

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 3567

(SENATE AUTHORS: CWODZINSKI and Kunesh)

DATE	D-PG	OFFICIAL STATUS
02/15/2024		Introduction and first reading Referred to Education Policy
03/25/2024	12684a	Comm report: To pass as amended
	12882	Second reading
04/02/2024	13343a	Special Order: Amended
	13363	Third reading Passed
04/15/2024	13683	Returned from House with amendment
	13684	Senate not concur, conference committee of 3 requested
	13912	Senate conferees Cwodzinski; Maye Quade; Abeler
04/18/2024	13938	House conferees Pryor; Hill; Bennett
05/13/2024	16660c	Conference committee report, delete everything
	16756	Senate adopted CC report and repassed bill
	16756	Third reading Passed

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, Read Act,
1.4 special education, charter schools, nutrition and libraries, health and safety, early
1.5 learning, and education partnerships and compacts; requiring reports; amending
1.6 Minnesota Statutes 2022, sections 120A.05, subdivision 10a, by adding a
1.7 subdivision; 120A.22, subdivision 12; 120A.35; 120B.022, subdivisions 1a, 1b;
1.8 120B.11, as amended; 120B.13, subdivision 4; 120B.234, subdivisions 1, 2;
1.9 121A.22, subdivisions 2, 4; 121A.2207, subdivision 1; 121A.41, subdivision 8;
1.10 122A.091, subdivision 5; 122A.181, by adding a subdivision; 122A.182, by adding
1.11 a subdivision; 122A.185, subdivision 3; 122A.20, by adding a subdivision; 123B.09,
1.12 subdivision 10; 123B.37, subdivision 2; 124D.151, as amended; 124D.60,
1.13 subdivision 1; 124D.61; 124E.01, subdivision 1; 124E.05, subdivisions 2, 3, 5;
1.14 124E.07; 124E.10, subdivisions 2, 4, 5; 124E.12, subdivision 2; 124E.14; 124E.17;
1.15 124E.26; 125A.02, subdivision 1a; 125A.27, subdivision 8; 125A.56, subdivision
1.16 1; 127A.70, subdivision 1; 128C.02, by adding a subdivision; 260E.14, subdivision
1.17 1; Minnesota Statutes 2023 Supplement, sections 13.32, subdivision 5; 120B.021,
1.18 subdivision 1; 120B.024, subdivision 1; 120B.1117; 120B.1118, subdivisions 7,
1.19 10, by adding a subdivision; 120B.117, subdivision 4; 120B.12, subdivisions 1,
1.20 2, 2a, 4, 4a; 120B.123, subdivisions 1, 2, 5; 120B.30, subdivisions 7, 12, by adding
1.21 a subdivision; 120B.302; 120B.305; 120B.31, subdivision 4; 120B.36, subdivision
1.22 1; 121A.041, subdivisions 2, 3; 121A.20, subdivision 2; 121A.642, by adding a
1.23 subdivision; 122A.18, subdivision 1; 122A.181, subdivision 2; 122A.183,
1.24 subdivision 2; 122A.184, subdivision 1; 122A.185, subdivision 1; 122A.40,
1.25 subdivision 8; 122A.41, subdivision 5; 122A.631, subdivisions 2, 4; 122A.70,
1.26 subdivision 2; 124D.09, subdivision 5; 124D.094, subdivisions 2, 3; 124D.111,
1.27 subdivision 2a; 124D.165, subdivisions 2, 2a; 124D.42, subdivision 8; 124D.901,
1.28 subdivision 4; 124E.02; 124E.03, subdivision 2; 124E.06, subdivisions 1, 4, 5;
1.29 124E.11; 124E.12, subdivision 1; 124E.16, subdivision 1; 125A.08; 126C.40,
1.30 subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 120B;
1.31 121A; 127A; 134; repealing Minnesota Statutes 2022, sections 120B.31,
1.32 subdivisions 2, 6; 122A.2451, subdivision 9; Minnesota Statutes 2023 Supplement,
1.33 section 122A.185, subdivision 4; Laws 2017, First Special Session chapter 5,
1.34 article 8, section 9.

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

2.2

ARTICLE 1

2.3

GENERAL EDUCATION

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

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

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

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

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

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

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

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

2.30 (b) When online instruction is provided, an online teacher as defined under subdivision
2.31 1, paragraph (h), shall perform all duties of teacher of record under Minnesota Rules, part

3.1 8710.0310. Unless the commissioner grants a waiver, a teacher providing online instruction
3.2 shall not instruct more than 40 students in any one online learning course or section.

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

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

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

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

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

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

3.22 Subd. 3. **Supplemental online courses.** (a) Notwithstanding sections 124D.03 and
3.23 124D.08 and chapter 124E, procedures for applying to take supplemental online courses
3.24 other than those offered by the student's enrolling district are as provided in this subdivision.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5.21 (1) Special School District No. 1, Minneapolis, Independent School District No. 625,
5.22 St. Paul, Independent School District No. 709, Duluth, or Independent School District No.
5.23 535, Rochester, if the district's ~~desegregation~~ achievement and integration plan has been
5.24 determined by the commissioner to be in compliance with Department of Education rules
5.25 relating to equality of educational opportunity and where the acquisition, as defined in
5.26 section 475.51, subdivision 7, of property under this subdivision is ~~determined~~ approved
5.27 in the form and manner prescribed by the commissioner to contribute to the implementation
5.28 of the ~~desegregation~~ approved achievement and integration plan; or

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

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

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

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

6.9 Sec. 5. **REVISOR INSTRUCTION.**

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

6.13 **ARTICLE 2**

6.14 **EDUCATION EXCELLENCE**

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

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

6.20 (1) this subdivision; and

6.21 (2) United States Code, title 20, section 1232g, and Code of Federal Regulations, title
6.22 34, section 99.37, which were in effect on January 3, 2012.

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

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

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

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

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

7.11 **120A.35 ABSENCE FROM SCHOOL FOR RELIGIOUS ~~OBSERVANCE~~ AND**
 7.12 **CULTURAL OBSERVANCES.**

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

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

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

7.22 (1) language arts;

7.23 (2) mathematics, encompassing algebra II, integrated mathematics III, or an equivalent
 7.24 in high school, and to be prepared for the three credits of mathematics in grades 9 through
 7.25 12, the grade 8 standards include completion of algebra;

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

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

7.30 (5) physical education;

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

8.1 (7) the arts. Public elementary and middle schools must offer at least three and require
 8.2 at least two of the following five arts areas: dance; media arts; music; theater; and visual
 8.3 arts. Public high schools must offer at least three and require at least one of the following
 8.4 five arts areas: media arts; dance; music; theater; and visual arts.

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

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

8.17 ~~(d)~~ (c) A school district ~~may~~ must include child physical and sexual abuse prevention
 8.18 instruction in a health curriculum, consistent with paragraph (a), clause (6). Child physical
 8.19 and sexual abuse prevention instruction may must include age-appropriate multisession,
 8.20 multimodal, culturally inclusive, developmentally appropriate, and culturally sensitive
 8.21 instruction on identifying emotional and physical child abuse and other forms of personal
 8.22 violence; recognizing sexual abuse and assault, boundary violations, and ways offenders
 8.23 groom or desensitize victims; as well as strategies to promote disclosure, reduce self-blame,
 8.24 and mobilize bystanders. A school district may provide instruction under this paragraph in
 8.25 a variety of ways, including at an annual assembly or classroom presentation. A school
 8.26 district may also provide parents information on the warning signs of child physical and
 8.27 sexual abuse, the medical and emotional effects of child abuse, and available resources. A
 8.28 school district must train instructors on managing disclosures that may result during the
 8.29 delivery of child physical and sexual abuse prevention instruction and develop a policy on
 8.30 how to respond to the disclosures.

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

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

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

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

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

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

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

9.18 Subd. 1b. **State bilingual and multilingual seals.** (a) Consistent with efforts to strive
 9.19 for the world's best workforce under sections 120B.11 and 124E.03, subdivision 2, paragraph
 9.20 (i), and close the academic achievement and opportunity gap under sections 124D.861 and
 9.21 124D.862, voluntary state bilingual and multilingual seals are established to recognize
 9.22 graduating high school students in any school district, charter school, or nonpublic school
 9.23 who demonstrate an ~~Advanced-Low level or an intermediate-high~~ overall Intermediate-High
 9.24 and above level of functional proficiency in ~~listening, speaking, reading, and writing on~~
 9.25 ~~either~~ derived from assessment consisting of the domains of listening, reading, speaking,
 9.26 and writing assessments either aligned with American Council on the Teaching of Foreign
 9.27 Languages' (ACTFL) proficiency guidelines or on equivalent valid and reliable assessments
 9.28 in one or more languages in addition to English. Indigenous American Indian languages
 9.29 and American Sign Language is a language are languages other than English for purposes
 9.30 of this subdivision and a are world language languages for purposes of subdivision 1a.

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

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

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

10.3 (c) Consistent with this subdivision, a high school student who demonstrates an overall
 10.4 intermediate high ACTFL level of ~~functional~~ proficiency derived from assessment consisting
 10.5 of the domains of listening, reading, speaking, and writing in one language in addition to
 10.6 English is eligible to receive the state bilingual gold seal. A high school student who
 10.7 demonstrates an overall intermediate high ACTFL level of ~~functional~~ ~~native~~ proficiency
 10.8 derived from assessment consisting of the domains of listening, reading, speaking, and
 10.9 writing in more than one language in addition to English is eligible to receive the state
 10.10 multilingual gold seal. A high school student who demonstrates an overall advanced-low
 10.11 and above ACTFL level of ~~functional~~ proficiency derived from assessment consisting of
 10.12 the domains of listening, reading, speaking, and writing in one language in addition to
 10.13 English is eligible to receive the state bilingual platinum seal. A high school student who
 10.14 demonstrates an overall advanced-low and above ACTFL level of ~~functional~~ proficiency
 10.15 derived from assessment consisting of the domains of listening, reading, speaking, and
 10.16 writing in more than one language in addition to English is eligible to receive the state
 10.17 multilingual platinum seal.

