

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

1.2 **S.F. No. 3567:** A bill for an act relating to education; modifying provisions for
1.3 prekindergarten through grade 12 education including general education, education
1.4 excellence, teachers, literacy, charter schools, nutrition, health and safety, early learning,
1.5 and education partnerships and compacts; requiring reports; amending Minnesota Statutes
1.6 2022, sections 120A.05, subdivision 10a, by adding a subdivision; 120A.22, subdivision
1.7 12; 120A.35; 120B.022, subdivisions 1a, 1b; 120B.13, subdivision 4; 121A.41, subdivision
1.8 8; 122A.181, by adding a subdivision; 122A.182, subdivision 2, by adding a subdivision;
1.9 123B.37, subdivision 2; 124D.151, as amended; 124D.60, subdivision 1; 124D.61; 124E.05,
1.10 subdivision 3; 124E.07, subdivisions 3, 8; 124E.10, subdivisions 2, 5; 124E.26; 125A.02,
1.11 subdivision 1a; 125A.27, subdivision 8; 125A.56, subdivision 1; 127A.70, subdivision 1;
1.12 260E.14, subdivision 1; Minnesota Statutes 2023 Supplement, sections 13.32, subdivision
1.13 5; 120B.021, subdivision 1; 120B.024, subdivision 1; 120B.11, subdivision 2; 120B.1117;
1.14 120B.1118, subdivisions 4, 7, by adding a subdivision; 120B.117, subdivision 4; 120B.12,
1.15 subdivisions 1, 2, 2a, 4; 120B.123, subdivisions 1, 2; 120B.124, subdivision 1; 120B.30,
1.16 subdivisions 7, 12, by adding a subdivision; 120B.302; 120B.305; 120B.31, subdivision 4;
1.17 120B.36, subdivision 1; 121A.20, subdivision 2; 122A.092, subdivision 5; 122A.181,
1.18 subdivisions 2, 2a; 122A.182, subdivision 2a; 124D.09, subdivision 5; 124D.094,
1.19 subdivisions 2, 3; 124D.111, subdivision 2a; 124D.165, subdivisions 2, 2a; 124D.42,
1.20 subdivision 8; 124D.98, subdivision 5; 124E.02; 124E.03, subdivision 2; 124E.06,
1.21 subdivisions 1, 4, 5; 124E.12, subdivision 1; 124E.16, subdivision 1; 126C.40, subdivision
1.22 6; proposing coding for new law in Minnesota Statutes, chapters 127A; 134; repealing
1.23 Minnesota Statutes 2022, section 120B.31, subdivisions 2, 6; Laws 2017, First Special
1.24 Session chapter 5, article 8, section 9.

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

1.26 Delete everything after the enacting clause and insert:

1.27 **"ARTICLE 1**

1.28 **GENERAL EDUCATION**

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

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

1.37 (b) If an institution accepts a secondary pupil for enrollment under this section, the
1.38 institution shall send written notice to the pupil, the pupil's school or school district, and
1.39 the commissioner. The notice must indicate the course and hours of enrollment of that pupil.
1.40 The institution must notify the pupil's school as soon as practicable if the pupil withdraws
1.41 from the enrolled course. The institution must also notify the pupil's school as soon as
1.42 practicable if the pupil has been absent from a course for ten consecutive days on which

2.1 classes are held, based upon the postsecondary institution's academic calendar, and the pupil
2.2 is not receiving instruction in their home or hospital or other facility.

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

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

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

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

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

2.13 (b) When online instruction is provided, an online teacher as defined under subdivision
2.14 1, paragraph (h), shall perform all duties of teacher of record under Minnesota Rules, part
2.15 8710.0310. Unless the commissioner grants a waiver, a teacher providing online instruction
2.16 shall not instruct more than 40 students in any one online learning course or section.

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

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

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

2.23 (f) An enrolling district providing digital instruction and a supplemental online course
2.24 provider shall assist an enrolled student whose family qualifies for the education tax credit
2.25 under section 290.0674 to acquire computer hardware and educational software so they
2.26 may participate in digital instruction. Funds provided to a family to support digital instruction
2.27 or supplemental online courses may only be used for qualifying expenses as determined by
2.28 the provider. Nonconsumable materials purchased with public education funds remain the
2.29 property of the provider. Records for any funds provided must be available for review by
2.30 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. 3. 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;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) The obligation created by the installment contract or the lease purchase agreement must not be included in the calculation of net debt for purposes of section 475.53, and does

not constitute debt under other law. An election is not required in connection with the execution of the installment contract or the lease purchase agreement.

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

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

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

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

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

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

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

Sec. 5. REVISOR INSTRUCTION.

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

ARTICLE 2**EDUCATION EXCELLENCE**

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

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

(1) this subdivision; and

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

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

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

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

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

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

7.2 **120A.35 ABSENCE FROM SCHOOL FOR RELIGIOUS ~~OBSERVANCE~~ AND**
7.3 **CULTURAL OBSERVANCES.**

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

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

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

7.13 (1) language arts;

7.14 (2) mathematics, encompassing algebra II, integrated mathematics III, or an equivalent
7.15 in high school, and to be prepared for the three credits of mathematics in grades 9 through
7.16 12, the grade 8 standards include completion of algebra;

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

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

7.21 (5) physical education;

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

7.23 (7) the arts. Public elementary and middle schools must offer at least three and require
7.24 at least two of the following five arts areas: dance; media arts; music; theater; and visual
7.25 arts. Public high schools must offer at least three and require at least one of the following
7.26 five arts areas: media arts; dance; music; theater; and visual arts.

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

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

~~(d)~~ (c) A school district ~~may~~ must include child physical and sexual abuse prevention instruction in a health curriculum, consistent with paragraph (a), clause (6). Child physical and sexual abuse prevention instruction ~~may~~ must include ~~age-appropriate~~ multisession, multimodal, culturally inclusive, developmentally appropriate, and culturally sensitive instruction on identifying emotional and physical child abuse and other forms of personal violence; 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 physical and sexual abuse, the medical and emotional effects of child abuse, and available resources. A school district must train instructors on managing disclosures that may result during the delivery of child physical and sexual abuse prevention instruction and develop a policy on how to respond to the disclosures.

~~(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.

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

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

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

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

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

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

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

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

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

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

(c) Consistent with this subdivision, a high school student who demonstrates an overall intermediate high ACTFL level of functional proficiency derived from assessment consisting of the domains of listening, reading, speaking, and writing in one language in addition to English is eligible to receive the state bilingual gold seal. A high school student who demonstrates an overall intermediate high ACTFL level of functional-native proficiency derived from assessment consisting of the domains of listening, reading, speaking, and writing in more than one language in addition to English is eligible to receive the state multilingual gold seal. A high school student who demonstrates an overall advanced-low

10.1 and above ACTFL level of ~~functional~~ proficiency derived from assessment consisting of
10.2 the domains of listening, reading, speaking, and writing in one language in addition to
10.3 English is eligible to receive the state bilingual platinum seal. A high school student who
10.4 demonstrates an overall advanced-low and above ACTFL level of ~~functional~~ proficiency
10.5 derived from assessment consisting of the domains of listening, reading, speaking, and
10.6 writing in more than one language in addition to English is eligible to receive the state
10.7 multilingual platinum seal.

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

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

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

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

10.33 (h) By August 1, 2015, the colleges and universities of the Minnesota State Colleges
10.34 and Universities system must establish criteria to translate the seals into college credits

11.1 based on the world language course equivalencies identified by the Minnesota State Colleges
11.2 and Universities faculty and staff and, upon request from an enrolled student, the Minnesota
11.3 State Colleges and Universities may award foreign language credits to a student who ~~receives~~
11.4 received a Minnesota World Language Proficiency Certificate or Minnesota Bilingual or
11.5 Multilingual Seals under subdivision 1a. A student who demonstrated the requisite level of
11.6 language proficiency in grade 10, 11, or 12 to receive a seal or certificate and is enrolled in
11.7 a Minnesota State Colleges and Universities institution must request college credits for the
11.8 student's seal or proficiency certificate within three academic years after graduating from
11.9 high school. The University of Minnesota is encouraged to award students foreign language
11.10 academic credits consistent with this paragraph.

