language proficiency under this section. School districts and charter schools
 20.25 must maintain appropriate records to identify high school students eligible to receive the
 20.26 state bilingual or multilingual gold and platinum seals upon graduation. The school district
 20.27 or charter school must ~~affix~~ notate the appropriate seal to the transcript of each high school
 20.28 student who meets the requirements of this subdivision and may affix the seal to the student's
 20.29 diploma. A school district or charter school must not charge the high school student a fee
 20.30 for this seal.
- 20.31 (e) A school district or charter school may award elective course credits in world
 20.32 languages to a student who demonstrates the requisite proficiency in a language other than
 20.33 English under this section.

(f) A school district or charter school may award community service credit to a student who demonstrates an overall intermediate high or an overall advanced-low and above ACTFL level of ~~functional proficiency in listening, speaking, reading, and writing~~ derived from assessment consisting of the domains of listening, reading, speaking, and writing in a language other than English and who participates in community service activities that are integrated into the curriculum, involve the participation of teachers, and support biliteracy in the school or local community.

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

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

Sec. 5. Minnesota Statutes 2023 Supplement, section 120B.11, subdivision 2, is amended to read:

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

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

(2) a process to assess and evaluate each student's progress toward meeting state and local academic standards, assess and identify students to participate in gifted and talented programs and accelerate their instruction, and adopt early-admission procedures consistent with section 120B.15, and identifying the strengths and weaknesses of instruction in pursuit

of student and school success and curriculum affecting students' progress and growth toward career and college readiness and leading to the world's best workforce;

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

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

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

(6) education effectiveness practices that:

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

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

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

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

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

(9) a language access plan that specifies the district's process and procedures to render effective language assistance to students and adults who communicate in a language other than English. The language access plan must include:

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

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

23.5 (iii) a language access continuous improvement training plan for leadership and staff.

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

23.9 **EFFECTIVE DATE.** This section is effective beginning with the 2025-2026 school
 23.10 year.

23.11 Sec. 6. Minnesota Statutes 2022, section 123B.37, subdivision 2, is amended to read:

23.12 Subd. 2. **Boards shall not withhold grades or diplomas for nonpayment of student**
 23.13 **fees.** No pupil's rights or privileges, including the receipt of grades or diplomas may be
 23.14 denied or abridged for nonpayment of fees; but this provision does not prohibit a district
 23.15 from maintaining any action provided by law for the collection of fees authorized by sections
 23.16 123B.36 and 123B.38. This provision applies to all Minnesota district school boards, charter
 23.17 school boards, and Tribal contract schools.

23.18 Sec. 7. Minnesota Statutes 2022, section 124D.60, subdivision 1, is amended to read:

23.19 Subdivision 1. **Notice.** ~~Within ten 30 calendar days after the enrollment of any pupil in~~
 23.20 ~~an instructional program for English learners beginning of the school year, the district or~~
 23.21 ~~charter school in which the pupil resides~~ English learner identified for participation in an
 23.22 instructional program for English learners is enrolled must notify the parent by mail parents.
 23.23 For those children who have not been identified as English learners prior to the beginning
 23.24 of the school year but are identified as English learners during that school year, the district
 23.25 or charter school shall notify the children's parents during the first two weeks of the child
 23.26 being placed in a language instruction educational program. This notice must:

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

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

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

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

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

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

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

24.9 Sec. 8. Minnesota Statutes 2022, section 124D.61, is amended to read:

24.10 **124D.61 GENERAL REQUIREMENTS FOR PROGRAMS.**

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

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

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

24.19 ~~(2)~~ (3) a written plan of services that describes programming by English proficiency
24.20 level made available to parents upon request. The plan must articulate the amount and scope
24.21 of service offered to English learners through an educational program for English learners;

24.22 ~~(3)~~ (4) professional development opportunities for ESL, bilingual education, mainstream,
24.23 and all staff working with English learners which are: (i) coordinated with the district's
24.24 professional development activities; (ii) related to the needs of English learners; and (iii)
24.25 ongoing;

24.26 ~~(4)~~ (5) to the extent possible, avoid isolating English learners for a substantial part of
24.27 the school day; and

24.28 ~~(5)~~ (6) in predominantly nonverbal subjects, such as art, music, and physical education,
24.29 permit English learners to participate fully and on an equal basis with their contemporaries
24.30 in public school classes provided for these subjects. To the extent possible, the district must
24.31 assure to pupils enrolled in a program for English learners an equal and meaningful
24.32 opportunity to participate fully with other pupils in all extracurricular activities.

ARTICLE 3**TEACHERS**

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

Subd. 4. **Reporting.** Beginning in 2024 and every even-numbered year thereafter, the Professional Educator Licensing and Standards Board must collaborate with the Department of Education and the Office of Higher Education to publish a summary report of each of the programs they administer and any other programs receiving state appropriations that have or include an explicit purpose of increasing the racial and ethnic diversity of the state's teacher workforce to more closely reflect the diversity of students. The report must include programs under sections 122A.59, 122A.63, 122A.635, 122A.70, 122A.73, 124D.09, 124D.861, 136A.1274, 136A.1276, and 136A.1791, along with any other programs or initiatives that receive state appropriations to address the shortage of teachers of color and American Indian teachers. The board must, in coordination with the Office of Higher Education and Department of Education, provide policy and funding recommendations related to state-funded programs to increase the recruitment, preparation, licensing, hiring, and retention of racially and ethnically diverse teachers and the state's progress toward meeting or exceeding the goals of this section. The report must include recommendations for state policy and funding needed to achieve the goals of this section, plans for sharing the report and activities of grant recipients, and opportunities among grant recipients of various programs to share effective practices with each other. The 2024 report must include a recommendation of whether a state advisory council should be established to address the shortage of racially and ethnically diverse teachers and what the composition and charge of such an advisory council would be if established. The board must consult with the Indian Affairs Council and other ethnic councils along with other community partners, including students of color and American Indian students, in developing the report. By November 3 of each ~~odd-numbered~~ even-numbered year, the board must submit the report to the chairs and ranking minority members of the legislative committees with jurisdiction over education and higher education policy and finance. The report must be available to the public on the board's website.

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

26.1 Sec. 2. Minnesota Statutes 2022, section 122A.181, is amended by adding a subdivision
26.2 to read:

26.3 Subd. 1a. **Special education requirements.** The Professional Educator Licensing and
26.4 Standards Board must approve an application for a Tier 1 special education license if the
26.5 applicant:

26.6 (1) receives high-quality professional development that is sustained, intensive, and
26.7 classroom focused in order to have a positive and lasting impact on classroom instruction,
26.8 before and while teaching;

26.9 (2) participates in a program of intensive supervision that consists of structured guidance
26.10 and regular ongoing support for teachers or a teacher mentoring program;

26.11 (3) assumes the functions as a teacher only for a specified period of time not to exceed
26.12 three years; and

26.13 (4) demonstrates satisfactory progress toward professional licensure.

26.14 Sec. 3. Minnesota Statutes 2023 Supplement, section 122A.181, subdivision 2, is amended
26.15 to read:

26.16 Subd. 2. **Professional requirements.** (a) An applicant for a ~~Tier 1~~ license described in
26.17 subdivision 1 or 1a must have a bachelor's degree to teach a class or course outside a career
26.18 and technical education or career pathways course of study.

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

26.22 (1) an associate's degree;

26.23 (2) a professional certification; or

26.24 (3) five years of relevant work experience.

26.25 Sec. 4. Minnesota Statutes 2023 Supplement, section 122A.181, subdivision 2a, is amended
26.26 to read:

26.27 Subd. 2a. **Exemptions from a bachelor's degree.** (a) The following applicants for a
26.28 ~~Tier 1~~ license described in subdivision 1 are exempt from the requirement to hold a bachelor's
26.29 degree in subdivision 2:

(1) an applicant for a Tier 1 license to teach career and technical education or career pathways courses of study if the applicant has:

(i) an associate's degree;

(ii) a professional certification; or

(iii) five years of relevant work experience;

(2) an applicant for a ~~Tier 1~~ license described in subdivision 1 to teach world languages and culture pursuant to Minnesota Rules, part 8710.4950, if the applicant is a native speaker of the language; and

(3) an applicant for a ~~Tier 1~~ license described in subdivision 1 in the performing or visual arts pursuant to Minnesota Rules, parts 8710.4300, dance and theatre; 8710.4310, dance; 8710.4320, theatre; 8710.4650, vocal music and instrumental music; and 8710.4900, visual arts, if the applicant has at least five years of relevant work experience.

