

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

**S.F. No. 960**

(SENATE AUTHORS: CHAMBERLAIN)

DATE	D-PG	OFFICIAL STATUS
02/11/2021	339	Introduction and first reading Referred to Education Finance and Policy
04/12/2021	1550a	Comm report: To pass as amended and re-refer to Taxes
04/14/2021	2774	Comm report: No recommendation, re-referred to Finance
04/20/2021	3023a	Comm report: To pass as amended
	3025	Second reading
04/21/2021	3029	Rule 45-amend, subst. General Orders HF1065 See First Special Session 2021, HF2

1.1 A bill for an act

1.2 relating to education and education finance; general education; education

1.3 excellence; teachers; special education; health and safety; facilities, fund transfers,

1.4 and accounting; nutrition and libraries; early childhood; community education and

1.5 lifelong learning; state agencies; and forecast; amending Minnesota Statutes 2020,

1.6 sections 12.21, subdivision 3; 43A.08, subdivisions 1, 1a; 120A.35; 120A.40;

1.7 120A.41; 120A.414; 120A.42; 120B.021, subdivision 4; 120B.11, subdivisions

1.8 1, 1a; 120B.132, subdivisions 1, 3; 121A.04, subdivision 4; 121A.21; 121A.45,

1.9 by adding a subdivision; 121A.53, subdivision 2; 121A.55; 121A.61, subdivision

1.10 3; 121A.64; 122A.06, subdivision 4, by adding a subdivision; 122A.092, by adding

1.11 a subdivision; 122A.181, subdivisions 1, 3; 122A.40, subdivisions 3, 10; 122A.41,

1.12 subdivision 14a, by adding a subdivision; 122A.416; 122A.61, subdivision 1;

1.13 122A.635, subdivisions 1, 2; 122A.70; 122A.76; 123A.05, subdivision 1; 123A.30,

1.14 subdivision 6; 123B.10, by adding a subdivision; 123B.44, subdivisions 1, 5, 6;

1.15 123B.595, subdivision 3; 123B.86, subdivision 3; 124D.05, subdivision 3; 124D.09,

1.16 subdivisions 5a, 7, 9, 11, 12, 22; 124D.111; 124D.12; 124D.121; 124D.122;

1.17 124D.126, subdivision 1; 124D.127; 124D.19, subdivision 2; 124D.20, subdivisions

1.18 3, 7, 8; 124D.531, subdivision 1; 124E.05, subdivisions 5, 6; 126C.01, subdivision

1.19 8; 126C.05, subdivision 8; 126C.10, subdivisions 2a, 18a; 126C.15, subdivisions

1.20 1, 5; 126C.17, subdivision 6; 126C.40, subdivision 1; 126C.44; 127A.49,

1.21 subdivision 3; 128C.01, subdivision 4; 134.355, subdivisions 5, 6, 7; 297A.70,

1.22 subdivision 2; 352.01, subdivision 2a; 354.05, subdivision 2; 469.176, subdivision

1.23 2; 609A.03, subdivision 7a; Laws 2017, First Special Session chapter 5, article 2,

1.24 section 52; Laws 2019, First Special Session chapter 11, article 1, section 25,

1.25 subdivisions 2, as amended, 3, as amended, 4, as amended, 6, as amended, 7, as

1.26 amended, 9, as amended; article 2, section 33, subdivisions 2, as amended, 3, as

1.27 amended, 5, as amended, 6, as amended, 16, as amended; article 3, section 23,

1.28 subdivision 3, as amended; article 4, section 11, subdivisions 2, as amended, 3, as

1.29 amended, 4, as amended, 5, as amended; article 6, section 7, subdivisions 2, as

1.30 amended, 3, as amended; article 7, section 1, subdivisions 2, as amended, 3, as

1.31 amended, 4, as amended; article 8, section 13, subdivisions 5, as amended, 14, as

1.32 amended; article 9, section 3, subdivision 2, as amended; article 10, section 5,

1.33 subdivision 2, as amended; Laws 2020, chapter 116, article 3, section 8; proposing

1.34 coding for new law in Minnesota Statutes, chapters 121A; 122A; 124D; 127A;

1.35 repealing Minnesota Statutes 2020, sections 124D.8957, subdivision 30; 129C.10,

1.36 subdivisions 1, 2, 3, 3a, 3b, 4, 4a, 6, 7, 8; 129C.105; 129C.15; 129C.20; 129C.25;

1.37 129C.26; 129C.27; Minnesota Rules, parts 3500.1000; 3600.0010, subparts 1, 2,

2.1 2a, 2b, 3, 6; 3600.0020; 3600.0030, subparts 1, 2, 4, 6; 3600.0045, subparts 1, 2;  
 2.2 3600.0055; 3600.0065; 3600.0075; 3600.0085.

