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State of Minnesota

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HOUSE OF REPRESENTATIVES

Unofficial Engrossment

House Engrossment of a Senate File

NINETY-THIRD SESSION

S. F. No. 3567

- 04/04/2024 Companion to House File No. 3782. (Authors:Pryor, Youakim, Hornstein and Hill)
Read First Time and Sent for Comparison
- 04/08/2024 Substituted for H. F. No. 3782
Read for the Second Time
- 04/11/2024 Calendar for the Day, Amended
Read Third Time as Amended
- 04/15/2024 Passed by the House as Amended and transmitted to the Senate to include Floor Amendments
Refused to concur and a Conference Committee was appointed

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, special

1.4 education, charter schools, nutrition and libraries, health and safety, and state

1.5 agencies; requiring reports; amending Minnesota Statutes 2022, sections 120A.35;

1.6 120B.022, subdivisions 1a, 1b; 120B.13, subdivision 4; 120B.21; 121A.22,

1.7 subdivisions 2, 4; 121A.2207, subdivision 1; 122A.091, subdivision 5; 122A.092,

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

1.9 a subdivision; 122A.185, subdivision 3; 122A.20, by adding a subdivision;

1.10 122A.33, subdivision 2; 124D.09, subdivisions 2, 7, 9, 10, 10b, 11; 124D.12;

1.11 124D.60, subdivision 1; 124D.61; 124E.01, subdivision 1; 124E.05, subdivisions

1.12 2, 3, 5; 124E.07; 124E.10, subdivisions 2, 4, 5; 124E.12, subdivision 2; 124E.14;

1.13 124E.17; 124E.26; 127A.70, subdivision 1; 260E.14, subdivision 1; Minnesota

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

1.15 1; 120B.024, subdivision 1; 120B.11, subdivisions 1, 1a, 2; 120B.117, subdivision

1.16 4; 120B.30, subdivisions 7, 12, by adding a subdivision; 120B.302; 120B.305;

1.17 120B.31, subdivision 4; 120B.36, subdivision 1; 121A.20, subdivision 2; 122A.18,

1.18 subdivision 1; 122A.181, subdivision 2; 122A.183, subdivision 2; 122A.184,

1.19 subdivision 1; 122A.185, subdivision 1; 122A.40, subdivision 8; 122A.41,

1.20 subdivision 5; 122A.631, subdivisions 2, 4; 122A.70, subdivision 2; 124D.09,

1.21 subdivisions 5, 12; 124D.094, subdivisions 2, 3; 124D.111, subdivision 2a;

1.22 124E.02; 124E.03, subdivision 2; 124E.06, subdivisions 1, 4, 5; 124E.11; 124E.12,

1.23 subdivision 1; 124E.16, subdivision 1; 125A.08; 126C.40, subdivision 6; proposing

1.24 coding for new law in Minnesota Statutes, chapters 121A; 122A; 127A; 134;

1.25 repealing Minnesota Statutes 2022, sections 120B.31, subdivisions 2, 6; 122A.2451,

1.26 subdivision 9; Minnesota Statutes 2023 Supplement, section 122A.185, subdivision

1.27 4.

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.

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

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

3.2 **120A.35 ABSENCE FROM SCHOOL FOR RELIGIOUS ~~OBSERVANCE~~ AND**
3.3 **CULTURAL OBSERVANCES.**

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

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

3.10 Sec. 3. **[121A.73] SCHOOL CELL PHONE POLICY.**

3.11 A school district or charter school must adopt a policy on students' possession and use
3.12 of cell phones in school by March 15, 2025. The Minnesota Elementary School Principals
3.13 Association and the Minnesota Association of Secondary School Principals must collaborate
3.14 to make best practices available to schools on a range of different strategies in order to
3.15 minimize the impact of cell phones on student behavior, mental health, and academic
3.16 attainment.

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

3.18 Sec. 4. Minnesota Statutes 2023 Supplement, section 124D.094, subdivision 2, is amended
3.19 to read:

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

3.24 (b) When online instruction is provided, an online teacher as defined under subdivision
3.25 1, paragraph (h), shall perform all duties of teacher of record under Minnesota Rules, part
3.26 8710.0310. Unless the commissioner grants a waiver, a teacher providing online instruction
3.27 shall not instruct more than 40 students in any one online learning course or section.

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

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

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

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

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

4.14 Sec. 5. Minnesota Statutes 2023 Supplement, section 124D.094, subdivision 3, is amended
4.15 to read:

4.16 Subd. 3. **Supplemental online courses.** (a) Notwithstanding sections 124D.03 and
4.17 124D.08 and chapter 124E, procedures for applying to take supplemental online courses
4.18 other than those offered by the student's enrolling district are as provided in this subdivision.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6.1 Sec. 6. Minnesota Statutes 2022, section 124D.12, is amended to read:

6.2 **124D.12 PURPOSE OF FLEXIBLE LEARNING YEAR PROGRAMS.**

6.3 Sections 124D.12 to 124D.127 authorize districts to evaluate, plan and employ the use
6.4 of flexible learning year programs. It is anticipated that the open selection of the type of
6.5 flexible learning year operation from a variety of alternatives will allow each district seeking
6.6 to utilize this concept to suitably fulfill the educational needs of its pupils. These alternatives
6.7 must include, but not be limited to, various 45-15 plans, four-quarter plans, quinmester
6.8 plans, extended learning year plans, and flexible all-year plans. ~~A school district with an
6.9 approved four-day week plan in the 2014-2015 school year may continue under a four-day
6.10 week plan through the end of the 2019-2020 school year. Future approvals are contingent
6.11 upon meeting the school district's performance goals established in the district's plan under
6.12 section 120B.11~~ The commissioner must establish clear criteria for evaluating a district's
6.13 application to use a four-day school week plan, at least annually accept district applications
6.14 to use a four-day school week plan, and determine whether each application meets the
6.15 criteria. The commissioner must give a school district one school year's notice before
6.16 revoking approval of its flexible learning year program. Approval of a four-day school week
6.17 plan may not be revoked for six years from the date it is granted.

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

6.19 Sec. 7. Minnesota Statutes 2023 Supplement, section 126C.40, subdivision 6, is amended
6.20 to read:

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

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

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

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

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

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

7.4 (1) Special School District No. 1, Minneapolis, Independent School District No. 625,
7.5 St. Paul, Independent School District No. 709, Duluth, or Independent School District No.
7.6 535, Rochester, if the district's ~~desegregation~~ achievement and integration plan has been
7.7 determined by the commissioner to be in compliance with Department of Education rules
7.8 relating to equality of educational opportunity and where the acquisition, as defined in
7.9 section 475.51, subdivision 7, of property under this subdivision is determined by the
7.10 commissioner to contribute to the implementation of the ~~desegregation~~ approved achievement
7.11 and integration plan; or

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

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

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

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

7.25 Sec. 8. ALTERNATIVE TO PUBLISHING.

7.26 Notwithstanding any law to the contrary, the following school districts may publish their
7.27 official proceedings on their websites instead of publishing them in a newspaper: Independent
7.28 School District No. 720, Shakopee; Independent School District No. 717, Jordan; Independent
7.29 School District No. 719, Prior Lake-Savage; Independent School District No. 112, Eastern
7.30 Carver County; Independent School District No. 465, Litchfield; and Independent School
7.31 District No. 423, Hutchinson. This section expires August 1, 2026.

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

8.1 Sec. 9. **REVISOR INSTRUCTION.**

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

8.5 **ARTICLE 2**

8.6 **EDUCATION EXCELLENCE**

8.7 Section 1. Minnesota Statutes 2023 Supplement, section 120B.021, subdivision 1, is
8.8 amended to read:

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

8.11 (1) language arts;

8.12 (2) mathematics, encompassing algebra II, integrated mathematics III, or an equivalent
8.13 in high school, and to be prepared for the three credits of mathematics in grades 9 through
8.14 12, the grade 8 standards include completion of algebra;

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

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

8.19 (5) physical education;

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

8.21 (7) the arts. Public elementary and middle schools must offer at least three and require
8.22 at least two of the following five arts areas: dance; media arts; music; theater; and visual
8.23 arts. Public high schools must offer at least three and require at least one of the following
8.24 five arts areas: media arts; dance; music; theater; and visual arts.

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

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

9.7 ~~(d)~~ (c) A school district may include child sexual abuse prevention instruction in a health
9.8 curriculum, consistent with paragraph (a), clause (6). Child sexual abuse prevention
9.9 instruction may include age-appropriate instruction on recognizing sexual abuse and assault,
9.10 boundary violations, and ways offenders groom or desensitize victims, as well as strategies
9.11 to promote disclosure, reduce self-blame, and mobilize bystanders. A school district may
9.12 provide instruction under this paragraph in a variety of ways, including at an annual assembly
9.13 or classroom presentation. A school district may also provide parents information on the
9.14 warning signs of child sexual abuse and available resources.

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

9.18 Sec. 2. Minnesota Statutes 2022, section 120B.022, subdivision 1a, is amended to read:

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

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

9.29 (c) The Minnesota World Language Proficiency Certificate recognizes students who
9.30 demonstrate ~~listening, speaking, reading, and writing language skills at an overall~~
9.31 intermediate-low or intermediate-mid level of proficiency on the American Council on the
9.32 Teaching of Foreign Languages' Intermediate-Low level ACTFL's scale of levels of
9.33 proficiency. A student's level of proficiency is derived from assessment in the domains of
9.34 listening, reading, speaking, and writing on a valid and reliable assessment tool.

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

10.2 Subd. 1b. **State bilingual and multilingual seals.** (a) Consistent with efforts to strive
10.3 for the world's best workforce under sections 120B.11 and 124E.03, subdivision 2, paragraph
10.4 (i), and close the academic achievement and opportunity gap under sections 124D.861 and
10.5 124D.862, voluntary state bilingual and multilingual seals are established to recognize
10.6 graduating high school students in any school district, charter school, or nonpublic school
10.7 who demonstrate particular levels of proficiency in one or more languages other than English.
10.8 The levels of proficiency established under this subdivision are based on the ACTFL's
10.9 proficiency guidelines. A student is eligible for a seal in a language other than English if
10.10 the student demonstrates an overall Advanced-Low level or an intermediate high level of
10.11 functional proficiency in listening, speaking, reading, and writing on either assessments
10.12 derived from assessment in the domains of listening, reading, speaking, and writing on an
10.13 assessment aligned with American Council on the Teaching of Foreign Languages' (ACTFL)
10.14 ACTFL proficiency guidelines or on an equivalent valid and reliable assessments in one or
10.15 more languages in addition to English assessment. Indigenous American Indian languages
10.16 and American Sign Language is a language are languages other than English for purposes
10.17 of this subdivision and a world language languages for purposes of subdivision 1a.

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

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

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

10.22 (c) Consistent with this subdivision, a high school student who demonstrates an overall
10.23 intermediate high ACTFL level of functional proficiency derived from assessment in the
10.24 domains of listening, reading, speaking, and writing in one language in addition to English
10.25 is eligible to receive the state bilingual gold seal. A high school student who demonstrates
10.26 an overall intermediate high ACTFL level of functional native proficiency derived from
10.27 assessment in the domains of listening, reading, speaking, and writing in more than one
10.28 language in addition to English is eligible to receive the state multilingual gold seal. A high
10.29 school student who demonstrates an overall advanced-low and above ACTFL level of
10.30 functional proficiency derived from assessment in the domains of listening, reading, speaking,
10.31 and writing in one language in addition to English is eligible to receive the state bilingual
10.32 platinum seal. A high school student who demonstrates an overall advanced-low and above
10.33 ACTFL level of functional proficiency derived from assessment in the domains of listening,

11.1 reading, speaking, and writing in more than one language in addition to English is eligible
11.2 to receive the state multilingual platinum seal.