(b) The Professional Educator Licensing and Standards Board must adopt rules regarding the qualifications and determinations for applicants exempt from paragraph (a).

Sec. 5. Minnesota Statutes 2022, section 122A.182, is amended by adding a subdivision to read:

Subd. 1a. **Special education requirements.** The Professional Educator Licensing and Standards Board must approve an application for a Tier 2 special education license if the applicant:

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

(2) participates in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers or a teacher mentoring program; and

(3) demonstrates satisfactory progress toward professional licensure.

Sec. 6. Minnesota Statutes 2022, section 122A.182, subdivision 2, is amended to read:

Subd. 2. Coursework. (a) A candidate for a ~~Tier 2~~ license described in subdivision 1 or 1a must meet the coursework requirement by demonstrating completion of two of the following:

(1) at least eight upper division or graduate-level credits in the relevant content area;

28.1 (2) field-specific methods of training, including coursework;

28.2 (3) at least two years of teaching experience in a similar content area in any state, as
28.3 determined by the board;

28.4 (4) a passing score on the pedagogy and content exams under section 122A.185; or

28.5 (5) completion of a state-approved teacher preparation program.

28.6 (b) For purposes of paragraph (a), "upper division" means classes normally taken at the
28.7 junior or senior level of college which require substantial knowledge and skill in the field.
28.8 Candidates must identify the upper division credits that fulfill the requirement in paragraph
28.9 (a), clause (1).

28.10 Sec. 7. Minnesota Statutes 2023 Supplement, section 122A.182, subdivision 2a, is amended
28.11 to read:

28.12 Subd. 2a. **Exemptions from a bachelor's degree.** (a) The following applicants for a
28.13 ~~Tier 2~~ license described in subdivision 1 are exempt from the requirement to hold a bachelor's
28.14 degree in subdivision 1:

28.15 (1) an applicant for a Tier 2 license to teach career and technical education or career
28.16 pathways courses of study when the applicant has:

28.17 (i) an associate's degree;

28.18 (ii) a professional certification; or

28.19 (iii) five years of relevant work experience;

28.20 (2) an applicant for a Tier 2 license to teach world languages and culture pursuant to
28.21 Minnesota Rules, part 8710.4950, when the applicant is a native speaker of the language;
28.22 and

28.23 (3) an applicant for a Tier 2 license in the performing or visual arts pursuant to Minnesota
28.24 Rules, parts 8710.4300, dance and theatre; 8710.4310, dance; 8710.4320, theatre; 8710.4650,
28.25 vocal music and instrumental music; and 8710.4900, visual arts, when the applicant has at
28.26 least five years of relevant work experience.

28.27 (b) The Professional Educator Licensing and Standards Board must adopt rules regarding
28.28 the qualifications and determinations for applicants exempt from the requirement to hold a
28.29 bachelor's degree in subdivision 1.

ARTICLE 4

THE READ ACT

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

120B.1117 TITLE; THE READ ACT.

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

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

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

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

Subd. 7. **Literacy specialist.** "Literacy specialist" means a person licensed by the Professional Educator Licensing and Standards Board as a teacher of reading, a special education teacher, or a kindergarten through grade 6 teacher, who has completed professional development approved by the Department of Education in structured literacy. ~~A literacy specialist employed by the department under section 120B.123, subdivision 7, or by a district as a literacy lead, is not required to complete the approved training before August 30, 2025.~~

Sec. 4. Minnesota Statutes 2023 Supplement, section 120B.1118, is amended by adding a subdivision to read:

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

Sec. 5. Minnesota Statutes 2023 Supplement, section 120B.12, subdivision 1, is amended to read:

Subdivision 1. **Literacy goal.** (a) The legislature seeks to have every child reading at or above grade level every year, beginning in kindergarten, and to support multilingual learners and students receiving special education services in achieving their individualized reading goals in order to meet grade-level proficiency. By the 2026-2027 school year, districts must provide evidence-based reading instruction through a focus on student mastery of the foundational reading skills of phonemic awareness, phonics, and fluency, as well as the development of oral language, vocabulary, and reading comprehension skills. Students must receive evidence-based instruction that is proven to effectively teach children to read, consistent with sections ~~120B.111-120B.117~~ 120B.118 to 120B.124.

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

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

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

(3) special education teachers;

(4) curriculum directors;

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

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

(c) ~~All other~~ The following teachers and instructional staff are required to receive training under the Read Act and must complete the training no later than July 1, 2027:

(1) teachers of grades 4 through 12 responsible for teaching reading;

(2) teachers of multilingual learners; and

(3) teachers of students who qualify for the graduation incentives program under section 124D.68.

(d) Districts are strongly encouraged to adopt a MTSS framework. The framework should include a process for monitoring student progress, evaluating program fidelity, and analyzing

31.1 student outcomes and needs in order to design and implement ongoing evidenced-based
31.2 instruction and interventions.

31.3 Sec. 6. Minnesota Statutes 2023 Supplement, section 120B.12, subdivision 2, is amended
31.4 to read:

31.5 Subd. 2. **Identification; report.** (a) ~~Twice per year~~ Within the first six weeks of the
31.6 school year, midyear, and again within the last six weeks of the school year, each school
31.7 district must screen every student enrolled in kindergarten, grade 1, grade 2, and grade 3
31.8 using a screening tool approved by the Department of Education. Students enrolled in
31.9 kindergarten, grade 1, grade 2, and grade 3, including multilingual learners and students
31.10 receiving special education services, must be universally screened for mastery of foundational
31.11 reading skills, including phonemic awareness, phonics, decoding, fluency, oral language,
31.12 and for characteristics of dyslexia as measured by a screening tool approved by the
31.13 Department of Education. The screening for characteristics of dyslexia may be integrated
31.14 with universal screening for mastery of foundational skills and oral language. A district
31.15 must submit data on student performance in kindergarten, grade 1, grade 2, and grade 3 on
31.16 foundational reading skills, including phonemic awareness, phonics, decoding, fluency, and
31.17 oral language to the Department of Education in the annual local literacy plan submission
31.18 due on June 15.

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

31.29 (c) Reading screeners in English, and in the predominant languages of district students
31.30 where practicable, must identify and evaluate students' areas of academic need related to
31.31 literacy. The district also must monitor the progress and provide reading instruction
31.32 appropriate to the specific needs of multilingual learners. The district must use an approved,
31.33 developmentally appropriate, and culturally responsive screener and annually report summary

32.1 screener results to the commissioner by June 15 in the form and manner determined by the
32.2 commissioner.

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

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

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

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

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

32.13 Sec. 7. Minnesota Statutes 2023 Supplement, section 120B.12, subdivision 2a, is amended
32.14 to read:

32.15 Subd. 2a. **Parent notification and involvement.** A district must administer a reading
32.16 screener to students in kindergarten through grade 3 within the first six weeks of the school
32.17 year, midyear, and again within the last six weeks of the school year. Schools, at least
32.18 biannually after administering each screener, must give the parent of each student who is
32.19 not reading at or above grade level timely information about:

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

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

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

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

32.28 Sec. 8. Minnesota Statutes 2023 Supplement, section 120B.12, subdivision 4, is amended
32.29 to read:

32.30 Subd. 4. **Staff development.** (a) A district must provide training on evidence-based
32.31 ~~reading~~ structured literacy instruction to teachers and instructional staff in accordance with

33.1 subdivision 1, ~~paragraph~~ paragraphs (b) and (c). The training must include teaching in the
33.2 areas of phonemic awareness, phonics, vocabulary development, reading fluency, reading
33.3 comprehension, and culturally and linguistically responsive pedagogy.

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

33.6 (1) elementary teachers are able to implement explicit, systematic, evidence-based
33.7 instruction in the five reading areas of phonemic awareness, phonics, fluency, vocabulary,
33.8 and comprehension with emphasis on mastery of foundational reading skills as defined in
33.9 section ~~120B.1118~~ 120B.119 and other literacy-related areas including writing until the
33.10 student achieves grade-level reading and writing proficiency;

33.11 (2) elementary teachers ~~have sufficient~~ receive training to provide students with
33.12 evidence-based reading and oral language instruction that meets students' developmental,
33.13 linguistic, and literacy needs using the intervention methods or programs selected by the
33.14 district for the identified students;

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

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

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

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

34.1 Sec. 9. Minnesota Statutes 2023 Supplement, section 120B.123, subdivision 1, is amended
34.2 to read:

34.3 Subdivision 1. **Screeners.** A district must administer an approved evidence-based reading
34.4 screener to students in kindergarten through grade 3 within the first six weeks of the school
34.5 year, midyear, and again within the last six weeks of the school year. The screener must be
34.6 one of the screening tools approved by the Department of Education. A district must identify
34.7 any screener it uses in the district's annual literacy plan, and submit screening data with the
34.8 annual literacy plan by June 15.

