

SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 1404

(SENATE AUTHORS: KUNESH, Cwodzinski and Abeler)		
DATE	D-PG	OFFICIAL STATUS
02/13/2025	388	Introduction and first reading Referred to Education Policy
03/06/2025		Comm report: To pass as amended and re-refer to Education Finance Author added Abeler

1.1

A bill for an act

1.2

relating to education; modifying American Indian mascot exemption requirements;

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establishing a process for schools to apply for mascot replacement assistance;

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appropriating money for mascot replacement assistance; amending Minnesota

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Statutes 2024, section 121A.041, subdivisions 2, 3.

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

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Section 1. Minnesota Statutes 2024, section 121A.041, subdivision 2, is amended to read:

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Subd. 2. **Prohibition on American Indian mascots.** (a) Starting September 1, 2026, a

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public school may not have or adopt a name, symbol, or image that depicts or refers to an

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American Indian Tribe, individual, custom, or tradition to be used as a mascot, nickname,

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logo, letterhead, or team name of the school, district, or school within the district, unless

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the school has obtained an exemption under subdivision 3.

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(b) The prohibition in paragraph (a) does not apply to a public school located within the

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reservation of a federally recognized Tribal Nation in Minnesota, where at least 95 percent

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of students meet the state definition of American Indian student.

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(c) A school district with a prohibited American Indian mascot according to paragraph

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(a), that has not received an exemption according to subdivision 3, must report to the chairs

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and ranking minority members of the legislative committees having jurisdiction over

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kindergarten through grade 12 education policy by February 14, 2025, and again by February

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1, 2026, on the district's progress to comply with this section; and the district must submit

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copies of the reports to the Legislative Reference Library. The reports must include the

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following:

(1) confirmation that the district has removed the American Indian mascot, nickname, logo, letterhead, or team name from the district website;

(2) confirmation that the board of the district has approved a new mascot, nickname, logo, letterhead, or team name;

(3) a summary of the district's progress on removing the American Indian mascot, nickname, logo, letterhead, or team name from uniforms, equipment, signs, elements of facilities, and other district items; and

(4) a summary of resources necessary to comply with the prohibition in paragraph (a) and the district's plan to raise and allocate any necessary funds.

(d) The commissioner must establish a process for a public school to apply for funding to make changes necessary to replace a prohibited name, symbol, or image on uniforms, signs, paintings, equipment, gym floors, websites, and other school property, including supplies and other building surfaces. Notwithstanding any law to the contrary, the commissioner may approve an application to reimburse a school for amounts expended to comply with paragraph (a) after July 1, 2023, and for expenses a public school has incurred based on a work plan and budget approved by the commissioner. The commissioner must provide a public school with the funding requested within 30 days of approving the school's work plan and budget. A public school that applies to the commissioner for mascot replacement assistance is not required to comply with the prohibition in paragraph (a) until the commissioner has approved the request.

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

Sec. 2. Minnesota Statutes 2024, section 121A.041, subdivision 3, is amended to read:

Subd. 3. **Exemption.** A public school may seek an exemption to subdivision 2 by ~~submitting a request in writing to all 11 federally recognized Tribal Nations in Minnesota and to the Tribal Nations Education Committee by September 1, 2023. The exemption is denied if any of the 11 Tribal Nations or the Tribal Nations Education Committee oppose the exemption by December 15, 2023~~ requesting a letter of consent from the nearest Tribal Nation to the school district. If more than one Tribal Nation is near the school district, all the Tribal Nations must consent, in writing, to the use of an American Indian mascot. A public school whose request for ~~an exemption~~ consent from a Tribal Nation is denied must comply with subdivision 2 ~~by September 1, 2026.~~

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

3.1 Sec. 3. **APPROPRIATION; MASCOT REPLACEMENT ASSISTANCE.**

3.2 Subdivision 1. Department of Education. The sum indicated in this section is
3.3 appropriated from the general fund to the Department of Education in the fiscal year
3.4 designated.

3.5 Subd. 2. Mascot replacement assistance. (a) For assistance to public schools seeking
3.6 to comply with Minnesota Statutes, section 121A.041:

3.7 \$ 2026

3.8 (b) This is a onetime appropriation and is available until June 30, 2027.