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

2.4 **ARTICLE 1**

2.5 **GENERAL EDUCATION**

2.6 Section 1. Minnesota Statutes 2020, section 123A.05, subdivision 1, is amended to read:

2.7 Subdivision 1. **Governance.** (a) A district may establish an area learning center,  
 2.8 alternative learning program, or contract alternative in accordance with sections 124D.68,  
 2.9 subdivision 3, paragraph (d), and 124D.69.

2.10 (b) An area learning center is encouraged to cooperate with a service cooperative, an  
 2.11 intermediate school district, a local education and employment transitions partnership, public  
 2.12 and private secondary and postsecondary institutions, public agencies, businesses, and  
 2.13 foundations. ~~Except for a district located in a city of the first class, An area learning center~~  
 2.14 ~~must~~ is encouraged, but not required, to be established in cooperation with other districts  
 2.15 and ~~must~~ may serve the geographic area of at least two districts. An area learning center  
 2.16 must provide comprehensive educational services to enrolled secondary students throughout  
 2.17 the year, including a daytime school within a school or separate site for both high school  
 2.18 and middle school level students.

2.19 (c) An alternative learning program may serve the students of one or more districts, may  
 2.20 designate which grades are served, and may make program hours and a calendar optional.

2.21 (d) A contract alternative is an alternative learning program operated by a private  
 2.22 organization that has contracted with a school district to provide educational services for  
 2.23 students under section 124D.68, subdivision 2.

2.24 Sec. 2. Minnesota Statutes 2020, section 123B.44, subdivision 1, is amended to read:

2.25 Subdivision 1. **Provided services.** The commissioner of education shall promulgate  
 2.26 rules under the provisions of chapter 14 requiring each district or other intermediary service  
 2.27 area: (a) to provide each year upon formal request by a specific date by or on behalf of a  
 2.28 nonpublic school pupil enrolled in a nonpublic school located in that district or area, the  
 2.29 same specific health services as are provided for public school pupils by the district where  
 2.30 the nonpublic school is located; and (b) to provide each year upon formal request by a  
 2.31 specific date by or on behalf of a nonpublic school elementary or secondary pupil enrolled  
 2.32 in a nonpublic school located in that district or area or an elementary or secondary pupil  
 2.33 enrolled in an American Indian-controlled tribal contract or grant school, the same specific

3.1 guidance and counseling services ~~as are provided for public school secondary pupils by the~~  
 3.2 ~~district where the nonpublic school is located.~~ The district where the nonpublic school is  
 3.3 located must provide the necessary transportation within the district boundaries between  
 3.4 the nonpublic school and a public school or neutral site for nonpublic school pupils who  
 3.5 are provided pupil support services under this section if the district elects to provide pupil  
 3.6 support services at a site other than the nonpublic school. Each request for pupil support  
 3.7 services must set forth the guidance and counseling or health services requested by or on  
 3.8 behalf of all eligible nonpublic school pupils enrolled in a given nonpublic school. No  
 3.9 district or intermediary service area must not expend an amount for these pupil support  
 3.10 services which exceeds the amount allotted to it under this section.

3.11 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2022 and later.

3.12 Sec. 3. Minnesota Statutes 2020, section 123B.44, subdivision 5, is amended to read:

3.13 Subd. 5. **Guidance and counseling services; allotment.** Each school year the  
 3.14 commissioner shall allot to the school districts or intermediary service areas for the provision  
 3.15 of guidance and counseling services pursuant to this section the actual cost of the services  
 3.16 provided for the pupils in each respective nonpublic school for that school year. The allotment  
 3.17 for guidance and counseling services for the elementary pupils in each nonpublic school  
 3.18 must not exceed the average expenditure per public school elementary pupil for these services  
 3.19 by those Minnesota public schools that provide these services to their elementary pupils,  
 3.20 multiplied by the number of elementary pupils in that particular nonpublic school who  
 3.21 request these services and who are enrolled as of September 15 of the current school year.  
 3.22 The allotment for guidance and counseling services for the secondary pupils in each  
 3.23 nonpublic school must not exceed the average expenditure per public school secondary  
 3.24 pupil for these services by those Minnesota public schools ~~which~~ that provide these services  
 3.25 to their secondary pupils, multiplied by the number of secondary pupils in that particular  
 3.26 nonpublic school who request these services and who are enrolled as of September 15 of  
 3.27 the current school year.

3.28 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2022 and later.

3.29 Sec. 4. Minnesota Statutes 2020, section 123B.44, subdivision 6, is amended to read:

3.30 Subd. 6. **Computation of maximum allotments.** For purposes of computing maximum  
 3.31 allotments for each school year pursuant to this section, the average public school expenditure  
 3.32 per pupil for health services and the average public school expenditure per elementary and  
 3.33 secondary pupil for guidance and counseling services shall be computed and established

4.1 by the department by February 1 of the preceding school year from the most recent public  
4.2 school year data then available.

4.3 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2022 and later.