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

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

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

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

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

11.23 (4) three and one-half credits of social studies, including credit for a course in government
11.24 and citizenship in either grade 11 or 12 for students beginning grade 9 in the ~~2024-2025~~
11.25 2025-2026 school year and later or an advanced placement, international baccalaureate, or
11.26 other rigorous course on government and citizenship under section 120B.021, subdivision
11.27 1a, and a combination of other credits encompassing at least United States history, geography,
11.28 government and citizenship, world history, and economics sufficient to satisfy all of the
11.29 academic standards in social studies;

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

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

11.32 (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. 7. Minnesota Statutes 2022, section 120B.11, is amended by adding a subdivision to read:

Subd. 2a. **Language Access Plan.** (a) Starting in the 2025-2026 school year, during a regularly scheduled public board hearing, a district must adopt 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 be available to the public and included in the parent and student handbook.

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

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

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

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

Sec. 8. 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;

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

13.4 (5) expenditures for each category in this section and under sections 124D.09 and
13.5 124D.091, including career and technical education courses offered as a concurrent
13.6 enrollment course; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14.23 **120B.302 GENERAL REQUIREMENTS; TEST DESIGN.**

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

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

15.3 ~~(1) annual computer-adaptive reading and mathematics assessments in grades 3 through~~
15.4 ~~8, and high school reading, writing, and mathematics tests; and~~

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

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

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

15.25 ~~(1) mathematics;~~

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

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

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

15.30 ~~(3) language arts and reading; grades 3 through 8 and high school level beginning in the~~
15.31 ~~2012-2013 school year.~~

15.32 ~~(b) The grades 3 through 8 computer-adaptive assessments and high school tests must~~
15.33 ~~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. 15. 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 developed for students at given performance levels, organized by strands within subject areas, and aligned to state academic standards.

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

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

18.3 (1) uniform statewide computer-adaptive assessments of all students in grades 3 through
18.4 8 and testing at the high school levels that provides appropriate, technically sound
18.5 accommodations or alternate assessments;

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

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

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

18.14 (b) The commissioner shall report test results publicly and to stakeholders, including
18.15 the performance achievement levels developed from students' unweighted test scores in
18.16 each tested subject and a listing of demographic factors that strongly correlate with student
18.17 performance, including student homelessness, as data are available, among other factors.
18.18 The test results must not include personally identifiable information as defined in Code of
18.19 Federal Regulations, title 34, section 99.3. ~~The commissioner shall also report data that~~
18.20 ~~compares performance results among school sites, school districts, Minnesota and other~~
18.21 ~~states, and Minnesota and other nations.~~ The commissioner shall disseminate to schools
18.22 and school districts a more comprehensive report containing testing information that meets
18.23 local needs for evaluating instruction and curriculum. The commissioner shall disseminate
18.24 to charter school authorizers a more comprehensive report containing testing information
18.25 that contains anonymized data where cell count data are sufficient to protect student identity
18.26 and that meets the authorizer's needs in fulfilling its obligations under chapter 124E.

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

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

19.3 Subd. 4. **Student performance data.** In developing policies and assessment processes
19.4 to hold schools and districts accountable for high levels of academic standards under section
19.5 120B.021, the commissioner shall ~~aggregate and disaggregate student data over time to~~
19.6 ~~report summary student performance and growth levels and, under section 120B.11,~~
19.7 ~~subdivision 2, clause (2), student learning and outcome data measured at the school, school~~
19.8 ~~district, and statewide level. The commissioner shall~~ use the student categories identified
19.9 under the federal Elementary and Secondary Education Act, as most recently reauthorized,
19.10 and student categories of:

19.11 (1) homelessness;

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

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

19.14 (4) home language;

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

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

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

19.20 Any report the commissioner disseminates containing summary data on student performance
19.21 must integrate student performance and the demographic factors that strongly correlate with
19.22 that performance.

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

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

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

19.28 (2) academic progress consistent with federal expectations;

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

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

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

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

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

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

20.12 (9) staff characteristics excluding salaries;

20.13 (10) student enrollment demographics;

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

20.17 (12) extracurricular activities.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22.1 Subd. 2. **Student journalists; protected conduct.** (a) Except as provided in subdivision
22.2 3, a student journalist has the right to exercise freedom of speech and freedom of the press
22.3 in school-sponsored media regardless of whether the school-sponsored media receives
22.4 financial support from the school or district, uses school equipment or facilities in its
22.5 production, or is produced as part of a class or course in which the student journalist is
22.6 enrolled. Freedom of speech includes freedom to express political viewpoints. Consistent
22.7 with subdivision 3, a student journalist has the right to determine the news, opinion, feature,
22.8 and advertising content of school-sponsored media. A school district or charter school must
22.9 not discipline a student journalist for exercising rights or freedoms under this paragraph or
22.10 the First Amendment of the United States Constitution.

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

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

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

22.19 (1) is defamatory;

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

22.21 (3) constitutes an unwarranted invasion of privacy;

22.22 (4) violates federal or state law;

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

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

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

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

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

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

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

23.6 Subd. 10. **Publishing proceedings.** The board must cause its official proceedings to be
 23.7 published once in the official newspaper of the district or official district website. Such
 23.8 publication shall be made within 30 days of the meeting at which such proceedings occurred.
 23.9 If the board determines that publication of a summary of the proceedings would adequately
 23.10 inform the public of the substance of the proceedings, the board may direct that only a
 23.11 summary be published, conforming to the requirements of section 331A.01, subdivision
 23.12 10.

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

23.14 Subd. 2. **Boards shall not withhold grades or diplomas for nonpayment of student**
 23.15 **fees.** No pupil's rights or privileges, including the receipt of grades or diplomas may be
 23.16 denied or abridged for nonpayment of fees; but this provision does not prohibit a district
 23.17 from maintaining any action provided by law for the collection of fees authorized by sections
 23.18 123B.36 and 123B.38. This provision applies to all Minnesota district school boards, charter
 23.19 school boards, and Tribal contract schools.

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

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

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

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

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

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

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

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

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

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

24.12 **124D.61 GENERAL REQUIREMENTS FOR PROGRAMS.**

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

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

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

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

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

24.28 ~~(4)~~ (5) to the extent possible, avoid isolating English learners for a substantial part of
24.29 the school day; and

24.30 ~~(5)~~ (6) in predominantly nonverbal subjects, such as art, music, and physical education,
24.31 permit English learners to participate fully and on an equal basis with their contemporaries

25.1 in public school classes provided for these subjects. To the extent possible, the district must
25.2 assure to pupils enrolled in a program for English learners an equal and meaningful
25.3 opportunity to participate fully with other pupils in all extracurricular activities.

25.4 Sec. 25. **REPEALER.**

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

25.6 **ARTICLE 3**
25.7 **TEACHERS**

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

25.10 Subd. 4. **Reporting.** ~~Beginning in 2024 and every even-numbered year thereafter,~~ The
25.11 Professional Educator Licensing and Standards Board must collaborate with the Department
25.12 of Education and the Office of Higher Education to publish a summary report of each of
25.13 the programs they administer and any other programs receiving state appropriations that
25.14 have or include an explicit purpose of increasing the racial and ethnic diversity of the state's
25.15 teacher workforce to more closely reflect the diversity of students. The report must include
25.16 programs under sections 122A.59, 122A.63, 122A.635, 122A.70, 122A.73, 124D.09,
25.17 124D.861, 136A.1274, 136A.1276, and 136A.1791, along with any other programs or
25.18 initiatives that receive state appropriations to address the shortage of teachers of color and
25.19 American Indian teachers. The board must, in coordination with the Office of Higher
25.20 Education and Department of Education, provide policy and funding recommendations
25.21 related to state-funded programs to increase the recruitment, preparation, licensing, hiring,
25.22 and retention of racially and ethnically diverse teachers and the state's progress toward
25.23 meeting or exceeding the goals of this section. The report must include recommendations
25.24 for state policy and funding needed to achieve the goals of this section, plans for sharing
25.25 the report and activities of grant recipients, and opportunities among grant recipients of
25.26 various programs to share effective practices with each other. The ~~2024~~ initial report must
25.27 also include a recommendation of whether a state advisory council should be established
25.28 to address the shortage of racially and ethnically diverse teachers and what the composition
25.29 and charge of such an advisory council would be if established. The board must consult
25.30 with the Indian Affairs Council and other ethnic councils along with other community
25.31 partners, including students of color and American Indian students, in developing the report.
25.32 ~~By November 3 of each odd-numbered year,~~ The board must submit the report to the chairs
25.33 and ranking minority members of the legislative committees with jurisdiction over education

26.1 and higher education policy and finance by November 3, 2025, and each odd-numbered
26.2 year thereafter. The report must be available to the public on the board's website.