34.9 Sec. 10. Minnesota Statutes 2023 Supplement, section 120B.123, subdivision 2, is amended
34.10 to read:

34.11 Subd. 2. **Progress monitoring.** A district must implement progress monitoring using
34.12 the approved assessments, as defined in section ~~120B.118~~ 120B.119, for a student not
34.13 reading at grade level.

34.14 Sec. 11. Minnesota Statutes 2023 Supplement, section 120B.124, subdivision 1, is amended
34.15 to read:

34.16 Subdivision 1. **Resources.** The Department of Education must partner with CAREI for
34.17 two years beginning July 1, 2023, until August 30, 2025, to support implementation of the
34.18 Read Act. The department and CAREI must jointly:

34.19 (1) identify at least five literacy curricula and supporting materials that are evidence-based
34.20 ~~or~~ and focused on structured literacy by January 1, 2024, and post a list of the curricula on
34.21 the department website. The list must include curricula that use culturally and linguistically
34.22 responsive materials that reflect diverse populations and, to the extent practicable, curricula
34.23 that reflect the experiences of students from diverse backgrounds, including multilingual
34.24 learners, biliterate students, and students who are Black, Indigenous, and People of Color.
34.25 A district is not required to use an approved curriculum, unless the curriculum was purchased
34.26 with state funds that require a curriculum to be selected from a list of approved curricula;

34.27 (2) identify at least three professional development programs that focus on the five pillars
34.28 of literacy and the components of structured literacy by August 15, 2023, subject to final
34.29 approval by the department. The department must post a list of the programs on the
34.30 department website. The programs may include a program offered by CAREI. The
34.31 requirements of section 16C.08 do not apply to the selection of a provider under this section;

(3) identify evidence-based literacy intervention materials for students in kindergarten through grade 12;

(4) develop an evidence-based literacy lead training program that trains literacy specialists throughout Minnesota to support schools' efforts in screening, measuring growth, monitoring progress, and implementing interventions in accordance with subdivision 1;

(5) identify measures of foundational literacy skills and mastery that a district must report on a local literacy plan;

(6) provide guidance to districts about best practices in literacy instruction, and practices that are not evidence-based;

(7) develop MTSS model plans that districts may adopt to support efforts to screen, identify, intervene, and monitor the progress of students not reading at grade level; and

(8) ensure that teacher professional development options and MTSS framework trainings are geographically equitable by supporting trainings through the regional service cooperatives.

Sec. 12. Minnesota Statutes 2023 Supplement, section 122A.092, subdivision 5, is amended to read:

Subd. 5. **Reading strategies.** (a) A teacher preparation provider approved by the Professional Educator Licensing and Standards Board to prepare persons for classroom teacher licensure must include in its teacher preparation programs evidence-based best practices in reading, consistent with sections ~~120B.111~~ 120B.118 to 120B.124, including instruction on phonemic awareness, phonics, vocabulary development, reading fluency, and reading comprehension. Instruction on reading must enable the licensure candidate to teach reading in the candidate's content areas. Teacher candidates must be instructed in using students' native languages as a resource in creating effective differentiated instructional strategies for English learners developing literacy skills. A teacher preparation provider also must prepare early childhood and elementary teacher candidates for Tier 3 and Tier 4 teaching licenses under sections 122A.183 and 122A.184, respectively, for the portion of the examination under section 122A.185, subdivision 1, paragraph (c), covering assessment of reading instruction.

(b) Board-approved teacher preparation programs for teachers of elementary education must require instruction in applying evidence-based, structured literacy reading instruction programs that:

(1) teach students to read using foundational knowledge, practices, and strategies consistent with sections ~~120B.1117~~ 120B.118 to 120B.124, with emphasis on mastery of foundational reading skills so that all students achieve continuous progress in reading; and

(2) teach specialized instruction in reading strategies, interventions, and remediations that enable students of all ages and proficiency levels, including multilingual learners and students demonstrating characteristics of dyslexia, to become proficient readers.

(c) Board-approved teacher preparation programs for teachers of elementary education, early childhood education, special education, and reading intervention must include instruction on dyslexia, as defined in section 125A.01, subdivision 2. Teacher preparation programs may consult with the Department of Education, including the dyslexia specialist under section 120B.122, to develop instruction under this paragraph. Instruction on dyslexia must be modeled on practice standards of the International Dyslexia Association, and must address:

(1) the nature and symptoms of dyslexia;

(2) resources available for students who show characteristics of dyslexia;

(3) evidence-based instructional strategies for students who show characteristics of dyslexia, including the structured literacy approach; and

(4) outcomes of intervention and lack of intervention for students who show characteristics of dyslexia.

(d) Nothing in this section limits the authority of a school district to select a school's reading program or curriculum.

Sec. 13. Minnesota Statutes 2023 Supplement, section 124D.42, subdivision 8, is amended to read:

Subd. 8. **Minnesota reading corps program.** (a) A Minnesota reading corps program is established to provide ServeMinnesota AmeriCorps members with a data-based problem-solving model of literacy instruction to use in helping to train local Head Start program providers, other prekindergarten program providers, and staff in schools with students in kindergarten through grade 3 to evaluate and teach early literacy skills, including evidence-based literacy instruction under sections ~~120B.1117~~ 120B.118 to 120B.124, to children age 3 to grade 3 ~~and interventions for children in kindergarten to grade 12.~~

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

37.1 (c) The commission must submit a biennial report to the committees of the legislature
37.2 with jurisdiction over kindergarten through grade 12 education that records and evaluates
37.3 program data to determine the efficacy of the programs under this subdivision.

37.4 Sec. 14. Minnesota Statutes 2023 Supplement, section 124D.98, subdivision 5, is amended
37.5 to read:

37.6 Subd. 5. **Literacy incentive aid uses.** A school district must use its literacy incentive
37.7 aid to support implementation of evidence-based reading instruction. The following are
37.8 eligible uses of literacy incentive aid:

37.9 (1) training for kindergarten through grade 3 teachers, early childhood educators, special
37.10 education teachers, reading intervention teachers working with students in kindergarten
37.11 through grade 12, curriculum directors, and instructional support staff that provide reading
37.12 instruction, on using evidence-based screening and progress monitoring tools;

37.13 (2) evidence-based training using a training program approved by the Department of
37.14 Education according to the READ Act under section 120B.12;

37.15 (3) employing or contracting with a literacy lead, as defined in section ~~120B.118~~
37.16 120B.119;

37.17 (4) materials, training, and ongoing coaching to ensure reading interventions under
37.18 section 125A.56, subdivision 1, are evidence-based; ~~and~~

37.19 (5) stipends for teachers enrolled in required training according to the READ Act under
37.20 section 120B.12; and

37.21 ~~(5)~~ (6) costs of substitute teachers to allow teachers to complete required training during
37.22 the teachers' contract day.

37.23 Sec. 15. **REVISOR INSTRUCTION.**

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

37.28	<u>Column A</u>	<u>Column B</u>
37.29	<u>120B.1117</u>	<u>120B.118</u>
37.30	<u>120B.1118</u>	<u>120B.119</u>

38.1 **ARTICLE 5**

38.2 **CHARTER SCHOOLS**

38.3 Section 1. Minnesota Statutes 2023 Supplement, section 124E.02, is amended to read:

38.4 **124E.02 DEFINITIONS.**

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

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

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

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

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

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

38.24 (g) "Immediate family" means an individual whose relationship by blood, marriage,
38.25 adoption, or partnership is no more remote than first cousin.

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

38.28 (1) current and projected demographic information;

38.29 (2) student enrollment patterns;

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

38.31 (4) characteristics of proposed students and families;

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

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

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

39.4 (j) "Related party" means an affiliate or immediate relative of the other interested party,
39.5 an affiliate of an immediate relative who is the other interested party, or an immediate
39.6 relative of an affiliate who is the other interested party.

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

39.9 Sec. 2. Minnesota Statutes 2023 Supplement, section 124E.03, subdivision 2, is amended
39.10 to read:

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

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

39.15 (c) A charter school must comply with the Minnesota Public School Fee Law, sections
39.16 123B.34 to 123B.39.

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

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

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

39.22 (g) A charter school must comply with continuing truant notification under section
39.23 260A.03.