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

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

10.33 (f) A school district or charter school may award community service credit to a student
 10.34 who demonstrates an ~~intermediate high or advanced low~~ overall intermediate high and
 10.35 above ACTFL level of ~~functional~~ proficiency ~~in listening, speaking, reading, and writing~~

11.1 derived from assessment consisting of the domains of listening, reading, speaking, and
 11.2 writing in a language other than English and who participates in community service activities
 11.3 that are integrated into the curriculum, involve the participation of teachers, and support
 11.4 biliteracy in the school or local community.

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

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

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

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

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

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

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

11.32 (4) three and one-half credits of social studies, including credit for a course in government
 11.33 and citizenship in either grade 11 or 12 for students beginning grade 9 in the ~~2024-2025~~.

12.1 2025-2026 school year and later or an advanced placement, international baccalaureate, or
 12.2 other rigorous course on government and citizenship under section 120B.021, subdivision
 12.3 1a, and a combination of other credits encompassing at least United States history, geography,
 12.4 government and citizenship, world history, and economics sufficient to satisfy all of the
 12.5 academic standards in social studies;

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

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

12.8 (7) a minimum of seven elective credits.

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

12.14 Sec. 7. Minnesota Statutes 2022, section 120B.11, as amended by Laws 2023, chapter 55,
 12.15 article 2, sections 9 to 11, is amended to read:

12.16 **120B.11 SCHOOL DISTRICT PROCESS FOR REVIEWING CURRICULUM,**
 12.17 **INSTRUCTION, AND STUDENT ACHIEVEMENT GOALS; STRIVING FOR ~~THE~~**
 12.18 **~~WORLD'S BEST WORKFORCE~~ COMPREHENSIVE ACHIEVEMENT AND CIVIC**
 12.19 **READINESS.**

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

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

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

12.28 (c) ~~"World's best workforce"~~ "Comprehensive achievement and civic readiness" means
 12.29 striving to: meet school readiness goals; close the academic achievement and opportunity
 12.30 gap gaps among all racial and ethnic groups of students and between students living in
 12.31 poverty and students not living in poverty; have all students attain career and college

13.1 readiness before graduating from high school; ~~and~~ have all students graduate from high
 13.2 school; and prepare students to be lifelong learners.

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

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

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

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

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

13.18 Subd. 1a. **Performance measures.** Measures to determine school district and school
 13.19 site progress in striving to ~~create the world's best workforce~~ for comprehensive achievement
 13.20 and civic readiness must include at least:

13.21 (1) the size of the academic achievement and opportunity gap gaps, rigorous course
 13.22 taking under section 120B.35, subdivision 3, paragraph (c), clause (2), and enrichment
 13.23 experiences by student subgroup;

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

13.25 (3) high school graduation rates; and

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

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

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

14.4 (2) a process to assess and evaluate each student's progress toward meeting state and
14.5 local academic standards, assess and identify students to participate in gifted and talented
14.6 programs and accelerate their instruction, and adopt early-admission procedures consistent
14.7 with section 120B.15, and identifying the strengths and weaknesses of instruction in pursuit
14.8 of student and school success and curriculum affecting students' progress and growth toward
14.9 career and college readiness and leading to ~~the world's best workforce~~ comprehensive
14.10 achievement and civic readiness;

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

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

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

14.25 (6) education effectiveness practices that:

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

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

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

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

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

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

15.7 Subd. 3. **District advisory committee.** Each school board must establish an advisory
15.8 committee to ensure active community participation in all phases of planning and improving
15.9 the instruction and curriculum affecting state and district academic standards, consistent
15.10 with subdivision 2. A district advisory committee, to the extent possible, must reflect the
15.11 diversity of the district and its school sites, include teachers, parents, support staff, students,
15.12 and other community residents, and provide translation to the extent appropriate and
15.13 practicable. The district advisory committee must pursue community support to accelerate
15.14 the academic and native literacy and achievement of English learners with varied needs,
15.15 from young children to adults, consistent with section 124D.59, subdivisions 2 and 2a. The
15.16 district may establish site teams as subcommittees of the district advisory committee under
15.17 subdivision 4. The district advisory committee must recommend to the school board: rigorous
15.18 academic standards; student achievement goals and measures consistent with subdivision
15.19 1a and sections 120B.022, subdivisions 1a and 1b, and 120B.35; district assessments; means
15.20 to improve students' equitable access to effective and more diverse teachers; strategies to
15.21 ensure the curriculum is rigorous, accurate, antiracist, culturally sustaining, and reflects the
15.22 diversity of the student population; strategies to ensure that curriculum and learning and
15.23 work environments validate, affirm, embrace, and integrate the cultural and community
15.24 strengths of all racial and ethnic groups; and program evaluations. School sites may expand
15.25 upon district evaluations of instruction, curriculum, assessments, or programs. Whenever
15.26 possible, parents and other community residents must comprise at least two-thirds of advisory
15.27 committee members.

15.28 Subd. 4. **Site team.** A school must establish a site team to develop and implement
15.29 strategies and education effectiveness practices to improve instruction, curriculum, cultural
15.30 competencies, including cultural awareness and cross-cultural communication, and student
15.31 achievement at the school site, consistent with subdivision 2. The site team must include
15.32 an equal number of teachers and administrators and at least one parent. The site team advises
15.33 the board and the advisory committee about developing the annual budget and creates an
15.34 instruction and curriculum improvement plan to align curriculum, assessment of student
15.35 progress, and growth in meeting state and district academic standards and instruction.

16.1 Subd. 5. **Report.** Consistent with requirements for school performance reports under
16.2 section 120B.36, subdivision 1, the school board shall publish a report in the local newspaper
16.3 with the largest circulation in the district, by mail, or by electronic means on the district
16.4 website. The school board shall hold an annual public meeting to review, and revise where
16.5 appropriate, student achievement goals, local assessment outcomes, plans, strategies, and
16.6 practices for improving curriculum and instruction and cultural competency, and efforts to
16.7 equitably distribute diverse, effective, experienced, and in-field teachers, and to review
16.8 district success in realizing the previously adopted student achievement goals and related
16.9 benchmarks and the improvement plans leading to ~~the world's best workforce~~ comprehensive
16.10 achievement and civic readiness. The school board must transmit an electronic summary
16.11 of its report to the commissioner in the form and manner the commissioner determines.

16.12 Subd. 7. **Periodic report.** Each school district shall periodically survey affected
16.13 constituencies, in their native languages where appropriate and practicable, about their
16.14 connection to and level of satisfaction with school. The district shall include the results of
16.15 this evaluation in the summary report required under subdivision 5.

16.16 Subd. 9. **Annual evaluation.** (a) The commissioner must identify effective strategies,
16.17 practices, and use of resources by districts and school sites in striving for ~~the world's best~~
16.18 ~~workforce~~ comprehensive achievement and civic readiness. The commissioner must assist
16.19 districts and sites throughout the state in implementing these effective strategies, practices,
16.20 and use of resources.

16.21 (b) The commissioner must identify those districts in any consecutive three-year period
16.22 not making sufficient progress toward improving teaching and learning for all students,
16.23 including English learners with varied needs, consistent with section 124D.59, subdivisions
16.24 2 and 2a, and striving for ~~the world's best workforce~~ comprehensive achievement and civic
16.25 readiness. The commissioner, in collaboration with the identified district, may require the
16.26 district to use up to two percent of its basic general education revenue per fiscal year during
16.27 the proximate three school years to implement commissioner-specified strategies and
16.28 practices, consistent with paragraph (a), to improve and accelerate its progress in realizing
16.29 its goals under this section. In implementing this section, the commissioner must consider
16.30 districts' budget constraints and legal obligations.

16.31 (c) The commissioner shall report by January 25 of each year to the committees of the
16.32 legislature having jurisdiction over kindergarten through grade 12 education the list of
16.33 school districts that have not submitted their report to the commissioner under subdivision
16.34 5 and the list of school districts not achieving their performance goals established in their
16.35 plan under subdivision 2.

17.1 Sec. 8. Minnesota Statutes 2022, section 120B.11, is amended by adding a subdivision to
 17.2 read:

17.3 Subd. 2a. **Language Access Plan.** (a) Starting in the 2025-2026 school year, during a
 17.4 regularly scheduled public board hearing, a district must adopt a language access plan that
 17.5 specifies the district's process and procedures to render effective language assistance to
 17.6 students and adults who communicate in a language other than English. The language access
 17.7 plan must be available to the public and included in the parent and student handbook.

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

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

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

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

17.14 Sec. 9. Minnesota Statutes 2022, section 120B.13, subdivision 4, is amended to read:

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

17.19 (1) the number of pupils enrolled in postsecondary enrollment options under section
 17.20 124D.09, including concurrent enrollment, career and technical education courses offered
 17.21 as a concurrent enrollment course, advanced placement, and international baccalaureate
 17.22 courses in each school district;

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

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

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

17.30 (5) expenditures for each category in this section and under sections 124D.09 and
 17.31 124D.091, including career and technical education courses offered as a concurrent
 17.32 enrollment course; and

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

18.3 Sec. 10. Minnesota Statutes 2022, section 120B.234, subdivision 1, is amended to read:

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

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

18.9 Sec. 11. Minnesota Statutes 2022, section 120B.234, subdivision 2, is amended to read:

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

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

18.16 Sec. 12. Minnesota Statutes 2023 Supplement, section 120B.30, subdivision 7, is amended
18.17 to read:

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

18.24 Sec. 13. Minnesota Statutes 2023 Supplement, section 120B.30, subdivision 12, is amended
18.25 to read:

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

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

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

19.5 (1) comprehensive information regarding test administration monitoring practices; and
 19.6 (2) data privacy safeguards for student information to be transmitted to or used by the
 19.7 proposing entity.

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

19.10 Sec. 14. Minnesota Statutes 2023 Supplement, section 120B.30, is amended by adding a
 19.11 subdivision to read:

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

19.16 Sec. 15. Minnesota Statutes 2023 Supplement, section 120B.302, is amended to read:

19.17 **120B.302 GENERAL REQUIREMENTS; TEST DESIGN.**

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

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

19.27 ~~(1) annual computer-adaptive reading and mathematics assessments in grades 3 through~~
 19.28 ~~8, and high school reading, writing, and mathematics tests; and~~

19.29 (2) require annual science assessments in one grade in the grades 3 through 5 span, the
 19.30 grades 6 through 8 span, and a life sciences assessment in the grades 9 through 12 span,

20.1 and the commissioner must not require students to achieve a passing score on high school
20.2 science assessments as a condition of receiving a high school diploma.