11.3 (d) School districts and charter schools may give students periodic opportunities to
11.4 demonstrate their level of proficiency in listening, speaking, reading, and writing in a
11.5 language in addition to English. Where valid and reliable assessments are unavailable, a
11.6 school district or charter school may rely on evaluators trained in assessing under ACTFL
11.7 proficiency guidelines to assess a student's level of ~~foreign, heritage, or Indigenous~~
11.8 non-English language proficiency under this section. School districts and charter schools
11.9 must maintain appropriate records to identify high school students eligible to receive the
11.10 state bilingual or multilingual gold and platinum seals upon graduation. The school district
11.11 or charter school must ~~affix~~ notate the appropriate seal to the transcript of each high school
11.12 student who meets the requirements of this subdivision and may affix the seal to the student's
11.13 diploma. A school district or charter school must not charge the high school student a fee
11.14 for this seal.

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

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

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

11.28 (h) By August 1, 2015, the colleges and universities of the Minnesota State Colleges
11.29 and Universities system must establish criteria to translate the seals into college credits
11.30 based on the world language course equivalencies identified by the Minnesota State Colleges
11.31 and Universities faculty and staff and, upon request from an enrolled student, the Minnesota
11.32 State Colleges and Universities may award foreign language credits to a student who ~~receives~~
11.33 received a Minnesota World Language Proficiency Certificate or Minnesota Bilingual or
11.34 Multilingual Seals under subdivision 1a. A student who demonstrated the requisite level of

12.1 language proficiency in grade 10, 11, or 12 to receive a seal or certificate and is enrolled in
12.2 a Minnesota State Colleges and Universities institution must request college credits for the
12.3 student's seal or proficiency certificate within three academic years after graduating from
12.4 high school. The University of Minnesota is encouraged to award students foreign language
12.5 academic credits consistent with this paragraph.

12.6 Sec. 4. Minnesota Statutes 2023 Supplement, section 120B.024, subdivision 1, is amended
12.7 to read:

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

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

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

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

12.18 (4) three and one-half credits of social studies, including credit for a course in government
12.19 and citizenship in either grade 11 or 12 for students beginning grade 9 in the ~~2024-2025~~
12.20 2025-2026 school year and later or an advanced placement, international baccalaureate, or
12.21 other rigorous course on government and citizenship under section 120B.021, subdivision
12.22 1a, and a combination of other credits encompassing at least United States history, geography,
12.23 government and citizenship, world history, and economics sufficient to satisfy all of the
12.24 academic standards in social studies;

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

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

12.27 (7) a minimum of seven elective credits.

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

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

13.2 Sec. 5. Minnesota Statutes 2023 Supplement, section 120B.11, subdivision 1, is amended
13.3 to read:

13.4 Subdivision 1. **Definitions.** For the purposes of this section and section 120B.10, the
13.5 following terms have the meanings given them.

13.6 (a) "Instruction" means methods of providing learning experiences that enable a student
13.7 to meet state and district academic standards and graduation requirements including applied
13.8 and experiential learning.

13.9 (b) "Curriculum" means district or school adopted programs and written plans for
13.10 providing students with learning experiences that lead to expected knowledge and skills
13.11 and career and college readiness.

13.12 (c) "World's best workforce" means striving to: meet school readiness goals; close the
13.13 academic achievement gap among all racial and ethnic groups of students and between
13.14 students living in poverty and students not living in poverty; have all students attain career
13.15 and college readiness before graduating from high school; and have all students graduate
13.16 from high school.

13.17 (d) "Experiential learning" means learning for students that includes career exploration
13.18 through a specific class or course or through work-based experiences such as job shadowing,
13.19 mentoring, entrepreneurship, service learning, volunteering, internships, other cooperative
13.20 work experience, youth apprenticeship, or employment.

13.21 (e) "Ethnic studies" as defined in section 120B.25 has the same meaning for purposes
13.22 of this section. Ethnic studies curriculum may be integrated in existing curricular
13.23 opportunities or provided through additional curricular offerings.

13.24 (f) "Antiracist" means actively working to identify and eliminate racism in all forms in
13.25 order to change policies, behaviors, and beliefs that perpetuate racist ideas and actions.

13.26 (g) "Culturally sustaining" means integrating content and practices that infuse the culture
13.27 and language of Black, Indigenous, and People of Color communities who have been and
13.28 continue to be harmed and erased through the education system.

13.29 (h) "Institutional racism" means structures, policies, and practices within and across
13.30 institutions that produce outcomes that disadvantage those who are Black, Indigenous, and
13.31 People of Color.

14.1 (i) "On track for graduation" means that at the end of grade 9, a student has earned at
14.2 least five credits and has received no more than one failing grade in a semester in a course
14.3 in language arts, mathematics, science, or social studies. A student is off track for graduation
14.4 if the student fails to meet either of these criteria.

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

14.6 Sec. 6. Minnesota Statutes 2023 Supplement, section 120B.11, subdivision 1a, is amended
14.7 to read:

14.8 Subd. 1a. **Performance measures.** (a) Measures to determine school district and school
14.9 site progress in striving to create the world's best workforce must include at least:

14.10 (1) the size of the academic achievement gap, rigorous course taking under section
14.11 120B.35, subdivision 3, paragraph (c), clause (2), ~~and~~ enrichment experiences by student
14.12 subgroup, and starting in the 2025-2026 school year, participation in honors or gifted and
14.13 talented programming;

14.14 (2) student performance on the Minnesota Comprehensive Assessments;

14.15 (3) high school graduation rates; ~~and~~

14.16 (4) career and college readiness under section 120B.307; and

14.17 (5) starting in the 2025-2026 school year, the number and percentage of students, by
14.18 student subgroup, who are on track for graduation.

14.19 (b) Starting in the 2025-2026 school year, a school district that offers advanced placement,
14.20 international baccalaureate, or dual enrollment programs must report on the following
14.21 performance measures:

14.22 (1) participation in postsecondary enrollment options and concurrent enrollment programs;

14.23 (2) the number of students who took an advanced placement exam, and the number of
14.24 students who passed the exam, disaggregated by student subgroup; and

14.25 (3) the number of students who took the international baccalaureate exam, and the number
14.26 of students who passed the exam, disaggregated by student subgroup.

14.27 (c) Performance measures under this subdivision must be reported for all student
14.28 subgroups identified in section 120B.35, subdivision 3, paragraph (b), clause (2).

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

15.1 Sec. 7. Minnesota Statutes 2023 Supplement, section 120B.11, subdivision 2, is amended
15.2 to read:

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

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

15.9 (2) a process to assess and evaluate each student's progress toward meeting state and
15.10 local academic standards, assess and identify students to participate in gifted and talented
15.11 programs and accelerate their instruction, and adopt early-admission procedures consistent
15.12 with section 120B.15, and identifying the strengths and weaknesses of instruction in pursuit
15.13 of student and school success and curriculum affecting students' progress and growth toward
15.14 career and college readiness and leading to the world's best workforce;

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

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

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

15.29 (6) education effectiveness practices that:

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

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

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

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

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

16.8 (9) starting in the 2025-2026 school year, a language access plan that specifies the
16.9 district's process and procedures to render effective language assistance to students and
16.10 adults who communicate in a language other than English. The language access plan must
16.11 include:

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

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

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

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

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

16.21 Sec. 8. Minnesota Statutes 2023 Supplement, section 120B.30, subdivision 7, is amended
16.22 to read:

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

17.1 Sec. 9. Minnesota Statutes 2023 Supplement, section 120B.30, subdivision 12, is amended
17.2 to read:

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

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

17.10 ~~(e)~~ (b) A proposal submitted under this section must include disclosures containing:
17.11 (1) comprehensive information regarding test administration monitoring practices; and
17.12 (2) data privacy safeguards for student information to be transmitted to or used by the
17.13 proposing entity.

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

17.16 Sec. 10. Minnesota Statutes 2023 Supplement, section 120B.30, is amended by adding a
17.17 subdivision to read:

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

17.22 Sec. 11. Minnesota Statutes 2023 Supplement, section 120B.302, is amended to read:

17.23 **120B.302 GENERAL REQUIREMENTS; TEST DESIGN.**

17.24 Subdivision 1. **Definitions** Developing assessments. For purposes of conforming with
17.25 existing federal educational accountability requirements, the commissioner must develop
17.26 and implement computer-adaptive reading and mathematics assessments for grades 3 through
17.27 8, state-developed high school reading and mathematics tests aligned with state academic
17.28 standards, a high school writing test aligned with state standards when it becomes available,
17.29 and science assessments ~~under clause (2)~~ that districts and sites must use to monitor student
17.30 growth toward achieving those standards. The commissioner must:

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

18.3 ~~(1) annual computer-adaptive reading and mathematics assessments in grades 3 through~~
18.4 ~~8, and high school reading, writing, and mathematics tests; and~~

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

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

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

18.25 (1) ~~mathematics;~~

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

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

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

18.30 (3) ~~language arts and reading; grades 3 through 8 and high school level beginning in the~~
18.31 ~~2012-2013 school year.~~

18.32 (b) ~~The grades 3 through 8 computer-adaptive assessments and high school tests must~~
18.33 ~~be aligned with state academic standards. The commissioner must determine the testing~~

19.1 ~~process and the order of administration. The statewide results must be aggregated at the site~~
19.2 ~~and district level, consistent with subdivision 1a.~~

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

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

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

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

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

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

19.20 Subd. 4. Use of assessments. A school, school district, and charter school must administer
19.21 statewide assessments under this section as the assessments become available to evaluate
19.22 student progress toward career and college readiness in the context of the state's academic
19.23 standards. A school, school district, or charter school may use a student's performance on
19.24 a statewide assessment as one of multiple criteria to determine grade promotion or retention.
19.25 A school, school district, or charter school may use a high school student's performance on
19.26 a statewide assessment as a percentage of the student's final grade in a course or place a
19.27 student's assessment score on the student's transcript.

19.28 Sec. 12. Minnesota Statutes 2023 Supplement, section 120B.305, is amended to read:

19.29 **120B.305 ASSESSMENT REPORTING REQUIREMENTS.**

19.30 ~~Subdivision 1. Reporting requirements. A school, school district, and charter school~~
19.31 ~~must administer statewide assessments under this section, as the assessments become~~
19.32 ~~available, to evaluate student progress toward career and college readiness in the context~~

20.1 ~~of the state's academic standards. A school, school district, or charter school may use a~~
20.2 ~~student's performance on a statewide assessment as one of multiple criteria to determine~~
20.3 ~~grade promotion or retention. A school, school district, or charter school may use a high~~
20.4 ~~school student's performance on a statewide assessment as a percentage of the student's~~
20.5 ~~final grade in a course, or place a student's assessment score on the student's transcript.~~

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

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

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

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

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

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

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

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

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

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

21.1 (d) A school, school district, or charter school may provide a student's parent access to
21.2 the student's individual student performance data and achievement report that is made
21.3 available under paragraph (b), clause (1), when the performance data and report is available
21.4 to the school, school district, or charter school.

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

21.7 (1) uniform statewide computer-adaptive assessments of all students in grades 3 through
21.8 8 and testing at the high school levels that provides appropriate, technically sound
21.9 accommodations or alternate assessments;

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

21.13 (3) state results on the ACT test; ~~and~~

21.14 (4) state results from participation in the National Assessment of Educational Progress
21.15 so that the state can benchmark its performance against the nation and other states, and,
21.16 where possible, against other countries, and contribute to the national effort to monitor
21.17 achievement; and

21.18 (5) comparison of statewide assessment results among school sites and school districts.

21.19 (b) The commissioner shall report test results publicly and to stakeholders, including
21.20 the performance achievement levels developed from students' unweighted test scores in
21.21 each tested subject and a listing of demographic factors that strongly correlate with student
21.22 performance, including student homelessness, as data are available, among other factors.