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

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

26.5 Subd. 5. ~~Survey of districts~~ **Supply and demand report.** ~~(a) The Professional Educator~~
26.6 ~~Licensing and Standards Board must survey the state's school districts and teacher preparation~~
26.7 ~~programs and submit a report to the education committees of the legislature by February 1,~~
26.8 ~~2019, and each odd-numbered~~ November 1, 2025, and each odd-numbered year thereafter,
26.9 ~~on the status of teacher early~~ supply and demand of teachers. The report must be made
26.10 available on the board's website. The report must include data regarding:

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

26.14 (2) teacher licensure;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27.24 ~~(d)~~ (e) The Board of School Administrators and the Department of Education must enter
27.25 into a data sharing agreement to share educational data at the E-12 level for the limited
27.26 purpose of program approval and improvement for education administration programs. The
27.27 program approval process must include targeted redesign of education administration
27.28 preparation programs to address identified E-12 student areas of concern.

27.29 ~~(e)~~ (f) For purposes of the data sharing agreements under paragraphs ~~(e)~~ (d) and ~~(d)~~ (e),
27.30 the Professional Educator Licensing and Standards Board, Board of School Administrators,
27.31 and Department of Education may share private data, as defined in section 13.02, subdivision
27.32 12, on teachers and school administrators. The data sharing agreements must not include

28.1 educational data, as defined in section 13.32, subdivision 1, but may include summary data,
28.2 as defined in section 13.02, subdivision 19, derived from educational data.

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

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

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

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

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

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

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

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

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

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

28.25 (1) an associate's degree;

28.26 (2) a professional certification; or

28.27 (3) five years of relevant work experience.

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

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

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

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

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

29.13 (4) the applicant demonstrates satisfactory progress toward professional licensure.

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

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

29.18 (1) completion of a Minnesota-approved teacher preparation program;

29.19 (2) completion of a state-approved teacher preparation program that includes field-specific
29.20 student teaching equivalent to field-specific student teaching in Minnesota-approved teacher
29.21 preparation programs. The field-specific student teaching requirement does not apply to an
29.22 applicant that has two years of field-specific teaching experience;

29.23 (3) ~~submission of a content-specific~~ a recommendation for licensure through the licensure
29.24 via portfolio process;

29.25 (4) a professional teaching license from another state, evidence that the applicant's license
29.26 is in good standing, and two years of field-specific teaching experience; or

29.27 (5) three years of teaching experience under a Tier 2 license and evidence of summative
29.28 teacher evaluations that did not result in placing or otherwise keeping the teacher on an
29.29 improvement process pursuant to section 122A.40, subdivision 8, or 122A.41, subdivision
29.30 5.

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

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

30.6 (1) the applicant meets all requirements for a Tier 3 license under section 122A.183,
30.7 and: (i) has completed a teacher preparation program under section 122A.183, subdivision
30.8 2, clause (1) or (2); (ii) obtained licensure through the licensure via portfolio process under
30.9 section 122A.183, subdivision 2, clause (3); or (iii) holds national board certification from
30.10 the National Board for Professional Teaching Standards;

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

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

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

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

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

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

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

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

30.28 ~~(3)~~ (4) completed a state-approved teacher preparation program in another state and
30.29 passed licensure examinations in that state, if applicable. The content examination
30.30 requirement does not apply if no relevant content exam exists.

30.31 (b) All testing centers in the state must provide monthly opportunities for untimed content
30.32 and pedagogy examinations. These opportunities must be advertised on the test registration

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

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

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

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

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

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

Subd. 8. **Development, evaluation, and peer coaching for continuing contract teachers.** (a) To improve student learning and success, a school board and an exclusive representative of the teachers in the district, consistent with paragraph (b), may develop a teacher evaluation and peer review process for probationary and continuing contract teachers through joint agreement. If a school board and the exclusive representative of the teachers do not agree to an annual teacher evaluation and peer review process, then the school board

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

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

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

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

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

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

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

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

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

(8) must include an option for teachers to develop and present a portfolio demonstrating evidence of reflection and professional growth, consistent with section 122A.187, subdivision 3, and include teachers' own performance assessment based on student work samples and

33.1 examples of teachers' work, which may include video among other activities for the
33.2 summative evaluation;

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

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

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

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

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

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

33.24 (c) The department, in consultation with parents who may represent parent organizations
33.25 and teacher and administrator representatives appointed by their respective organizations,
33.26 representing the Professional Educator Licensing and Standards Board, the Minnesota
33.27 Association of School Administrators, the Minnesota School Boards Association, the
33.28 Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and
33.29 representatives of the Minnesota Assessment Group, the Minnesota Business Partnership,
33.30 the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with
33.31 research expertise in teacher evaluation, must create and publish a teacher evaluation process
33.32 that complies with the requirements in paragraph (b) and applies to all teachers under this
33.33 section and section 122A.41 for whom no agreement exists under paragraph (a) for an annual
33.34 teacher evaluation and peer review process. The teacher evaluation process created under

34.1 this subdivision does not create additional due process rights for probationary teachers under
34.2 subdivision 5.

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

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

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

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

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

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

34.20 Subd. 5. **Development, evaluation, and peer coaching for continuing contract**
34.21 **teachers.** (a) To improve student learning and success, a school board and an exclusive
34.22 representative of the teachers in the district, consistent with paragraph (b), may develop an
34.23 annual teacher evaluation and peer review process for probationary and nonprobationary
34.24 teachers through joint agreement. If a school board and the exclusive representative of the
34.25 teachers in the district do not agree to an annual teacher evaluation and peer review process,
34.26 then the school board and the exclusive representative of the teachers must implement the
34.27 state teacher evaluation plan developed under paragraph (c). The process must include
34.28 having trained observers serve as peer coaches or having teachers participate in professional
34.29 learning communities, consistent with paragraph (b).

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

35.1 (1) must, for probationary teachers, provide for all evaluations required under subdivision
35.2 2;

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

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

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

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

35.15 (6) may include job-embedded learning opportunities such as professional learning
35.16 communities;

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

35.21 (8) must include an option for teachers to develop and present a portfolio demonstrating
35.22 evidence of reflection and professional growth, consistent with section 122A.187, subdivision
35.23 3, and include teachers' own performance assessment based on student work samples and
35.24 examples of teachers' work, which may include video among other activities for the
35.25 summative evaluation;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Subd. 4. **Heritage language and culture teacher licensure pathway program.** (a) The Professional Educator Licensing and Standards Board shall develop a program to support initial and additional licensure for heritage language and culture teachers, prioritizing the participation of heritage language and culture teachers whose own heritage language is within the most common languages spoken by Minnesota students, as indicated by the Department of Education report on primary home languages, and for which there is a licensure scarcity. The program must include:

(1) a yearlong mentorship program;

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

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

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

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

38.3 (b) For applicants seeking an initial license in a world language and culture, the applicant
38.4 must demonstrate meeting the standards of effective practice in Minnesota Rules, part
38.5 8710.2000, and content-specific pedagogical standards in Minnesota Rules, part 8710.4950,
38.6 through the portfolio process.

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

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

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

38.16 Subd. 2. **Board grants.** The Professional Educator Licensing and Standards Board must
38.17 make grant application forms available to sites interested in developing, sustaining, or
38.18 expanding a mentorship program. A school district or group of school districts, a Tribal
38.19 contract school or group of schools, a coalition of districts, teachers, and teacher education
38.20 institutions, a school or coalition of schools, or a coalition of teachers may apply for a
38.21 program grant. A higher education institution or nonprofit organization may partner with a
38.22 grant applicant but is not eligible as a sole applicant for grant funds. The Professional
38.23 Educator Licensing and Standards Board, in consultation with the teacher mentoring task
38.24 force, must approve or disapprove the applications. To the extent possible, the approved
38.25 applications must reflect effective mentoring, professional development, and retention
38.26 components, and be geographically distributed throughout the state. The Professional
38.27 Educator Licensing and Standards Board must encourage the selected sites to consider the
38.28 use of its assessment procedures.

