

**SENATE  
STATE OF MINNESOTA  
NINETY-THIRD SESSION**

**S.F. No. 4188**

(SENATE AUTHORS: GUSTAFSON)

DATE	D-PG	OFFICIAL STATUS
02/26/2024	11800	Introduction and first reading Referred to Education Policy
03/14/2024	12235a	Comm report: To pass as amended and re-refer to Education Finance

1.1 A bill for an act

1.2 relating to education; modifying hours of instruction requirements; amending the

1.3 definition of credit; appropriating money; amending Minnesota Statutes 2022,

1.4 sections 120A.41; 120B.018, subdivision 4, by adding a subdivision; 120B.02,

1.5 subdivision 2.

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

1.7 Section 1. Minnesota Statutes 2022, section 120A.41, is amended to read:

1.8 **120A.41 LENGTH OF SCHOOL YEAR; HOURS OF INSTRUCTION.**

1.9 (a) A school board's annual school calendar must include at least 425 hours of instruction

1.10 for a kindergarten student without a disability, 935 hours of instruction for a student in

1.11 grades 1 through 6, and 1,020 hours of instruction for a student in grades 7 through 12, not

1.12 including summer school. The school calendar for all-day kindergarten must include at least

1.13 850 hours of instruction for the school year. The school calendar for a prekindergarten

1.14 student under section 124D.151, if offered by the district, must include at least 350 hours

1.15 of instruction for the school year. A school board's annual calendar must include at least

1.16 165 days of instruction for a student in grades 1 through 11 unless a four-day week schedule

1.17 has been approved by the commissioner under section 124D.126.

1.18 (b) A school board's annual school calendar may include plans for up to five days of

1.19 instruction provided through online instruction due to inclement weather. The inclement

1.20 weather plans must be developed according to section 120A.414.

1.21 (c) For students in high school, hours of instruction include all hours that a school

1.22 determines a student is actively engaged in personalized, competency-based education, as

1.23 defined in section 120B.018, subdivision 7. All courses must be coordinated and verified

2.1 by a qualified teacher, as defined in section 122A.16. Nothing in this section allows a district  
 2.2 to deny a student access to any service or instruction required under state or federal law,  
 2.3 including special education services.

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

2.5 Sec. 2. Minnesota Statutes 2022, section 120B.018, subdivision 4, is amended to read:

2.6 Subd. 4. **Credit.** "Credit" means the determination by the local school district that a  
 2.7 student has successfully completed an academic year of study or mastered the applicable  
 2.8 subject matter. The determination to award credit must not be based solely on seat time or  
 2.9 hours of instruction requirements under section 120A.41.

2.10 Sec. 3. Minnesota Statutes 2022, section 120B.018, is amended by adding a subdivision  
 2.11 to read:

2.12 Subd. 7. **Personalized, competency-based education.** "Personalized, competency-based  
 2.13 education" means a system of learning in which the:

2.14 (1) qualified teachers and students are empowered to make important decisions about  
 2.15 students' learning experiences, how students create and apply knowledge, and how students  
 2.16 demonstrate their learning;

2.17 (2) student assessments implemented at the local level are meaningful, positive, and  
 2.18 empowering learning experiences for students that yield timely, relevant, and actionable  
 2.19 evidence;

2.20 (3) students receive timely, differentiated support based on students' individual learning  
 2.21 needs;

2.22 (4) students' progress is based on evidence of mastery rather than by hours of attendance;

2.23 (5) students learn actively using different pathways and varied pacing;

2.24 (6) strategies to ensure equity for all students are embedded in the culture, structure, and  
 2.25 pedagogy of schools and education systems; and

2.26 (7) rigorous, common expectations for learning are explicit, transparent, measurable,  
 2.27 and transferable, including knowledge and skills identified in required academic standards.

2.28 Sec. 4. Minnesota Statutes 2022, section 120B.02, subdivision 2, is amended to read:

2.29 Subd. 2. **Graduation requirements.** (a) To graduate from high school, students must  
 2.30 demonstrate to their enrolling school district or school their satisfactory completion of the

3.1 credit requirements under section 120B.024 and their understanding of academic standards.  
 3.2 A school district must adopt graduation requirements that meet or exceed state graduation  
 3.3 requirements established in law or rule. Satisfactory completion of credit requirements must  
 3.4 not be based exclusively on hours of instruction required under section 120A.41.

3.5 (b) Students ages 19 to 21 who have not yet graduated from a Minnesota high school  
 3.6 and, but for their age, are otherwise eligible to participate in an adult basic education program  
 3.7 may be admitted to an adult high school diploma program under section 124D.52,  
 3.8 subdivisions 8 and 9.

3.9 **Sec. 5. APPROPRIATION; COMPETENCY-BASED EDUCATION.**

3.10 Subdivision 1. Department of Education. The sum indicated in this section is  
 3.11 appropriated from the general fund to the Department of Education in the fiscal year  
 3.12 designated.

3.13 Subd. 2. Competency-based education expansion. (a) For expanding competency-based  
 3.14 education under Minnesota Statutes, section 120B.018, subdivision 7:

3.15 §                   .....       ..... 2025

3.16 (b) Planning grants are available to encourage districts, charter schools, area learning  
 3.17 centers, and Tribal contract or grant schools eligible for aid under Minnesota Statutes,  
 3.18 section 124D.83, to develop criteria around personalized, competency-based education  
 3.19 requirements. A grant application must include evidence that the district, charter school, or  
 3.20 area learning center:

3.21 (1) will implement personalized, competency-based education schoolwide or has a plan  
 3.22 to phase in implementation schoolwide;

3.23 (2) has partners that must help with developing, implementing, and assessing the plan;

3.24 (3) will implement activities and programs that focus on the implementation of the core  
 3.25 principles and outcome-based measures aligned to academic standards and benchmarks,  
 3.26 including a local system of assessment creating meaningful, positive, and empowering  
 3.27 learning experiences for students that yield timely, relevant, and actionable data;

3.28 (4) has the capacity, qualifications, local governing body support, and time to successfully  
 3.29 plan the program and an intentional and feasible planning process, including full participation  
 3.30 in department professional development and technical assistance cohorts or networks;

3.31 (5) will align their budget as necessary with the planning process; and

4.1 (6) will communicate and promote the plan with parents, teachers, and members of the  
4.2 community in developing the plan.

4.3 (c) Grant recipients must report to the commissioner annually by June 30 on  
4.4 implementation progress, the number of students participating, and the number of students  
4.5 earning credits or grade progressing through competency-based education. Grant recipients  
4.6 must describe progress in specific areas of study, progress in meeting the stated goals in  
4.7 their application, and any adjustments needed to achieve their stated goals.

4.8 (d) This is a onetime appropriation and is available until June 30, 2027.

4.9 (e) Up to five percent of this appropriation may be retained for administration costs.