21.23 The test results must not include personally identifiable information as defined in Code of
21.24 Federal Regulations, title 34, section 99.3. ~~The commissioner shall also report data that~~
21.25 ~~compares performance results among school sites, school districts, Minnesota and other~~
21.26 ~~states, and Minnesota and other nations.~~ The commissioner shall disseminate to schools
21.27 and school districts a more comprehensive report containing testing information that meets
21.28 local needs for evaluating instruction and curriculum. The commissioner shall disseminate
21.29 to charter school authorizers a more comprehensive report containing testing information
21.30 that contains anonymized data where cell count data are sufficient to protect student identity
21.31 and that meets the authorizer's needs in fulfilling its obligations under chapter 124E.

21.32 ~~(e) The grades 3 through 8 computer-adaptive assessments and high school tests must~~
21.33 ~~be aligned with state academic standards. The commissioner must determine the testing~~

22.1 ~~process and the order of administration. The statewide results must be aggregated at the site~~
22.2 ~~and district level, consistent with subdivision 1a.~~

22.3 Sec. 13. Minnesota Statutes 2023 Supplement, section 120B.31, subdivision 4, is amended
22.4 to read:

22.5 Subd. 4. **Student performance data.** In developing policies and assessment processes
22.6 to hold schools and districts accountable for high levels of academic standards under section
22.7 120B.021, the commissioner shall ~~aggregate and disaggregate student data over time to~~
22.8 ~~report summary student performance and growth levels and, under section 120B.11,~~
22.9 ~~subdivision 2, clause (2), student learning and outcome data measured at the school, school~~
22.10 ~~district, and statewide level. The commissioner shall~~ use the student categories identified
22.11 under the federal Elementary and Secondary Education Act, as most recently reauthorized,
22.12 and student categories of:

22.13 (1) homelessness;

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

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

22.16 (4) home language;

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

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

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

22.22 Any report the commissioner disseminates containing summary data on student performance
22.23 must integrate student performance and the demographic factors that strongly correlate with
22.24 that performance.

22.25 Sec. 14. Minnesota Statutes 2023 Supplement, section 120B.36, subdivision 1, is amended
22.26 to read:

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

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

22.30 (2) academic progress consistent with federal expectations;

- 23.1 (3) school safety and student engagement and connection under section 120B.35,
23.2 subdivision 3, paragraph (d);
- 23.3 (4) rigorous coursework under section 120B.35, subdivision 3, paragraph (c);
- 23.4 (5) the percentage of students under section 120B.35, subdivision 3, paragraph (b), clause
23.5 (2), whose progress and performance levels are meeting career and college readiness
23.6 benchmarks under sections 120B.307 and 120B.35, subdivision 3, paragraph (e);
- 23.7 (6) longitudinal data on the progress of eligible districts in reducing disparities in students'
23.8 academic achievement and realizing racial and economic integration under section 124D.861;
- 23.9 (7) the acquisition of English, and where practicable, native language academic literacy,
23.10 including oral academic language, and the academic progress of all English learners enrolled
23.11 in a Minnesota public school course or program who are currently or were previously counted
23.12 as English learners under section 124D.59;
- 23.13 (8) two separate student-to-teacher ratios that clearly indicate the definition of teacher
23.14 consistent with sections 122A.06 and 122A.15 for purposes of determining these ratios;
- 23.15 (9) staff characteristics excluding salaries;
- 23.16 (10) student enrollment demographics;
- 23.17 (11) foster care status, including all students enrolled in a Minnesota public school course
23.18 or program who are currently or were previously in foster care, student homelessness, and
23.19 district mobility; and
- 23.20 (12) extracurricular activities.
- 23.21 (b) The school performance report for a school site and a school district must include
23.22 school performance reporting information and calculate proficiency rates as required by the
23.23 most recently reauthorized Elementary and Secondary Education Act.
- 23.24 (c) The commissioner shall develop, annually update, and post on the department website
23.25 school performance reports consistent with paragraph (a) and section 120B.11.
- 23.26 (d) The commissioner must make available performance reports by the beginning of
23.27 each school year.
- 23.28 (e) A school or district may appeal its results in a form and manner determined by the
23.29 commissioner and consistent with federal law. The commissioner's decision to uphold or
23.30 deny an appeal is final.

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

24.6 Sec. 15. [121A.80] STUDENT JOURNALISM; STUDENT EXPRESSION.

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

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

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

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

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

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

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

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

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

24.24 Subd. 2. Student journalists; protected conduct. (a) Except as provided in subdivision
24.25 3, a student journalist has the right to exercise freedom of speech and freedom of the press
24.26 in school-sponsored media regardless of whether the school-sponsored media receives
24.27 financial support from the school or district, uses school equipment or facilities in its
24.28 production, or is produced as part of a class or course in which the student journalist is
24.29 enrolled. Freedom of speech includes freedom to express political viewpoints. Consistent
24.30 with subdivision 3, a student journalist has the right to determine the news, opinion, feature,
24.31 and advertising content of school-sponsored media. A school district or charter school must

25.1 not discipline a student journalist for exercising rights or freedoms under this paragraph or
25.2 the First Amendment of the United States Constitution.

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

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

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

25.11 (1) is defamatory;

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

25.13 (3) constitutes an unwarranted invasion of privacy;

25.14 (4) violates federal or state law;

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

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

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

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

25.24 Subd. 4. **Student journalist policy.** School districts and charter schools must adopt and
25.25 post a student journalist policy consistent with this section.

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

25.27 Sec. 16. Minnesota Statutes 2022, section 124D.09, subdivision 2, is amended to read:

25.28 Subd. 2. **Purpose.** The purpose of this section is to promote rigorous academic pursuits,
25.29 to facilitate career preparation, and to provide a wider variety of options to high school
25.30 pupils by encouraging and enabling secondary pupils to enroll full time or part time in

26.1 nonsectarian courses or programs in eligible postsecondary institutions, as defined in
26.2 subdivision 3.

26.3 Sec. 17. Minnesota Statutes 2023 Supplement, section 124D.09, subdivision 5, is amended
26.4 to read:

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

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

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

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

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

26.23 Sec. 18. Minnesota Statutes 2022, section 124D.09, subdivision 7, is amended to read:

26.24 Subd. 7. **Dissemination of information; notification of intent to enroll.** By the earlier
26.25 of (1) three weeks prior to the date by which a student must register for district courses for
26.26 the following school year, or (2) March 1 of each year, a district must provide up-to-date
26.27 information on the district's website and in materials that are distributed to parents and
26.28 students about the program, including information about enrollment requirements and the
26.29 ability to earn postsecondary credit to all pupils in grades 8, 9, 10, and 11. To assist the
26.30 district in planning, a pupil must inform the district by October 30 or May 30 of each year
26.31 of the pupil's intent to enroll in postsecondary courses during the following ~~school year~~.

27.1 academic term. A pupil is bound by notifying or not notifying the district by October 30 or
27.2 May 30.

27.3 Sec. 19. Minnesota Statutes 2022, section 124D.09, subdivision 9, is amended to read:

27.4 Subd. 9. **Enrollment priority.** (a) A postsecondary institution must give priority to its
27.5 postsecondary students when enrolling pupils in grades 10, 11, and 12 in its courses. A
27.6 postsecondary institution may provide information about its programs to a secondary school
27.7 or to a pupil or parent, ~~and it may advertise or otherwise recruit or solicit a secondary pupil~~
27.8 ~~to enroll in its programs on educational and programmatic grounds only except,~~
27.9 ~~notwithstanding other law to the contrary, and for the 2014-2015 through 2019-2020 school~~
27.10 ~~years only, an eligible postsecondary institution may advertise or otherwise recruit or solicit~~
27.11 ~~a secondary pupil residing in a school district with 700 students or more in grades 10, 11,~~
27.12 ~~and 12, to enroll in its programs on educational, programmatic, or financial grounds.~~

27.13 (b) An institution must not enroll secondary pupils, for postsecondary enrollment options
27.14 purposes, in remedial, developmental, or other courses that are not college level except
27.15 when a student eligible to participate and enrolled in the graduation incentives program
27.16 under section 124D.68 enrolls full time in a middle or early college program. A middle or
27.17 early college program must be specifically designed to allow the student to earn dual high
27.18 school and college credit with a well-defined pathway to allow the student to earn a
27.19 postsecondary degree or credential. In this case, the student must receive developmental
27.20 college credit and not college credit for completing remedial or developmental courses.

27.21 (c) Once a pupil has been enrolled in any postsecondary course under this section, the
27.22 pupil must not be displaced by another student.

27.23 (d) If a postsecondary institution enrolls a secondary school pupil in a course under this
27.24 section, the postsecondary institution also must enroll in the same course an otherwise
27.25 enrolled and qualified postsecondary student who qualifies as a veteran under section
27.26 197.447, and demonstrates to the postsecondary institution's satisfaction that the institution's
27.27 established enrollment timelines were not practicable for that student.

27.28 (e) A postsecondary institution must allow secondary pupils to enroll in online courses
27.29 under this section consistent with the institution's policy regarding postsecondary pupil
27.30 enrollment in online courses.

28.1 Sec. 20. Minnesota Statutes 2022, section 124D.09, subdivision 10, is amended to read:

28.2 Subd. 10. **Courses according to agreements.** (a) An eligible pupil, according to
28.3 subdivision 5, may enroll in a nonsectarian course taught by a secondary teacher or a
28.4 postsecondary faculty member and offered at a secondary school, or another location,
28.5 according to an agreement between a public school board and the governing body of an
28.6 eligible public postsecondary system or an eligible private postsecondary institution, as
28.7 defined in subdivision 3. All provisions of this section apply to a pupil, public school board,
28.8 district, and the governing body of a postsecondary institution, except as otherwise provided.
28.9 A secondary school and a postsecondary institution that enrolls eligible pupils in courses
28.10 according to agreements must annually report to the commissioner the participation rates
28.11 of pupils enrolled in courses according to agreements, including the number of pupils
28.12 enrolled and the number of courses taken for postsecondary or dual credit.

28.13 (b) To encourage students, especially American Indian students and students of color,
28.14 to consider teaching as a profession, participating schools, school districts, and postsecondary
28.15 institutions are encouraged to develop and offer an "Introduction to Teaching" or
28.16 "Introduction to Education" course under this subdivision. For the purpose of applying for
28.17 grants under this paragraph, "eligible institution" includes schools and districts that partner
28.18 with an accredited college or university in addition to postsecondary institutions identified
28.19 in subdivision 3, paragraph (a). Grant recipients under this paragraph must annually report
28.20 to the commissioner in a form and manner determined by the commissioner on the
28.21 participation rates of students in courses under this paragraph, including the number of
28.22 students who apply for admission to colleges or universities with teacher preparation
28.23 programs and the number of students of color and American Indian students who earned
28.24 postsecondary credit. Grant recipients must also describe recruiting efforts intended to
28.25 ensure that the percentage of participating students who are of color or American Indian
28.26 meets or exceeds the overall percentage of students of color or American Indian students
28.27 in the school.