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

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

20.19 (1) ~~mathematics;~~

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

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

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

20.24 (3) ~~language arts and reading; grades 3 through 8 and high school level beginning in the~~
20.25 ~~2012-2013 school year.~~

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

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

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

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

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

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

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

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

21.22 Sec. 16. Minnesota Statutes 2023 Supplement, section 120B.305, is amended to read:

21.23 **120B.305 ASSESSMENT REPORTING REQUIREMENTS.**

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

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

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

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

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

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

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

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

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

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

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

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

22.29 (1) uniform statewide computer-adaptive assessments of all students in grades 3 through
22.30 8 and testing at the high school levels that provides appropriate, technically sound
22.31 accommodations or alternate assessments;

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

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

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

23.9 (b) The commissioner shall report test results publicly and to stakeholders, including
 23.10 the performance achievement levels developed from students' unweighted test scores in
 23.11 each tested subject and a listing of demographic factors that strongly correlate with student
 23.12 performance, including student homelessness, as data are available, among other factors.
 23.13 The test results must not include personally identifiable information as defined in Code of
 23.14 Federal Regulations, title 34, section 99.3. ~~The commissioner shall also report data that~~
 23.15 ~~compares performance results among school sites, school districts, Minnesota and other~~
 23.16 ~~states, and Minnesota and other nations.~~ The commissioner shall disseminate to schools
 23.17 and school districts a more comprehensive report containing testing information that meets
 23.18 local needs for evaluating instruction and curriculum. The commissioner shall disseminate
 23.19 to charter school authorizers a more comprehensive report containing testing information
 23.20 that contains anonymized data where cell count data are sufficient to protect student identity
 23.21 and that meets the authorizer's needs in fulfilling its obligations under chapter 124E.

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

23.26 Sec. 17. Minnesota Statutes 2023 Supplement, section 120B.31, subdivision 4, is amended
 23.27 to read:

23.28 Subd. 4. **Student performance data.** In developing policies and assessment processes
 23.29 to hold schools and districts accountable for high levels of academic standards under section
 23.30 120B.021, the commissioner shall ~~aggregate and disaggregate student data over time to~~
 23.31 ~~report summary student performance and growth levels and, under section 120B.11,~~
 23.32 ~~subdivision 2, clause (2), student learning and outcome data measured at the school, school~~
 23.33 ~~district, and statewide level. The commissioner shall use the student categories identified~~

24.1 under the federal Elementary and Secondary Education Act, as most recently reauthorized,
24.2 and student categories of:

24.3 (1) homelessness;

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

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

24.6 (4) home language;

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

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

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

24.12 Any report the commissioner disseminates containing summary data on student performance
24.13 must integrate student performance and the demographic factors that strongly correlate with
24.14 that performance.

24.15 Sec. 18. Minnesota Statutes 2023 Supplement, section 120B.36, subdivision 1, is amended
24.16 to read:

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

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

24.20 (2) academic progress consistent with federal expectations;

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

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

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

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

24.29 (7) the acquisition of English, and where practicable, native language academic literacy,
24.30 including oral academic language, and the academic progress of all English learners enrolled

25.1 in a Minnesota public school course or program who are currently or were previously counted
25.2 as English learners under section 124D.59;

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

25.5 (9) staff characteristics excluding salaries;

25.6 (10) student enrollment demographics;

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

25.10 (12) extracurricular activities.

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

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

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

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

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

25.26 Sec. 19. Minnesota Statutes 2023 Supplement, section 121A.041, subdivision 2, is amended
25.27 to read:

25.28 Subd. 2. **Prohibition on American Indian mascots.** (a) Starting September 1, ~~2025~~
25.29 2026, a public school may not have or adopt a name, symbol, or image that depicts or refers
25.30 to an American Indian Tribe, individual, custom, or tradition to be used as a mascot,
25.31 nickname, logo, letterhead, or team name of the school, district, or school within the district,
25.32 unless the school has obtained an exemption under subdivision 3.

26.1 (b) The prohibition in paragraph (a) does not apply to a public school located within the
 26.2 reservation of a federally recognized Tribal Nation in Minnesota, where at least 95 percent
 26.3 of students meet the state definition of American Indian student.

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

26.5 Sec. 20. Minnesota Statutes 2023 Supplement, section 121A.041, subdivision 3, is amended
 26.6 to read:

26.7 Subd. 3. **Exemption.** A public school may seek an exemption to subdivision 2 by
 26.8 submitting a request in writing to all 11 federally recognized Tribal Nations in Minnesota
 26.9 and to the Tribal Nations Education Committee by September 1, 2023. The exemption is
 26.10 denied if any of the 11 Tribal Nations or the Tribal Nations Education Committee oppose
 26.11 the exemption by December 15, 2023. A public school whose request for an exemption is
 26.12 denied must comply with subdivision 2 by September 1, ~~2025~~ 2026.

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

26.14 Sec. 21. **[121A.08] SMUDGING PERMITTED.**

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

26.20 Sec. 22. Minnesota Statutes 2023 Supplement, section 121A.642, is amended by adding
 26.21 a subdivision to read:

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

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

26.26 Sec. 23. **[121A.80] STUDENT JOURNALISM; STUDENT EXPRESSION.**

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

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

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

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

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

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

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

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

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

27.15 Subd. 2. **Student journalists; protected conduct.** (a) Except as provided in subdivision
 27.16 3, a student journalist has the right to exercise freedom of speech and freedom of the press
 27.17 in school-sponsored media regardless of whether the school-sponsored media receives
 27.18 financial support from the school or district, uses school equipment or facilities in its
 27.19 production, or is produced as part of a class or course in which the student journalist is
 27.20 enrolled. Freedom of speech includes freedom to express political viewpoints. Consistent
 27.21 with subdivision 3, a student journalist has the right to determine the news, opinion, feature,
 27.22 and advertising content of school-sponsored media. A school district or charter school must
 27.23 not discipline a student journalist for exercising rights or freedoms under this paragraph or
 27.24 the First Amendment of the United States Constitution.

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

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

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

- 28.1 (1) is defamatory;
- 28.2 (2) is profane, harassing, threatening, or intimidating;
- 28.3 (3) constitutes an unwarranted invasion of privacy;
- 28.4 (4) violates federal or state law;
- 28.5 (5) causes a material and substantial disruption of school activities; or
- 28.6 (6) is directed to inciting or producing imminent lawless action on school premises or
- 28.7 the violation of lawful school policies or rules, including a policy adopted in accordance
- 28.8 with section 121A.03 or 121A.031.

28.9 (b) Nothing in this section authorizes the publication of an advertisement by

28.10 school-sponsored media that promotes the purchase of a product or service that is unlawful

28.11 for purchase or use by minors.

28.12 (c) A school or district must not authorize any prior restraint of school-sponsored media

28.13 except under this subdivision.

28.14 Subd. 4. **Student journalist policy.** School districts and charter schools must adopt and

28.15 post on the district or charter school website a student journalist policy consistent with this

28.16 section.

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

28.18 Sec. 24. Minnesota Statutes 2022, section 123B.09, subdivision 10, is amended to read:

28.19 Subd. 10. **Publishing proceedings.** The board must cause its official proceedings to be

28.20 published once in the official newspaper of the district or official district website. Such

28.21 publication shall be made within 30 days of the meeting at which such proceedings occurred.

28.22 If the board determines that publication of a summary of the proceedings would adequately

28.23 inform the public of the substance of the proceedings, the board may direct that only a

28.24 summary be published, conforming to the requirements of section 331A.01, subdivision

28.25 10.

28.26 Sec. 25. Minnesota Statutes 2022, section 123B.37, subdivision 2, is amended to read:

28.27 Subd. 2. **Boards shall not withhold grades or diplomas for nonpayment of student**

28.28 **fees.** No pupil's rights or privileges, including the receipt of grades or diplomas may be

28.29 denied or abridged for nonpayment of fees; but this provision does not prohibit a district

28.30 from maintaining any action provided by law for the collection of fees authorized by sections

29.1 123B.36 and 123B.38. This provision applies to all Minnesota district school boards, charter
 29.2 school boards, and Tribal contract schools.

29.3 Sec. 26. Minnesota Statutes 2022, section 124D.60, subdivision 1, is amended to read:

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

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

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

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

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

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

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

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

29.25 Sec. 27. Minnesota Statutes 2022, section 124D.61, is amended to read:

29.26 **124D.61 GENERAL REQUIREMENTS FOR PROGRAMS.**

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

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

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

30.4 ~~(2)~~ (3) a written plan of services that describes programming by English proficiency
 30.5 level made available to parents upon request. The plan must articulate the amount and scope
 30.6 of service offered to English learners through an educational program for English learners;

30.7 ~~(3)~~ (4) professional development opportunities for ESL, bilingual education, mainstream,
 30.8 and all staff working with English learners which are: (i) coordinated with the district's
 30.9 professional development activities; (ii) related to the needs of English learners; and (iii)
 30.10 ongoing;

30.11 ~~(4)~~ (5) to the extent possible, avoid isolating English learners for a substantial part of
 30.12 the school day; and

30.13 ~~(5)~~ (6) in predominantly nonverbal subjects, such as art, music, and physical education,
 30.14 permit English learners to participate fully and on an equal basis with their contemporaries
 30.15 in public school classes provided for these subjects. To the extent possible, the district must
 30.16 assure to pupils enrolled in a program for English learners an equal and meaningful
 30.17 opportunity to participate fully with other pupils in all extracurricular activities.

