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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3782

02/14/2024 Authored by Pryor, Youakim, Hornstein and Hill The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act

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

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

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

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

1.6 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,

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

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

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

1.11 124E.10, subdivisions 2, 5; 124E.26; 125A.02, subdivision 1a; 125A.27, subdivision

1.12 8; 125A.56, subdivision 1; 127A.70, subdivision 1; 260E.14, subdivision 1;

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

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

1.15 120B.1118, subdivisions 4, 7, by adding a subdivision; 120B.117, subdivision 4;

1.16 120B.12, subdivisions 1, 2, 2a, 4; 120B.123, subdivisions 1, 2; 120B.124,

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

1.18 120B.305; 120B.31, subdivision 4; 120B.36, subdivision 1; 121A.20, subdivision

1.19 2; 122A.092, subdivision 5; 122A.181, subdivisions 2, 2a; 122A.182, subdivision

1.20 2a; 124D.09, subdivision 5; 124D.094, subdivisions 2, 3; 124D.111, subdivision

1.21 2a; 124D.165, subdivisions 2, 2a; 124D.42, subdivision 8; 124D.98, subdivision

1.22 5; 124E.02; 124E.03, subdivision 2; 124E.06, subdivisions 1, 4, 5; 124E.12,

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

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

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

1.26 chapter 5, article 8, section 9.

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

2.2

ARTICLE 1

2.3

GENERAL EDUCATION

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

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

2.9 (1) this subdivision; and

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

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

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

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

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

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

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

3.5 (1) language arts;

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

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

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

3.13 (5) physical education;

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

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

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

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

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

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

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

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

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

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

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

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

4.22 (4) three and one-half credits of social studies, including credit for a course in government
 4.23 and citizenship in either grade 11 or 12 for students beginning grade 9 in the ~~2024-2025~~
 4.24 2025-2026 school year and later or an advanced placement, international baccalaureate, or
 4.25 other rigorous course on government and citizenship under section 120B.021, subdivision
 4.26 1a, and a combination of other credits encompassing at least United States history, geography,
 4.27 government and citizenship, world history, and economics sufficient to satisfy all of the
 4.28 academic standards in social studies;

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

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

4.31 (7) a minimum of seven elective credits.

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

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

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

5.11 (1) the number of pupils enrolled in postsecondary enrollment options under section
 5.12 124D.09, including concurrent enrollment, career and technical education courses offered
 5.13 as a concurrent enrollment course, advanced placement, and international baccalaureate
 5.14 courses in each school district;

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

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

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

5.22 (5) expenditures for each category in this section and under sections 124D.09 and
 5.23 124D.091, including career and technical education courses offered as a concurrent
 5.24 enrollment course; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6.25 **120B.302 GENERAL REQUIREMENTS; TEST DESIGN.**

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

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

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

7.5 ~~(1) annual computer-adaptive reading and mathematics assessments in grades 3 through~~
7.6 ~~8, and high school reading, writing, and mathematics tests; and~~

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

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

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

7.27 ~~(1) mathematics;~~

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

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

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

7.32 ~~(3) language arts and reading; grades 3 through 8 and high school level beginning in the~~
7.33 ~~2012-2013 school year.~~

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

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

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

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

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

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

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

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

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

9.2 **120B.305 ASSESSMENT REPORTING REQUIREMENTS.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 11.15 (1) homelessness;
- 11.16 (2) ethnicity under section 120B.35, subdivision 3, paragraph (a), clause (2);
- 11.17 (3) race under section 120B.35, subdivision 3, paragraph (a), clause (2);
- 11.18 (4) home language;
- 11.19 (5) English learners under section 124D.59;
- 11.20 (6) free or reduced-price meals; and
- 11.21 (7) other categories designated by federal law to organize and report the data so that
 11.22 state and local policy makers can understand the educational implications of changes in
 11.23 districts' demographic profiles over time as data are available.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14.1 (b) When online instruction is provided, an online teacher as defined under subdivision
14.2 1, paragraph (h), shall perform all duties of teacher of record under Minnesota Rules, part
14.3 8710.0310. Unless the commissioner grants a waiver, a teacher providing online instruction
14.4 shall not instruct more than 40 students in any one online learning course or section.

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

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

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

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

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

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

14.24 Subd. 3. **Supplemental online courses.** (a) Notwithstanding sections 124D.03 and
14.25 124D.08 and chapter 124E, procedures for applying to take supplemental online courses
14.26 other than those offered by the student's enrolling district are as provided in this subdivision.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17.12 Sec. 16. REVISOR INSTRUCTION.

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

17.16 Sec. 17. REPEALER.

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

17.18 **ARTICLE 2**

17.19 **EDUCATION EXCELLENCE**

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

17.21 Subd. 12. **Legitimate exemptions.** (a) A parent, guardian, or other person having control
 17.22 of a child may apply to a school district to have the child excused from attendance for the
 17.23 whole or any part of the time school is in session during any school year. Application may
 17.24 be made to any member of the board, a truant officer, a principal, or the superintendent.