28.28 Sec. 21. Minnesota Statutes 2022, section 124D.09, subdivision 10b, is amended to read:

28.29 Subd. 10b. **Concurrent Enrollment Advisory Board; membership; duties.** (a) A
28.30 postsecondary institution offering courses taught by the secondary teacher according to
28.31 subdivision 10 must establish an advisory board. The purpose of the advisory board is to
28.32 engage stakeholders in concurrent enrollment decisions. The duties of the board must include
28.33 the following:

28.34 (1) providing strategic advice and input relating to concurrent enrollment issues;

- 29.1 (2) recommend and review proposals for concurrent enrollment course offerings;
- 29.2 (3) serve as a coordinating entity between secondary education and postsecondary
- 29.3 institutions; and
- 29.4 (4) increase the understanding and collaboration among concurrent enrollment partners,
- 29.5 stakeholders, the legislature, and the public.
- 29.6 (b) The advisory board at each institution must consist of 16 members in addition to a
- 29.7 concurrent enrollment faculty coordinator who shall serve as the chair and convene the
- 29.8 meetings. A postsecondary institution may elect to have an advisory board of less than 16
- 29.9 members if the institution determines that the extent of its concurrent program warrants a
- 29.10 smaller board. Except for the original members, advisory board members must serve
- 29.11 three-year staggered terms. Advisory board members, appointed by the postsecondary
- 29.12 institution, must be balanced based on geography and school size, and include, if practical,
- 29.13 representatives from the following:
- 29.14 (1) postsecondary faculty members;
- 29.15 (2) school superintendents;
- 29.16 (3) secondary and postsecondary students;
- 29.17 ~~(3)~~ (4) high school principals;
- 29.18 ~~(4)~~ (5) concurrent enrollment teachers;
- 29.19 ~~(5)~~ (6) high school counselors;
- 29.20 ~~(6)~~ (7) charter school administrators;
- 29.21 ~~(7)~~ (8) school board members;
- 29.22 ~~(8)~~ (9) secondary academic administrators;
- 29.23 ~~(9)~~ (10) parents; and
- 29.24 ~~(10)~~ (11) other local organizations.
- 29.25 (c) Members of the board serve without compensation.
- 29.26 (d) The board shall report to the postsecondary institution periodically as requested by
- 29.27 the postsecondary institution to provide advice and proposals described in paragraph (a).
- 29.28 (e) The postsecondary institution shall provide administrative services and meeting space
- 29.29 for the board to do its work.

30.1 (f) A board established under this section expires when the postsecondary institution no
30.2 longer offers concurrent enrollment course offerings.

30.3 (g) The postsecondary institution shall appoint the first members to the advisory board
30.4 by October 31, 2015, or by October 15 following the year it establishes a concurrent
30.5 enrollment program. The postsecondary institution shall designate the terms of the first
30.6 members so that an approximately equal number serve terms of two, three, and four years.

30.7 Sec. 22. Minnesota Statutes 2022, section 124D.09, subdivision 11, is amended to read:

30.8 Subd. 11. **Participation in high school activities.** Enrolling in a course under this section
30.9 shall not, by itself, prohibit a pupil from participating in activities sponsored by the pupil's
30.10 high school, including but not limited to accessing scholarships awarded, sponsored, or
30.11 disbursed by the school, or participating in leadership roles or national organizations
30.12 sponsored by the pupil's high school.

30.13 Sec. 23. Minnesota Statutes 2023 Supplement, section 124D.09, subdivision 12, is amended
30.14 to read:

30.15 Subd. 12. **Credits; grade point average weighting policy.** (a) A pupil must not audit
30.16 a course under this section.

30.17 (b) A district must grant academic credit to a pupil enrolled in a course for secondary
30.18 credit if the pupil successfully completes the course. Seven quarter or four semester college
30.19 credits equal at least one full year of high school credit. Fewer college credits may be
30.20 prorated. A district must also grant academic credit to a pupil enrolled in a course for
30.21 postsecondary credit if secondary credit is requested by a pupil. If no comparable course is
30.22 offered by the district, the district must, as soon as possible, notify the commissioner, who
30.23 must determine the number of credits that must be granted to a pupil who successfully
30.24 completes a course. If a comparable course is offered by the district, the school board must
30.25 grant a comparable number of credits to the pupil. If there is a dispute between the district
30.26 and the pupil regarding the number of credits granted for a particular course, the pupil may
30.27 appeal the board's decision to the commissioner. The commissioner's decision regarding
30.28 the number of credits is final.

30.29 (c) A school board must adopt a policy regarding weighted grade point averages for any
30.30 high school or dual enrollment course. A school board must adopt an identical policy
30.31 regarding weighted grade point averages for credits earned via postsecondary coursework
30.32 as it gives to credits earned via concurrent enrollment coursework. The policy must state

31.1 whether the district offers weighted grades. A school board must annually publish on its
31.2 website a list of courses for which a student may earn a weighted grade.

31.3 (d) The secondary credits granted to a pupil must be counted toward the graduation
31.4 requirements and subject area requirements of the district. Evidence of successful completion
31.5 of each course and secondary credits granted must be included in the pupil's secondary
31.6 school record. A pupil must provide the school with a copy of the pupil's grades in each
31.7 course taken for secondary credit under this section, including interim or nonfinal grades
31.8 earned during the academic term. Upon the request of a pupil, the pupil's secondary school
31.9 record must also include evidence of successful completion and credits granted for a course
31.10 taken for postsecondary credit. In either case, the record must indicate that the credits were
31.11 earned at a postsecondary institution.

31.12 (e) If a pupil enrolls in a postsecondary institution after leaving secondary school, the
31.13 postsecondary institution must award postsecondary credit for any course successfully
31.14 completed for secondary credit at that institution. Other postsecondary institutions may
31.15 award, after a pupil leaves secondary school, postsecondary credit for any courses
31.16 successfully completed under this section. An institution may not charge a pupil for the
31.17 award of credit.

31.18 (f) The Board of Trustees of the Minnesota State Colleges and Universities and the
31.19 Board of Regents of the University of Minnesota must, and private nonprofit and proprietary
31.20 postsecondary institutions should, award postsecondary credit for any successfully completed
31.21 courses in a program certified by the National Alliance of Concurrent Enrollment Partnerships
31.22 offered according to an agreement under subdivision 10. Consistent with section 135A.101,
31.23 subdivision 3, all MnSCU institutions must give full credit to a secondary pupil who
31.24 completes for postsecondary credit a postsecondary course or program that is part or all of
31.25 a goal area or a transfer curriculum at a MnSCU institution when the pupil enrolls in a
31.26 MnSCU institution after leaving secondary school. Once one MnSCU institution certifies
31.27 as completed a secondary student's postsecondary course or program that is part or all of a
31.28 goal area or a transfer curriculum, every MnSCU institution must consider the student's
31.29 course or program for that goal area or the transfer curriculum as completed.

31.30 Sec. 24. Minnesota Statutes 2022, section 124D.60, subdivision 1, is amended to read:

31.31 Subdivision 1. **Notice.** Within ~~ten~~ 30 calendar days after the ~~enrollment of any pupil in~~
31.32 ~~an instructional program for English learners~~ beginning of the school year, the district or
31.33 charter school in which the ~~pupil resides~~ English learner identified for participation in an
31.34 instructional program for English learners is enrolled must notify the ~~parent by mail~~ parents.

32.1 For those children who have not been identified as English learners prior to the beginning
32.2 of the school year but are identified as English learners during that school year, the district
32.3 or charter school shall notify the children's parents during the first two weeks of the child
32.4 being placed in a language instruction educational program. This notice must:

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

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

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

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

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

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

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

32.18 Sec. 25. Minnesota Statutes 2022, section 124D.61, is amended to read:

32.19 **124D.61 GENERAL REQUIREMENTS FOR PROGRAMS.**

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

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

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

32.28 ~~(2)~~ (3) a written plan of services that describes programming by English proficiency
32.29 level made available to parents upon request. The plan must articulate the amount and scope
32.30 of service offered to English learners through an educational program for English learners;

33.1 ~~(3)~~ (4) professional development opportunities for ESL, bilingual education, mainstream,
33.2 and all staff working with English learners which are: (i) coordinated with the district's
33.3 professional development activities; (ii) related to the needs of English learners; and (iii)
33.4 ongoing;

33.5 ~~(4)~~ (5) to the extent possible, avoid isolating English learners for a substantial part of
33.6 the school day; and

33.7 ~~(5)~~ (6) in predominantly nonverbal subjects, such as art, music, and physical education,
33.8 permit English learners to participate fully and on an equal basis with their contemporaries
33.9 in public school classes provided for these subjects. To the extent possible, the district must
33.10 assure to pupils enrolled in a program for English learners an equal and meaningful
33.11 opportunity to participate fully with other pupils in all extracurricular activities.

33.12 Sec. 26. **REPEALER.**

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

33.14 **ARTICLE 3**

33.15 **TEACHERS**

33.16 Section 1. Minnesota Statutes 2022, section 122A.092, is amended by adding a subdivision
33.17 to read:

33.18 Subd. 9. **Ableism and disability justice.** A teacher preparation program is encouraged
33.19 to include instruction for teacher candidates on ableism and disability justice, provided by
33.20 a person with a disability.

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

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

33.24 Subd. 1a. **Special education requirements.** (a) The Professional Educator Licensing
33.25 and Standards Board must approve an application for a Tier 1 license in a special education
33.26 field if:

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

33.28 (2) the district or charter school affirms that the applicant will receive high-quality
33.29 professional development that is sustained, intensive, and classroom focused in order to
33.30 have a positive and lasting impact on classroom instruction, before and while teaching;

34.1 (3) the district or charter school affirms that the applicant will participate in a program
34.2 of intensive supervision that consists of structured guidance and regular ongoing support
34.3 for teachers or a teacher mentoring program; and

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

34.5 (b) A teacher with a Tier 1 license in a special education field may assume the functions
34.6 as a teacher for a period of time not to exceed three years.

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

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

34.10 Subd. 2. **Professional requirements.** ~~(a)~~ An applicant for a Tier 1 license must have a
34.11 bachelor's degree ~~to teach a class or course outside a career and technical education or career~~
34.12 ~~pathways course of study,~~ unless the applicant meets an exemption identified in subdivision
34.13 2a.

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

34.17 ~~(1) an associate's degree;~~

34.18 ~~(2) a professional certification; or~~

34.19 ~~(3) five years of relevant work experience.~~

34.20 Sec. 4. Minnesota Statutes 2022, section 122A.182, is amended by adding a subdivision
34.21 to read:

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

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

34.26 (2) the district or charter school affirms that the applicant will receive high-quality
34.27 professional development that is sustained, intensive, and classroom focused in order to
34.28 have a positive and lasting impact on classroom instruction, before and while teaching;

35.1 (3) the district or charter school affirms that the applicant will participate in a program
35.2 of intensive supervision that consists of structured guidance and regular ongoing support
35.3 for teachers or a teacher mentoring program; and

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

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

35.6 Sec. 5. Minnesota Statutes 2023 Supplement, section 122A.183, subdivision 2, is amended
35.7 to read:

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

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

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

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

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

35.19 (5) three years of teaching experience under a Tier 2 license and evidence of summative
35.20 teacher evaluations that did not result in placing or otherwise keeping the teacher on an
35.21 improvement process pursuant to section 122A.40, subdivision 8, or 122A.41, subdivision
35.22 5.

35.23 Sec. 6. Minnesota Statutes 2023 Supplement, section 122A.184, subdivision 1, is amended
35.24 to read:

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

35.28 (1) the applicant meets all requirements for a Tier 3 license under section 122A.183,
35.29 and: (i) has completed a teacher preparation program under section 122A.183, subdivision
35.30 2, clause (1) or (2); (ii) obtained licensure through the licensure via portfolio process under

36.1 section 122A.183, subdivision 2, clause (3); or (iii) holds national board certification from
36.2 the National Board for Professional Teaching Standards;

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

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

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

36.9 Sec. 7. Minnesota Statutes 2023 Supplement, section 122A.185, subdivision 1, is amended
36.10 to read:

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

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

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

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

36.20 ~~(3)~~ (4) completed a state-approved teacher preparation program in another state and
36.21 passed licensure examinations in that state, if applicable. The content examination
36.22 requirement does not apply if no relevant content exam exists.