30.18 Sec. 28. **REPEALER.**

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

30.20 **ARTICLE 3**

30.21 **TEACHERS**

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

30.24 Subd. 4. **Reporting.** ~~Beginning in 2024 and every even-numbered year thereafter,~~ The
 30.25 Professional Educator Licensing and Standards Board must collaborate with the Department
 30.26 of Education and the Office of Higher Education to publish a summary report of each of
 30.27 the programs they administer and any other programs receiving state appropriations that
 30.28 have or include an explicit purpose of increasing the racial and ethnic diversity of the state's
 30.29 teacher workforce to more closely reflect the diversity of students. The report must include
 30.30 programs under sections 122A.59, 122A.63, 122A.635, 122A.70, 122A.73, 124D.09,
 30.31 124D.861, 136A.1274, 136A.1276, and 136A.1791, along with any other programs or
 30.32 initiatives that receive state appropriations to address the shortage of teachers of color and

31.1 American Indian teachers. The board must, in coordination with the Office of Higher
 31.2 Education and Department of Education, provide policy and funding recommendations
 31.3 related to state-funded programs to increase the recruitment, preparation, licensing, hiring,
 31.4 and retention of racially and ethnically diverse teachers and the state's progress toward
 31.5 meeting or exceeding the goals of this section. The report must include recommendations
 31.6 for state policy and funding needed to achieve the goals of this section, plans for sharing
 31.7 the report and activities of grant recipients, and opportunities among grant recipients of
 31.8 various programs to share effective practices with each other. The ~~2024~~ initial report must
 31.9 also include a recommendation of whether a state advisory council should be established
 31.10 to address the shortage of racially and ethnically diverse teachers and what the composition
 31.11 and charge of such an advisory council would be if established. The board must consult
 31.12 with the Indian Affairs Council and other ethnic councils along with other community
 31.13 partners, including students of color and American Indian students, in developing the report.
 31.14 ~~By November 3 of each odd-numbered year,~~ The board must submit the report to the chairs
 31.15 and ranking minority members of the legislative committees with jurisdiction over education
 31.16 and higher education policy and finance by November 3, 2025, and each odd-numbered
 31.17 year thereafter. The report must be available to the public on the board's website.

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

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

31.20 Subd. 5. ~~Survey of districts~~ **Supply and demand report.** ~~(a)~~ The Professional Educator
 31.21 Licensing and Standards Board must ~~survey the state's school districts and teacher preparation~~
 31.22 ~~programs and~~ submit a report to the education committees of the legislature by February 1,
 31.23 ~~2019, and each odd-numbered~~ November 1, 2025, and each odd-numbered year thereafter,
 31.24 ~~on the status of teacher early~~ supply and demand of teachers. The report must be made
 31.25 available on the board's website. The report must include data regarding:

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

31.29 (2) teacher licensure;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

33.6 ~~(e)~~(f) For purposes of the data sharing agreements under paragraphs ~~(e)~~(d) and ~~(d)~~(e),
 33.7 the Professional Educator Licensing and Standards Board, Board of School Administrators,
 33.8 and Department of Education may share private data, as defined in section 13.02, subdivision
 33.9 12, on teachers and school administrators. The data sharing agreements must not include
 33.10 educational data, as defined in section 13.32, subdivision 1, but may include summary data,
 33.11 as defined in section 13.02, subdivision 19, derived from educational data.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

35.3 (5) three years of teaching experience under a Tier 2 license and evidence of summative
35.4 teacher evaluations that did not result in placing or otherwise keeping the teacher on an
35.5 improvement process pursuant to section 122A.40, subdivision 8, or 122A.41, subdivision
35.6 5.

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

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

35.12 (1) the applicant meets all requirements for a Tier 3 license under section 122A.183,
35.13 and: (i) has completed a teacher preparation program under section 122A.183, subdivision
35.14 2, clause (1) or (2); (ii) obtained licensure through the licensure via portfolio process under
35.15 section 122A.183, subdivision 2, clause (3); or (iii) holds national board certification from
35.16 the National Board for Professional Teaching Standards;

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

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

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

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

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

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

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

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

36.3 ~~(3)~~ (4) completed a state-approved teacher preparation program in another state and
 36.4 passed licensure examinations in that state, if applicable. The content examination
 36.5 requirement does not apply if no relevant content exam exists.

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

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

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

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

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

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

37.3 Subd. 8. **Development, evaluation, and peer coaching for continuing contract**
37.4 **teachers.** (a) To improve student learning and success, a school board and an exclusive
37.5 representative of the teachers in the district, consistent with paragraph (b), may develop a
37.6 teacher evaluation and peer review process for probationary and continuing contract teachers
37.7 through joint agreement. If a school board and the exclusive representative of the teachers
37.8 do not agree to an annual teacher evaluation and peer review process, then the school board
37.9 and the exclusive representative of the teachers must implement the state teacher evaluation
37.10 plan under paragraph (c). The process must include having trained observers serve as peer
37.11 coaches or having teachers participate in professional learning communities, consistent with
37.12 paragraph (b).

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

37.17 (1) must, for probationary teachers, provide for all evaluations required under subdivision
37.18 5;

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

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

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

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

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

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

38.5 (8) must include an option for teachers to develop and present a portfolio demonstrating
38.6 evidence of reflection and professional growth, consistent with section 122A.187, subdivision
38.7 3, and include teachers' own performance assessment based on student work samples and
38.8 examples of teachers' work, which may include video among other activities for the
38.9 summative evaluation;

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

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

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

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

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

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

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

39.1 Association of School Administrators, the Minnesota School Boards Association, the
39.2 Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and
39.3 representatives of the Minnesota Assessment Group, the Minnesota Business Partnership,
39.4 the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with
39.5 research expertise in teacher evaluation, must create and publish a teacher evaluation process
39.6 that complies with the requirements in paragraph (b) and applies to all teachers under this
39.7 section and section 122A.41 for whom no agreement exists under paragraph (a) for an annual
39.8 teacher evaluation and peer review process. The teacher evaluation process created under
39.9 this subdivision does not create additional due process rights for probationary teachers under
39.10 subdivision 5.

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

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

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

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

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

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

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

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

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

40.9 (1) must, for probationary teachers, provide for all evaluations required under subdivision
40.10 2;

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

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

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

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

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

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

40.29 (8) must include an option for teachers to develop and present a portfolio demonstrating
40.30 evidence of reflection and professional growth, consistent with section 122A.187, subdivision
40.31 3, and include teachers' own performance assessment based on student work samples and
40.32 examples of teachers' work, which may include video among other activities for the
40.33 summative evaluation;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

42.28 Subd. 4. **Heritage language and culture teacher licensure pathway program.** (a) The
 42.29 Professional Educator Licensing and Standards Board shall develop a program to support
 42.30 initial and additional licensure for heritage language and culture teachers, prioritizing the
 42.31 participation of heritage language and culture teachers whose own heritage language is
 42.32 within the most common languages spoken by Minnesota students, as indicated by the

43.1 Department of Education report on primary home languages, and for which there is a
43.2 licensure scarcity. The program must include:

43.3 (1) a yearlong mentorship program;

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

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

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

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

43.10 (b) For applicants seeking an initial license in a world language and culture, the applicant
43.11 must demonstrate meeting the standards of effective practice in Minnesota Rules, part
43.12 8710.2000, and content-specific pedagogical standards in Minnesota Rules, part 8710.4950,
43.13 through the portfolio process.

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

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

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

43.23 Subd. 2. **Board grants.** The Professional Educator Licensing and Standards Board must
43.24 make grant application forms available to sites interested in developing, sustaining, or
43.25 expanding a mentorship program. A school district or group of school districts, a Tribal
43.26 contract school or group of schools, a coalition of districts, teachers, and teacher education
43.27 institutions, a school or coalition of schools, or a coalition of teachers may apply for a
43.28 program grant. A higher education institution or nonprofit organization may partner with a
43.29 grant applicant but is not eligible as a sole applicant for grant funds. The Professional
43.30 Educator Licensing and Standards Board, in consultation with the teacher mentoring task
43.31 force, must approve or disapprove the applications. To the extent possible, the approved
43.32 applications must reflect effective mentoring, professional development, and retention

44.1 components, and be geographically distributed throughout the state. The Professional
 44.2 Educator Licensing and Standards Board must encourage the selected sites to consider the
 44.3 use of its assessment procedures.

44.4 Sec. 17. REPEALER.

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

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

44.7 **ARTICLE 4**

44.8 **READ ACT**

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

44.10 **120B.1117 TITLE; THE READ ACT.**

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

44.13 Sec. 2. Minnesota Statutes 2023 Supplement, section 120B.1118, is amended by adding
 44.14 a subdivision to read:

44.15 Subd. 2a. **Certified trained facilitator.** "Certified trained facilitator" means a person
 44.16 employed by a district or regional literacy network, who has completed professional
 44.17 development approved by the Department of Education in structured literacy, completed
 44.18 additional training in providing professional development in structured literacy, and
 44.19 participates in mentoring or coaching provided by CAREI or the Department of Education
 44.20 on facilitating literacy training. A literacy lead who meets the requirements under this
 44.21 subdivision may be a certified trained facilitator.

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

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

45.1 Sec. 4. Minnesota Statutes 2023 Supplement, section 120B.1118, subdivision 10, is
45.2 amended to read:

45.3 Subd. 10. **Oral language.** "Oral language," also called "spoken language," includes
45.4 speaking and listening, and consists of five components: phonology, morphology, syntax,
45.5 semantics, and pragmatics. Oral language also includes sign language, in which speaking
45.6 and listening are defined as expressive and receptive skills, and consists of phonology,
45.7 including sign language phonological awareness; morphology; syntax; semantics; and
45.8 pragmatics.

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

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

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

45.26 (1) reading intervention teachers working with students in kindergarten through grade
45.27 12;

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

45.30 (3) special education teachers;

45.31 (4) curriculum directors; and

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

46.1 ~~(6)~~ (5) employees who select literacy instructional materials for a district.

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

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

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

46.7 (2) teachers of multilingual students; and

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

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

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

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

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

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

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

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

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

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

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

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

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

47.30 Subd. 2a. **Parent notification and involvement.** A district must administer a ~~an approved~~
47.31 reading screener to students in kindergarten through grade 3 within the first six weeks of
47.32 the school year, by February 15 each year, and again within the last six weeks of the school

48.1 year. Schools, at least biannually after administering each screener, must give the parent of
 48.2 each student who is not reading at or above grade level timely information about:

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

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

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

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

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

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

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

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

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

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

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

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

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

49.15 Sec. 9. Minnesota Statutes 2023 Supplement, section 120B.12, subdivision 4a, is amended
49.16 to read:

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

49.23 (1) a process to assess students' foundational reading skills, oral language, and level of
49.24 reading proficiency and the screeners used, by school site and grade level, under section
49.25 120B.123;

49.26 (2) a process to notify and involve parents;

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

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

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

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

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

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

50.6 (i) students in kindergarten through grade 3;

50.7 (ii) students who demonstrate characteristics of dyslexia; and

50.8 (iii) students in grades 4 to 12 who are identified as not reading at grade level; and

50.9 (9) the number of teachers and other staff that have completed training approved by the
50.10 department.