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

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

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

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

Subd. 3. **Application process.** (a) An eligible ~~authorizer~~ organization under this section must apply to the commissioner for approval as an authorizer before submitting any affidavit to the commissioner to charter a school. The application for approval as a charter school authorizer must show the applicant's ability to implement the procedures and satisfy the criteria for chartering a school under this chapter. The commissioner must approve or disapprove the application within 45 business days of the deadline for that application period. If the commissioner disapproves the application, the commissioner must notify the applicant of the specific deficiencies in writing and the applicant then has 20 business days to address the deficiencies to the commissioner's satisfaction. After the 20 business days expire, the commissioner has 15 business days to make a final decision to approve or disapprove the application. Failing to address the deficiencies to the commissioner's satisfaction makes an applicant ineligible to be an authorizer. The commissioner, in establishing criteria to approve an authorizer, consistent with subdivision 4, must consider the applicant's:

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

(2) application criteria and process;

(3) contracting process;

(4) ongoing oversight and evaluation processes; and

(5) renewal criteria and processes.

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

Sec. 4. Minnesota Statutes 2023 Supplement, section 124E.06, subdivision 1, is amended to read:

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

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

41.4 (1) the proposed school's:

41.5 (i) mission and vision statements;

41.6 (ii) purposes and goals;

41.7 (iii) educational program design and how the program will improve student learning,
41.8 success, and achievement;

41.9 (iv) plan to address the social and emotional learning needs of students and student
41.10 support services;

41.11 (v) plan to provide special education management and services;

41.12 (vi) plan for staffing the school with appropriately qualified and licensed personnel;

41.13 (vii) financial plan;

41.14 (viii) governance and management structure and plan;

41.15 (ix) market need and demand study; and

41.16 (x) plan for ongoing outreach and dissemination of information about the school's
41.17 offerings and enrollment procedure to families that reflect the diversity of Minnesota's
41.18 population and targeted groups under section 124E.17, subdivision 1, paragraph (a);

41.19 (2) the school developer's experience and background, including criminal history and
41.20 bankruptcy background checks; and

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

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

41.23 (c) An authorizer shall not approve an application submitted by a charter school developer
41.24 under paragraph (a) if the application does not comply with subdivision 3, paragraph (e),
41.25 and section 124E.01, subdivision 1. The commissioner shall not approve an affidavit
41.26 submitted by an authorizer under subdivision 4 if the affidavit does not comply with
41.27 subdivision 3, paragraph (e), and section 124E.01, subdivision 1.

Sec. 5. Minnesota Statutes 2023 Supplement, section 124E.06, subdivision 4, is amended to read:

Subd. 4. **Authorizer's affidavit; approval process.** (a) Before an operator may establish and operate a school, the authorizer must file an affidavit with the commissioner stating its intent to charter a school. An authorizer must file a separate affidavit for each school it intends to charter. An authorizer must file an affidavit at least 14 months before July 1 of the year the new charter school plans to serve students. The affidavit must state:

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

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

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

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

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

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

Sec. 6. Minnesota Statutes 2023 Supplement, section 124E.06, subdivision 5, is amended to read:

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

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

(2) ~~a longitudinal record of student academic performance and growth on statewide assessments under chapter 120B or on other academic assessments that measure longitudinal student performance and growth approved by the charter school's board of directors and agreed upon with the authorizer~~ for grade expansion, the need for the additional grades with supporting long-range enrollment projections;

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

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

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

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

Sec. 7. Minnesota Statutes 2022, section 124E.07, subdivision 3, is amended to read:

Subd. 3. **Membership criteria.** (a) The ongoing charter school board of directors shall have at least five nonrelated members and include: (1) at least one licensed teacher of record under Minnesota Rules, part 8710.0310, who is employed as a teacher at the school or provides instruction under contract between the charter school and a cooperative; (2) at least one parent or legal guardian of a student enrolled in the charter school who is not an employee of the charter school; and (3) at least one interested community member who

resides in Minnesota, is not employed by the charter school, and does not have a child enrolled in the school. The board structure may include a majority of teachers under this paragraph or parents or community members, or it may have no clear majority. The chief financial officer and the chief administrator may only serve as ex-officio nonvoting board members. No charter school employees shall serve on the board other than teachers under clause (1). Contractors providing facilities, goods, or services to a charter school shall not serve on the board of directors of the charter school.

(b) An individual is prohibited from serving as a member of the charter school board of directors if: (1) the individual, an immediate family member, or the individual's partner is a full or part owner or principal with a for-profit or nonprofit entity or independent contractor with whom the charter school contracts, directly or indirectly, for professional services, goods, or facilities; or (2) an immediate family member is an employee of the school. An individual may serve as a member of the board of directors if no conflict of interest exists under this paragraph, consistent with this section.

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

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

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

Sec. 8. Minnesota Statutes 2022, section 124E.07, subdivision 8, is amended to read:

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

(b) A charter school shall publish and maintain on the school's official website: (1) the meeting minutes of the board of directors and of members and committees having board-delegated authority, within 30 days following the earlier of the date of board approval

45.1 or the next regularly scheduled meeting, and for at least 365 days from the date of publication;
45.2 (2) directory information for the board of directors and for the members of committees
45.3 having board-delegated authority; and (3) identifying and contact information for the school's
45.4 authorizer.

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

45.7 Sec. 9. Minnesota Statutes 2022, section 124E.10, subdivision 2, is amended to read:

45.8 Subd. 2. **Limits on charter school agreements.** (a) A school must disclose to the
45.9 commissioner any potential contract, lease, or purchase of service from an authorizer or a
45.10 board member, employee, contractor, volunteer, or agent of an authorizer. The contract,
45.11 lease, or purchase must be accepted through an open bidding process and be separate from
45.12 the charter contract. The school must document the open bidding process. An authorizer
45.13 must not enter into a contract to provide management and financial services to a school it
45.14 authorizes, unless the school documents receiving at least two competitive bids.

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

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

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

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

45.20 Subd. 5. **Mutual nonrenewal.** If the authorizer and the ~~charter school~~ board of directors
45.21 of a charter school serving enrolled students mutually agree not to renew the contract, or if
45.22 the governing board of an approved authorizer votes to withdraw as an approved authorizer
45.23 for a reason unrelated to any cause under subdivision 4, a change in authorizers is allowed.
45.24 The authorizer and the school board must jointly submit a written and signed letter of their
45.25 intent to the commissioner to mutually not renew the contract. The authorizer that is a party
45.26 to the existing contract must inform the proposed authorizer about the fiscal, operational,
45.27 and student performance status of the school, including unmet contract outcomes and other
45.28 outstanding contractual obligations. The charter contract between the proposed authorizer
45.29 and the school must identify and provide a plan to address any outstanding obligations from
45.30 the previous contract. The proposed authorizer must submit the proposed contract at least
45.31 105 business days before the end of the existing charter contract. The commissioner has 30
45.32 business days to review and make a determination on the change in authorizer. The proposed

authorizer and the school have 15 business days to respond to the determination and address any issues identified by the commissioner. The commissioner must make a final determination no later than 45 business days before the end of the current charter contract. If the commissioner does not approve a change in authorizer, the school and the current authorizer may withdraw their letter of nonrenewal and enter into a new contract. If the commissioner does not approve a change in authorizer and the current authorizer and the school do not withdraw their letter and enter into a new contract, the school must be dissolved according to applicable law and the terms of the contract.

Sec. 11. Minnesota Statutes 2023 Supplement, section 124E.12, subdivision 1, is amended to read:

Subdivision 1. **Teachers.** A charter school, excluding its preschool or prekindergarten program established under section 124E.06, subdivision 3, must employ or contract with necessary teachers, as defined by section 122A.06, subdivision 2, or contract with a cooperative formed under chapter 308A to provide necessary teachers, who hold valid licenses to perform the particular service for which they are employed in the school. A charter school may not contract with a CMO or EMO to provide necessary teachers. A charter school's preschool or prekindergarten program must employ or contract with teachers knowledgeable in early childhood curriculum content, assessment, native and English language programs, and instruction established under section 124E.06, subdivision 3. The commissioner may reduce the charter school's state aid under section 127A.43 if the school employs a teacher who is not appropriately licensed or approved by the Professional Educator Licensing and Standards Board. The school may employ necessary employees who are not required to hold teaching licenses to perform duties other than teaching and may contract for other services. The school may discharge teachers and nonlicensed employees. The charter school board is subject to section 181.932 governing whistle-blowers. When offering employment to a prospective employee, a charter school must give that employee a written description of the terms and conditions of employment and the school's personnel policies.