38.29 Sec. 17. **REPEALER.**

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

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

ARTICLE 4**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, subdivision 10, is amended to read:

Subd. 10. **Oral language.** "Oral language," also called "spoken language," includes speaking and listening, and consists of five components: phonology, morphology, syntax, semantics, and pragmatics. Oral language also includes sign language, in which speaking and listening are defined as expressive and receptive skills, and consists of phonology,

40.1 including sign language phonological awareness; morphology; syntax; semantics; and
40.2 pragmatics.

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

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

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

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

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

40.24 (1) reading intervention teachers working with students in kindergarten through grade
40.25 12;

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

40.28 (3) special education teachers;

40.29 (4) curriculum directors; and

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

40.31 ~~(6)~~ (5) employees who select literacy instructional materials for a district.

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

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

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

(2) teachers of multilingual students; and

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

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

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

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

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

(b) Students in grades 4 and above, including multilingual learners and students receiving special education services, who do not demonstrate mastery of foundational reading skills, including phonemic awareness, phonics, decoding, fluency, and oral language, must be

screened using a screening tool approved by the Department of Education for characteristics of dyslexia, and must continue to receive evidence-based instruction, interventions, and progress monitoring until the students achieve grade-level proficiency. A parent, in consultation with a teacher, may opt a student out of the literacy screener if the parent and teacher decide that continuing to screen would not be beneficial to the student. In such limited cases, the student must continue to receive progress monitoring and literacy interventions.

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

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

- (1) a summary of the district's efforts to screen for dyslexia;
- (2) the number of students universally screened for that reporting year;
- (3) the number of students demonstrating characteristics of dyslexia for that year; and
- (4) an explanation of how students identified under this subdivision are provided with alternate instruction and interventions under section 125A.56, subdivision 1.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) a process to notify and involve parents;

(3) a description of how schools in the district will determine the targeted reading instruction that is evidence-based and includes an intervention strategy for a student and the process for intensifying or modifying the reading strategy in order to obtain measurable reading progress;

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

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

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

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

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

45.1 (i) students in kindergarten through grade 3;
45.2 (ii) students who demonstrate characteristics of dyslexia; and
45.3 (iii) students in grades 4 to 12 who are identified as not reading at grade level; and
45.4 (9) the number of teachers and other staff that have completed training approved by the
45.5 department.

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

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

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

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

45.22 (2) the number of teachers and other staff required to complete the training under section
45.23 120B.12, subdivision 1, that have not completed the training;

45.24 ~~(2)~~ (3) by school site and grade, the screeners ~~used at the beginning and end of the school~~
45.25 ~~year~~ and the reading curriculum used; and

45.26 ~~(3)~~ (4) by school site and grade, using the measurements of foundational literacy skills
45.27 and mastery identified by the department, both aggregated data and disaggregated data on
45.28 student performance on the approved screeners using the student categories under section
45.29 120B.35, subdivision 3, paragraph (a), clause (2).

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

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

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

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

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

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

46.16 Subd. 5. **Professional development.** (a) A district must provide training from a menu
46.17 of approved evidence-based training programs to all reading intervention teachers, literacy
46.18 specialists, and other teachers and staff identified in section 120B.12, subdivision 1, paragraph
46.19 (b), by July 1, 2025; and by July 1, 2027, to other teachers in the district who provide reading
46.20 instruction or reading interventions, prioritizing teachers who work with students with
46.21 disabilities, English learners, and students who qualify for the graduation incentives program
46.22 under section 124D.68.

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

46.25 (c) For the 2024-2025 school year only, the hours of instruction requirement under
46.26 section 120A.41 for students in grades 1 through 3 is reduced to 929-1/2 hours for a district
46.27 that enters into an agreement with the exclusive representative of the teachers requiring
46.28 teachers to receive approved evidence-based training required under section 120B.12,
46.29 subdivision 1, for 5-1/2 hours on a day when other students in the district receive instruction.
46.30 If a charter school's teachers are not represented by an exclusive representative, the charter
46.31 school may reduce the number of instructional hours for students in grades 1 through 3 by
46.32 5-1/2 hours in order to provide teachers with evidence-based training required under section
46.33 120B.12, subdivision 1, on a day when other students receive instruction.

Sec. 14. 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 to 120B.124, to children age 3 ~~to through~~ grade 3 and interventions for children in kindergarten ~~to through~~ grade ~~12~~ 3.

(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).

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

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

Sec. 15. **REVISOR INSTRUCTION.**

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

Column A

Column B

120B.1117

120B.118

120B.1118

120B.119

ARTICLE 5
SPECIAL EDUCATION

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

Subd. 1a. **Children ages three birth through seven age six experiencing developmental delays.** In addition, every child under age three; and, at local district discretion, every child from age three ~~to through~~ age ~~seven~~, six who needs special instruction and services, as determined by the rules of the commissioner, because the child has a substantial delay or

48.1 ~~has an identifiable~~ a diagnosed physical or mental condition ~~known to hinder normal~~
48.2 ~~development~~ or disorder with a high probability of resulting in developmental delay is a
48.3 child with a disability.

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

48.5 **125A.08 INDIVIDUALIZED EDUCATION PROGRAMS.**

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

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

48.10 (1) all students with disabilities are provided the special instruction and services which
48.11 are appropriate to their needs. Where the individualized education program team has
48.12 determined appropriate goals and objectives based on the student's needs, including the
48.13 extent to which the student can be included in the least restrictive environment, and where
48.14 there are essentially equivalent and effective instruction, related services, or assistive
48.15 technology devices available to meet the student's needs, cost to the district may be among
48.16 the factors considered by the team in choosing how to provide the appropriate services,
48.17 instruction, or devices that are to be made part of the student's individualized education
48.18 program. The individualized education program team shall consider and may authorize
48.19 services covered by medical assistance according to section 256B.0625, subdivision 26.
48.20 Before a school district evaluation team makes a determination of other health disability
48.21 under Minnesota Rules, part 3525.1335, subparts 1 and 2, item A, subitem (1), the evaluation
48.22 team must seek written documentation of the student's medically diagnosed chronic or acute
48.23 health condition signed by a licensed physician or a licensed health care provider acting
48.24 within the scope of the provider's practice. The student's needs and the special education
48.25 instruction and services to be provided must be agreed upon through the development of
48.26 an individualized education program. The program must address the student's need to develop
48.27 skills to live and work as independently as possible within the community. The individualized
48.28 education program team must consider positive behavioral interventions, strategies, and
48.29 supports that address behavior needs for children. During grade 9, the program must address
48.30 the student's needs for transition from secondary services to postsecondary education and
48.31 training, employment, community participation, recreation, and leisure and home living. In
48.32 developing the program, districts must inform parents of the full range of transitional goals
48.33 and related services that should be considered. The program must include a statement of
48.34 the needed transition services, including a statement of the interagency responsibilities or

linkages or both before secondary services are concluded. If the individualized education program meets the plan components in section 120B.125, the individualized education program satisfies the requirement and no additional transition plan is needed;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Subdivision 1. **Requirement.** (a) Before a pupil in kindergarten through grade 12 is referred for a special education evaluation, the district must conduct and document at least

two instructional strategies, alternatives, or interventions using a system of scientific, research-based instruction and intervention in academics or behavior, based on the pupil's needs, while the pupil is in the regular classroom. The pupil's teacher must document the results. A special education evaluation team may waive this requirement when it determines the pupil's need for the evaluation is urgent. This section may not be used to deny a pupil's right to a special education evaluation.

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

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

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

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

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

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

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

(2) one representative from the board;

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

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

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

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

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

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

(9) two representatives from alternative teacher preparation programs.

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

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

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

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

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

ARTICLE 6

CHARTER SCHOOLS

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

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

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

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

53.1 (3) measure learning outcomes and create different and innovative forms of measuring
53.2 outcomes;

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

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

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

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

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

53.11 **124E.02 DEFINITIONS.**

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

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

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

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

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

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

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

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

54.6 (1) current and projected demographic information;

54.7 (2) student enrollment patterns;

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

54.9 (4) characteristics of proposed students and families;

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

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

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

54.13 (j) "Related party" means an affiliate or immediate relative of the other interested party,
54.14 an affiliate of an immediate relative who is the other interested party, or an immediate
54.15 relative of an affiliate who is the other interested party.

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

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

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

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

54.24 (c) A charter school must comply with the Minnesota Public School Fee Law, sections
54.25 123B.34 to 123B.39.

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

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

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

55.1 (g) A charter school must comply with continuing truant notification under section
55.2 260A.03.