36.23 (b) All testing centers in the state must provide monthly opportunities for untimed content
36.24 and pedagogy examinations. These opportunities must be advertised on the test registration
36.25 website. The board must require the exam vendor to provide other equitable opportunities
36.26 to pass exams, including: (1) waiving testing fees for test takers who qualify for federal
36.27 grants; (2) providing free, multiple, full-length practice tests for each exam and free,
36.28 comprehensive study guides on the test registration website; (3) making content and pedagogy
36.29 exams available in languages other than English for teachers seeking licensure to teach in
36.30 language immersion programs; and (4) providing free, detailed exam results analysis by
36.31 test objective to assist applicants who do not pass an exam in identifying areas for
36.32 improvement. Any applicant who has not passed a required exam after two attempts must

37.1 be allowed to retake the exam, including new versions of the exam, without being charged
37.2 an additional fee.

37.3 Sec. 8. Minnesota Statutes 2022, section 122A.185, subdivision 3, is amended to read:

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

37.10 Sec. 9. Minnesota Statutes 2022, section 122A.20, is amended by adding a subdivision to
37.11 read:

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

37.18 Sec. 10. Minnesota Statutes 2022, section 122A.33, subdivision 2, is amended to read:

37.19 Subd. 2. **Annual contract.** (a) Notwithstanding section 122A.58, a person employed as
37.20 a head varsity coach has an annual contract as a coach that the school board may or may
37.21 not renew as the board sees fit.

37.22 (b) A school board must provide written notice to a coach whose contract the school
37.23 board declines to renew for the following school year no more than 60 days after the end
37.24 of the regular season for the activity, as established by the high school league under chapter
37.25 128C. The notice requirement of this paragraph does not apply if the school board declines
37.26 to renew the contract based on the coach's misconduct or failure to perform duties, or the
37.27 district's financial limitations.

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

38.1 Sec. 11. Minnesota Statutes 2023 Supplement, section 122A.40, subdivision 8, is amended
38.2 to read:

38.3 Subd. 8. **Development, evaluation, and peer coaching for continuing contract**
38.4 **teachers.** (a) To improve student learning and success, a school board and an exclusive
38.5 representative of the teachers in the district, consistent with paragraph (b), may develop a
38.6 teacher evaluation and peer review process for probationary and continuing contract teachers
38.7 through joint agreement. If a school board and the exclusive representative of the teachers
38.8 do not agree to an annual teacher evaluation and peer review process, then the school board
38.9 and the exclusive representative of the teachers must implement the state teacher evaluation
38.10 plan under paragraph (c). The process must include having trained observers serve as peer
38.11 coaches or having teachers participate in professional learning communities, consistent with
38.12 paragraph (b).

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

38.17 (1) must, for probationary teachers, provide for all evaluations required under subdivision
38.18 5;

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

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

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

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

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

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

39.5 (8) must include an option for teachers to develop and present a portfolio demonstrating
39.6 evidence of reflection and professional growth, consistent with section 122A.187, subdivision
39.7 3, and include teachers' own performance assessment based on student work samples and
39.8 examples of teachers' work, which may include video among other activities for the
39.9 summative evaluation;

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

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

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

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

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

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

39.31 (c) The department, in consultation with parents who may represent parent organizations
39.32 and teacher and administrator representatives appointed by their respective organizations,
39.33 representing the Professional Educator Licensing and Standards Board, the Minnesota

40.1 Association of School Administrators, the Minnesota School Boards Association, the
40.2 Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and
40.3 representatives of the Minnesota Assessment Group, the Minnesota Business Partnership,
40.4 the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with
40.5 research expertise in teacher evaluation, must create and publish a teacher evaluation process
40.6 that complies with the requirements in paragraph (b) and applies to all teachers under this
40.7 section and section 122A.41 for whom no agreement exists under paragraph (a) for an annual
40.8 teacher evaluation and peer review process. The teacher evaluation process created under
40.9 this subdivision does not create additional due process rights for probationary teachers under
40.10 subdivision 5.

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

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

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

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

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

40.26 Sec. 12. Minnesota Statutes 2023 Supplement, section 122A.41, subdivision 5, is amended
40.27 to read:

40.28 Subd. 5. **Development, evaluation, and peer coaching for continuing contract**
40.29 **teachers.** (a) To improve student learning and success, a school board and an exclusive
40.30 representative of the teachers in the district, consistent with paragraph (b), may develop an
40.31 annual teacher evaluation and peer review process for probationary and nonprobationary
40.32 teachers through joint agreement. If a school board and the exclusive representative of the
40.33 teachers in the district do not agree to an annual teacher evaluation and peer review process,

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

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

41.9 (1) must, for probationary teachers, provide for all evaluations required under subdivision
41.10 2;

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

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

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

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

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

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

41.29 (8) must include an option for teachers to develop and present a portfolio demonstrating
41.30 evidence of reflection and professional growth, consistent with section 122A.187, subdivision
41.31 3, and include teachers' own performance assessment based on student work samples and
41.32 examples of teachers' work, which may include video among other activities for the
41.33 summative evaluation;

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

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

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

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

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

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

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

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

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

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

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

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

43.16 Sec. 13. **[122A.615] ABLEISM AND DISABILITY JUSTICE.**

43.17 A school district or charter school is encouraged to include training on ableism and
43.18 disability justice provided by a person with a disability in its professional development
43.19 activities for teachers and paraprofessionals, Title I aides, and other instructional support
43.20 staff.

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

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

43.24 Subd. 2. **Definition.** (a) "Heritage language and culture ~~teachers~~ teacher" means ~~teachers~~
43.25 ~~with a teacher who meets the following requirements:~~

43.26 (1) has a familial connection to a the teacher's community's language and culture who
43.27 ~~use;~~

43.28 (2) is proficient in the language and engaged in the culture; and

43.29 (3) uses this connection to support students as they learn academic content or, become
43.30 proficient in the language, and engage with the culture of that particular community.

44.1 (b) For the purposes of this section, a heritage language and culture teacher of American
44.2 Sign Language is a teacher with a childhood connection to American Sign Language and
44.3 whose primary language is American Sign Language.

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

44.6 Subd. 4. **Heritage language and culture teacher licensure pathway program.** (a) The
44.7 Professional Educator Licensing and Standards Board shall develop a program to support
44.8 initial and additional licensure for heritage language and culture teachers. The board may
44.9 prioritize the participation of heritage language and culture teachers whose own heritage
44.10 language is within the most common languages spoken by Minnesota students, as indicated
44.11 by the Department of Education report on primary home languages, and for which there are
44.12 fewer teacher preparation programs for that licensure area or fewer teachers that hold a
44.13 license in that area. The program must include:

44.14 (1) a yearlong mentorship program;

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

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

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

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

44.21 (b) For applicants seeking an initial license in a world language and culture, the applicant
44.22 must demonstrate meeting the standards of effective practice in Minnesota Rules, part
44.23 8710.2000, and content-specific pedagogical standards in Minnesota Rules, part 8710.4950,
44.24 through the portfolio process.

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

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

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

45.3 Subd. 2. **Board grants.** (a) The Professional Educator Licensing and Standards Board
45.4 must make grant application forms available to sites interested in developing, sustaining,
45.5 or expanding a mentorship program.

45.6 (b) The following applicants are eligible for a program grant:

45.7 (1) a school district ~~or group of school districts, a school or coalition of schools, or a~~
45.8 ~~coalition of teachers may apply for a program grant,~~ charter school, or cooperative unit,
45.9 on behalf of its participating schools sites;

45.10 (2) a Tribal contract school;

45.11 (3) a coalition of teachers; and

45.12 (4) a coalition of two or more applicants that are individually eligible for a grant.

45.13 A higher education institution or nonprofit organization may partner with ~~a~~ an eligible grant
45.14 applicant but is not eligible as a sole applicant for grant funds.

45.15 (c) The Professional Educator Licensing and Standards Board, in consultation with the
45.16 teacher mentoring task force, must approve or disapprove the applications. To the extent
45.17 possible, the approved applications must reflect effective mentoring, professional
45.18 development, and retention components, and be geographically distributed throughout the
45.19 state. The Professional Educator Licensing and Standards Board must encourage the selected
45.20 sites to consider the use of its assessment procedures.

45.21 Sec. 17. **REPEALER.**

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

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

45.24 **ARTICLE 4**

45.25 **SPECIAL EDUCATION**

45.26 Section 1. Minnesota Statutes 2023 Supplement, section 125A.08, is amended to read:

45.27 **125A.08 INDIVIDUALIZED EDUCATION PROGRAMS.**

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

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

46.2 (1) all students with disabilities are provided the special instruction and services which
46.3 are appropriate to their needs. Where the individualized education program team has
46.4 determined appropriate goals and objectives based on the student's needs, including the
46.5 extent to which the student can be included in the least restrictive environment, and where
46.6 there are essentially equivalent and effective instruction, related services, or assistive
46.7 technology devices available to meet the student's needs, cost to the district may be among
46.8 the factors considered by the team in choosing how to provide the appropriate services,
46.9 instruction, or devices that are to be made part of the student's individualized education
46.10 program. The individualized education program team shall consider and may authorize
46.11 services covered by medical assistance according to section 256B.0625, subdivision 26.
46.12 Before a school district evaluation team makes a determination of other health disability
46.13 under Minnesota Rules, part 3525.1335, subparts 1 and 2, item A, subitem (1), the evaluation
46.14 team must seek written documentation of the student's medically diagnosed chronic or acute
46.15 health condition signed by a licensed physician or a licensed health care provider acting
46.16 within the scope of the provider's practice. The student's needs and the special education
46.17 instruction and services to be provided must be agreed upon through the development of
46.18 an individualized education program. The program must address the student's need to develop
46.19 skills to live and work as independently as possible within the community. The individualized
46.20 education program team must consider positive behavioral interventions, strategies, and
46.21 supports that address behavior needs for children. During grade 9, the program must address
46.22 the student's needs for transition from secondary services to postsecondary education and
46.23 training, employment, community participation, recreation, and leisure and home living. In
46.24 developing the program, districts must inform parents of the full range of transitional goals
46.25 and related services that should be considered. The program must include a statement of
46.26 the needed transition services, including a statement of the interagency responsibilities or
46.27 linkages or both before secondary services are concluded. If the individualized education
46.28 program meets the plan components in section 120B.125, the individualized education
46.29 program satisfies the requirement and no additional transition plan is needed;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

48.17 Sec. 2. **SPECIAL EDUCATION LICENSURE RECIPROCALITY WORKING GROUP.**

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

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

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

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

48.24 (2) one representative from the board;

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

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

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

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

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

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

49.10 (9) two representatives from alternative teacher preparation programs; and

49.11 (10) one representative from the Minnesota Association of Charter Schools.

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

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

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

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

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

ARTICLE 5

CHARTER SCHOOLS

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

49.30 Subdivision 1. **Purposes.** The primary purpose of charter mission-driven chartered public
49.31 schools is to improve all-pupil the learning and all-student, achievement, and success of all

50.1 students. Additional purposes include to The additional purposes of chartered public schools
50.2 are to:

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

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

50.5 (3) measure learning outcomes and create different and innovative forms of measuring
50.6 outcomes;

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

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

50.10 A chartered public school must identify the purposes it will address in the charter contract
50.11 and document the implementation of those purposes in the school's annual report.

50.12 Documentation of the implementation of those purposes must be a component of the
50.13 authorizer's performance review of the school.

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

50.15 **124E.02 DEFINITIONS.**

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

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

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

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

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

50.30 (f) "Educational management organization" or "EMO" means a ~~nonprofit or for-profit~~
50.31 entity or organization that provides, manages or oversees operates or manages a charter

51.1 school or a network of charter schools or can control all or substantially all of ~~the~~ a school's
51.2 education program, or ~~the~~ a school's administrative, financial, business, or operational
51.3 functions.

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

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

51.9 (1) current and projected demographic information;

51.10 (2) student enrollment patterns;

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

51.12 (4) characteristics of proposed students and families;

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

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

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

51.16 (j) "Related party" means an affiliate or immediate relative of the other interested party,
51.17 an affiliate of an immediate relative who is the other interested party, or an immediate
51.18 relative of an affiliate who is the other interested party.