Sec. 12. Minnesota Statutes 2023 Supplement, section 124E.16, subdivision 1, is amended to read:

Subdivision 1. **Audit report.** (a) A charter school is subject to the same financial audits, audit procedures, and audit requirements as a district, except as required under this subdivision. Audits must be conducted in compliance with generally accepted governmental auditing standards, the federal Single Audit Act, if applicable, and section 6.65 governing auditing procedures. ~~A charter school is subject to and must comply with sections 15.054;~~

~~118A.01; 118A.02; 118A.03; 118A.04; 118A.05; 118A.06 governing government property and financial investments; and sections 471.38; 471.391; 471.392; and 471.425 governing municipal contracting.~~ The audit must comply with the requirements of sections 123B.75 to 123B.83 governing school district finance, except when the commissioner and authorizer approve a deviation made necessary because of school program finances. The commissioner, state auditor, legislative auditor, or authorizer may conduct financial, program, or compliance audits. A charter school in statutory operating debt under sections 123B.81 to 123B.83 must submit a plan under section 123B.81, subdivision 4.

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

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

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

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

Sec. 13. Minnesota Statutes 2022, section 124E.26, is amended to read:

124E.26 USE OF STATE MONEY.

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

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

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

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

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

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

48.7 (3) thresholds for purchases that require competitive bidding processes, but a charter
48.8 may not adopt a threshold below \$25,000; and

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

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

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

48.19 **ARTICLE 6**

48.20 **NUTRITION AND LIBRARIES**

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

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

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

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

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

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

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

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

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

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

Sec. 2. [134.51] BOOK BANNING PROHIBITED.

Subdivision 1. Access to materials. The governing body, including a school board, of a regional public library system under section 134.20, subdivision 2; a multicounty, multitype library system under section 134.351, subdivision 4; a combination library under section 134.195, subdivision 7; a school library under section 124D.991; a library in a school receiving school library aid; or any other public library under section 134.001, subdivision 2, may not ban, remove, or otherwise restrict access to a book or other material based on the viewpoint, content, message, idea, or opinion conveyed.

Subd. 2. Qualified librarian. (a) The book and material collection decisions of a library referenced in subdivision 1 must be made or overseen by:

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

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

(3) a professional librarian or a person trained in library collection management in accordance with the policies under the American Library Association's Library Bill of Rights.

(b) Collection management decisions must be made in accordance with the American Library Association's Library Bill of Rights.

Subd. 3. **Collection management.** A governing body under subdivision 1, or any other public body with personnel authority for a library, may not discriminate against or discipline a librarian or other professional overseeing a library collection under subdivision 2 based solely on their collection management decisions.

Subd. 4. **Library content.** This section does not limit any authority of a librarian or other professional overseeing a library collection under subdivision 2 authority to decline to purchase, lend, shelve, or to remove or restrict access to books or other materials as part of regular collection development practice.

Subd. 5. **Other law.** Nothing in this section impairs or limits the rights of a parent, guardian, or adult student to request a content challenge under section 120B.20.

ARTICLE 7

HEALTH AND SAFETY

Section 1. Minnesota Statutes 2023 Supplement, section 121A.20, subdivision 2, is amended to read:

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

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

(2) is licensed as a school nurse in Minnesota;

(3) has a minimum of three years of experience in school nursing services or as a public health nurse serving schools; and

(4) has experience in managing a districtwide health policy, ~~overseeing a budget, and supervising personnel; and,~~

~~(5) has a graduate degree in nursing, public health, education, or a related field.~~

51.1 Sec. 2. Minnesota Statutes 2022, section 121A.41, subdivision 8, is amended to read:

51.2 Subd. 8. **School.** "School" means any school defined in section 120A.05, subdivisions
51.3 9, 11, 13, and 17. "School" also means a charter school or Tribal contract school.

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

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

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

51.10 (c) A charter school must comply with the Minnesota Public School Fee Law, sections
51.11 123B.34 to 123B.39.

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

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

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

51.17 (g) A charter school must comply with continuing truant notification under section
51.18 260A.03.

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

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

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

52.1 Sec. 4. Minnesota Statutes 2022, section 260E.14, subdivision 1, is amended to read:

52.2 Subdivision 1. **Facilities and schools.** (a) The local welfare agency is the agency
52.3 responsible for investigating allegations of maltreatment in child foster care, family child
52.4 care, legally nonlicensed child care, and reports involving children served by an unlicensed
52.5 personal care provider organization under section 256B.0659. Copies of findings related to
52.6 personal care provider organizations under section 256B.0659 must be forwarded to the
52.7 Department of Human Services provider enrollment.

52.8 (b) The Department of Human Services is the agency responsible for screening and
52.9 investigating allegations of maltreatment in juvenile correctional facilities listed under
52.10 section 241.021 located in the local welfare agency's county and in facilities licensed or
52.11 certified under chapters 245A, 245D, and 245H, except for child foster care and family
52.12 child care.

52.13 (c) The Department of Health is the agency responsible for screening and investigating
52.14 allegations of maltreatment in facilities licensed under sections 144.50 to 144.58 and 144A.43
52.15 to 144A.482 or chapter 144H.

52.16 (d) The Department of Education is the agency responsible for screening and investigating
52.17 allegations of maltreatment in a school as defined in section 120A.05, subdivisions 9, 11,
52.18 and 13, and chapter 124E. The Department of Education's responsibility to screen and
52.19 investigate includes allegations of maltreatment involving students 18 ~~to~~ through 21 years
52.20 of age, including students receiving special education services, up to and including graduation
52.21 and the issuance of a secondary or high school diploma.

52.22 (e) A health or corrections agency receiving a report may request the local welfare agency
52.23 to provide assistance pursuant to this section and sections 260E.20 and 260E.22.

52.24 ARTICLE 8

52.25 EARLY LEARNING

52.26 Section 1. Minnesota Statutes 2022, section 120A.05, subdivision 10a, is amended to read:

52.27 Subd. 10a. **Kindergarten.** "Kindergarten" means a program designed for pupils five
52.28 years of age on September 1 of the calendar year in which the school year commences that
52.29 prepares pupils to enter first grade the following school year. ~~A program designed for pupils~~
52.30 ~~younger than five years of age on September 1 of the calendar year in which the school year~~
52.31 ~~commences that prepares pupils to enter kindergarten the following school year is a~~
52.32 ~~prekindergarten program.~~

53.1 Sec. 2. Minnesota Statutes 2022, section 120A.05, is amended by adding a subdivision to
53.2 read:

53.3 Subd. 11a. **Prekindergarten.** "Prekindergarten" means a program designed for pupils
53.4 younger than five years of age on September 1 of the calendar year in which the school year
53.5 commences that prepares pupils to enter kindergarten the following school year.

53.6 Sec. 3. Minnesota Statutes 2022, section 124D.151, as amended by Laws 2023, chapter
53.7 55, article 9, section 19; and article 10, section 1, is amended to read:

53.8 **124D.151 VOLUNTARY PREKINDERGARTEN PROGRAM FOR ELIGIBLE**
53.9 **FOUR-YEAR-OLD CHILDREN.**

53.10 Subdivision 1. **Establishment; purpose.** A district, a charter school, a group of districts,
53.11 a group of charter schools, or a group of districts and charter schools may establish a
53.12 voluntary prekindergarten program for eligible four-year-old children. The purpose of a
53.13 voluntary prekindergarten program is to ~~prepare~~ support children and their families and
53.14 prepare them for success ~~as they enter in kindergarten in the following year and beyond.~~

53.15 Subd. 2. **Program requirements.** (a) A voluntary prekindergarten program provider
53.16 must:

53.17 (1) provide instruction through play-based learning to foster children's social and
53.18 emotional development, cognitive development, physical and motor development, and
53.19 language and literacy skills, including the native language and literacy skills of English
53.20 learners, to the extent practicable;

53.21 (2) ~~measure~~ assess each child's ~~cognitive and social skills using a formative measure~~
53.22 ~~aligned to~~ progress toward the state's early learning standards when the child enters and
53.23 again before the child leaves the program, ~~screening and progress monitoring measures,~~
53.24 ~~and other age-appropriate versions from the state-approved menu of kindergarten entry~~
53.25 ~~profile measures~~ using a commissioner-approved formative, developmentally appropriate
53.26 assessment and report results and demographic data to the department in a form and manner
53.27 prescribed by the commissioner;

53.28 (3) provide comprehensive program content aligned with the state early learning
53.29 standards, including the implementation of curriculum, assessment, and intentional
53.30 instructional strategies ~~aligned with the state early learning standards, and kindergarten~~
53.31 ~~through grade 3 academic standards;~~