4.4 Sec. 5. Minnesota Statutes 2020, section 126C.01, subdivision 8, is amended to read:

4.5 Subd. 8. **Shared time pupils.** "Shared time pupils" means those pupils who:

4.6 (1) attend public school programs for part of the regular school day; or

4.7 (2) attend public school career and technical education programs offered for secondary  
4.8 credit outside of the regular school day;

4.9 and who otherwise fulfill the requirements of section 120A.22 by attendance at a nonpublic  
4.10 school.

4.11 **EFFECTIVE DATE.** This section is effective for the 2021-2022 school year and later.

4.12 Sec. 6. Minnesota Statutes 2020, section 126C.10, subdivision 2a, is amended to read:

4.13 Subd. 2a. **Extended time revenue.** (a) A school district's extended time revenue is equal  
4.14 to the product of \$5,117 and the sum of the adjusted pupil units of the district for each pupil  
4.15 in average daily membership in excess of 1.0 and less than 1.2 according to section 126C.05,  
4.16 subdivision 8.

4.17 (b) Extended time revenue for pupils placed in an on-site education program at the Prairie  
4.18 Lakes Education Center or the Lake Park School, located within the borders of Independent  
4.19 School District No. 347, Willmar, for instruction provided after the end of the preceding  
4.20 regular school year and before the beginning of the following regular school year equals  
4.21 membership hours divided by the minimum annual instructional hours in section 126C.05,  
4.22 subdivision 15, not to exceed 0.20, times the pupil unit weighting in section 126C.05,  
4.23 subdivision 1, times \$5,117.

4.24 (c) A school district qualifies for extended time revenue for every pupil placed in a  
4.25 children's residential facility, whether the education services are provided on-site or off-site  
4.26 for instruction provided after the end of the preceding regular school year and before the  
4.27 beginning of the following regular school year. Extended time revenue under this paragraph  
4.28 equals total membership hours in summer instruction divided by the minimum annual  
4.29 instructional hours in section 126C.05, subdivision 15, not to exceed 0.20, times the pupil  
4.30 unit weighting in section 126C.05, subdivision 1, times \$5,117.

5.1 (d) For purposes of this subdivision, "children's residential facility" means a residential  
 5.2 facility for children, including a psychiatric residential treatment facility (PRTF), licensed  
 5.3 by the Department of Human Services or the Department of Corrections and subject to  
 5.4 Minnesota Rules, chapter 2960, or an inpatient hospitalization that includes mental health  
 5.5 services.

5.6 (e) A school district's extended time revenue may be used for extended day programs,  
 5.7 extended week programs, summer school, vacation break academies such as spring break  
 5.8 academies and summer term academies, and other programming authorized under the  
 5.9 learning year program.

5.10 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

5.11 Sec. 7. Minnesota Statutes 2020, section 126C.10, subdivision 18a, is amended to read:

5.12 Subd. 18a. **Pupil transportation adjustment.** (a) An independent, common, or special  
 5.13 school district's transportation sparsity revenue under subdivision 18 is increased by the  
 5.14 greater of zero or ~~18.2~~ 70 percent of the difference between:

5.15 (1) the lesser of the district's total cost for regular and excess pupil transportation under  
 5.16 section 123B.92, subdivision 1, paragraph (b), including depreciation, for the previous fiscal  
 5.17 year or 105 percent of the district's total cost for the second previous fiscal year; and

5.18 (2) the sum of:

5.19 (i) 4.66 percent of the district's basic revenue for the previous fiscal year;

5.20 (ii) transportation sparsity revenue under subdivision 18 for the previous fiscal year;

5.21 (iii) the district's charter school transportation adjustment for the previous fiscal year;

5.22 and

5.23 (iv) the district's reimbursement for transportation provided under section 123B.92,  
 5.24 subdivision 1, paragraph (b), clause (1), item (vi).

5.25 (b) A charter school's pupil transportation adjustment equals the school district per pupil  
 5.26 adjustment under paragraph (a).

5.27 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

5.28 Sec. 8. Minnesota Statutes 2020, section 126C.15, subdivision 1, is amended to read:

5.29 Subdivision 1. **Use of revenue.** The basic skills revenue under section 126C.10,  
 5.30 subdivision 4, must be reserved and used to meet the educational needs of pupils who enroll

6.1 under-prepared to learn and whose progress toward meeting state or local content or  
 6.2 performance standards is below the level that is appropriate for learners of their age. Basic  
 6.3 skills revenue may also be used for programs designed to prepare children and their families  
 6.4 for entry into school whether the student first enrolls in kindergarten or first grade. Any of  
 6.5 the following may be provided to meet these learners' needs:

6.6 (1) direct instructional services under the assurance of mastery program according to  
 6.7 section 124D.66;

6.8 (2) remedial instruction in reading, language arts, mathematics, other content areas, or  
 6.9 study skills to improve the achievement level of these learners;

6.10 (3) additional teachers and teacher aides to provide more individualized instruction to  
 6.11 these learners through individual tutoring, lower instructor-to-learner ratios, or team teaching;