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

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

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

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

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

55.20 (b) An authorizer has the following responsibilities:

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

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

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

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

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

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

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

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

Sec. 5. 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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

58.21 (1) the proposed school's:

58.22 (i) mission and vision statements;

58.23 (ii) purposes and goals;

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

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

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

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

58.30 (vii) financial plan;

59.1 (viii) governance and management structure and plan;

59.2 (ix) market need and demand study; and

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

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

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

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

59.10 (c) An authorizer shall not approve an application submitted by a charter school developer
59.11 under paragraph (a) if the application does not comply with subdivision 3, paragraph (e),
59.12 and section 124E.01, subdivision 1. The commissioner shall not approve an affidavit
59.13 submitted by an authorizer under subdivision 4 if the affidavit does not comply with
59.14 subdivision 3, paragraph (e), and section 124E.01, subdivision 1.

59.15 Sec. 8. Minnesota Statutes 2023 Supplement, section 124E.06, subdivision 4, is amended
59.16 to read:

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

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

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

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

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

59.28 (b) The commissioner must approve or disapprove the authorizer's affidavit within 60
59.29 business days of receiving the affidavit. If the commissioner disapproves the affidavit, the
59.30 commissioner shall notify the authorizer of the deficiencies in the affidavit and the authorizer
59.31 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. 9. 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

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

61.3 (b) The commissioner shall have 30 business days to review and comment on the
61.4 supplemental affidavit. The commissioner shall notify the authorizer in writing of any
61.5 deficiencies in the supplemental affidavit and the authorizer then has 20 business days to
61.6 address any deficiencies in the supplemental affidavit to the commissioner's satisfaction.
61.7 The commissioner must notify the authorizer of final approval or final disapproval within
61.8 15 business days after receiving the authorizer's response to the deficiencies in the affidavit.
61.9 The school may not add grades or sites until the commissioner has approved the supplemental
61.10 affidavit. The commissioner's approval or disapproval of a supplemental affidavit is final.

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

61.12 **124E.07 BOARD OF DIRECTORS.**

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

61.21 Subd. 2. **Ongoing board of directors.** ~~The ongoing board must be elected before the~~
61.22 ~~school completes its third year of operation.~~ The board must begin the transition to the
61.23 ongoing board structure by the end of the first year of operation and complete the transition
61.24 by the end of the second year of operation. The terms of board members shall begin on July
61.25 1. Terms shall be no less than two years. The bylaws shall set the number of terms an
61.26 individual may serve on the board and as an officer of the board. Board elections must be
61.27 held during the school year but may not be conducted on days when the school is closed.

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

61.31 (1) at least one licensed teacher ~~who is employed as a teacher at the school or provides~~
61.32 ~~instruction under contract between the charter school and a cooperative~~ of record under
61.33 Minnesota Rules, part 8710.0310. A licensed teacher who serves on a charter school board

62.1 is an individual who holds a valid teaching license issued by the Professional Educator
 62.2 Licensing and Standards Board (PELSB), is employed by the school or contracted between
 62.3 the charter school or a teacher cooperative for at least 720 hours in a school calendar year,
 62.4 serves as a teacher of record, and provides instruction to students in the areas for which
 62.5 they are approved by PELSB; or a PELSB licensed school psychologist, social worker,
 62.6 librarian, pathologist, nurse, counselor, or other school professional under Minnesota Rules,
 62.7 parts 8710.5900 to 8710.6400, who provides the services for students for which they are
 62.8 licensed. A board member eligible under this clause does not include any individual who
 62.9 serves the charter school in an administrative or supervisory capacity for more than 240
 62.10 hours in a school calendar year;

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

62.14 (3) at least one interested community member. ~~who resides in Minnesota, is not employed~~
 62.15 ~~by the charter~~ An interested community member who serves on the charter school board
 62.16 must reside in Minnesota, cannot be employed by the charter school, and must not have a
 62.17 child enrolled in the charter school school, and does not have a child enrolled in the school.

62.18 The board structure must be defined in the bylaws. The board structure may include (i) be
 62.19 a majority of teachers under this paragraph or, (ii) be a majority of parents or, (iii) be a
 62.20 majority of community members, or it may (iv) have no clear majority. The chief financial
 62.21 ~~officer and the chief administrator~~ may only serve as an ex-officio nonvoting board members
 62.22 member. No charter school employees shall serve on the board other than teachers under
 62.23 clause (1). Contractors providing facilities, goods, or services to a charter school shall not
 62.24 serve on the board of directors of the charter school.

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

(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.

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

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

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

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

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

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

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

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

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

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

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

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

64.14 (3) evaluate student achievement, postsecondary and workforce readiness, and student
64.15 engagement and connection goals;

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

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

64.19 (b) The board must adopt a nepotism policy that prohibits the employment of immediate
64.20 family members of a board member, a school employee, or a teacher who provides instruction
64.21 under a contract between the charter school and a cooperative. The board may waive this
64.22 policy if: (1) the position is publicly posted for 20 business days; and (2) a two-thirds
64.23 majority of the remaining board of directors vote to approve the hiring. A board member,
64.24 school employee, or teacher under contract with a cooperative must not be involved in an
64.25 interview, selection process, hiring, supervision, or evaluation of an employee who is an
64.26 immediate family member.

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

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

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

65.7 (c) A new board member must complete training on employment policies and practices
65.8 under chapter 181; public school funding and financial management; and the board's roles
65.9 and responsibilities regarding student success, achievement, and performance within 12
65.10 months of being seated on the board or the individual is automatically ineligible to continue
65.11 to serve as a board member. A board member who does not complete training within the
65.12 12-month period is ineligible to be elected or appointed to a charter school board for a period
65.13 of 18 months.

65.14 (d) Every charter school board member must complete annual training throughout the
65.15 member's term based on an annual assessment of the training needs of individual members
65.16 and the full board. Ongoing training includes but is not limited to budgeting, financial
65.17 management, recruiting and hiring a charter school director or chief administrator, evaluating
65.18 a charter school director or chief administrator, governance-management relationships,
65.19 student support services, the Pupil Fair Dismissal Act, state standards, cultural diversity,
65.20 succession planning, strategic planning, program oversight and evaluation, compensation
65.21 systems, human resources policies, effective parent and community relationships, authorizer
65.22 contract and relationships, charter school law, legal liability, board recruitment and elections,
65.23 board meetings and operations, policy development and review, and school health and
65.24 safety.

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

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

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

65.32 Subd. 8. **Meetings and information.** (a) Board of director meetings must comply with
65.33 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 calendar days following the earlier of the date of board approval or the next regularly scheduled meeting, and for at least 365 days from the date of publication; (2) directory information for the board of directors and for the members of committees having board-delegated authority; and (3) identifying and contact information for the school's authorizer.

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

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

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

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

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

(2) the bargaining unit status of school employees.

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

Subd. 4. **Causes for nonrenewal or termination of charter school contract.** (a) The duration of the contract with an authorizer must be for the term contained in the contract according to subdivision 1, paragraph (a). The authorizer may or may not renew a contract at the end of the term for any ground listed in paragraph (b). An authorizer may unilaterally terminate a contract during the term of the contract for any ground listed in paragraph (b). At least 60 business days before not renewing or terminating a contract, the authorizer shall

67.1 notify the board of directors of the charter school of the proposed action in writing. The
67.2 notice shall state the grounds for the proposed action in reasonable detail and describe the
67.3 informal hearing process, consistent with this paragraph. The charter school's board of
67.4 directors may request in writing an informal hearing before the authorizer within 15 business
67.5 days after receiving notice of nonrenewal or termination of the contract. Failure by the board
67.6 of directors to make a written request for an informal hearing within the 15-business-day
67.7 period shall be treated as acquiescence to the proposed action. Upon receiving a timely
67.8 written request for a hearing, the authorizer shall give ten business days' notice to the charter
67.9 school's board of directors of the hearing date. The hearing shall be recorded by audio
67.10 recording, video recording, or a court reporter. The recording shall be preserved for three
67.11 years and shall be made available to the public. The authorizer shall conduct an informal
67.12 hearing before taking final action. The authorizer shall take final action to renew or not
67.13 renew a contract no later than 20 business days before the proposed date for terminating
67.14 the contract or the end date of the contract.

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

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

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

67.20 (3) violations of law; or

67.21 (4) other good cause shown.