(4) provide instructional content and activities that are of sufficient length and intensity to address learning needs including offering a program with at least 350 hours of instruction per school year for a prekindergarten student;

~~(5) provide voluntary prekindergarten instructional staff salaries comparable to the salaries of local kindergarten through grade 12 instructional staff;~~

~~(6)~~ (5) coordinate appropriate kindergarten transition with families, ~~community-based prekindergarten programs, offered by Head Start, licensed center and licensed family child care, community-based organizations,~~ and school district kindergarten programs;

~~(7)~~ (6) involve parents in program ~~planning~~ decision-making and transition planning by implementing parent engagement strategies that include culturally and linguistically responsive activities in prekindergarten through third grade that are aligned with early childhood family education under section 124D.13;

~~(8)~~ (7) coordinate with relevant community-based services, including health and social service agencies, to ensure children have access to comprehensive services;

~~(9)~~ (8) coordinate with all relevant school district programs and services including early childhood special education, homeless students, and English learners;

~~(10)~~ (9) ensure staff-to-child ratios of one-to-ten and a maximum group size of 20 children;

~~(11)~~ (10) provide high-quality coordinated professional development, training, and coaching for ~~both staff in school district and community-based early learning districts and in prekindergarten programs offered by Head Start, licensed center and licensed family child care providers, and community-based organizations~~ that is informed by a measure of adult-child interactions and enables teachers to be highly knowledgeable in early childhood curriculum content, assessment, native and English language development programs, and instruction; and

~~(12)~~ (11) implement strategies that support the alignment of professional development, instruction, assessments, and prekindergarten through grade 3 curricula.

(b) A voluntary prekindergarten program must have teachers knowledgeable in early childhood curriculum content, assessment, native and English language programs, and instruction, and licensed according to section 122A.261.

~~(c) Districts and charter schools must include their strategy for implementing and measuring the impact of their voluntary prekindergarten program under section 120B.11~~

55.1 ~~and provide results in their world's best workforce annual summary to the commissioner of~~
55.2 ~~education.~~

55.3 Subd. 3. **Mixed delivery of services program plan.** A district or charter school may
55.4 contract with a charter school, Head Start ~~or child care centers, family child care programs~~
55.5 ~~licensed under section 245A.03~~ program, licensed center and licensed family child care, or
55.6 a community-based organization to provide eligible children with developmentally
55.7 appropriate services that meet the program requirements in subdivision 2. Components of
55.8 a mixed-delivery plan include strategies for recruitment, contracting, and monitoring of
55.9 fiscal compliance and program quality.

55.10 Subd. 4. **Eligibility.** ~~A~~ (a) An eligible child means a child who:

55.11 (1) is four years of age as of September 1 in the calendar year in which the school year
55.12 ~~commences is eligible to participate in a voluntary prekindergarten program free of charge.~~
55.13 ~~An eligible four-year-old child served in a mixed-delivery system by a child care center,~~
55.14 ~~family child care program licensed under section 245A.03, or community-based organization~~
55.15 ~~may be charged a fee as long as the mixed-delivery partner was not awarded a seat for that~~
55.16 ~~child.; and~~

55.17 (2) meets at least one of the following criteria:

55.18 (i) qualifies for free or reduced-priced meals;

55.19 (ii) qualifies for the rate at application specified in section 119B.09, subdivision 1,
55.20 paragraph (a), clause (2), in the current calendar year;

55.21 (iii) is an English language learner as defined by section 124D.59, subdivision 2;

55.22 (iv) is American Indian;

55.23 (v) has experienced homelessness in the last 24 months, as defined under the federal
55.24 McKinney-Vento Homeless Assistance Act, United States Code, title 42, section 1143a;

55.25 (vi) was identified as having a potential risk factor that may influence learning through
55.26 health and developmental screening under sections 121A.16 to 121A.19;

55.27 (vii) is in foster care; is in kinship care, including children receiving Northstar kinship
55.28 care assistance under chapter 256N; or is in need of child protection services;

55.29 (viii) has a parent who is a migrant or seasonal agricultural laborer under section 181.85;

55.30 (ix) has a parent who is incarcerated; or

55.31 (x) is defined as at-risk by the school district.

(b) School districts and charter schools must use state funding for eligible children to the extent it is available. A child may participate in a voluntary prekindergarten program on a fee-for-service basis if the child does not meet the eligibility criteria in paragraph (a) or state funding is not available. A school district or charter school must adopt a sliding-fee schedule based upon family income and must waive a fee for a participant unable to pay.

(c) Each eligible child must complete a health and developmental screening within 90 days of program enrollment under sections 121A.16 to 121A.19, and provide documentation of required immunizations under section 121A.15.

(d) A child with an individualized education program may not be excluded from participation in a program under this section if all other eligibility requirements are satisfied and the individualized education program team determines that with reasonable accommodations the child can fully participate and make progress toward their goals and objectives.

Subd. 5. Application process; priority for high poverty schools. (a) To qualify for program approval for fiscal year ~~2017~~ 2026, a district or charter school must submit an application to the commissioner by ~~July 1, 2016~~ January 30, 2025. Thereafter, the commissioner must accept applications and approve programs every four years. To qualify for program approval ~~for after~~ for fiscal year ~~2018 and later~~ 2026, a school district or charter school must submit an application to the commissioner by January 30 of the fiscal year prior to the fiscal year in which the program will be implemented. The application must include:

(1) a description of the proposed program, including the number of hours per week the program will be offered at each school site or mixed-delivery location;

(2) an estimate of the number of eligible children to be served in the program at each school site or mixed-delivery location; and

(3) a statement of assurances signed by the superintendent or charter school director that the proposed program meets the requirements of subdivision 2.

(b) The commissioner must review all applications submitted ~~for fiscal year 2017 by August 1, 2016, and must review all applications submitted for fiscal year 2018 and later~~ by March 1 of the fiscal year in which the applications are received and determine whether each application meets the requirements of paragraph (a). The commissioner may review and redistribute seat allocations as needed.

(c) The commissioner must divide all applications for new or expanded voluntary prekindergarten programs under this section meeting the requirements of paragraph (a) and school readiness plus programs into four groups as follows: the Minneapolis and St. Paul school districts; other school districts located in the metropolitan equity region as defined in section 126C.10, subdivision 28; school districts located in the rural equity region as defined in section 126C.10, subdivision 28; and charter schools. Within each group, the applications must be ordered by rank using a sliding scale based on the following criteria:

(1) concentration of kindergarten students eligible for free or reduced-price meals by school site on October 1 of the previous school year. A school site may contract to partner with a community-based provider or Head Start under subdivision 3 or establish an early childhood center and use the concentration of kindergarten students eligible for free or reduced-price meals from a specific school site as long as those eligible children are prioritized and guaranteed services at the mixed-delivery site or early education center. For school district programs to be operated at locations that do not have free and reduced-price meals concentration data for kindergarten programs for October 1 of the previous school year, including mixed-delivery programs, the school district average concentration of kindergarten students eligible for free or reduced-price meals must be used for the rank ordering;

(2) presence or absence of a three- or four-star Parent Aware rated program within the school district or close proximity of the district. School sites with the highest concentration of kindergarten students eligible for free or reduced-price meals that do not have a three- or four-star Parent Aware program within the district or close proximity of the district shall receive the highest priority, and school sites with the lowest concentration of kindergarten students eligible for free or reduced-price meals that have a three- or four-star Parent Aware rated program within the district or close proximity of the district shall receive the lowest priority; and

(3) whether the district has implemented a mixed delivery system.

(d) The limit on participation for the programs as specified in subdivision 6 must initially be allocated among the four groups based on each group's percentage share of the statewide kindergarten enrollment on October 1 of the previous school year. Within each group, the participation limit ~~for fiscal years 2018 and 2019~~ must first be allocated to school sites approved for aid in the previous ~~year~~ allocation period to ensure that those sites are funded for the same number of participants as approved for the previous ~~year~~ allocation period. The remainder of the participation limit for each group must be allocated among school sites in priority order until that region's share of the participation limit is reached. If the

participation limit is not reached for all groups, the remaining amount must be allocated to the highest priority school sites, as designated under this section, not funded in the initial allocation on a statewide basis. ~~For fiscal year 2020 and later, the participation limit must first be allocated to school sites approved for aid in fiscal year 2017, and then to school sites approved for aid in fiscal year 2018 based on the statewide rankings under paragraph (e).~~

(e) Once a school site or a mixed delivery site under subdivision 3 is approved for aid under this subdivision, it shall remain eligible for aid if it continues to meet program requirements, regardless of changes in the concentration of students eligible for free or reduced-price meals.