6.12 (4) a longer school day or week during the regular school year ~~or through a summer~~  
 6.13 ~~program that may be offered directly by the site or under a performance-based contract with~~  
 6.14 ~~a community-based organization;~~

6.15 (5) comprehensive and ongoing staff development consistent with district and site plans  
 6.16 according to section 122A.60 and to implement plans under section 120B.12, subdivision  
 6.17 4a, for teachers, teacher aides, principals, and other personnel to improve their ability to  
 6.18 identify the needs of these learners and provide appropriate remediation, intervention,  
 6.19 accommodations, or modifications;

6.20 (6) instructional materials, digital learning, and technology appropriate for meeting the  
 6.21 individual needs of these learners;

6.22 (7) programs to reduce truancy, encourage completion of high school, enhance  
 6.23 self-concept, provide health services, provide nutrition services, provide a safe and secure  
 6.24 learning environment, provide coordination for pupils receiving services from other  
 6.25 governmental agencies, provide psychological services to determine the level of social,  
 6.26 emotional, cognitive, and intellectual development, and provide counseling services, guidance  
 6.27 services, and social work services;

6.28 (8) bilingual programs, bicultural programs, and programs for English learners;

6.29 ~~(9) all-day kindergarten;~~

6.30 ~~(10)~~ (9) early education programs, parent-training programs, school readiness programs,  
 6.31 ~~kindergarten~~ voluntary prekindergarten and school readiness plus programs for four-year-olds,  
 6.32 voluntary home visits under section 124D.13, subdivision 4, and other outreach efforts  
 6.33 designed to prepare children for kindergarten;

7.1 ~~(11)~~ (10) extended school day and extended school year programs, including summer  
 7.2 programs that may be offered directly by the site or under a performance-based contract  
 7.3 with a community-based organization; and

7.4 ~~(12)~~ (11) substantial parent involvement in developing and implementing remedial  
 7.5 education or intervention plans for a learner, including learning contracts between the school,  
 7.6 the learner, and the parent that establish achievement goals and responsibilities of the learner  
 7.7 and the learner's parent or guardian.

7.8 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

7.9 Sec. 9. Minnesota Statutes 2020, section 126C.15, subdivision 5, is amended to read:

7.10 Subd. 5. **Annual expenditure report.** Each year a district that receives basic skills  
 7.11 revenue must submit a report identifying the expenditures it incurred to meet the needs of  
 7.12 eligible learners under subdivision 1. The report must conform to uniform financial and  
 7.13 reporting standards established for this purpose and provide a breakdown by functional  
 7.14 area. Using valid and reliable data and measurement criteria, the report also must determine  
 7.15 whether increased expenditures raised student achievement levels.

7.16 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

7.17 Sec. 10. Minnesota Statutes 2020, section 126C.17, subdivision 6, is amended to read:

7.18 Subd. 6. **Referendum equalization levy.** (a) A district's referendum equalization levy  
 7.19 equals the sum of the first tier referendum equalization levy and the second tier referendum  
 7.20 equalization levy.

7.21 (b) A district's first tier referendum equalization levy equals the district's first tier  
 7.22 referendum equalization revenue times the lesser of one or the ratio of the district's  
 7.23 referendum market value per resident pupil unit to \$567,000. For fiscal year 2023 and later,  
 7.24 a district's first tier referendum equalization levy must not exceed the amount raised by a  
 7.25 tax rate of 0.062 percent times the referendum market value of the district times the ratio  
 7.26 of the district's first tier referendum equalization allowance to \$460.

7.27 (c) A district's second tier referendum equalization levy equals the district's second tier  
 7.28 referendum equalization revenue times the lesser of one or the ratio of the district's  
 7.29 referendum market value per resident pupil unit to \$290,000. For fiscal year 2023 and later,  
 7.30 a district's second tier referendum equalization levy must not exceed the amount raised by  
 7.31 a tax rate of 0.155 percent times the referendum market value of the district times the ratio  
 7.32 of the district's second tier referendum equalization allowance to 25 percent of the formula

8.1 allowance, minus the sum of \$300 and the district's first tier referendum equalization  
8.2 allowance.

8.3 **EFFECTIVE DATE.** This section is effective for taxes payable in 2022 and later.

8.4 Sec. 11. Minnesota Statutes 2020, section 127A.49, subdivision 3, is amended to read:

8.5 Subd. 3. **Excess tax increment.** (a) If a return of excess tax increment is made to a  
8.6 district pursuant to sections 469.176, subdivision 2, and 469.177, subdivision 9, or upon  
8.7 decertification of a tax increment district, the school district's aid and levy limitations must  
8.8 be adjusted for the fiscal year in which the excess tax increment is paid under the provisions  
8.9 of this subdivision.