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

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

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

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

51.27 (c) A charter school must comply with the Minnesota Public School Fee Law, sections
51.28 123B.34 to 123B.39.

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

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

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

52.5 (g) A charter school must comply with continuing truant notification under section
52.6 260A.03.

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

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

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

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

52.18 Subd. 2. **Roles, responsibilities, and requirements for of authorizers.** ~~The authorizer~~
52.19 ~~must participate in department-approved training.~~ (a) The role of an authorizer is to ensure
52.20 that a school it authorizes has the autonomy granted by statute, fulfills the purposes of a
52.21 chartered public school, and is accountable to the agreed upon terms of the charter school
52.22 contract in order to safeguard quality educational opportunities for students and maintain
52.23 public trust and confidence.

52.24 (b) An authorizer has the following responsibilities:

52.25 (1) to review applications for new schools, determine whether a new school is ready to
52.26 open, review applications for grade and site expansions, review applications for change in
52.27 authorizers, and determine whether to approve or deny an application based on the
52.28 authorizer's approved criteria;

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

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

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

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

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

53.8 (d) An authorizer must participate in department-approved training.

53.9 Sec. 5. Minnesota Statutes 2022, section 124E.05, subdivision 3, is amended to read:

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

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

53.25 (2) application criteria and process;

53.26 (3) contracting process;

53.27 (4) ongoing oversight and evaluation processes; and

53.28 (5) renewal criteria and processes.

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

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

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

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

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

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

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

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

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

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

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

54.24 (2) publish the authorizer performance review criteria and process at least 12 months
54.25 before any change or process takes effect, except for changes required to take effect earlier
54.26 in accordance with state or federal law;

54.27 (3) evaluate the authorizer's performance on adherence and implementation of the
54.28 authorizer's policies, procedures, and processes that are subject to section 124E.05,
54.29 subdivision 2, paragraph (b);

54.30 (4) solicit feedback from the authorizer, charter school administrators, and charter school
54.31 boards of directors; and

55.1 (5) use existing department data on the authorizer to minimize duplicate reporting to the
55.2 extent practicable.

55.3 (c) Consistent with this subdivision the commissioner must not penalize in any way an
55.4 authorizer for not chartering additional schools or for the absence of complaints against an
55.5 authorizer or an authorizer's portfolio of schools.

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

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

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

55.16 (1) the proposed school's:

55.17 (i) mission and vision statements;

55.18 (ii) purposes and goals;

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

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

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

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

55.25 (vii) financial plan;

55.26 (viii) governance and management structure and plan;

55.27 (ix) market need and demand study; and

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

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

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

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

56.5 (c) An authorizer shall not approve an application submitted by a charter school developer
56.6 under paragraph (a) if the application does not comply with subdivision 3, paragraph (e),
56.7 and section 124E.01, subdivision 1. The commissioner shall not approve an affidavit
56.8 submitted by an authorizer under subdivision 4 if the affidavit does not comply with
56.9 subdivision 3, paragraph (e), and section 124E.01, subdivision 1.

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

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

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

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

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

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

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

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

57.3 Sec. 9. Minnesota Statutes 2023 Supplement, section 124E.06, subdivision 5, is amended
57.4 to read:

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

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

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

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

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

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

57.31 (b) The commissioner shall have 30 business days to review and comment on the
57.32 supplemental affidavit. The commissioner shall notify the authorizer in writing of any
57.33 deficiencies in the supplemental affidavit and the authorizer then has 20 business days to

58.1 address any deficiencies in the supplemental affidavit to the commissioner's satisfaction.

58.2 The commissioner must notify the authorizer of final approval or final disapproval within
58.3 15 business days after receiving the authorizer's response to the deficiencies in the affidavit.

58.4 The school may not add grades or sites until the commissioner has approved the supplemental
58.5 affidavit. The commissioner's approval or disapproval of a supplemental affidavit is final.

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

58.7 **124E.07 BOARD OF DIRECTORS.**

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

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

58.24 Subd. 3. **Membership criteria.** (a) The ongoing charter school board of directors shall
58.25 have at least five ~~nonrelated~~ members ~~and include:~~ The board members must not be related
58.26 parties. The ongoing board must include: (1) at least one licensed teacher ~~who is employed~~
58.27 ~~as a teacher at the school or provides instruction under contract between the charter school~~
58.28 ~~and a cooperative;~~ (2) at least one parent or legal guardian of a student enrolled in the charter
58.29 school who is not an employee of the charter school; and (3) at least one interested
58.30 community member ~~who resides in Minnesota, is not employed by the charter school, and~~
58.31 ~~does not have a child enrolled in the school.~~ A community member serving on the board
58.32 must reside in Minnesota, must not have a child enrolled in the school, and must not be an
58.33 employee of the charter school.

58.34 (b) To serve as a licensed teacher on a charter school board, an individual must:

59.1 (1) be employed by the school or provide at least 720 hours of service under a contract
59.2 between the charter school and a teacher cooperative;

59.3 (2) be a qualified teacher as defined under section 122A.16, either serving as a teacher
59.4 of record in a field in which the individual has a field license, or providing services to
59.5 students the individual is licensed to provide; and

59.6 (3) not serve in an administrative or supervisory capacity for more than 240 hours in a
59.7 school calendar year.

59.8 (c) The board structure must be defined in the bylaws. The board structure may include
59.9 (1) be a majority of teachers under this paragraph or (b), (2) be a majority of parents or, (3)
59.10 be a majority of community members, or it may (4) have no clear majority.

59.11 (d) The chief financial officer and the chief administrator may only serve as an ex-officio
59.12 nonvoting board members member. No charter school employees shall serve on the board
59.13 other than teachers under clause (1) paragraph (b). Contractors providing facilities, goods,
59.14 or services to a charter school shall not serve on the board of directors of the charter school.

59.15 (b) (e) A contractor providing facilities, goods, or services to a charter school must not
59.16 serve on the board of directors. In addition, an individual is prohibited from serving as a
59.17 member of the charter school board of directors if: (1) the individual, an immediate family
59.18 member, or the individual's partner is a full or part owner or principal with a for-profit or
59.19 nonprofit entity or independent contractor with whom the charter school contracts, directly
59.20 or indirectly, for professional services, goods, or facilities; or (2) an immediate family
59.21 member is an employee of the school. An individual may serve as a member of the board
59.22 of directors if no conflict of interest exists under this paragraph, consistent with this section.

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

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

59.31 (h) An individual is prohibited from serving on more than one charter school board at
59.32 the same time in either an elected or ex-officio capacity.

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

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

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

60.10 ~~(2)~~ (3) with the authorizer's approval.

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

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

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

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

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

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

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

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

61.2 (3) evaluate student achievement, postsecondary and workforce readiness, and student
61.3 engagement and connection goals;

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

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

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

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

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

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

61.28 (c) A new board member must complete training on employment policies and practices
61.29 under chapter 181; public school funding and financial management; and the board's roles
61.30 and responsibilities regarding student success, achievement, and performance within 12
61.31 months of being seated on the board or the individual is automatically ineligible to continue
61.32 to serve as a board member. A board member who does not complete training within the

62.1 12-month period is ineligible to be elected or appointed to a charter school board for a period
62.2 of 18 months.

62.3 (d) Every charter school board member must complete annual training throughout the
62.4 member's term based on an annual assessment of the training needs of individual members
62.5 and the full board. Ongoing training includes but is not limited to budgeting, financial
62.6 management, recruiting and hiring a charter school director or chief administrator, evaluating
62.7 a charter school director or chief administrator, governance-management relationships,
62.8 student support services, student discipline, state standards, cultural diversity, succession
62.9 planning, strategic planning, program oversight and evaluation, compensation systems,
62.10 human resources policies, effective parent and community relationships, authorizer contract
62.11 and relationships, charter school law, legal liability, board recruitment and elections, board
62.12 meetings and operations, policy development and review, and school health and safety.

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

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

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

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

62.22 (b) A charter school shall publish and maintain on the school's official website: (1) the
62.23 meeting minutes of the board of directors and of members and committees having
62.24 board-delegated authority, within 30 days following the earlier of the date of board approval
62.25 or the next regularly scheduled meeting, and for at least 365 days from the date of publication;
62.26 (2) directory information for the board of directors and for the members of committees
62.27 having board-delegated authority; and (3) identifying and contact information for the school's
62.28 authorizer.

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

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

62.32 **Subd. 2. Limits on charter school agreements.** (a) A school must disclose to the
62.33 commissioner any potential contract, lease, or purchase of service from ~~an~~ its authorizer or

63.1 a board member, employee, contractor, volunteer, or agent of its authorizer. The contract,
63.2 lease, or purchase must be accepted through an open bidding process and be separate from
63.3 the charter contract. The school must document the open bidding process. An authorizer
63.4 must not enter into a contract to provide management and financial services to a school it
63.5 authorizes, unless the school documents receiving at least two competitive bids.

63.6 (b) Notwithstanding paragraph (a), a charter school may enter into a contract for legal
63.7 services without opening a bidding process. The school must disclose the contract to the
63.8 commissioner in accordance with paragraph (a).

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

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

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

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

63.14 Subd. 4. **Causes for nonrenewal or termination of charter school contract.** (a) The
63.15 duration of the contract with an authorizer must be for the term contained in the contract
63.16 according to subdivision 1, paragraph (a). The authorizer may or may not renew a contract
63.17 at the end of the term for any ground listed in paragraph (b). An authorizer may unilaterally
63.18 terminate a contract during the term of the contract for any ground listed in paragraph (b).
63.19 At least 60 business days before not renewing or terminating a contract, the authorizer shall
63.20 notify the board of directors of the charter school of the proposed action in writing. The
63.21 notice shall state the grounds for the proposed action in reasonable detail and describe the
63.22 informal hearing process, consistent with this paragraph. The charter school's board of
63.23 directors may request in writing an informal hearing before the authorizer within 15 business
63.24 days after receiving notice of nonrenewal or termination of the contract. Failure by the board
63.25 of directors to make a written request for an informal hearing within the 15-business-day
63.26 period shall be treated as acquiescence to the proposed action. Upon receiving a timely
63.27 written request for a hearing, the authorizer shall give ten business days' notice to the charter
63.28 school's board of directors of the hearing date. The hearing must be recorded by audio
63.29 recording, video recording, or a court reporter. The authorizer must preserve the recording
63.30 for three years and make the recording available to the public. The authorizer shall conduct
63.31 an informal hearing before taking final action. The authorizer shall take final action to renew
63.32 or not renew a contract no later than 20 business days before the proposed date for terminating
63.33 the contract or the end date of the contract.

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

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

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

64.6 (3) violations of law; or

64.7 (4) other good cause shown.

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

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

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

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

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

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

64.19 Subd. 5. **Mutual nonrenewal.** If the authorizer and the ~~charter school~~ board of directors
64.20 of a charter school serving enrolled students mutually agree not to renew the contract, or if
64.21 the governing board of an approved authorizer votes to withdraw as an approved authorizer
64.22 for a reason unrelated to any cause under subdivision 4, a change in authorizers is allowed.
64.23 The authorizer and the school board must jointly submit a written and signed letter of their
64.24 intent to the commissioner to mutually not renew the contract. The authorizer that is a party
64.25 to the existing contract must inform the proposed authorizer about the fiscal, operational,
64.26 and student performance status of the school, including unmet contract outcomes and other
64.27 outstanding contractual obligations. The charter contract between the proposed authorizer
64.28 and the school must identify and provide a plan to address any outstanding obligations from
64.29 the previous contract. The proposed authorizer must submit the proposed contract at least
64.30 105 business days before the end of the existing charter contract. The commissioner has 30
64.31 business days to review and make a determination on the change in authorizer. The proposed
64.32 authorizer and the school have 15 business days to respond to the determination and address

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

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

65.9 **124E.11 ADMISSION REQUIREMENTS AND ENROLLMENT.**

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

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

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

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

65.17 (b) A charter school, including its preschool or prekindergarten program established
65.18 under section 124E.06, subdivision 3, paragraph (b), must enroll an eligible pupil who
65.19 submits a timely application, unless the number of applications exceeds the capacity of a
65.20 program, class, grade level, or building. In this case, pupils must be accepted by lot. The
65.21 charter school must develop and publish, including on its website, a lottery policy and
65.22 process that it must use when accepting pupils by lot.