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

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

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

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

50.27 (2) the number of teachers and other staff required to complete the training under section
50.28 120B.12, subdivision 1, that have not completed the training;

50.29 ~~(2)~~(3) by school site and grade, the screeners ~~used at the beginning and end of the school~~
50.30 ~~year~~ and the reading curriculum used; and

51.1 ~~(3)~~ (4) by school site and grade, using the measurements of foundational literacy skills
 51.2 and mastery identified by the department, both aggregated data and disaggregated data on
 51.3 student performance on the approved screeners using the student categories under section
 51.4 120B.35, subdivision 3, paragraph (a), clause (2).

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

51.8 Sec. 10. Minnesota Statutes 2023 Supplement, section 120B.123, subdivision 1, is amended
 51.9 to read:

51.10 Subdivision 1. **Approved screeners.** A district must administer an approved
 51.11 evidence-based reading screener to students in kindergarten through grade 3 within the first
 51.12 six weeks of the school year, by February 15 each year, and again within the last six weeks
 51.13 of the school year. The screener must be one of the screening tools approved by the
 51.14 Department of Education. A district must identify any screener it uses in the district's annual
 51.15 literacy plan, and submit screening data with the annual literacy plan by June 15.

51.16 Sec. 11. Minnesota Statutes 2023 Supplement, section 120B.123, subdivision 2, is amended
 51.17 to read:

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

51.21 Sec. 12. Minnesota Statutes 2023 Supplement, section 120B.123, subdivision 5, is amended
 51.22 to read:

51.23 Subd. 5. **Professional development.** (a) A district must provide training from a menu
 51.24 of approved evidence-based training programs to all reading intervention teachers, literacy
 51.25 specialists, and other teachers and staff identified in section 120B.12, subdivision 1, paragraph
 51.26 (b), by July 1, ~~2025~~ 2026; and by July 1, 2027, to other teachers in the district who provide
 51.27 reading instruction or reading interventions, prioritizing teachers who work with students
 51.28 with disabilities, English learners, and students who qualify for the graduation incentives
 51.29 program under section 124D.68.

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

52.1 (c) Training provided by a certified trained facilitator may satisfy the professional
 52.2 development requirements under this subdivision and section 120B.12, subdivision 1.

52.3 (d) For the 2024-2025 school year only, the hours of instruction requirement under
 52.4 section 120A.41 for students in grades 1 through 3 is reduced to 929-1/2 hours for a district
 52.5 that enters into an agreement with the exclusive representative of the teachers requiring
 52.6 teachers to receive approved evidence-based training required under section 120B.12,
 52.7 subdivision 1, for 5-1/2 hours on a day when other students in the district receive instruction.
 52.8 If a charter school's teachers are not represented by an exclusive representative, the charter
 52.9 school may reduce the number of instructional hours for students in grades 1 through 3 by
 52.10 5-1/2 hours in order to provide teachers with evidence-based training required under section
 52.11 120B.12, subdivision 1, on a day when other students receive instruction.

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

52.14 Subd. 8. **Minnesota reading corps program.** (a) A Minnesota reading corps program
 52.15 is established to provide ServeMinnesota AmeriCorps members with a data-based
 52.16 problem-solving model of literacy instruction to use in helping to train local Head Start
 52.17 program providers, other prekindergarten program providers, and staff in schools with
 52.18 students in kindergarten through grade 3 to evaluate and teach early literacy skills, including
 52.19 evidence-based literacy instruction under sections 120B.1117 to 120B.124, to children age
 52.20 3 ~~to~~ through grade 3 and interventions for children in kindergarten ~~to~~ through grade ~~12~~ 3.

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

52.23 (c) Literacy programs under this subdivision must use evidence-based reading instruction
 52.24 and interventions focused on structured literacy.

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

52.28 Sec. 14. **REVISOR INSTRUCTION.**

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

53.1	<u>Column A</u>	<u>Column B</u>
53.2	<u>120B.1117</u>	<u>120B.118</u>
53.3	<u>120B.1118</u>	<u>120B.119</u>

ARTICLE 5

SPECIAL EDUCATION

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

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

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

125A.08 INDIVIDUALIZED EDUCATION PROGRAMS.

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

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

53.20 (1) all students with disabilities are provided the special instruction and services which
 53.21 are appropriate to their needs. Where the individualized education program team has
 53.22 determined appropriate goals and objectives based on the student's needs, including the
 53.23 extent to which the student can be included in the least restrictive environment, and where
 53.24 there are essentially equivalent and effective instruction, related services, or assistive
 53.25 technology devices available to meet the student's needs, cost to the district may be among
 53.26 the factors considered by the team in choosing how to provide the appropriate services,
 53.27 instruction, or devices that are to be made part of the student's individualized education
 53.28 program. The individualized education program team shall consider and may authorize
 53.29 services covered by medical assistance according to section 256B.0625, subdivision 26.
 53.30 Before a school district evaluation team makes a determination of other health disability
 53.31 under Minnesota Rules, part 3525.1335, subparts 1 and 2, item A, subitem (1), the evaluation
 53.32 team must seek written documentation of the student's medically diagnosed chronic or acute
 53.33 health condition signed by a licensed physician or a licensed health care provider acting

54.1 within the scope of the provider's practice. The student's needs and the special education
54.2 instruction and services to be provided must be agreed upon through the development of
54.3 an individualized education program. The program must address the student's need to develop
54.4 skills to live and work as independently as possible within the community. The individualized
54.5 education program team must consider positive behavioral interventions, strategies, and
54.6 supports that address behavior needs for children. During grade 9, the program must address
54.7 the student's needs for transition from secondary services to postsecondary education and
54.8 training, employment, community participation, recreation, and leisure and home living. In
54.9 developing the program, districts must inform parents of the full range of transitional goals
54.10 and related services that should be considered. The program must include a statement of
54.11 the needed transition services, including a statement of the interagency responsibilities or
54.12 linkages or both before secondary services are concluded. If the individualized education
54.13 program meets the plan components in section 120B.125, the individualized education
54.14 program satisfies the requirement and no additional transition plan is needed;

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

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

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

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

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

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

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

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

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

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

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

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

55.30 **Subd. 4. Developmental adapted physical education assessment.** A school district
55.31 may conduct an assessment for developmental adapted physical education, as defined in
55.32 Minnesota Rules, part 3525.1352, as a stand-alone evaluation without conducting a
55.33 comprehensive evaluation of the student in accordance with prior written notice provisions

56.1 in section 125A.091, subdivision 3a. A parent or guardian may request that a school district
 56.2 conduct a comprehensive evaluation of the parent's or guardian's student.

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

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

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

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

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

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

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

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

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

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

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

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

57.1 (2) one representative from the board;

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

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

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

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

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

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

57.17 (9) two representatives from alternative teacher preparation programs.

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

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

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

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

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

58.1 Sec. 6. **COMMISSIONER OF EDUCATION; LEGISLATIVE REPORT ON**
 58.2 **DEFINITIONS.**

58.3 (a) The commissioner of education must define the following terms:

58.4 (1) gifted student;

58.5 (2) talented student;

58.6 (3) twice-exceptional student;

58.7 (4) print disabled student; and

58.8 (5) reading disabled student.

58.9 (b) The commissioner of education must also define what qualifies a student in each
 58.10 category under paragraph (a) for special education services and how eligibility is determined,
 58.11 including through identification or diagnosis by a doctor of medicine, doctor of osteopathy,
 58.12 ophthalmologist, optometrist, psychologist, registered nurse, therapist, or professional staff
 58.13 of hospitals, institutions, and public or welfare agencies such as an educator, social worker,
 58.14 case worker, counselor, rehabilitation teacher, certified reading specialist, school
 58.15 psychologist, superintendent, or librarian.

58.16 (c) No later than February 15, 2025, the commissioner must report these definitions to
 58.17 the chairs and ranking minority members of the legislative committees having jurisdiction
 58.18 over early childhood through grade 12 education.

58.19 (d) The commissioner is encouraged to consult with the Perpich Center for Arts Education
 58.20 and the Minnesota State Academies in preparing the definitions under this section.

58.21 **ARTICLE 6**

58.22 **CHARTER SCHOOLS**

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

58.24 Subdivision 1. **Purposes.** (a) The primary purpose of mission-driven charter schools is
 58.25 to improve all-pupil the learning and-all-student, achievement, and success of all students.

58.26 ~~Additional purposes include to~~ The additional purposes of charter schools are to:

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

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

58.29 (3) measure learning outcomes and create different and innovative forms of measuring
 58.30 outcomes;

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

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

59.4 (b) A charter school must identify the purposes it will address in the charter contract
59.5 and document the implementation of those purposes in the school's annual report.
59.6 Documentation of the implementation of those purposes shall be a component of the
59.7 authorizer's performance review of the school.

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

59.9 **124E.02 DEFINITIONS.**

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

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

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

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

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

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

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

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

60.3 (1) current and projected demographic information;

60.4 (2) student enrollment patterns;

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

60.6 (4) characteristics of proposed students and families;

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

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

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

60.10 (j) "Related party" means an affiliate or immediate relative of the other interested party,
60.11 an affiliate of an immediate relative who is the other interested party, or an immediate
60.12 relative of an affiliate who is the other interested party.

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

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

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

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

60.21 (c) A charter school must comply with the Minnesota Public School Fee Law, sections
60.22 123B.34 to 123B.39.

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

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

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

60.28 (g) A charter school must comply with continuing truant notification under section
60.29 260A.03.

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

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

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

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

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

61.18 (b) An authorizer has the following responsibilities:

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

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

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

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

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

61.31 (c) The commissioner shall not require an authorizer to undertake any role or
 61.32 responsibility beyond those in statute or the charter contract, or perform any function that

62.1 the department or other government agency exercises in relation to a public school, school
 62.2 board, or school district.

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

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

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

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

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

62.23 (2) application criteria and process;

62.24 (3) contracting process;

62.25 (4) ongoing oversight and evaluation processes; and

62.26 (5) renewal criteria and processes.