8.10 (b) An amount must be subtracted from the district's aid for the current fiscal year equal  
8.11 to the product of:

8.12 (1) the amount of the payment of excess tax increment to the district in the preceding  
8.13 year, times

8.14 (2) the ratio of:

8.15 (i) the sum of the amounts of the district's certified levy ~~for the fiscal year in which the~~  
8.16 ~~excess tax increment is paid~~ in the third preceding year according to the following:

8.17 (A) section 123B.57, if the district received health and safety aid according to that section  
8.18 for the second preceding year;

8.19 (B) section 124D.20, if the district received aid for community education programs  
8.20 according to that section for the second preceding year;

8.21 (C) section 124D.135, subdivision 3, if the district received early childhood family  
8.22 education aid according to section 124D.135 for the second preceding year;

8.23 (D) section 126C.17, subdivision 6, if the district received referendum equalization aid  
8.24 according to that section for the second preceding year;

8.25 (E) section 126C.10, subdivision 13a, if the district received operating capital aid  
8.26 according to section 126C.10, subdivision 13b, in the second preceding year;

8.27 (F) section 126C.10, subdivision 29, if the district received equity aid according to  
8.28 section 126C.10, subdivision 30, in the second preceding year;

8.29 (G) section 126C.10, subdivision 32, if the district received transition aid according to  
8.30 section 126C.10, subdivision 33, in the second preceding year;



9.1 (H) section 123B.53, subdivision 5, if the district received debt service equalization aid  
 9.2 according to section 123B.53, subdivision 6, in the second preceding year;

9.3 (I) section 123B.535, subdivision 4, if the district received natural disaster debt service  
 9.4 equalization aid according to section 123B.535, subdivision 5, in the second preceding year;

9.5 (J) section 124D.22, subdivision 3, if the district received school-age care aid according  
 9.6 to section 124D.22, subdivision 4, in the second preceding year; and

9.7 (K) section 122A.415, subdivision 5, if the district received alternative teacher  
 9.8 compensation equalization aid according to section 122A.415, subdivision 6, paragraph (a),  
 9.9 in the second preceding year; to

9.10 (ii) the total amount of the district's certified levy ~~for the fiscal~~ in the third preceding  
 9.11 year, plus or minus auditor's adjustments.

9.12 (c) An amount must be subtracted from the school district's levy limitation for the next  
 9.13 levy certified equal to the difference between:

9.14 (1) the amount of the distribution of excess increment; and

9.15 (2) the amount subtracted from aid pursuant to clause (a).

9.16 If the aid and levy reductions required by this subdivision cannot be made to the aid for  
 9.17 the fiscal year specified or to the levy specified, the reductions must be made from aid for  
 9.18 subsequent fiscal years, and from subsequent levies. The school district must use the payment  
 9.19 of excess tax increment to replace the aid and levy revenue reduced under this subdivision.

9.20 (d) This subdivision applies only to the total amount of excess increments received by  
 9.21 a district for a calendar year that exceeds \$25,000.

9.22 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

9.23 Sec. 12. Minnesota Statutes 2020, section 469.176, subdivision 2, is amended to read:

9.24 Subd. 2. **Excess increments.** (a) The authority shall annually determine the amount of  
 9.25 excess increments for a district, if any. This determination must be based on the tax increment  
 9.26 financing plan in effect on December 31 of the year and the increments and other revenues  
 9.27 received as of December 31 of the year. The authority must spend or return the excess  
 9.28 increments under paragraph (c) within nine months after the end of the year.

9.29 (b) For purposes of this subdivision, "excess increments" equals the excess of:

9.30 (1) total increments collected from the district since its certification, reduced by any  
 9.31 excess increments paid under paragraph (c), clause (4), for a prior year, over

10.1 (2) the total costs authorized by the tax increment financing plan to be paid with  
10.2 increments from the district, reduced, but not below zero, by the sum of:

10.3 (i) the amounts of those authorized costs that have been paid from sources other than  
10.4 tax increments from the district;

10.5 (ii) revenues, other than tax increments from the district, that are dedicated for or  
10.6 otherwise required to be used to pay those authorized costs and that the authority has received  
10.7 and that are not included in item (i);

10.8 (iii) the amount of principal and interest obligations due on outstanding bonds after  
10.9 December 31 of the year and not prepaid under paragraph (c) in a prior year; and

10.10 (iv) increased by the sum of the transfers of increments made under section 469.1763,  
10.11 subdivision 6, to reduce deficits in other districts made by December 31 of the year.

10.12 (c) The authority shall use excess increment only to do one or more of the following:

10.13 (1) prepay any outstanding bonds;

10.14 (2) discharge the pledge of tax increment for any outstanding bonds;

10.15 (3) pay into an escrow account dedicated to the payment of any outstanding bonds; or

10.16 (4) return the excess amount to the county auditor who shall distribute the excess amount  
10.17 to the city or town, county, and school district in which the tax increment financing district  
10.18 is located in direct proportion to their respective local tax rates.