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

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

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

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

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

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

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

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

68.24 **124E.11 ADMISSION REQUIREMENTS AND ENROLLMENT.**

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

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

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

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

68.32 (b) A charter school, including its preschool or prekindergarten program established
68.33 under section 124E.06, subdivision 3, paragraph (b), must enroll an eligible pupil who

69.1 submits a timely application, unless the number of applications exceeds the capacity of a
69.2 program, class, grade level, or building. In this case, pupils must be accepted by lot. The
69.3 charter school must develop and publish, including on its website, a lottery policy and
69.4 process that it must use when accepting pupils by lot.

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

69.17 (d) A person may not be admitted to a charter school: (1) as a kindergarten pupil, unless
69.18 the pupil is at least five years of age on September 1 of the calendar year in which the school
69.19 year for which the pupil seeks admission commences; or (2) as a first grade student, unless
69.20 the pupil is at least six years of age on September 1 of the calendar year in which the school
69.21 year for which the pupil seeks admission commences or has completed kindergarten; except
69.22 that a charter school may establish and publish on its website a policy for admission of
69.23 selected pupils at an earlier age, consistent with the enrollment process in paragraphs (b)
69.24 and (c).

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

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

69.33 (g) Once a student who resides in Minnesota is enrolled in the school in kindergarten
69.34 through grade 12, or in the school's free preschool or prekindergarten program under section

124E.06, subdivision 3, paragraph (b), the student is considered enrolled in the school until the student formally withdraws, the school receives a request for the transfer of educational records from another school, the school receives a written election by the parent or legal guardian of the student withdrawing the student, or the student is expelled under the Pupil Fair Dismissal Act in sections 121A.40 to 121A.56.

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

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

Sec. 15. 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

71.1 employment to a prospective employee, a charter school must give that employee a written
71.2 description of the terms and conditions of employment and the school's personnel policies.

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

71.4 Subd. 2. **Administrators.** ~~(a) A person, without holding a valid administrator's license,~~
71.5 ~~may perform administrative, supervisory, or instructional leadership duties. The board of~~
71.6 ~~directors shall establish qualifications for all persons who hold administrative, supervisory,~~
71.7 ~~or instructional leadership roles. The qualifications shall cover at least: instruction and~~
71.8 ~~assessment; human resource and personnel management; financial management; legal and~~
71.9 ~~compliance management; effective communication; and board, authorizer, and community~~
71.10 ~~relationships. The board of directors shall use those qualifications as the basis for job~~
71.11 ~~descriptions, hiring, and performance evaluations of those who hold administrative,~~
71.12 ~~supervisory, or instructional leadership roles.~~

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

71.17 (a) A charter school board of directors must establish qualifications for all persons who
71.18 hold administrative, academic supervision, or instructional leadership positions. The
71.19 qualifications must include a requirement that a person hold a minimum of a four-year
71.20 degree from an accredited institution or equivalent experience. Other qualifications for these
71.21 positions shall include, as appropriate for the specific position: instruction and assessment,
71.22 curriculum design, human resource and personnel management, professional ethics, child
71.23 development, financial management, legal and compliance management, special education
71.24 oversight, contract management, effective communication, cultural competency, board and
71.25 authorizer relationships, parent relationships, and community partnerships. A charter school
71.26 board of directors must use those qualifications as the basis for the job description, hiring,
71.27 and performance evaluation of the charter school director or chief administrator. The charter
71.28 school director or chief administrator must use those qualifications as the basis for the job
71.29 descriptions, hiring, and performance reviews for the administrative staff, academic program
71.30 supervisors, and instructional leaders who report to the charter school director or chief
71.31 administrator.

71.32 (b) A person who does not hold a valid administrator's license may perform
71.33 administrative, academic supervision, or instructional leadership duties. A person without
71.34 a valid administrator's license, serving as a charter school director or chief administrator,

72.1 must complete a minimum of 25 hours annually of competency-based training corresponding
72.2 to the individual's annual professional development needs and plan approved by the charter
72.3 school board of directors. Training includes but is not limited to: instruction and curriculum;
72.4 state standards; teacher and staff hiring, development, support, and evaluation;
72.5 social-emotional learning; data collection and usage; assessment methodologies; use of
72.6 technology for learning and management; charter school law and requirements; code of
72.7 professional ethics; financial management and state accounting requirements; grant
72.8 management; legal and compliance management; special education management; health
72.9 and safety laws; restorative justice; cultural competencies; effective communication; parent
72.10 relationships; board and management relationships; community partnerships; charter contract
72.11 and authorizer relationships; and public accountability.

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

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

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

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

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

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

73.2 **124E.14 CONFLICTS OF INTEREST.**

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

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

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

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

73.9 (4) an organization that employs, or is about to employ any individual in clauses (1) to
73.10 (3),

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

73.13 (b) The conflict of interest provisions under this section do not apply to compensation
73.14 paid to a teacher employed as a teacher by the charter school or a teacher who provides
73.15 instructional services to the charter school through a cooperative formed under chapter
73.16 308A when the teacher also serves on the charter school board of directors.

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

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

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

73.27 Subdivision 1. **Audit report.** (a) A charter school is subject to the same financial audits,
73.28 audit procedures, and audit requirements as a district, except as required under this
73.29 subdivision. Audits must be conducted in compliance with generally accepted governmental
73.30 auditing standards, the federal Single Audit Act, if applicable, and section 6.65 governing
73.31 auditing procedures. ~~A charter school is subject to and must comply with sections 15.054;~~
73.32 ~~118A.01; 118A.02; 118A.03; 118A.04; 118A.05; 118A.06 governing government property~~

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

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

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

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

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

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

74.27 **124E.17 DISSEMINATION OF INFORMATION.**

74.28 Subdivision 1. **Charter school information.** (a) Charter schools must disseminate
 74.29 information about ~~how to use the charter school offerings to targeted groups, among others.~~
 74.30 ~~Targeted groups include low-income families and communities, students of color, and~~
 74.31 ~~students who are at risk of academic failure.~~ the school's offerings and enrollment procedures
 74.32 to families that reflect the diversity of Minnesota's population and targeted groups. Targeted
 74.33 groups include low-income families and communities, students of color, students at risk of

75.1 academic failure, and students underrepresented in the school's student body relative to
75.2 Minnesota's population. The school must document its dissemination activities in the school's
75.3 annual report. The school's dissemination activities must be a component of the authorizer's
75.4 performance review of the school.

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

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

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

75.17 **124E.26 USE OF STATE MONEY.**

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

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

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

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

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

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

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

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

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

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

ARTICLE 7

NUTRITION AND LIBRARIES

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

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

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

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

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

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

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

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

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

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

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

77.16 Subdivision 1. **Access to materials.** (a) The governing body, including a school board,
77.17 of a regional public library system under section 134.20, subdivision 2; a multicounty,
77.18 multitype library system under section 134.351, subdivision 4; a combination library under
77.19 section 134.195, subdivision 7; a school library under section 124D.991; a library in a school
77.20 receiving school library aid; or any other public library under section 134.001, subdivision
77.21 2, may not ban, remove, or otherwise restrict access to an otherwise age-appropriate book
77.22 or other material selected pursuant to a library materials policy under subdivision 2 based
77.23 solely on the viewpoint, content, message, idea, or opinion conveyed.

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

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

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

78.1 (3) compliance with state or federal law.

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

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

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

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

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

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

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

78.17 **ARTICLE 8**

78.18 **HEALTH AND SAFETY**

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

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

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

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

79.3 (ii) family emergencies;

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

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

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

79.7 or

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

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

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

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

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

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

79.27 School districts and charter schools are encouraged to provide instruction on healthy
 79.28 aging and dementia to students in grades 6 through 12 that is aligned with local health
 79.29 standards and integrated into existing programs, curriculum, or the general school
 79.30 environment of a district or charter school. The commissioner of education, in consultation
 79.31 with the commissioner of health and dementia advocacy organizations, must, by July 1,
 79.32 2025, and July 1 of each odd-numbered year thereafter, provide districts and charter schools

80.1 with age-appropriate resources on healthy aging and dementia including but not limited to
80.2 strategies to maintain brain health, information on Alzheimer's disease and other forms of
80.3 dementia, and caring for an elder with a cognitive impairment.