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

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

62.30 Subd. 5. **Review by commissioner.** (a) The commissioner shall review an authorizer's
 62.31 performance every five years in a manner and form determined by the commissioner, subject

63.1 to paragraphs (b) and (c), and may review an authorizer's performance more frequently at
 63.2 the commissioner's own initiative or at the request of a charter school ~~operator~~ chief
 63.3 administrator, charter school board ~~member~~ of directors, or other interested party. The
 63.4 commissioner, after completing the review, shall transmit a report with findings to the
 63.5 authorizer and the schools authorized by the authorizer.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

64.17 (1) the proposed school's:

64.18 (i) mission and vision statements;

64.19 (ii) purposes and goals;

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

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

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

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

64.26 (vii) financial plan;

64.27 (viii) governance and management structure and plan;

64.28 (ix) market need and demand study; and

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

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

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

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

65.8 (c) An authorizer shall not approve an application submitted by a charter school developer
 65.9 under paragraph (a) if the application does not comply with subdivision 3, paragraph (e),
 65.10 and section 124E.01, subdivision 1. The commissioner shall not approve an affidavit
 65.11 submitted by an authorizer under subdivision 4 if the affidavit does not comply with
 65.12 subdivision 3, paragraph (e), and section 124E.01, subdivision 1.

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

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

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

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

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

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

65.26 (b) The commissioner must approve or disapprove the authorizer's affidavit within 60
 65.27 business days of receiving the affidavit. If the commissioner disapproves the affidavit, the
 65.28 commissioner shall notify the authorizer of the deficiencies in the affidavit and the authorizer
 65.29 then has 20 business days to address the deficiencies. The commissioner must notify the
 65.30 authorizer of the commissioner's final approval or final disapproval within 15 business days
 65.31 after receiving the authorizer's response to the deficiencies in the affidavit. If the authorizer
 65.32 does not address deficiencies to the commissioner's satisfaction, the commissioner's

66.1 disapproval is final. An authorizer who fails to obtain the commissioner's approval is
 66.2 precluded from chartering the school that is the subject of this affidavit.

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

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

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

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

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

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

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

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

66.32 (b) The commissioner shall have 30 business days to review and comment on the
 66.33 supplemental affidavit. The commissioner shall notify the authorizer in writing of any

67.1 deficiencies in the supplemental affidavit and the authorizer then has 20 business days to
 67.2 address any deficiencies in the supplemental affidavit to the commissioner's satisfaction.
 67.3 The commissioner must notify the authorizer of final approval or final disapproval within
 67.4 15 business days after receiving the authorizer's response to the deficiencies in the affidavit.
 67.5 The school may not add grades or sites until the commissioner has approved the supplemental
 67.6 affidavit. The commissioner's approval or disapproval of a supplemental affidavit is final.

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

67.8 **124E.07 BOARD OF DIRECTORS.**

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

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

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

67.27 (1) at least one licensed teacher ~~who is employed as a teacher at the school or provides~~
 67.28 ~~instruction under contract between the charter school and a cooperative~~ of record under
 67.29 Minnesota Rules, part 8710.0310. A licensed teacher who serves on a charter school board
 67.30 is an individual who holds a valid teaching license issued by the Professional Educator
 67.31 Licensing and Standards Board (PELSB), is employed by the school or contracted between
 67.32 the charter school or a teacher cooperative for at least 720 hours in a school calendar year,
 67.33 serves as a teacher of record, and provides instruction to students in the areas for which
 67.34 they are approved by PELSB; or a PELSB licensed school psychologist, social worker,

68.1 librarian, pathologist, nurse, counselor, or other school professional under Minnesota Rules,
 68.2 parts 8710.5900 to 8710.6400, who provides the services for students for which they are
 68.3 licensed. A board member eligible under this clause does not include any individual who
 68.4 serves the charter school in an administrative or supervisory capacity for more than 240
 68.5 hours in a school calendar year;

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

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

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

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

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

68.33 (d) Any employee, agent, contractor, or board member of the authorizer who participates
 68.34 in initially reviewing, approving, overseeing, evaluating, renewing, or not renewing the

69.1 charter school is ineligible to serve on the board of directors of a school chartered by that
69.2 authorizer.

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

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

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

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

69.17 ~~(2)~~ (3) with the authorizer's approval.

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

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

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

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

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

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

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

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

70.8 (3) evaluate student achievement, postsecondary and workforce readiness, and student
70.9 engagement and connection goals;

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

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

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

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

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

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

71.1 (c) A new board member must complete training on employment policies and practices
71.2 under chapter 181; public school funding and financial management; and the board's roles
71.3 and responsibilities regarding student success, achievement, and performance within 12
71.4 months of being seated on the board or the individual is automatically ineligible to continue
71.5 to serve as a board member. A board member who does not complete training within the
71.6 12-month period is ineligible to be elected or appointed to a charter school board for a period
71.7 of 18 months.

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

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

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

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

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

71.28 (b) A charter school shall publish and maintain on the school's official website: (1) the
71.29 meeting minutes of the board of directors and of members and committees having
71.30 board-delegated authority, within 30 calendar days following the earlier of the date of board
71.31 approval or the next regularly scheduled meeting, and for at least 365 days from the date
71.32 of publication; (2) directory information for the board of directors and for the members of
71.33 committees having board-delegated authority; and (3) identifying and contact information
71.34 for the school's authorizer.

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

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

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

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

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

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

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

72.20 Subd. 4. **Causes for nonrenewal or termination of charter school contract.** (a) The
72.21 duration of the contract with an authorizer must be for the term contained in the contract
72.22 according to subdivision 1, paragraph (a). The authorizer may or may not renew a contract
72.23 at the end of the term for any ground listed in paragraph (b). An authorizer may unilaterally
72.24 terminate a contract during the term of the contract for any ground listed in paragraph (b).
72.25 At least 60 business days before not renewing or terminating a contract, the authorizer shall
72.26 notify the board of directors of the charter school of the proposed action in writing. The
72.27 notice shall state the grounds for the proposed action in reasonable detail and describe the
72.28 informal hearing process, consistent with this paragraph. The charter school's board of
72.29 directors may request in writing an informal hearing before the authorizer within 15 business
72.30 days after receiving notice of nonrenewal or termination of the contract. Failure by the board
72.31 of directors to make a written request for an informal hearing within the 15-business-day
72.32 period shall be treated as acquiescence to the proposed action. Upon receiving a timely
72.33 written request for a hearing, the authorizer shall give ten business days' notice to the charter

73.1 school's board of directors of the hearing date. The hearing shall be recorded by audio
 73.2 recording, video recording, or a court reporter. The recording shall be preserved for three
 73.3 years and shall be made available to the public. The authorizer shall conduct an informal
 73.4 hearing before taking final action. The authorizer shall take final action to renew or not
 73.5 renew a contract no later than 20 business days before the proposed date for terminating
 73.6 the contract or the end date of the contract.

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

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

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

73.12 (3) violations of law; or

73.13 (4) other good cause shown.

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

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

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

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

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

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

73.25 Subd. 5. **Mutual nonrenewal.** If the authorizer and the ~~charter school~~ board of directors
 73.26 of a charter school serving enrolled students mutually agree not to renew the contract, or if
 73.27 the governing board of an approved authorizer votes to withdraw as an approved authorizer
 73.28 for a reason unrelated to any cause under subdivision 4, a change in authorizers is allowed.
 73.29 The authorizer and the school board must jointly submit a written and signed letter of their
 73.30 intent to the commissioner to mutually not renew the contract. The authorizer that is a party
 73.31 to the existing contract must inform the proposed authorizer about the fiscal, operational,
 73.32 and student performance status of the school, including unmet contract outcomes and other

74.1 outstanding contractual obligations. The charter contract between the proposed authorizer
 74.2 and the school must identify and provide a plan to address any outstanding obligations from
 74.3 the previous contract. The proposed authorizer must submit the proposed contract at least
 74.4 105 business days before the end of the existing charter contract. The commissioner has 30
 74.5 business days to review and make a determination on the change in authorizer. The proposed
 74.6 authorizer and the school have 15 business days to respond to the determination and address
 74.7 any issues identified by the commissioner. The commissioner must make a final
 74.8 determination no later than 45 business days before the end of the current charter contract.
 74.9 If the commissioner does not approve a change in authorizer, the school and the current
 74.10 authorizer may withdraw their letter of nonrenewal and enter into a new contract. If the
 74.11 commissioner does not approve a change in authorizer and the current authorizer and the
 74.12 school do not withdraw their letter and enter into a new contract, the school must be dissolved
 74.13 according to applicable law and the terms of the contract.

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

74.15 **124E.11 ADMISSION REQUIREMENTS AND ENROLLMENT.**

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

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

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

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

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

74.29 (c) Admission to a charter school must be free to any eligible pupil who resides within
 74.30 the state. A charter school must give enrollment preference to a Minnesota resident pupil
 74.31 over pupils that do not reside in Minnesota. A charter school must require a pupil who does
 74.32 not reside in Minnesota to annually apply to enroll in accordance with paragraphs (a) to (f).
 74.33 A charter school must give enrollment preference to a sibling of an enrolled pupil and to a

75.1 foster child of that pupil's parents and may give preference for enrolling children of the
75.2 school's staff before accepting other pupils by lot. A staff member eligible for an enrollment
75.3 preference for their children must be an individual employed at the school whose employment
75.4 is stipulated in advance to total at least 480 hours in a school calendar year. A charter school
75.5 that is located in Duluth township in St. Louis County and admits students in kindergarten
75.6 through grade 6 must give enrollment preference to students residing within a five-mile
75.7 radius of the school and to the siblings of enrolled children.

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

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

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

75.24 (g) Once a student who resides in Minnesota is enrolled in the school in kindergarten
75.25 through grade 12, or in the school's free preschool or prekindergarten program under section
75.26 124E.06, subdivision 3, paragraph (b), the student is considered enrolled in the school until
75.27 the student formally withdraws, the school receives a request for the transfer of educational
75.28 records from another school, the school receives a written election by the parent or legal
75.29 guardian of the student withdrawing the student, or the student is expelled under the Pupil
75.30 Fair Dismissal Act in sections 121A.40 to 121A.56.