17.25 The school district may state in its school attendance policy that it may ask the student's
 17.26 parent or legal guardian to verify in writing the reason for the child's absence from school.
 17.27 A note from a physician or a licensed mental health professional stating that the child cannot
 17.28 attend school is a valid excuse. The board of the district ~~in which the child resides~~ may
 17.29 approve the application upon the following being demonstrated to the satisfaction of that
 17.30 board:

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

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

18.4 (ii) family emergencies;

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

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

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

18.8 or

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

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

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

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

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

18.27 **120A.35 ABSENCE FROM SCHOOL FOR RELIGIOUS OBSERVANCE AND**
 18.28 **CULTURAL OBSERVANCES.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22.17 (6) education effectiveness practices that:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25.1

ARTICLE 3

25.2

TEACHERS

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

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

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

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

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

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

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

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

26.13 (4) demonstrates satisfactory progress toward professional licensure.

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

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

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

26.22 (1) an associate's degree;

26.23 (2) a professional certification; or

26.24 (3) five years of relevant work experience.

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

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

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

27.3 (i) an associate's degree;

27.4 (ii) a professional certification; or

27.5 (iii) five years of relevant work experience;

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

27.9 (3) an applicant for a ~~Tier 1~~ license described in subdivision 1 in the performing or visual
27.10 arts pursuant to Minnesota Rules, parts 8710.4300, dance and theatre; 8710.4310, dance;
27.11 8710.4320, theatre; 8710.4650, vocal music and instrumental music; and 8710.4900, visual
27.12 arts, if the applicant has at least five years of relevant work experience.

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

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

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

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

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

27.25 (3) demonstrates satisfactory progress toward professional licensure.

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

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

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

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

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

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

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

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

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

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

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

28.17 (i) an associate's degree;

28.18 (ii) a professional certification; or

28.19 (iii) five years of relevant work experience;

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

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

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

29.1 **ARTICLE 4**

29.2 **THE READ ACT**

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

29.4 **120B.1117 TITLE; THE READ ACT.**

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

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

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

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

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

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

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

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

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

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

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

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

30.21 (3) special education teachers;

30.22 (4) curriculum directors;

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

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

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

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

30.28 (2) teachers of multilingual learners; and

30.29 (3) teachers of students who qualify for the graduation incentives program under section
30.30 124D.68.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

35.17 Subd. 5. **Reading strategies.** (a) A teacher preparation provider approved by the
35.18 Professional Educator Licensing and Standards Board to prepare persons for classroom
35.19 teacher licensure must include in its teacher preparation programs evidence-based best
35.20 practices in reading, consistent with sections ~~120B.117~~ 120B.118 to 120B.124, including
35.21 instruction on phonemic awareness, phonics, vocabulary development, reading fluency, and
35.22 reading comprehension. Instruction on reading must enable the licensure candidate to teach
35.23 reading in the candidate's content areas. Teacher candidates must be instructed in using
35.24 students' native languages as a resource in creating effective differentiated instructional
35.25 strategies for English learners developing literacy skills. A teacher preparation provider
35.26 also must prepare early childhood and elementary teacher candidates for Tier 3 and Tier 4
35.27 teaching licenses under sections 122A.183 and 122A.184, respectively, for the portion of
35.28 the examination under section 122A.185, subdivision 1, paragraph (c), covering assessment
35.29 of reading instruction.

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

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

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

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

36.14 (1) the nature and symptoms of dyslexia;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

37.28	<u>Column A</u>	<u>Column B</u>
37.29	<u>120B.117</u>	<u>120B.118</u>
37.30	<u>120B.118</u>	<u>120B.119</u>

38.1

ARTICLE 5

38.2

CHARTER SCHOOLS

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

38.4

124E.02 DEFINITIONS.

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

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

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

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

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

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

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

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

38.28 (1) current and projected demographic information;

38.29 (2) student enrollment patterns;

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

38.31 (4) characteristics of proposed students and families;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

40.19 (2) application criteria and process;

40.20 (3) contracting process;

40.21 (4) ongoing oversight and evaluation processes; and

40.22 (5) renewal criteria and processes.

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

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

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

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

41.4 (1) the proposed school's:

41.5 (i) mission and vision statements;

41.6 (ii) purposes and goals;

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

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

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

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

41.13 (vii) financial plan;

41.14 (viii) governance and management structure and plan;

41.15 (ix) market need and demand study; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

43.19 (b) The commissioner shall have 30 business days to review and comment on the
 43.20 supplemental affidavit. The commissioner shall notify the authorizer in writing of any
 43.21 deficiencies in the supplemental affidavit and the authorizer then has 20 business days to
 43.22 address any deficiencies in the supplemental affidavit to the commissioner's satisfaction.
 43.23 The commissioner must notify the authorizer of final approval or final disapproval within
 43.24 15 business days after receiving the authorizer's response to the deficiencies in the affidavit.
 43.25 The school may not add grades or sites until the commissioner has approved the supplemental
 43.26 affidavit. The commissioner's approval or disapproval of a supplemental affidavit is final.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