10.19 (d) For purposes of a district for which the request for certification was made prior to  
10.20 August 1, 1979, excess increments equal the amount of increments on hand on December  
10.21 31, less the principal and interest obligations due on outstanding bonds or advances,  
10.22 qualifying under subdivision 1c, clauses (1), (2), (4), and (5), after December 31 of the year  
10.23 and not prepaid under paragraph (c).

10.24 (e) The county auditor must, prior to February 1 of each year, report to the commissioner  
10.25 of education the amount of any excess tax increment distributed to a school district ~~within~~  
10.26 ~~30 days of the distribution~~ for the preceding taxable year.

10.27 (f) For purposes of this subdivision, "outstanding bonds" means bonds which are secured  
10.28 by increments from the district.

10.29 (g) The state auditor may exempt an authority from reporting the amounts calculated  
10.30 under this subdivision for a calendar year, if the authority certifies to the auditor in its report  
10.31 that the total amount authorized by the tax increment plan to be paid with increments from

11.1 the district exceeds the sum of the total increments collected for the district for all years by  
11.2 20 percent.

11.3 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

11.4 Sec. 13. **APPROPRIATIONS.**

11.5 Subdivision 1. **Department of Education.** The sums indicated in this section are  
11.6 appropriated from the general fund to the Department of Education for the fiscal years  
11.7 designated.

11.8 Subd. 2. **General education aid.** For general education aid under Minnesota Statutes,  
11.9 section 126C.13, subdivision 4:

11.10 \$ 7,411,499,000 ..... 2022

11.11 \$ 7,443,657,000 ..... 2023

11.12 The 2022 appropriation includes \$717,326,000 for 2021 and \$6,694,173,000 for 2022.

11.13 The 2023 appropriation includes \$717,081,000 for 2022 and \$6,726,576,000 for 2023.

11.14 Subd. 3. **Enrollment options transportation.** For transportation of pupils attending  
11.15 postsecondary institutions under Minnesota Statutes, section 124D.09, or for transportation  
11.16 of pupils attending nonresident districts under Minnesota Statutes, section 124D.03:

11.17 \$ 12,000 ..... 2022

11.18 \$ 13,000 ..... 2023

11.19 Subd. 4. **Abatement aid.** For abatement aid under Minnesota Statutes, section 127A.49:

11.20 \$ 2,897,000 ..... 2022

11.21 \$ 3,558,000 ..... 2023

11.22 The 2022 appropriation includes \$269,000 for 2021 and \$2,628,000 for 2022.

11.23 The 2023 appropriation includes \$291,000 for 2022 and \$3,267,000 for 2023.

11.24 Subd. 5. **Consolidation transition aid.** For districts consolidating under Minnesota  
11.25 Statutes, section 123A.485:

11.26 \$ 309,000 ..... 2022

11.27 \$ 373,000 ..... 2023

11.28 The 2022 appropriation includes \$30,000 for 2021 and \$279,000 for 2022.

11.29 The 2023 appropriation includes \$31,000 for 2022 and \$342,000 for 2023.

12.1 Subd. 6. **Nonpublic pupil education aid.** For nonpublic pupil education aid under  
 12.2 Minnesota Statutes, sections 123B.40 to 123B.43 and 123B.87:

12.3 \$ 18,460,000 ..... 2022

12.4 \$ 19,062,000 ..... 2023

12.5 The 2022 appropriation includes \$1,903,000 for 2021 and \$16,557,000 for 2022.

12.6 The 2023 appropriation includes \$1,839,000 for 2022 and \$17,223,000 for 2023.

12.7 Subd. 7. **Nonpublic pupil transportation.** For nonpublic pupil transportation aid under  
 12.8 Minnesota Statutes, section 123B.92, subdivision 9:

12.9 \$ 19,344,000 ..... 2022

12.10 \$ 19,084,000 ..... 2023

12.11 The 2022 appropriation includes \$1,910,000 for 2021 and \$17,434,000 for 2022.

12.12 The 2023 appropriation includes \$1,937,000 for 2022 and \$17,147,000 for 2023.

12.13 Subd. 8. **One-room schoolhouse.** For a grant to Independent School District No. 690,  
 12.14 Warroad, to operate the Angle Inlet School:

12.15 \$ 65,000 ..... 2022

12.16 \$ 65,000 ..... 2023

12.17 Subd. 9. **Career and technical aid** For career and technical aid under Minnesota Statutes,  
 12.18 section 124D.4531, subdivision 1b:

12.19 \$ 2,668,000 ..... 2022

12.20 \$ 2,279,000 ..... 2023

12.21 The 2022 appropriation includes \$323,000 for 2021 and \$2,345,000 for 2022.

12.22 The 2023 appropriation includes \$260,000 for 2022 and \$2,019,000 for 2023.

12.23 Subd. 10. **Pregnant and parenting pupil transportation reimbursement.** (a) To  
 12.24 reimburse districts for transporting pregnant or parenting pupils under Minnesota Statutes,  
 12.25 section 123B.92, subdivision 1, paragraph (b), clause (1), item (vi):

12.26 \$ 56,000 ..... 2022

12.27 \$ 55,000 ..... 2023

12.28 (b) To receive reimbursement, districts must apply using the form and manner of  
 12.29 application prescribed by the commissioner. If the appropriation is insufficient, the  
 12.30 commissioner must prorate the amount paid to districts seeking reimbursement.