(f) If the total number of participants approved based on applications submitted under paragraph (a) is less than the participation limit under subdivision 6, the commissioner must notify all school districts and charter schools of the amount that remains available within 30 days of the initial application deadline under paragraph (a), and complete a second round of allocations based on applications received within 60 days of the initial application deadline.

(g) Procedures for approving applications submitted under paragraph (f) shall be the same as specified in paragraphs (a) to (d), except that the allocations shall be made to the highest priority school sites not funded in the initial allocation on a statewide basis.

Subd. 6. Participation limits. (a) Notwithstanding section 126C.05, subdivision 1, paragraph (c), the pupil units for a voluntary prekindergarten program for an eligible school district or charter school must not exceed 60 percent of the kindergarten pupil units for that school district or charter school under section 126C.05, subdivision 1, paragraph (d).

(b) In reviewing applications under subdivision 5, the commissioner must limit the total number of participants in the voluntary prekindergarten ~~and school readiness plus programs under Laws 2017, First Special Session chapter 5, article 8, section 9, program~~ to not more than 7,160 participants for fiscal years 2023, 2024, and 2025, and 12,360 participants for fiscal year 2026 and later.

Subd. 7. Financial accounting. An eligible school district or charter school must record expenditures attributable to voluntary prekindergarten pupils according to guidelines prepared by the commissioner under section 127A.17.

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

59.1 Sec. 4. Minnesota Statutes 2023 Supplement, section 124D.165, subdivision 2, is amended
59.2 to read:

59.3 Subd. 2. **Family eligibility.** (a) For a family to receive an early learning scholarship,
59.4 parents or guardians must have an eligible child and meet at least one of the following
59.5 requirements:

59.6 (1) have income equal to or less than:

59.7 (i) the at-application rate specified in section 119B.09, subdivision 1, paragraph (a),
59.8 clause (2), in the current calendar year; or

59.9 (ii) beginning July 1, 2025, the rate specified in United States Code, title 42, section
59.10 9858n(4)(B), as adjusted for family size;

59.11 (2) be able to document their child's current participation in the free and reduced-price
59.12 meals program or Child and Adult Care Food Program, National School Lunch Act, United
59.13 States Code, title 42, sections 1751 and 1766; the Food Distribution Program on Indian
59.14 Reservations, Food and Nutrition Act, United States Code, title 7, sections 2011-2036; Head
59.15 Start under the federal Improving Head Start for School Readiness Act of 2007; Minnesota
59.16 family investment program under chapter 256J; child care assistance programs under chapter
59.17 119B; the supplemental nutrition assistance program; or

59.18 (3) have or be a child referred as in need of child protection services or placed in foster
59.19 care under section 260C.212.

59.20 (b) An "eligible child" means a child who has not yet enrolled in kindergarten and is not
59.21 yet five years of age on September 1 of the current school year.

59.22 (c) A child who has received a scholarship under this section must continue to receive
59.23 a scholarship each year until that child is eligible for kindergarten under section 120A.20
59.24 and as long as funds are available.

59.25 (d) Early learning scholarships may not be counted as earned income for the purposes
59.26 of medical assistance under chapter 256B, MinnesotaCare under chapter 256L, Minnesota
59.27 family investment program under chapter 256J, child care assistance programs under chapter
59.28 119B, or Head Start under the federal Improving Head Start for School Readiness Act of
59.29 2007.

59.30 (e) A child from an adjoining state whose family resides at a Minnesota address as
59.31 assigned by the United States Postal Service, who has received developmental screening
59.32 under sections 121A.16 to 121A.19, who intends to enroll in a Minnesota school district,

60.1 and whose family meets the criteria of paragraph (a) is eligible for an early learning
60.2 scholarship under this section.

60.3 Sec. 5. Minnesota Statutes 2023 Supplement, section 124D.165, subdivision 2a, is amended
60.4 to read:

60.5 Subd. 2a. **Applications; priorities.** (a) The commissioner shall establish application
60.6 timelines and determine the schedule for awarding scholarships that meet the operational
60.7 needs of eligible families and programs.

60.8 (b) The commissioner must give highest priority to applications from children who:

60.9 (1) are not yet four years of age;

60.10 (2) have a parent under age 21 who is pursuing a high school diploma or a course of
60.11 study for a high school equivalency test;

60.12 (3) are in foster care;

60.13 (4) have been referred as in need of child protection services;

60.14 (5) have an incarcerated parent;

60.15 (6) are in or have a parent in a substance use treatment program;

60.16 (7) are in or have a parent in a mental health treatment program;

60.17 (8) have experienced domestic violence; ~~or~~

60.18 (9) have an individualized education program or individualized family service plan; or

60.19 ~~(9)~~ (10) have experienced homelessness in the last 24 months, as defined under the
60.20 federal McKinney-Vento Homeless Assistance Act, United States Code, title 42, section
60.21 1143a.

60.22 (c) Notwithstanding paragraph (b), beginning July 1, 2025, the commissioner must give
60.23 highest priority to applications from children in families with income equal to or less than
60.24 the rate specified under subdivision 2, paragraph (a), clause (1), item (i), and within this
60.25 group must prioritize children who meet one or more of the criteria listed in paragraph (b).

60.26 (d) The commissioner may prioritize applications on additional factors, including but
60.27 not limited to availability of funding, family income, geographic location, and whether the
60.28 child's family is on a waiting list for a publicly funded program providing early education
60.29 or child care services.

61.1 Sec. 6. Minnesota Statutes 2022, section 125A.02, subdivision 1a, is amended to read:

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

61.9 Sec. 7. Minnesota Statutes 2022, section 125A.27, subdivision 8, is amended to read:

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

61.12 Sec. 8. Minnesota Statutes 2022, section 125A.56, subdivision 1, is amended to read:

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

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

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

61.28 Sec. 9. **REVISOR INSTRUCTION.**

61.29 The revisor of statutes shall remove the terms "school readiness plus" or "school readiness
61.30 plus programs" wherever they appear in Minnesota Statutes, chapters 119B, 121A, 122A,
61.31 124D, 126C, or 179A. The revisor shall also make necessary cross-reference changes,
61.32 technical language, and other changes necessitated by the changes in this act.

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

62.2 Sec. 10. **REPEALER.**

62.3 Laws 2017, First Special Session chapter 5, article 8, section 9, is repealed.

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

62.5 ARTICLE 9

62.6 EDUCATION PARTNERSHIPS AND COMPACTS

62.7 Section 1. Minnesota Statutes 2022, section 127A.70, subdivision 1, is amended to read:

62.8 Subdivision 1. **Establishment; membership.** (a) A P-20 education partnership is
62.9 established to create a seamless system of education that maximizes achievements of all
62.10 students, from early childhood through elementary, secondary, and postsecondary education,
62.11 while promoting the efficient use of financial and human resources. The partnership shall
62.12 consist of major statewide educational groups or constituencies or noneducational statewide
62.13 organizations with a stated interest in P-20 education. The initial membership of the
62.14 partnership includes the members serving on the Minnesota P-16 Education Partnership
62.15 and four legislators appointed as follows:

62.16 (1) one senator from the majority party and one senator from the minority party, appointed
62.17 by the Subcommittee on Committees of the Committee on Rules and Administration; and

62.18 (2) one member of the house of representatives appointed by the speaker of the house
62.19 and one member appointed by the minority leader of the house of representatives.

62.20 (b) The chair of the P-16 education partnership must convene the first meeting of the
62.21 P-20 partnership. Prospective members may be nominated by any partnership member and
62.22 new members will be added with the approval of a two-thirds majority of the partnership.
62.23 The partnership will also seek input from nonmember organizations whose expertise can
62.24 help inform the partnership's work.

62.25 (c) Partnership members shall be represented by the chief executives, presidents, or other
62.26 formally designated leaders of their respective organizations, or their designees. The
62.27 partnership shall meet at least three times during each calendar year.

62.28 ~~(d) The P-20 education partnership shall be the state council for the Interstate Compact~~
62.29 ~~on Educational Opportunity for Military Children under section 127A.85 with the~~
62.30 ~~commissioner or commissioner's designee serving as the compact commissioner responsible~~
62.31 ~~for the administration and management of the state's participation in the compact. When~~

63.1 ~~conducting business required under section 127A.85, the P-20 partnership shall include a~~
63.2 ~~representative from a military installation appointed by the adjutant general of the Minnesota~~
63.3 ~~National Guard.~~

63.4 Sec. 2. [127A.82] MILITARY INTERSTATE CHILDREN'S COMPACT STATE
63.5 COUNCIL.

63.6 Subdivision 1. Establishment; membership. (a) A Military Interstate Children's Compact
63.7 State Council is established to provide for the coordination among state agencies, local
63.8 education agencies, and military installations concerning the state's participation in, and
63.9 compliance with the Interstate Compact on Educational Opportunity for Military Children
63.10 established in section 127A.85, otherwise known as the Military Interstate Children's
63.11 Compact, and Interstate Commission activities.