75.31 (h) A charter school with at least 90 percent of enrolled students who are eligible for
75.32 special education services and have a primary disability of deaf or hard-of-hearing may
75.33 enroll prekindergarten pupils with a disability under section 126C.05, subdivision 1,
75.34 paragraph (a), and must comply with the federal Individuals with Disabilities Education

76.1 Act under Code of Federal Regulations, title 34, section 300.324, subsection (2), clause
76.2 (iv).

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

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

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

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

76.28 Subd. 2. **Administrators.** ~~(a) A person, without holding a valid administrator's license,~~
76.29 ~~may perform administrative, supervisory, or instructional leadership duties. The board of~~
76.30 ~~directors shall establish qualifications for all persons who hold administrative, supervisory,~~
76.31 ~~or instructional leadership roles. The qualifications shall cover at least: instruction and~~
76.32 ~~assessment; human resource and personnel management; financial management; legal and~~
76.33 ~~compliance management; effective communication; and board, authorizer, and community~~

77.1 ~~relationships. The board of directors shall use those qualifications as the basis for job~~
 77.2 ~~descriptions, hiring, and performance evaluations of those who hold administrative,~~
 77.3 ~~supervisory, or instructional leadership roles.~~

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

77.8 (a) A charter school board of directors must establish qualifications for all persons who
 77.9 hold administrative, academic supervision, or instructional leadership positions. The
 77.10 qualifications must include a requirement that a person hold a minimum of a four-year
 77.11 degree from an accredited institution or equivalent experience. Other qualifications for these
 77.12 positions shall include, as appropriate for the specific position: instruction and assessment,
 77.13 curriculum design, human resource and personnel management, professional ethics, child
 77.14 development, financial management, legal and compliance management, special education
 77.15 oversight, contract management, effective communication, cultural competency, board and
 77.16 authorizer relationships, parent relationships, and community partnerships. A charter school
 77.17 board of directors must use those qualifications as the basis for the job description, hiring,
 77.18 and performance evaluation of the charter school director or chief administrator. The charter
 77.19 school director or chief administrator must use those qualifications as the basis for the job
 77.20 descriptions, hiring, and performance reviews for the administrative staff, academic program
 77.21 supervisors, and instructional leaders who report to the charter school director or chief
 77.22 administrator.

77.23 (b) A person who does not hold a valid administrator's license may perform
 77.24 administrative, academic supervision, or instructional leadership duties. A person without
 77.25 a valid administrator's license, serving as a charter school director or chief administrator,
 77.26 must complete a minimum of 25 hours annually of competency-based training corresponding
 77.27 to the individual's annual professional development needs and plan approved by the charter
 77.28 school board of directors. Training includes but is not limited to: instruction and curriculum;
 77.29 state standards; teacher and staff hiring, development, support, and evaluation;
 77.30 social-emotional learning; data collection and usage; assessment methodologies; use of
 77.31 technology for learning and management; charter school law and requirements; code of
 77.32 professional ethics; financial management and state accounting requirements; grant
 77.33 management; legal and compliance management; special education management; health
 77.34 and safety laws; restorative justice; cultural competencies; effective communication; parent

78.1 relationships; board and management relationships; community partnerships; charter contract
78.2 and authorizer relationships; and public accountability.

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

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

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

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

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

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

78.23 **124E.14 CONFLICTS OF INTEREST.**

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

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

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

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

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

78.31 (3),

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

79.3 (b) The conflict of interest provisions under this section do not apply to compensation
79.4 paid to a teacher employed as a teacher by the charter school or a teacher who provides
79.5 instructional services to the charter school through a cooperative formed under chapter
79.6 308A when the teacher also serves on the charter school board of directors.

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

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

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

79.17 Subdivision 1. **Audit report.** (a) A charter school is subject to the same financial audits,
79.18 audit procedures, and audit requirements as a district, except as required under this
79.19 subdivision. Audits must be conducted in compliance with generally accepted governmental
79.20 auditing standards, the federal Single Audit Act, if applicable, and section 6.65 governing
79.21 auditing procedures. ~~A charter school is subject to and must comply with sections 15.054;~~
79.22 ~~118A.01; 118A.02; 118A.03; 118A.04; 118A.05; 118A.06 governing government property~~
79.23 ~~and financial investments; and sections 471.38; 471.391; 471.392; and 471.425 governing~~
79.24 ~~municipal contracting.~~ The audit must comply with the requirements of sections 123B.75
79.25 to 123B.83 governing school district finance, except when the commissioner and authorizer
79.26 approve a deviation made necessary because of school program finances. The commissioner,
79.27 state auditor, legislative auditor, or authorizer may conduct financial, program, or compliance
79.28 audits. A charter school in statutory operating debt under sections 123B.81 to 123B.83 must
79.29 submit a plan under section 123B.81, subdivision 4.

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

79.32 (c) The charter school, with the assistance of the auditor conducting the audit, must
79.33 include with the report, as supplemental information: (1) a copy of a new management

80.1 agreement or an amendment to a current agreement with a CMO or EMO signed during the
 80.2 audit year; and (2) a copy of a service agreement or contract with a company or individual
 80.3 totaling over five percent of the audited expenditures for the most recent audit year. The
 80.4 agreements must detail the terms of the agreement, including the services provided and the
 80.5 annual costs for those services.

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

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

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

80.16 **124E.17 DISSEMINATION OF INFORMATION.**

80.17 Subdivision 1. **Charter school information.** (a) Charter schools must disseminate
 80.18 information about ~~how to use the charter school offerings to targeted groups, among others.~~
 80.19 ~~Targeted groups include low-income families and communities, students of color, and~~
 80.20 ~~students who are at risk of academic failure.~~ the school's offerings and enrollment procedures
 80.21 to families that reflect the diversity of Minnesota's population and targeted groups. Targeted
 80.22 groups include low-income families and communities, students of color, students at risk of
 80.23 academic failure, and students underrepresented in the school's student body relative to
 80.24 Minnesota's population. The school must document its dissemination activities in the school's
 80.25 annual report. The school's dissemination activities must be a component of the authorizer's
 80.26 performance review of the school.

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

80.31 Subd. 2. **Financial information.** Upon request of an individual, the charter school must
 80.32 make available in a timely fashion financial statements showing all operations and
 80.33 transactions affecting the school's income, surplus, and deficit during the last annual

81.1 accounting period; and a balance sheet summarizing assets and liabilities on the closing
 81.2 date of the accounting period. ~~A charter school also must include that same information~~
 81.3 ~~about its authorizer in other school materials that it makes available to the public.~~ Upon
 81.4 request, the authorizer must provide the same information about its organization.

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

81.6 **124E.26 USE OF STATE MONEY.**

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

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

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

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

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

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

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

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

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

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

82.1

ARTICLE 7

82.2

NUTRITION AND LIBRARIES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

83.7 Subdivision 1. Access to materials. (a) The governing body, including a school board,
 83.8 of a regional public library system under section 134.20, subdivision 2; a multicounty,
 83.9 multitype library system under section 134.351, subdivision 4; a combination library under
 83.10 section 134.195, subdivision 7; a school library under section 124D.991; a library in a school
 83.11 receiving school library aid; or any other public library under section 134.001, subdivision
 83.12 2, may not ban, remove, or otherwise restrict access to an otherwise age-appropriate book
 83.13 or other material selected pursuant to a library materials policy under subdivision 2 based
 83.14 solely on the viewpoint, content, message, idea, or opinion conveyed.

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

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

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

83.23 (3) compliance with state or federal law.

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

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

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

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

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

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

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

84.7 **ARTICLE 8**

84.8 **HEALTH AND SAFETY**

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

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

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

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

84.24 (ii) family emergencies;

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

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

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

84.28 or

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

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

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

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

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

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

85.17 School districts and charter schools are encouraged to provide instruction on healthy
 85.18 aging and dementia to students in grades 6 through 12 that is aligned with local health
 85.19 standards and integrated into existing programs, curriculum, or the general school
 85.20 environment of a district or charter school. The commissioner of education, in consultation
 85.21 with the commissioner of health and dementia advocacy organizations, must, by July 1,
 85.22 2025, and July 1 of each odd-numbered year thereafter, provide districts and charter schools
 85.23 with age-appropriate resources on healthy aging and dementia including but not limited to
 85.24 strategies to maintain brain health, information on Alzheimer's disease and other forms of
 85.25 dementia, and caring for an elder with a cognitive impairment.

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

85.27 **Sec. 3. [121A.055] SAFE SCHOOLS TRANSPARENCY.**

85.28 A charter school or school district is prohibited from engaging in retaliatory action
 85.29 against a teacher or other school employee for discussing incidents of school violence or
 85.30 dangerous conduct. A school or school district must not retaliate against an employee for
 85.31 participating in an investigation, hearing, or inquiry regarding school and classroom safety.
 85.32 Nothing in this section waives a student's data privacy rights under federal and state law.

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

86.2 Sec. 4. Minnesota Statutes 2023 Supplement, section 121A.20, subdivision 2, is amended
86.3 to read:

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

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

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

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

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

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

86.13 Sec. 5. **[121A.216] ACCESS TO SPACE FOR MENTAL HEALTH CARE THROUGH**
86.14 **TELEHEALTH.**

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

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

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

86.26 (d) A school may require a student requesting access to space under this section to submit
86.27 to the school a signed and dated consent from the student's parent or guardian, or from the
86.28 student if the student is age 16 or older, authorizing the student's licensed mental health
86.29 provider to release information from the student's health record that is requested by the
86.30 school to confirm the student is currently receiving mental health care from the provider.
86.31 Such a consent is valid for the school year in which it is submitted.

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

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

87.6 Sec. 6. Minnesota Statutes 2022, section 121A.22, subdivision 2, is amended to read:

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

87.9 (1) purchased without a prescription;

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

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

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

87.16 (5) used off the school grounds;

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

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

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

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

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

88.1 Sec. 7. Minnesota Statutes 2022, section 121A.22, subdivision 4, is amended to read:

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

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

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

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

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

88.15 Sec. 8. Minnesota Statutes 2022, section 121A.2207, subdivision 1, is amended to read:

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

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

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

89.1 Sec. 9. Minnesota Statutes 2022, section 121A.41, subdivision 8, is amended to read:

89.2 Subd. 8. **School.** "School" means any school defined in section 120A.05, subdivisions
89.3 9, 11, 13, and 17. "School" also means a charter school.