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

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

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

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

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

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

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

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

80.16 Sec. 4. **[121A.216] ACCESS TO SPACE FOR MENTAL HEALTH CARE THROUGH**
80.17 **TELEHEALTH.**

80.18 Subdivision 1. **Access to space.** (a) To the extent space is available, a school district or
80.19 charter school must provide an enrolled secondary school student with access during regular
80.20 school hours, and to the extent staff is available, before or after the school day on days when
80.21 students receive instruction at school, to space at the school site that a student may use to
80.22 receive mental health care through telehealth from a student's licensed mental health provider.
80.23 A secondary school must develop a plan with procedures to receive requests for access to
80.24 the space. A school must make the space available beginning October 1, 2024.

80.25 (b) The space must provide a student privacy to receive mental health care.

80.26 (c) A student may use a school-issued device to receive mental health care through
80.27 telehealth if such use is consistent with the district or school policy governing acceptable
80.28 use of the school-issued device.

80.29 (d) A school may require a student requesting access to space under this section to submit
80.30 to the school a signed and dated consent from the student's parent or guardian, or from the
80.31 student if the student is age 16 or older, authorizing the student's licensed mental health

81.1 provider to release information from the student's health record that is requested by the
81.2 school to confirm the student is currently receiving mental health care from the provider.
81.3 Such a consent is valid for the school year in which it is submitted.

81.4 Subd. 2. **Immunity.** Notwithstanding section 466.02, a school district or charter school
81.5 is immune from liability for any tort claim based upon an act or omission of an officer or
81.6 employee in the execution of this statute, unless the claim is based upon recklessness, gross
81.7 negligence, or intentional misconduct.

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

81.9 Sec. 5. Minnesota Statutes 2022, section 121A.22, subdivision 2, is amended to read:

81.10 Subd. 2. **Exclusions.** In addition, this section does not apply to drugs or medicine that
81.11 are:

81.12 (1) purchased without a prescription;

81.13 (2) used by a pupil who is 18 years old or older;

81.14 (3) used in connection with services for which a minor may give effective consent,
81.15 including section 144.343, subdivision 1, and any other law;

81.16 (4) used in situations in which, in the judgment of the school personnel, including a
81.17 licensed nurse, who are present or available, the risk to the pupil's life or health is of such
81.18 a nature that drugs or medicine should be given without delay;

81.19 (5) used off the school grounds;

81.20 (6) used in connection with athletics or extra curricular activities;

81.21 (7) used in connection with activities that occur before or after the regular school day;

81.22 (8) provided or administered by a public health agency to prevent or control an illness
81.23 or a disease outbreak as provided for in sections 144.05 and 144.12;

81.24 (9) prescription asthma or reactive airway disease medications self-administered by a
81.25 pupil with an asthma inhaler, consistent with section 121A.221, if the district has received
81.26 a written authorization from the pupil's parent permitting the pupil to self-administer the
81.27 medication, the inhaler is properly labeled for that student, and the parent has not requested
81.28 school personnel to administer the medication to the pupil. The parent must submit written
81.29 authorization for the pupil to self-administer the medication each school year; or

81.30 (10) epinephrine auto-injectors, consistent with section 121A.2205, if the parent and
81.31 prescribing medical professional annually inform the pupil's school in writing that (i) the

82.1 pupil may possess the epinephrine or (ii) the pupil is unable to possess the epinephrine and
82.2 requires immediate access to epinephrine auto-injectors that the parent provides properly
82.3 labeled to the school for the pupil as needed.

82.4 Sec. 6. Minnesota Statutes 2022, section 121A.22, subdivision 4, is amended to read:

82.5 Subd. 4. **Administration.** Drugs and medicine subject to this section must be administered
82.6 in a manner consistent with instructions on the label. Drugs and medicine subject to this
82.7 section must be administered, to the extent possible, according to school board procedures
82.8 that must be developed in consultation:

82.9 (1) with a ~~school~~ licensed nurse, in a district that employs a ~~school~~ nurse licensed under
82.10 section 148.171;

82.11 (2) with a licensed school nurse, in a district that employs a licensed school nurse licensed
82.12 under Minnesota Rules, part 8710.6100;

82.13 (3) with a public or private health or health-related organization, in a district that contracts
82.14 with a public or private health or health-related organization, according to section 121A.21;
82.15 or

82.16 (4) with the appropriate party, in a district that has an arrangement approved by the
82.17 commissioner of education, according to section 121A.21.

82.18 Sec. 7. Minnesota Statutes 2022, section 121A.2207, subdivision 1, is amended to read:

82.19 Subdivision 1. **Districts and schools permitted to maintain supply.** (a) Notwithstanding
82.20 section 151.37, districts and schools may obtain and possess epinephrine auto-injectors to
82.21 be maintained and administered by school personnel, including a licensed nurse, to a student
82.22 or other individual if, in good faith, it is determined that person is experiencing anaphylaxis
82.23 regardless of whether the student or other individual has a prescription for an epinephrine
82.24 auto-injector. The administration of an epinephrine auto-injector in accordance with this
82.25 section is not the practice of medicine.

82.26 (b) Registered nurses may administer epinephrine auto-injectors in a school setting
82.27 according to a condition-specific protocol as authorized under section 148.235, subdivision
82.28 8. Notwithstanding any limitation in sections 148.171 to 148.285, licensed practical nurses
82.29 may administer epinephrine auto-injectors in a school setting according to a condition-specific
82.30 protocol that does not reference a specific patient and that specifies the circumstances under
82.31 which the epinephrine auto-injector is to be administered, when caring for a patient whose
82.32 condition falls within the protocol.

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

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

83.3 Subd. 8. **School.** "School" means any school defined in section 120A.05, subdivisions
83.4 9, 11, 13, and 17. "School" also means a charter school.

83.5 Sec. 9. **[121A.612] STUDENTS PULLED OUT OF CLASS; NOTICE AND RECORD**
83.6 **KEEPING.**

83.7 (a) If a public school student is pulled out of class for an unscheduled removal that lasts
83.8 more than ten minutes and the student did not request to be taken out of class or the student's
83.9 parent did not know the student was pulled out of class, either the school principal or their
83.10 designee or other person having general administrative control and supervision of the school
83.11 or classroom teacher, within 24 hours, must make a good faith attempt to notify the student's
83.12 parent or guardian by phone or by email and keep a record of the parental notification. The
83.13 record of parental notification must record the date and time the attempt to notify was made.
83.14 The record may be kept in a form and manner preferred by the individual creating the record
83.15 and must be discarded at the end of the school year.

83.16 (b) A nonpublic school under section 123B.41, subdivision 9, is encouraged to adopt a
83.17 policy consistent with this section.

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

83.19 Sec. 10. Minnesota Statutes 2022, section 128C.02, is amended by adding a subdivision
83.20 to read:

83.21 Subd. 3c. **Eating disorder awareness.** The league must provide school coaches with
83.22 eating disorder prevention education resources developed specifically for school coaches
83.23 about the nature and risks of eating disorders, including the risk factors, mitigation strategies,
83.24 effects, and risks of undiagnosed and untreated eating disorders, consistent with current
83.25 medical research.

83.26 Sec. 11. Minnesota Statutes 2022, section 260E.14, subdivision 1, is amended to read:

83.27 Subdivision 1. **Facilities and schools.** (a) The local welfare agency is the agency
83.28 responsible for investigating allegations of maltreatment in child foster care, family child
83.29 care, legally nonlicensed child care, and reports involving children served by an unlicensed
83.30 personal care provider organization under section 256B.0659. Copies of findings related to

personal care provider organizations under section 256B.0659 must be forwarded to the Department of Human Services provider enrollment.

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

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

(d) The Department of Education is the agency responsible for screening and investigating allegations of maltreatment in a school as defined in section 120A.05, subdivisions 9, 11, and 13, and chapter 124E. The Department of Education's responsibility to screen and investigate includes allegations of maltreatment involving students at least 18 to 21 but not yet 22 years of age, including students receiving special education services, up to and including graduation and the issuance of a secondary or high school diploma.

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

ARTICLE 9

EARLY LEARNING

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

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

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

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

85.1 Sec. 3. Minnesota Statutes 2022, section 124D.151, as amended by Laws 2023, chapter
85.2 55, article 9, section 19; and article 10, section 1, is amended to read:

85.3 **124D.151 VOLUNTARY PREKINDERGARTEN PROGRAM FOR ELIGIBLE**
85.4 **FOUR-YEAR-OLD CHILDREN.**

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

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

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

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

85.23 (3) provide comprehensive program content aligned with the state early learning
85.24 standards, including the implementation of curriculum, assessment, and intentional
85.25 instructional strategies ~~aligned with the state early learning standards, and kindergarten that~~
85.26 support transition to kindergarten through grade 3 academic standards;

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

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

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

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

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

(11) 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) 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 and provide results in their world's best workforce annual summary to the commissioner of education.~~

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

87.1 a mixed-delivery plan include strategies for recruitment, contracting, and monitoring of
87.2 fiscal compliance and program quality.