63.12 (b) Council membership must include at least:

63.13 (1) the commissioner;

63.14 (2) a superintendent, appointed by the commissioner, of a school district or charter school
63.15 with a high concentration of military children;

63.16 (3) a representative from a military installation appointed by the adjutant general;

63.17 (4) one member of the house of representatives appointed by the speaker of the house;

63.18 (5) one senator from the majority appointed by the Subcommittee on Committees of the
63.19 Committee on Rules and Administration; and

63.20 (6) other offices and stakeholder groups the council deems appropriate.

63.21 If the commissioner determines there is not a school district deemed to contain a high
63.22 concentration of military children, the commissioner may appoint a superintendent from
63.23 another school district to represent local education agencies on the council.

63.24 (c) The council must appoint or designate a military family education liaison to assist
63.25 military families and the state in facilitating the implementation of section 127A.85.

63.26 (d) The compact commissioner responsible for the administration and management of
63.27 the state's participation in the compact must be appointed by the commissioner.

63.28 (e) The compact commissioner and the military family education liaison designated
63.29 herein shall be ex officio members of the council, unless either is already a full voting
63.30 member of the council.

64.1 Subd. 2. **Powers and duties; report.** (a) The council may develop recommendations to
64.2 the governor and the legislature designed to facilitate successful educational transitions for
64.3 children of military families under the compact.

64.4 (b) The commissioner must schedule and hold a meeting of the council no less than once
64.5 per state fiscal year.

64.6 (c) The council must produce meeting agendas that are made publicly available before
64.7 each meeting and maintain meeting minutes that are made publicly available once they are
64.8 approved by the council.

64.9 (d) By January 15 of each odd-numbered year, the council shall submit a report to the
64.10 governor and to the chairs and ranking minority members of the legislative committees and
64.11 divisions with jurisdiction over kindergarten through grade 12 education policy and finance
64.12 and military affairs that summarizes the council's progress in meeting its goals and identifies
64.13 the need for any draft legislation to facilitate successful educational transitions for children
64.14 of military families.

64.15 Sec. 3. **[127A.84] INTRASTATE STUDENT TRANSFERS FOR CHILDREN OF**
64.16 **MILITARY SERVICE MEMBERS.**

64.17 (a) Notwithstanding section 127A.85, article III, and for the purposes of intrastate student
64.18 transfers between Minnesota public schools, the provisions of the Interstate Compact on
64.19 Educational Opportunity for Military Children in section 127A.85 apply to minor dependent
64.20 children of members of the active and activated reserve components of the uniformed
64.21 services, including but not limited to members of the Minnesota Army National Guard and
64.22 the Minnesota Air National Guard.

64.23 (b) This section does not apply to interstate transfers between Minnesota public schools
64.24 and public or private schools in other states.

64.25 (c) For the purposes of this section, the words defined in section 127A.85, article II,
64.26 have the same meanings.

120B.31 SYSTEM ACCOUNTABILITY AND STATISTICAL ADJUSTMENTS.

Subd. 2. **Statewide testing.** Each school year, all school districts shall give a uniform statewide test to students at specified grades to provide information on the status, needs and performance of Minnesota students.

Subd. 6. **Retaliation prohibited.** An employee who discloses information to the commissioner or a parent or guardian about service disruptions or technical interruptions related to administering assessments under this section is protected under section 181.932, governing disclosure of information by employees.

Laws 2017, First Special Session chapter 5, article 8, section 9

Sec. 9. **SCHOOL READINESS PLUS PROGRAM.**

Subdivision 1. **Establishment; purpose.** A district, a charter school, or a group of districts and charter schools may establish a school readiness plus program for children age four to kindergarten entrance. The purpose of a school readiness plus program is to prepare children for success as they enter kindergarten in the following year.

Subd. 2. **Program requirements.** A school readiness plus program provider must:

(1) assess each child's cognitive and language skills with a comprehensive child assessment instrument when the child enters and again before the child leaves the program to improve program planning and implementation, communicate with parents, and promote kindergarten readiness;

(2) provide comprehensive program content and intentional instructional practice aligned with the state early childhood learning guidelines and kindergarten standards and based on early childhood research and professional practice that is focused on children's cognitive, social, emotional, and physical skills and development and prepares children for the transition to kindergarten, including early literacy and language skills;

(3) coordinate appropriate kindergarten transition with parents and kindergarten teachers;

(4) involve parents in program planning and decision making;

(5) coordinate with relevant community-based services;

(6) cooperate with adult basic education programs and other adult literacy programs;

(7) ensure staff-to-child ratios of one-to-ten and a maximum group size of 20 children with at least one licensed teacher;

(8) have teachers knowledgeable in early childhood curriculum content, assessment, native and English language development programs, and instruction; and

(9) provide instructional content and activities that are of sufficient length and intensity to address learning needs including offering a program with at least 350 hours of instruction per school year.

Subd. 3. **Mixed delivery of services.** A district or charter school may contract with a charter school, Head Start or child care center, family child care program licensed under Minnesota Statutes, section 245A.03, or a community-based organization to provide eligible children with developmentally appropriate services that meet the program requirements in subdivision 2.

Subd. 4. **Eligibility.** (a) A child who is four years of age as of September 1 in the calendar year in which the school year commences and has one or more of the risk factors under paragraph (b) is eligible to participate in a school readiness plus program free of charge. A child who is four years of age as of September 1 in the calendar year in which the school year commences and does not have one or more of the risk factors under paragraph (b) may participate on a fee-for-service basis. A district must adopt a sliding fee schedule based on a family's income but must waive a fee for a participant unable to pay. School districts and charter schools must use school readiness plus aid for eligible children. Each eligible child must complete a health and developmental screening within 90 days of program enrollment under Minnesota Statutes, sections 121A.16 to 121A.19, and provide documentation of required immunizations under section 121A.15.

(b) An at-risk four-year-old child may participate in the school readiness plus program free of charge if the child:

(1) qualifies for free or reduced-price lunch;

(2) is an English language learner;

(3) is homeless;

(4) has an individualized education program, or individual interagency intervention plan;

(5) is identified through health and developmental screening under Minnesota Statutes, sections 121A.16 to 121A.19, with a potential risk factor that may influence learning; or

(6) is in foster care.

APPENDIX
Repealed Minnesota Session Laws: 24-05228

Subd. 5. **Application process; priority for high poverty schools.** (a) For 2017-2018 school year, a school district or charter school that did not apply to participate in a voluntary prekindergarten program under Minnesota Statutes, section 124D.151, may apply to the commissioner by July 1, 2017, to participate in a school readiness plus program in the form and manner specified by the commissioner. By June 15, 2017, the commissioner must notify districts and charter schools of the availability of additional money for voluntary prekindergarten and school readiness plus programs. A school district or charter school that previously applied to participate in a voluntary prekindergarten program may amend its application by July 1, 2017, to apply instead for school readiness plus. The commissioner must review all applications for school readiness plus and notify applicant districts and charter schools by August 1, 2017, whether they have been selected for participation.

(b) For the 2018-2019 school year, a school district or charter school may apply to the commissioner by January 30, 2018, to participate in school readiness plus in the form and manner specified by the commissioner.

(c) A district or charter school submitting an application under this section must include: (1) a description of the proposed program, including the number of hours per week the program will be offered at each school site or mixed-delivery location; (2) an estimate of the number of eligible children to be served in the program at each school site or mixed-delivery location; (3) the number of children being served that will be new to the program; and (4) a statement of assurances signed by the superintendent or charter school director that the proposed program meets the requirements of subdivision 2.

(d) The commissioner must award funding for school readiness plus programs across school districts and charter schools in the same manner as for the voluntary prekindergarten program.

(e) A school site or mixed-delivery site approved for aid under this subdivision remains eligible for aid if the site continues to meet program requirements, regardless of changes in the concentration of students eligible for free or reduced-price lunches.

Subd. 6. **No supplanting.** For a site first qualifying in fiscal year 2018 or 2019, mixed delivery revenue, including voluntary prekindergarten and school readiness plus program revenue, must be used to supplement not supplant existing state, federal, and local revenue for prekindergarten activities.

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