89.4 Sec. 10. **[121A.612] STUDENTS PULLED OUT OF CLASS; NOTICE AND RECORD**
89.5 **KEEPING.**

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

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

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

89.18 Sec. 11. Minnesota Statutes 2023 Supplement, section 124D.901, subdivision 4, is amended
89.19 to read:

89.20 Subd. 4. **Allowed uses.** (a) Aid under this section must be used to hire new positions
89.21 for student support services personnel or increase a current position that is less than 1.0
89.22 full-time equivalent to a greater number of service hours or make permanent a position hired
89.23 using onetime resources awarded through the federal Coronavirus Aid Relief and Economic
89.24 Security Act, the federal Consolidated Appropriations Act, the federal Division
89.25 M-Coronavirus Response and Relief Supplemental Appropriations Act, or the federal
89.26 American Rescue Plan Act, or to maintain a position that would otherwise be eliminated.

89.27 (b) Cooperative student support personnel aid must be transferred to the intermediate
89.28 district or other cooperative unit of which the district is a member and used to hire new
89.29 positions for student support services personnel or increase a current position that is less
89.30 than 1.0 full-time equivalent to a greater number of service hours or make permanent a
89.31 position hired using onetime resources awarded through the American Rescue Plan Act at
89.32 the intermediate district or cooperative unit.

90.1 (c) If a school district, charter school, or cooperative unit does not receive at least two
 90.2 applications and is not able to hire a new full-time equivalent position with student support
 90.3 personnel aid, the aid may be used for contracted services from individuals licensed to serve
 90.4 as a school counselor, school psychologist, school social worker, school nurse, or chemical
 90.5 dependency counselor in Minnesota.

90.6 (d) Notwithstanding paragraphs (a) to (c), aid under this section may be used to maintain
 90.7 existing student support services personnel positions, including positions established prior
 90.8 to the 2023-2024 school year and positions initially funded with local, state, or federal
 90.9 resources, if the superintendent or charter school director provides the commissioner with
 90.10 a statement of assurances that the positions would be eliminated without the flexibility
 90.11 provided under this paragraph.

90.12 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2025 and later.

90.13 Sec. 12. Minnesota Statutes 2022, section 128C.02, is amended by adding a subdivision
 90.14 to read:

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

90.20 Sec. 13. Minnesota Statutes 2022, section 260E.14, subdivision 1, is amended to read:

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

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

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

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

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

91.12 ARTICLE 9

91.13 EARLY LEARNING

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

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

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

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

91.26 Sec. 3. Minnesota Statutes 2022, section 124D.151, as amended by Laws 2023, chapter
 91.27 55, article 9, section 19; and article 10, section 1, is amended to read:

91.28 **124D.151 VOLUNTARY PREKINDERGARTEN PROGRAM FOR ELIGIBLE**
 91.29 **FOUR-YEAR-OLD CHILDREN.**

91.30 Subdivision 1. **Establishment; purpose.** A district, a charter school, a group of districts,
 91.31 a group of charter schools, or a group of districts and charter schools may establish a

92.1 voluntary prekindergarten program for eligible four-year-old children. The purpose of a
 92.2 voluntary prekindergarten program is to ~~prepare~~ support children and their families and
 92.3 prepare them for success as ~~they enter in~~ kindergarten in the following year and beyond.

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

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

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

92.17 (3) provide comprehensive program content aligned with the state early learning
 92.18 standards, including the implementation of curriculum, assessment, and intentional
 92.19 instructional strategies aligned with the state early learning standards, and kindergarten that
 92.20 support transition to kindergarten through grade 3 academic standards;

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

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

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

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

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

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

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

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

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

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

93.18 ~~(c) Districts and charter schools must include their strategy for implementing and~~
93.19 ~~measuring the impact of their voluntary prekindergarten program under section 120B.11~~
93.20 ~~and provide results in their world's best workforce annual summary to the commissioner of~~
93.21 ~~education.~~

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

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

93.30 (1) is four years of age as of September 1 in the calendar year in which the school year
93.31 ~~commences is eligible to participate in a voluntary prekindergarten program free of charge.~~
93.32 ~~An eligible four-year-old child served in a mixed-delivery system by a child care center,~~
93.33 ~~family child care program licensed under section 245A.03, or community-based organization~~

94.1 ~~may be charged a fee as long as the mixed-delivery partner was not awarded a seat for that~~
 94.2 ~~child;~~ and

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

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

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

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

94.8 (iv) is American Indian;

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

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

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

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

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

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

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

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

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

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

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

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

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

95.15 (b) The commissioner must review all applications submitted ~~for fiscal year 2017 by~~
 95.16 ~~August 1, 2016, and must review all applications submitted for fiscal year 2018 and later~~
 95.17 by March 1 of the fiscal year in which the applications are received and determine whether
 95.18 each application meets the requirements of paragraph (a).

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

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

96.1 kindergarten students eligible for free or reduced-price meals must be used for the rank
96.2 ordering;

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

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

96.12 (d) The limit on participation for the programs as specified in subdivision 6 must initially
96.13 be allocated among the four groups based on each group's percentage share of the statewide
96.14 kindergarten enrollment on October 1 of the previous school year. Within each group, the
96.15 participation limit for fiscal years 2018 and 2019 must first be allocated to school sites
96.16 approved for aid in the previous year allocation period to ensure that those sites are funded
96.17 for the same number of participants as approved for the previous year allocation period.
96.18 The remainder of the participation limit for each group must be allocated among school
96.19 sites in priority order until that region's share of the participation limit is reached. If the
96.20 participation limit is not reached for all groups, the remaining amount must be allocated to
96.21 the highest priority school sites, as designated under this section, not funded in the initial
96.22 allocation on a statewide basis. ~~For fiscal year 2020 and later, the participation limit must~~
96.23 ~~first be allocated to school sites approved for aid in fiscal year 2017, and then to school~~
96.24 ~~sites approved for aid in fiscal year 2018 based on the statewide rankings under paragraph~~
96.25 ~~(e).~~

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

96.30 (f) If the total number of participants approved based on applications submitted under
96.31 paragraph (a) is less than the participation limit under subdivision 6, the commissioner must
96.32 notify all school districts and charter schools of the amount that remains available within
96.33 30 days of the initial application deadline under paragraph (a), and complete a second round
96.34 of allocations based on applications received within 60 days of the initial application deadline.

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

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

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

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

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

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

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

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

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

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

97.28 (ii) beginning July 1, 2025, the rate specified in United States Code, title 42, section
 97.29 9858n(4)(B), as adjusted for family size;

97.30 (2) be able to document their child's current participation in the free and reduced-price
 97.31 meals program or Child and Adult Care Food Program, National School Lunch Act, United
 97.32 States Code, title 42, sections 1751 and 1766; the Food Distribution Program on Indian

98.1 Reservations, Food and Nutrition Act, United States Code, title 7, sections 2011-2036; Head
98.2 Start under the federal Improving Head Start for School Readiness Act of 2007; Minnesota
98.3 family investment program under chapter 256J; child care assistance programs under chapter
98.4 119B; the supplemental nutrition assistance program; or

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

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

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

98.12 (d) Early learning scholarships may not be counted as earned income for the purposes
98.13 of medical assistance under chapter 256B, MinnesotaCare under chapter 256L, Minnesota
98.14 family investment program under chapter 256J, child care assistance programs under chapter
98.15 119B, or Head Start under the federal Improving Head Start for School Readiness Act of
98.16 2007.

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

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

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

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

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

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

98.31 (3) are in foster care;

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

- 99.1 (5) have an incarcerated parent;
- 99.2 (6) are in or have a parent in a substance use treatment program;
- 99.3 (7) are in or have a parent in a mental health treatment program;
- 99.4 (8) have experienced domestic violence; ~~or~~
- 99.5 (9) have an individualized education program or individualized family service plan; or
- 99.6 ~~(9)~~ (10) have experienced homelessness in the last 24 months, as defined under the
- 99.7 federal McKinney-Vento Homeless Assistance Act, United States Code, title 42, section
- 99.8 1143a.

99.9 (c) Notwithstanding paragraph (b), beginning July 1, 2025, the commissioner must give

99.10 highest priority to applications from children in families with income equal to or less than

99.11 the rate specified under subdivision 2, paragraph (a), clause (1), item (i), and within this

99.12 group must prioritize children who meet one or more of the criteria listed in paragraph (b).

99.13 (d) The commissioner may prioritize applications on additional factors, including but

99.14 not limited to availability of funding, family income, geographic location, and whether the

99.15 child's family is on a waiting list for a publicly funded program providing early education

99.16 or child care services.

99.17 **Sec. 6. REVISOR INSTRUCTION.**

99.18 The revisor of statutes shall remove the terms "school readiness plus" or "school readiness

99.19 plus programs" wherever they appear in Minnesota Statutes, chapters 119B, 121A, 122A,

99.20 124D, 126C, or 179A. The revisor shall also make necessary cross-reference changes,

99.21 technical language, and other changes necessitated by the changes in this act.

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

99.23 **Sec. 7. REPEALER.**

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

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

100.1

ARTICLE 10

100.2

EDUCATION PARTNERSHIPS AND COMPACTS

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

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

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

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

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

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

100.24 ~~(d) The P-20 education partnership shall be the state council for the Interstate Compact~~
100.25 ~~on Educational Opportunity for Military Children under section 127A.85 with the~~
100.26 ~~commissioner or commissioner's designee serving as the compact commissioner responsible~~
100.27 ~~for the administration and management of the state's participation in the compact. When~~
100.28 ~~conducting business required under section 127A.85, the P-20 partnership shall include a~~
100.29 ~~representative from a military installation appointed by the adjutant general of the Minnesota~~
100.30 ~~National Guard.~~

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

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

101.9 (b) Council membership must include at least:

101.10 (1) the commissioner;

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

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

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

101.15 (5) one member of the senate appointed by the Subcommittee on Committees of the
101.16 Committee on Rules and Administration; and

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

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

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

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

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

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

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

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

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

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

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

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

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

120B.31 SYSTEM ACCOUNTABILITY AND STATISTICAL ADJUSTMENTS.

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

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

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.