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

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

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

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

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

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

87.15 (iv) is American Indian;

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

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

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

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

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

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

87.25 (b) School districts and charter schools must use state funding for eligible children to
87.26 the extent it is available. A child may participate in a voluntary prekindergarten program
87.27 on a fee-for-service basis if the child does not meet the eligibility criteria in paragraph (a)
87.28 or state funding is not available. A school district or charter school must adopt a sliding-fee
87.29 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 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).

(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.

(h) For nonapplication years, the commissioner must annually review the distribution of seat allocations and may redistribute them between sites within a district at the district's request and between districts for the year in which a district will not utilize its full allocation.

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.

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

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

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

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

91.4 (ii) beginning July 1, 2025, the rate specified in United States Code, title 42, section
91.5 9858n(4)(B), as adjusted for family size;

91.6 (2) be able to document their child's current participation in the free and reduced-price
91.7 meals program or Child and Adult Care Food Program, National School Lunch Act, United
91.8 States Code, title 42, sections 1751 and 1766; the Food Distribution Program on Indian
91.9 Reservations, Food and Nutrition Act, United States Code, title 7, sections 2011-2036; Head
91.10 Start under the federal Improving Head Start for School Readiness Act of 2007; Minnesota
91.11 family investment program under chapter 256J; child care assistance programs under chapter
91.12 119B; the supplemental nutrition assistance program; or

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

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

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

91.20 (d) Early learning scholarships may not be counted as earned income for the purposes
91.21 of medical assistance under chapter 256B, MinnesotaCare under chapter 256L, Minnesota
91.22 family investment program under chapter 256J, child care assistance programs under chapter
91.23 119B, or Head Start under the federal Improving Head Start for School Readiness Act of
91.24 2007.

91.25 (e) A child from an adjoining state whose family resides at a Minnesota address as
91.26 assigned by the United States Postal Service, who has received developmental screening
91.27 under sections 121A.16 to 121A.19, who intends to enroll in a Minnesota school district,
91.28 and whose family meets the criteria of paragraph (a) is eligible for an early learning
91.29 scholarship under this section.

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

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

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

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

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

92.10 (3) are in foster care;

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

92.12 (5) have an incarcerated parent;

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

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

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

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

92.17 ~~(9)~~ (10) have experienced homelessness in the last 24 months, as defined under the
92.18 federal McKinney-Vento Homeless Assistance Act, United States Code, title 42, section
92.19 1143a.

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

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

92.28 Sec. 6. **REVISOR INSTRUCTION.**

92.29 The revisor of statutes shall remove the terms "school readiness plus" or "school readiness
92.30 plus programs" wherever they appear in Minnesota Statutes, chapters 119B, 121A, 122A,

93.1 124D, 126C, or 179A. The revisor shall also make necessary cross-reference changes,
93.2 technical language, and other changes necessitated by the changes in this act.

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

93.4 Sec. 7. **REPEALER.**

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

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

93.7 **ARTICLE 10**

93.8 **EDUCATION PARTNERSHIPS AND COMPACTS**

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

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

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

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

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

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

93.30 ~~(d) The P-20 education partnership shall be the state council for the Interstate Compact~~
93.31 ~~on Educational Opportunity for Military Children under section 127A.85 with the~~

94.1 ~~commissioner or commissioner's designee serving as the compact commissioner responsible~~
94.2 ~~for the administration and management of the state's participation in the compact. When~~
94.3 ~~conducting business required under section 127A.85, the P-20 partnership shall include a~~
94.4 ~~representative from a military installation appointed by the adjutant general of the Minnesota~~
94.5 ~~National Guard.~~

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

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

94.14 (b) Council membership must include at least:

94.15 (1) the commissioner;

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

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

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

94.20 (5) one member of the senate appointed by the Subcommittee on Committees of the
94.21 Committee on Rules and Administration; and

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

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

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

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

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

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

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

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

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

95.18 Sec. 3. [127A.84] INTRASTATE STUDENT TRANSFERS FOR CHILDREN OF
95.19 MILITARY SERVICE MEMBERS.

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

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

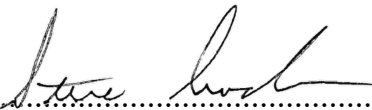
95.28 (c) For the purposes of this section, the words defined in section 127A.85, article II,
95.29 have the same meanings."

95.30 Delete the title and insert:

95.31 "A bill for an act
95.32 relating to education; modifying provisions for prekindergarten through grade 12
95.33 education including general education, education excellence, teachers, Read Act,

96.1 charter schools, nutrition and libraries, health and safety, early learning, and
96.2 education partnerships and compacts; requiring reports; amending Minnesota
96.3 Statutes 2022, sections 120A.05, subdivision 10a, by adding a subdivision; 120A.22,
96.4 subdivision 12; 120A.35; 120B.022, subdivisions 1a, 1b; 120B.11, by adding a
96.5 subdivision; 120B.13, subdivision 4; 120B.234, subdivisions 1, 2; 121A.22,
96.6 subdivisions 2, 4; 121A.2207, subdivision 1; 121A.41, subdivision 8; 122A.091,
96.7 subdivision 5; 122A.181, by adding a subdivision; 122A.182, by adding a
96.8 subdivision; 122A.185, subdivision 3; 122A.20, by adding a subdivision; 123B.09,
96.9 subdivision 10; 123B.37, subdivision 2; 124D.151, as amended; 124D.60,
96.10 subdivision 1; 124D.61; 124E.01, subdivision 1; 124E.05, subdivisions 2, 3, 5;
96.11 124E.07; 124E.10, subdivisions 2, 4, 5; 124E.12, subdivision 2; 124E.14; 124E.17;
96.12 124E.26; 125A.02, subdivision 1a; 125A.27, subdivision 8; 125A.56, subdivision
96.13 1; 127A.70, subdivision 1; 128C.02, by adding a subdivision; 260E.14, subdivision
96.14 1; Minnesota Statutes 2023 Supplement, sections 13.32, subdivision 5; 120B.021,
96.15 subdivision 1; 120B.024, subdivision 1; 120B.1117; 120B.1118, subdivisions 4,
96.16 7, 10, by adding a subdivision; 120B.117, subdivision 4; 120B.12, subdivisions
96.17 1, 2, 2a, 4, 4a; 120B.123, subdivisions 1, 2, 5; 120B.30, subdivisions 7, 12, by
96.18 adding a subdivision; 120B.302; 120B.305; 120B.31, subdivision 4; 120B.36,
96.19 subdivision 1; 121A.20, subdivision 2; 121A.642, by adding a subdivision;
96.20 122A.18, subdivision 1; 122A.181, subdivision 2; 122A.183, subdivision 2;
96.21 122A.184, subdivision 1; 122A.185, subdivision 1; 122A.40, subdivision 8;
96.22 122A.41, subdivision 5; 122A.631, subdivisions 2, 4; 122A.70, subdivision 2;
96.23 124D.09, subdivision 5; 124D.094, subdivisions 2, 3; 124D.111, subdivision 2a;
96.24 124D.165, subdivisions 2, 2a; 124D.42, subdivision 8; 124E.02; 124E.03,
96.25 subdivision 2; 124E.06, subdivisions 1, 4, 5; 124E.11; 124E.12, subdivision 1;
96.26 124E.16, subdivision 1; 125A.08; 126C.40, subdivision 6; proposing coding for
96.27 new law in Minnesota Statutes, chapters 120B; 121A; 127A; 134; repealing
96.28 Minnesota Statutes 2022, sections 120B.31, subdivisions 2, 6; 122A.2451,
96.29 subdivision 9; Minnesota Statutes 2023 Supplement, section 122A.185, subdivision
96.30 4; Laws 2017, First Special Session chapter 5, article 8, section 9."

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

96.32 
96.33
(Committee Chair)

96.34 March 20, 2024.....*Chelsea Barks*
96.35 (Date of Committee recommendation)