47.1 ~~118A.01; 118A.02; 118A.03; 118A.04; 118A.05; 118A.06 governing government property~~
 47.2 ~~and financial investments; and sections 471.38; 471.391; 471.392; and 471.425 governing~~
 47.3 ~~municipal contracting.~~ The audit must comply with the requirements of sections 123B.75
 47.4 to 123B.83 governing school district finance, except when the commissioner and authorizer
 47.5 approve a deviation made necessary because of school program finances. The commissioner,
 47.6 state auditor, legislative auditor, or authorizer may conduct financial, program, or compliance
 47.7 audits. A charter school in statutory operating debt under sections 123B.81 to 123B.83 must
 47.8 submit a plan under section 123B.81, subdivision 4.

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

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

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

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

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

47.28 **124E.26 USE OF STATE MONEY.**

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

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

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

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

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

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

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

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

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

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

48.19 **ARTICLE 6**

48.20 **NUTRITION AND LIBRARIES**

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

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

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

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

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

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

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

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

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

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

49.19 Sec. 2. **[134.51] BOOK BANNING PROHIBITED.**

49.20 Subdivision 1. Access to materials. The governing body, including a school board, of
 49.21 a regional public library system under section 134.20, subdivision 2; a multicounty, multitype
 49.22 library system under section 134.351, subdivision 4; a combination library under section
 49.23 134.195, subdivision 7; a school library under section 124D.991; a library in a school
 49.24 receiving school library aid; or any other public library under section 134.001, subdivision
 49.25 2, may not ban, remove, or otherwise restrict access to a book or other material based on
 49.26 the viewpoint, content, message, idea, or opinion conveyed.

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

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

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

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

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

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

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

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

50.16 **ARTICLE 7**

50.17 **HEALTH AND SAFETY**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

52.24 ARTICLE 8

52.25 EARLY LEARNING

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

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

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

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

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

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

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

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

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

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

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

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

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

54.6 ~~(6)~~ (5) coordinate appropriate kindergarten transition with families, ~~community-based~~
 54.7 prekindergarten programs, offered by Head Start, licensed center and licensed family child
 54.8 care, community-based organizations, and school district kindergarten programs;

54.9 ~~(7)~~ (6) involve parents in program ~~planning~~ decision-making and transition planning by
 54.10 implementing parent engagement strategies that include culturally and linguistically
 54.11 responsive activities in prekindergarten through third grade that are aligned with early
 54.12 childhood family education under section 124D.13;

54.13 ~~(8)~~ (7) coordinate with relevant community-based services, including health and social
 54.14 service agencies, to ensure children have access to comprehensive services;

54.15 ~~(9)~~ (8) coordinate with all relevant school district programs and services including early
 54.16 childhood special education, homeless students, and English learners;

54.17 ~~(10)~~ (9) ensure staff-to-child ratios of one-to-ten and a maximum group size of 20
 54.18 children;

54.19 ~~(11)~~ (10) provide high-quality coordinated professional development, training, and
 54.20 coaching for ~~both staff in school district and community-based early learning districts and~~
 54.21 in prekindergarten programs offered by Head Start, licensed center and licensed family
 54.22 child care providers, and community-based organizations that is informed by a measure of
 54.23 adult-child interactions and enables teachers to be highly knowledgeable in early childhood
 54.24 curriculum content, assessment, native and English language development programs, and
 54.25 instruction; and

54.26 ~~(12)~~ (11) implement strategies that support the alignment of professional development,
 54.27 instruction, assessments, and prekindergarten through grade 3 curricula.

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

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

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

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

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

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

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

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

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

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

55.22 (iv) is American Indian;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

58.11 (f) If the total number of participants approved based on applications submitted under
58.12 paragraph (a) is less than the participation limit under subdivision 6, the commissioner must
58.13 notify all school districts and charter schools of the amount that remains available within
58.14 30 days of the initial application deadline under paragraph (a), and complete a second round
58.15 of allocations based on applications received within 60 days of the initial application deadline.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

60.12 (3) are in foster care;

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

60.14 (5) have an incarcerated parent;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

62.2 Sec. 10. **REPEALER.**

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

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

62.5 **ARTICLE 9**

62.6 **EDUCATION PARTNERSHIPS AND COMPACTS**

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

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

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

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

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

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

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

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

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

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

63.12 (b) Council membership must include at least:

63.13 (1) the commissioner;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

APPENDIX
Repealed Minnesota Statutes: 24-05228

120B.31 SYSTEM ACCOUNTABILITY AND STATISTICAL ADJUSTMENTS.

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

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

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

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

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

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

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

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

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

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

(5) coordinate with relevant community-based services;

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

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

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

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

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

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

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

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

(2) is an English language learner;

(3) is homeless;

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

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

(6) is in foster care.

APPENDIX
Repealed Minnesota Session Laws: 24-05228

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

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

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

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

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

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

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