12.31 (c) Any balance in the first year does not cancel but is available in the second year.

13.1 (d) The base for fiscal year 2024 and later is \$55,000.

13.2 Subd. 11. Minnesota classroom support aid. (a) For providing onetime aid to school  
 13.3 districts, charter schools, intermediate school districts, and the Minnesota State Academies  
 13.4 for Minnesota classroom support aid:

13.5 \$ 60,000,000 ..... 2022

13.6 \$ 0 ..... 2023

13.7 (b) Of the amount in paragraph (a), the commissioner must allocate \$2,000,000 to the  
 13.8 four intermediate school districts and the Minnesota State Academies. The commissioner  
 13.9 must directly distribute \$400,000 to each intermediate school district and \$400,000 to the  
 13.10 Minnesota State Academies.

13.11 (c) Of the amount in paragraph (a), the commissioner must allocate the remainder of the  
 13.12 appropriation to school districts and charter schools in an amount equal to \$58,000,000  
 13.13 multiplied by the ratio of an eligible school district or charter school's fiscal year 2020  
 13.14 average daily membership divided by the total fiscal year 2020 average daily membership  
 13.15 of all school districts and charter schools. The aid for a school district or charter school that  
 13.16 received \$5,000 per pupil or more of federal COVID-19 revenue must not exceed the lesser  
 13.17 of the amount calculated under this paragraph or \$1,000,000. Federal COVID-19 revenue  
 13.18 per pupil for each school district or charter school equals:

13.19 (1) the sum of a school district or charter school's Elementary and Secondary School  
 13.20 Emergency Relief formula-based allocation received under:

13.21 (i) the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136;

13.22 (ii) the Consolidated Appropriations Act, 2021, division M, Coronavirus Response and  
 13.23 Relief Supplemental Appropriations Act, Public Law 116-260; and

13.24 (iii) the American Rescue Plan Act of 2021, Public Law 117-2; and

13.25 (2) divided by the school district or charter school's fiscal year 2020 average daily  
 13.26 membership.

13.27 (d) One hundred percent of the aid under this section must be paid in the current year.

13.28 (e) This appropriation is available until June 30, 2023. This is a onetime appropriation.

14.1

**ARTICLE 2**

14.2

**EDUCATION EXCELLENCE**

14.3 Section 1. Minnesota Statutes 2020, section 120A.35, is amended to read:

14.4 **120A.35 ABSENCE FROM SCHOOL FOR RELIGIOUS OBSERVANCE.**

14.5 Reasonable efforts must be made by a school district to accommodate any pupil who  
 14.6 wishes to be excused from a curricular activity for a religious observance. A school board  
 14.7 must provide annual notice to parents of the school district's policy relating to a pupil's  
 14.8 absence from school for religious observance.

14.9 **EFFECTIVE DATE.** This section is effective for the 2021-2022 school year and later.

14.10 Sec. 2. Minnesota Statutes 2020, section 120A.40, is amended to read:

14.11 **120A.40 SCHOOL CALENDAR.**

14.12 (a) Except for learning programs during summer, ~~flexible learning year programs~~  
 14.13 ~~authorized under sections 124D.12 to 124D.127,~~ and learning year programs under section  
 14.14 124D.128, a district must not commence an elementary or secondary school year before  
 14.15 Labor Day, except as provided under paragraph (b). Days devoted to teachers' workshops  
 14.16 may be held before Labor Day. Districts that enter into cooperative agreements are  
 14.17 encouraged to adopt similar school calendars.

14.18 (b) A district may begin the school year on any day before Labor Day:

14.19 (1) to accommodate a construction or remodeling project of \$400,000 or more affecting  
 14.20 a district school facility;

14.21 (2) if the district has an agreement under section 123A.30, 123A.32, or 123A.35 with a  
 14.22 district that qualifies under clause (1); or

14.23 (3) if the district agrees to the same schedule with a school district in an adjoining state.

14.24 (c) A school board may consider the community's religious observance when adopting  
 14.25 an annual school calendar.

14.26 **EFFECTIVE DATE.** This section is effective for the 2021-2022 school year and later.

14.27 Sec. 3. Minnesota Statutes 2020, section 120A.41, is amended to read:

14.28 **120A.41 LENGTH OF SCHOOL YEAR; HOURS OF INSTRUCTION.**

14.29 (a) A school board's annual school calendar must include at least 425 hours of instruction  
 14.30 for a kindergarten student without a disability, 935 hours of instruction for a student in

15.1 grades 1 through 6, and 1,020 hours of instruction for a student in grades 7 through 12, not  
 15.2 including summer school. The school calendar for all-day kindergarten must include at least  
 15.3 850 hours of instruction for the school year. The school calendar for a prekindergarten  
 15.4 student under section 124D.151, if offered by the district, must include at least 350 hours  
 15.5 of instruction for the school year. A school board's annual calendar must include at least  
 15.6 165 days of instruction for a student in grades 1 through 11 unless a four-day week schedule  
 15.7 has been approved by the ~~commissioner~~ school board under section ~~124D.126~~ 124D.122.