65.23 (c) Admission to a charter school must be free to any eligible pupil who resides within
65.24 the state. A charter school must give enrollment preference to a Minnesota resident pupil
65.25 over pupils that do not reside in Minnesota. A charter school must require a pupil who does
65.26 not reside in Minnesota to annually apply to enroll in accordance with paragraphs (a) to (f).
65.27 A charter school must give enrollment preference to a sibling of an enrolled pupil and to a
65.28 foster child of that pupil's parents and may give preference for enrolling children of the
65.29 school's staff before accepting other pupils by lot. A staff member is eligible for an enrollment
65.30 preference for the staff member's child if the individual is expected to perform work for the
65.31 school for at least 480 hours in a school calendar year. A charter school that is located in
65.32 Duluth township in St. Louis County and admits students in kindergarten through grade 6

66.1 must give enrollment preference to students residing within a five-mile radius of the school
66.2 and to the siblings of enrolled children.

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

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

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

66.19 (g) Once a student who resides in Minnesota is enrolled in the school in kindergarten
66.20 through grade 12, or in the school's free preschool or prekindergarten program under section
66.21 124E.06, subdivision 3, paragraph (b), the student is considered enrolled in the school until
66.22 the student formally withdraws, the school receives a request for the transfer of educational
66.23 records from another school, the school receives a written election by the parent or legal
66.24 guardian of the student withdrawing the student, or the student is expelled under the Pupil
66.25 Fair Dismissal Act in sections 121A.40 to 121A.56.

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

66.32 (i) A charter school serving at least 90 percent of enrolled students who are eligible for
66.33 special education services and have a primary disability of deaf, deafblind, or hard-of-hearing
66.34 may give enrollment preference to students who are eligible for special education services

67.1 and have a primary disability of deaf, deafblind, or hard-of-hearing. The charter school may
67.2 not limit admission based on the student's eligibility for additional special education services.

67.3 Sec. 15. Minnesota Statutes 2023 Supplement, section 124E.12, subdivision 1, is amended
67.4 to read:

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

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

67.23 Subd. 2. **Administrators.** ~~(a) A person, without holding a valid administrator's license,~~
67.24 ~~may perform administrative, supervisory, or instructional leadership duties. The board of~~
67.25 ~~directors shall establish qualifications for all persons who hold administrative, supervisory,~~
67.26 ~~or instructional leadership roles. The qualifications shall cover at least: instruction and~~
67.27 ~~assessment; human resource and personnel management; financial management; legal and~~
67.28 ~~compliance management; effective communication; and board, authorizer, and community~~
67.29 ~~relationships. The board of directors shall use those qualifications as the basis for job~~
67.30 ~~descriptions, hiring, and performance evaluations of those who hold administrative,~~
67.31 ~~supervisory, or instructional leadership roles.~~

67.32 ~~(b) The board of directors and an individual who does not hold a valid administrative~~
67.33 ~~license and who serves in an administrative, supervisory, or instructional leadership position~~

68.1 ~~shall develop a professional development plan. The school's annual report must include~~
68.2 ~~public personnel information documenting the professional development plan.~~

68.3 (a) A charter school board of directors must establish qualifications for all persons who
68.4 hold administrative, academic supervision, or instructional leadership positions. The
68.5 qualifications must include a requirement that a person hold a minimum of a four-year
68.6 degree from an accredited institution or equivalent experience. Other qualifications for these
68.7 positions shall include, as appropriate for the specific position: instruction and assessment,
68.8 curriculum design, human resource and personnel management, professional ethics, child
68.9 development, financial management, legal and compliance management, special education
68.10 oversight, contract management, effective communication, cultural competency, board and
68.11 authorizer relationships, parent relationships, and community partnerships. A charter school
68.12 board of directors must use those qualifications as the basis for the job description, hiring,
68.13 and performance evaluation of the charter school director or chief administrator. The charter
68.14 school director or chief administrator must use those qualifications as the basis for the job
68.15 descriptions, hiring, and performance reviews for the administrative staff, academic program
68.16 supervisors, and instructional leaders who report to the charter school director or chief
68.17 administrator.

68.18 (b) A person who does not hold a valid administrator's license may perform
68.19 administrative, academic supervision, or instructional leadership duties. A person without
68.20 a valid administrator's license serving as a charter school director or chief administrator
68.21 must complete a minimum of 25 hours annually of competency-based training corresponding
68.22 to the individual's annual professional development needs and plan approved by the charter
68.23 school board of directors. Training includes but is not limited to: instruction and curriculum;
68.24 state standards; teacher and staff hiring, development, support, and evaluation;
68.25 social-emotional learning; data collection and usage; assessment methodologies; use of
68.26 technology for learning and management; charter school law and requirements; code of
68.27 professional ethics; financial management and state accounting requirements; grant
68.28 management; legal and compliance management; special education management; health
68.29 and safety laws; restorative justice; cultural competencies; effective communication; parent
68.30 relationships; board and management relationships; community partnerships; charter contract
68.31 and authorizer relationships; and public accountability.

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

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

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

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

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

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

69.17 **124E.14 CONFLICTS OF INTEREST.**

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

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

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

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

69.24 (4) an organization that employs, or is about to employ any individual in clauses (1) to
69.25 (3),

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

69.28 (b) The conflict of interest provisions under this section do not apply to compensation
69.29 paid to a teacher employed as a teacher by the charter school or a teacher who provides
69.30 instructional services to the charter school through a cooperative formed under chapter
69.31 308A when the teacher also serves on the charter school board of directors.

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

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

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

70.11 Subdivision 1. **Audit report.** (a) A charter school is subject to the same financial audits,
70.12 audit procedures, and audit requirements as a district, except as required under this
70.13 subdivision. Audits must be conducted in compliance with generally accepted governmental
70.14 auditing standards, the federal Single Audit Act, if applicable, and section 6.65 governing
70.15 auditing procedures. ~~A charter school is subject to and must comply with sections 15.054;~~
70.16 ~~118A.01; 118A.02; 118A.03; 118A.04; 118A.05; 118A.06 governing government property~~
70.17 ~~and financial investments; and sections 471.38; 471.391; 471.392; and 471.425 governing~~
70.18 ~~municipal contracting.~~ The audit must comply with the requirements of sections 123B.75
70.19 to 123B.83 governing school district finance, except when the commissioner and authorizer
70.20 approve a deviation made necessary because of school program finances. The commissioner,
70.21 state auditor, legislative auditor, or authorizer may conduct financial, program, or compliance
70.22 audits. A charter school in statutory operating debt under sections 123B.81 to 123B.83 must
70.23 submit a plan under section 123B.81, subdivision 4.

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

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

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

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

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

71.11 **124E.17 DISSEMINATION OF INFORMATION.**

71.12 Subdivision 1. **Charter school information.** (a) Charter schools must disseminate
71.13 information about ~~how to use the charter school offerings to targeted groups, among others.~~
71.14 ~~Targeted groups include low-income families and communities, students of color, and~~
71.15 ~~students who are at risk of academic failure.~~ the school's offerings and enrollment procedures
71.16 to families that reflect the diversity of Minnesota's population and targeted groups. Targeted
71.17 groups include low-income families and communities, students of color, students at risk of
71.18 academic failure, and students underrepresented in the school's student body relative to
71.19 Minnesota's population. The school must document its dissemination activities in the school's
71.20 annual report. The school's dissemination activities must be a component of the authorizer's
71.21 performance review of the school.

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

71.26 Subd. 2. **Financial information.** (a) Upon request of an individual, the charter school
71.27 must make available in a timely fashion financial statements showing all operations and
71.28 transactions affecting the school's income, surplus, and deficit during the last annual
71.29 accounting period; and a balance sheet summarizing assets and liabilities on the closing
71.30 date of the accounting period. ~~A charter school also must include that same information~~
71.31 ~~about its authorizer in other school materials that it makes available to the public.~~

71.32 (b) Upon request of an individual, an authorizer must make available in a timely fashion
71.33 financial statements showing all operations and transactions affecting the authorizer's income,

72.1 surplus, and deficit during the last annual accounting period, and a balance sheet summarizing
72.2 assets and liabilities on the closing date of the accounting period.

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

72.4 **124E.26 USE OF STATE MONEY.**

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

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

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

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

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

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

72.16 (3) a requirement to use a competitive bidding process for a purchase that is \$25,000 or
72.17 more; and

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

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

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

73.1

ARTICLE 6

73.2

NUTRITION AND LIBRARIES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

74.6 **ARTICLE 7**
74.7 **HEALTH AND SAFETY**

74.8 Section 1. Minnesota Statutes 2022, section 120B.21, is amended to read:

74.9 **120B.21 MENTAL HEALTH EDUCATION.**

74.10 (a) School districts and charter schools are encouraged to provide mental health instruction
74.11 for students in grades 4 through 12 aligned with local health standards and integrated into
74.12 existing programs, curriculum, or the general school environment of a district or charter
74.13 school. The commissioner, in consultation with the commissioner of human services,
74.14 commissioner of health, and mental health organizations, must, by July 1, 2020, and July
74.15 1 of each even-numbered year thereafter, provide districts and charter schools with resources
74.16 gathered by Minnesota mental health advocates, including:

74.17 (1) age-appropriate model learning activities for grades 4 through 12 that encompass
74.18 the mental health components of the National Health Education Standards and the
74.19 benchmarks developed by the department's quality teaching network in health and best
74.20 practices in mental health education; and

74.21 (2) a directory of resources for planning and implementing age-appropriate mental health
74.22 curriculum and instruction in grades 4 through 12 that includes resources on suicide and
74.23 self-harm prevention. A district or charter school providing instruction or presentations on
74.24 preventing suicide or self-harm must use either the resources provided by the commissioner
74.25 or other evidence-based instruction.

74.26 (b) Starting in the 2026-2027 school year, school districts and charter schools must
74.27 provide mental health instruction in accordance with paragraph (a).

74.28 Sec. 2. **[121A.033] NOTICE; DISSEMINATION OF PRIVATE IMAGES.**

74.29 (a) The commissioner of education must, using existing resources, develop a model
74.30 notice that districts or schools can provide to students and parents or guardians about the
74.31 legal, social, behavioral, and mental health implications of and impact to students and student

75.1 families regarding the dissemination of private sexual images as specified in section 617.261.

75.2 The commissioner may consult with the commissioner of health and the Office of the

75.3 Attorney General to develop the model notice.

75.4 (b) A district or school may provide a copy of the notice developed under paragraph (a)

75.5 to students and parents or guardians.

75.6 **Sec. 3. [121A.216] ACCESS TO SPACE FOR MENTAL HEALTH CARE THROUGH**

75.7 **TELEHEALTH.**

75.8 (a) Beginning October 1, 2024, to the extent space is available, a school district or charter

75.9 school must provide an enrolled secondary school student with access during regular school

75.10 hours, and to the extent staff is available, before or after the school day on days when

75.11 students receive instruction at school, to space at the school site that a student may use to

75.12 receive mental health care through telehealth from a student's licensed mental health provider.

75.13 A secondary school must develop a plan with procedures to receive requests for access to

75.14 the space.

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

75.16 (c) A student may use a school-issued device to receive mental health care through

75.17 telehealth if such use is consistent with the district or school policy governing acceptable

75.18 use of the school-issued device.

75.19 (d) A school may require a student requesting access to space under this section to submit

75.20 to the school a signed and dated consent from the student's parent or guardian, or from the

75.21 student if the student is age 16 or older, authorizing the student's licensed mental health

75.22 provider to release information from the student's health record that is requested by the

75.23 school to confirm the student is currently receiving mental health care from the provider.

75.24 Such a consent is valid for the school year in which it is submitted.

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

75.26 **Sec. 4. Minnesota Statutes 2022, section 121A.22, subdivision 2, is amended to read:**

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

75.29 (1) purchased without a prescription;

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

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

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

76.6 (5) used off the school grounds;

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

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

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

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

76.17 (10) epinephrine auto-injectors, consistent with section 121A.2205, if the parent and
76.18 prescribing medical professional annually inform the pupil's school in writing that (i) the
76.19 pupil may possess the epinephrine or (ii) the pupil is unable to possess the epinephrine and
76.20 requires immediate access to epinephrine auto-injectors that the parent provides properly
76.21 labeled to the school for the pupil as needed.

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

76.23 Sec. 5. Minnesota Statutes 2022, section 121A.22, subdivision 4, is amended to read:

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

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

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

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

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

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

77.7 Sec. 6. Minnesota Statutes 2022, section 121A.2207, subdivision 1, is amended to read:

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

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

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

77.23 Sec. 7. Minnesota Statutes 2022, section 260E.14, subdivision 1, is amended to read:

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

77.30 (b) The Department of Human Services is the agency responsible for screening and
77.31 investigating allegations of maltreatment in juvenile correctional facilities listed under
77.32 section 241.021 located in the local welfare agency's county and in facilities licensed or

78.1 certified under chapters 245A, 245D, and 245H, except for child foster care and family
78.2 child care.

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

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

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

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

78.15 **ARTICLE 8**
78.16 **STATE AGENCIES**

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

78.19 Subd. 4. **Reporting.** ~~Beginning in 2024 and every even-numbered year thereafter,~~ The
78.20 Professional Educator Licensing and Standards Board must collaborate with the Department
78.21 of Education and the Office of Higher Education to publish a summary report of each of
78.22 the programs they administer and any other programs receiving state appropriations that
78.23 have or include an explicit purpose of increasing the racial and ethnic diversity of the state's
78.24 teacher workforce to more closely reflect the diversity of students. The report must include
78.25 programs under sections 122A.59, 122A.63, 122A.635, 122A.70, 122A.73, 124D.09,
78.26 124D.861, 136A.1274, 136A.1276, and 136A.1791, along with any other programs or
78.27 initiatives that receive state appropriations to address the shortage of teachers of color and
78.28 American Indian teachers. The board must, in coordination with the Office of Higher
78.29 Education and Department of Education, provide policy and funding recommendations
78.30 related to state-funded programs to increase the recruitment, preparation, licensing, hiring,
78.31 and retention of racially and ethnically diverse teachers and the state's progress toward
78.32 meeting or exceeding the goals of this section. The report must include recommendations
78.33 for state policy and funding needed to achieve the goals of this section, plans for sharing

79.1 the report and activities of grant recipients, and opportunities among grant recipients of
79.2 various programs to share effective practices with each other. The 2024 initial report must
79.3 also include a recommendation of whether a state advisory council should be established
79.4 to address the shortage of racially and ethnically diverse teachers and what the composition
79.5 and charge of such an advisory council would be if established. The board must consult
79.6 with the Indian Affairs Council and other ethnic councils along with other community
79.7 partners, including students of color and American Indian students, in developing the report.
79.8 ~~By November 3 of each odd-numbered year,~~ The board must submit the report to the chairs
79.9 and ranking minority members of the legislative committees with jurisdiction over education
79.10 and higher education policy and finance by November 3, 2025, for the initial report, and
79.11 by November 3 each even-numbered year thereafter. The report must be available to the
79.12 public on the board's website.

79.13 Sec. 2. Minnesota Statutes 2022, section 120B.13, subdivision 4, is amended to read:

79.14 Subd. 4. **Rigorous course taking information; AP, IB, and PSEO.** (a) The
79.15 commissioner shall submit the following information on rigorous course taking, disaggregated
79.16 by student subgroup, school district, and postsecondary institution, to the education
79.17 committees of the legislature by July 1, 2025, and each subsequent year by February July
79.18 1:

79.19 (1) the number of pupils enrolled in postsecondary enrollment options under section
79.20 124D.09, including concurrent enrollment, career and technical education courses offered
79.21 as a concurrent enrollment course, advanced placement, and international baccalaureate
79.22 courses in each school district;

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

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

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

79.30 (5) expenditures for each category in this section and under sections 124D.09 and
79.31 124D.091, including career and technical education courses offered as a concurrent
79.32 enrollment course; and

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

80.3 (b) The commissioner must include data from the 2022-2023 and 2023-2024 school
80.4 years in the report due on July 1, 2025.

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

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

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

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

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

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

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

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

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

80.18 Sec. 4. Minnesota Statutes 2022, section 122A.091, subdivision 5, is amended to read:

80.19 Subd. 5. ~~Survey of districts~~ Supply and demand report. ~~(a)~~ The Professional Educator
80.20 Licensing and Standards Board must ~~survey the state's school districts and teacher preparation~~
80.21 ~~programs and~~ submit a report to the education committees of the legislature by ~~February 1,~~
80.22 ~~2019, and each odd-numbered~~ November 1, 2025, and November 1 of each even-numbered
80.23 year thereafter, on the status of teacher early supply and demand of teachers. The report
80.24 must be made available on the board's website. The report must include data regarding:

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

80.28 (2) teacher licensure;

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

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

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

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

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

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

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

81.11 Sec. 5. Minnesota Statutes 2023 Supplement, section 122A.18, subdivision 1, is amended
81.12 to read:

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

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

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

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

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

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

81.22 (c) The Professional Educator Licensing and Standards Board and the Department of
81.23 Education must enter into a data sharing agreement to share:

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

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

82.1 (d) The Board of School Administrators and the Department of Education must enter
82.2 into a data sharing agreement to share educational data at the E-12 level for the limited
82.3 purpose of program approval and improvement for education administration programs. The
82.4 program approval process must include targeted redesign of education administration
82.5 preparation programs to address identified E-12 student areas of concern.

82.6 (e) For purposes of the data sharing agreements under paragraphs (c) and (d), the
82.7 Professional Educator Licensing and Standards Board, Board of School Administrators,
82.8 and Department of Education may share private data, as defined in section 13.02, subdivision
82.9 12, on teachers and school administrators. The data sharing agreements must not include
82.10 educational data, as defined in section 13.32, subdivision 1, but may include summary data,
82.11 as defined in section 13.02, subdivision 19, derived from educational data.

82.12 Sec. 6. Minnesota Statutes 2022, section 127A.70, subdivision 1, is amended to read:

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

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

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

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

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

83.1 ~~(d) The P-20 education partnership shall be the state council for the Interstate Compact~~
83.2 ~~on Educational Opportunity for Military Children under section 127A.85 with the~~
83.3 ~~commissioner or commissioner's designee serving as the compact commissioner responsible~~
83.4 ~~for the administration and management of the state's participation in the compact. When~~
83.5 ~~conducting business required under section 127A.85, the P-20 partnership shall include a~~
83.6 ~~representative from a military installation appointed by the adjutant general of the Minnesota~~
83.7 ~~National Guard.~~

83.8 Sec. 7. [127A.82] MILITARY INTERSTATE CHILDREN'S COMPACT STATE
83.9 COUNCIL.

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

83.16 (b) Council membership must include at least:

83.17 (1) the commissioner;

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

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

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

83.22 (5) one senator appointed by the Subcommittee on Committees of the Committee on
83.23 Rules and Administration; and

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

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

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

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

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

84.4 (f) Members of the council serve without compensation or payment of expenses.

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

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

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

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

84.19 Sec. 8. [127A.84] INTRASTATE STUDENT TRANSFERS FOR CHILDREN OF
84.20 MILITARY SERVICE MEMBERS.

84.21 (a) Notwithstanding section 127A.85, article III, and for the purposes of intrastate student
84.22 transfers between Minnesota local education agencies, the provisions of the Interstate
84.23 Compact on Educational Opportunity for Military Children in section 127A.85 apply to
84.24 minor dependent children of members of the active and activated reserve components of
84.25 the uniformed services, including but not limited to members of the Minnesota Army
84.26 National Guard and the Minnesota Air National Guard.

84.27 (b) This section does not apply to interstate transfers between Minnesota local education
84.28 agencies and public or private schools in other states.

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

85.1 Sec. 9. [127A.853] PURPLE STAR SCHOOL DESIGNATION.

85.2 Subdivision 1. Definition. For purposes of this section, "military-connected student"
85.3 means a student who has an immediate family member, including a parent or sibling, who:
85.4 (1) is currently a member of the armed forces serving as either a reservist or on active duty
85.5 in the United States Army, Navy, Air Force, Marine Corps, or Coast Guard; (2) is currently
85.6 servicing in the National Guard; (3) has recently retired from the armed forces; or (4) is the
85.7 dependent of a member of the armed forces who was killed in the line of duty.

85.8 Subd. 2. Purple Star School. (a) The commissioner of education may designate a school
85.9 as a Purple Star School if the school:

85.10 (1) has a designated staff member serving as a military liaison whose duties include:

85.11 (i) identifying military-connected students enrolled at the school;

85.12 (ii) serving as the point of contact between the school and military-connected students
85.13 and families;

85.14 (iii) determining appropriate school services available to military-connected students;
85.15 and

85.16 (iv) assisting in coordinating school programs relevant to military-connected students;

85.17 (2) maintains easily accessible information on the school website that includes resources
85.18 for military-connected students and families, including information regarding:

85.19 (i) student relocation, student enrollment, student registration, and transfer of school
85.20 records;

85.21 (ii) academic planning, course offerings, and advanced classes available at the school;

85.22 (iii) counseling and other support services available for military-connected students
85.23 enrolled at the school; and

85.24 (iv) the designated military liaison under clause (1);

85.25 (3) offers a transition program led by students, where appropriate, that assists
85.26 military-connected students in transitioning into the school;

85.27 (4) offers professional development opportunities for staff members on issues related
85.28 to military-connected students; and

85.29 (5) offers at least one of the following:

85.30 (i) a resolution showing support for military-connected students and families;

86.1 (ii) recognition of the Month of the Military Child or Military Family Month with relevant
86.2 events hosted by the school; or

86.3 (iii) a partnership with a local military installation that provides opportunities for active
86.4 duty military members to volunteer at the school, speak at an assembly, or host a field trip.

86.5 (b) The commissioner must establish a process for schools to seek Purple Star School
86.6 designation by July 1, 2026. The commissioner may award Purple Star School designations
86.7 starting in the 2026-2027 school year, and on an ongoing basis as schools meet qualifications
86.8 for the designation.

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.

122A.185 TEACHER LICENSURE ASSESSMENT.

Subd. 4. **Remedial assistance.** School districts may make available upon request appropriate and timely remedial assistance that includes a formal diagnostic component to those persons employed by the district who did not achieve a qualifying score on a board-adopted skills examination, and who received a Tier 1, Tier 2, or Tier 3 license under section 122A.181, 122A.182, or 122A.183, respectively, to teach in Minnesota.

122A.2451 ALTERNATIVE TEACHER PREPARATION PROVIDERS AND PROGRAMS.

Subd. 9. **Reports.** (a) An approved alternative teacher preparation provider must report to the Professional Educator Licensing and Standards Board on items that are defined in statute regarding program candidates, completion, and effectiveness or other items that are required under section 122A.09.

(b) The Professional Educator Licensing and Standards Board must submit a biennial report on the alternative teacher preparation program and providers to legislative committees having jurisdiction over kindergarten through grade 12 education policy and finance by January 15 of each odd-numbered year.