15.8 (b) A school board's annual school calendar may include plans for ~~up to five days of~~  
 15.9 ~~instruction provided through online instruction due to inclement weather. The inclement~~  
 15.10 ~~weather~~ an unlimited number of days of instruction provided through distance learning due  
 15.11 to weather or a health or natural disaster emergency. The distance learning plans must be  
 15.12 developed according to section 120A.414.

15.13 (c) Hours of instruction include all learning opportunities and services designed to  
 15.14 support a student to be prepared to succeed and lead by having the knowledge and skills to  
 15.15 learn, engage civically, and lead meaningful lives, through implementation of evidence-based  
 15.16 practices, quality instruction, and personalized learning supports. Such opportunities and  
 15.17 services include but are not limited to blended learning, distance learning, project-based  
 15.18 learning, work-based learning, service learning, supervised internships, and in-person  
 15.19 learning in a school building.

15.20 **EFFECTIVE DATE.** This section is effective for the 2021-2022 school year and later.

15.21 Sec. 4. Minnesota Statutes 2020, section 120A.414, is amended to read:

15.22 **120A.414 E-LEARNING DISTANCE LEARNING DAYS.**

15.23 Subdivision 1. **Days.** ~~"E-learning day"~~ "Distance learning day" means a school day  
 15.24 where a school offers full access to online instruction provided by students' individual  
 15.25 teachers due to ~~inclement~~ weather or a health or natural disaster emergency as determined  
 15.26 by the school board or superintendent. A school district or charter school that chooses to  
 15.27 have ~~e-learning~~ distance learning days may have ~~up to five e-learning~~ an unlimited number  
 15.28 of distance learning days in one school year. ~~An e-learning~~ A distance learning day is counted  
 15.29 as a day of instruction and included in the hours of instruction under section 120A.41.

15.30 Subd. 2. **Plan.** A school board may use its 2020-2021 school year distance learning plan  
 15.31 or may adopt an e-learning a distance learning day plan after consulting with the exclusive  
 15.32 representative of the teachers. A charter school may adopt an e-learning a distance learning  
 15.33 day plan after consulting with its teachers. The plan must include accommodations for

16.1 students without Internet access at home and for digital device access for families without  
 16.2 the technology or an insufficient amount of technology for the number of children in the  
 16.3 household. A school's ~~e-learning~~ distance learning day plan must provide accessible options  
 16.4 for students with disabilities under chapter 125A.

16.5 Subd. 3. **Annual notice.** A school district or charter school must notify parents and  
 16.6 students of the ~~e-learning~~ distance learning day plan at the beginning of the school year.

16.7 Subd. 4. **Daily notice.** On an ~~e-learning~~ a distance learning day declared by the school,  
 16.8 a school district or charter school must notify parents and students at least two hours prior  
 16.9 to the normal school start time that students need to follow the ~~e-learning~~ distance learning  
 16.10 day plan for that day.

16.11 Subd. 5. **Teacher access.** Each student's teacher must be accessible both online and by  
 16.12 telephone during normal school hours on an ~~e-learning~~ a distance learning day to assist  
 16.13 students and parents.

16.14 **EFFECTIVE DATE.** This section is effective for the 2021-2022 school year and later.

16.15 Sec. 5. Minnesota Statutes 2020, section 120A.42, is amended to read:

16.16 **120A.42 CONDUCT OF SCHOOL ON CERTAIN HOLIDAYS.**

16.17 (a) The governing body of any district may contract with any of the teachers of the  
 16.18 district for the conduct of schools, and may conduct schools, on either, or any, of the  
 16.19 following holidays, provided that a clause to this effect is inserted in the teacher's contract:  
 16.20 Martin Luther King's birthday, Lincoln's and Washington's birthdays, Columbus Day and  
 16.21 Veterans' Day. On Martin Luther King's birthday, Washington's birthday, Lincoln's birthday,  
 16.22 and Veterans' Day at least one hour of the school program must be devoted to a patriotic  
 16.23 observance of the day.

16.24 (b) A district may conduct a school program to honor Constitution Day and Citizenship  
 16.25 Day by providing opportunities for students to learn about the principles of American  
 16.26 democracy, the American system of government, American citizens' rights and  
 16.27 responsibilities, American history, and American geography, symbols, and holidays. Among  
 16.28 other activities under this paragraph, districts may administer to students the test questions  
 16.29 United States Citizenship and Immigration Services officers pose to applicants for  
 16.30 naturalization.

16.31 (c) Upon request of a group or organization identified as a patriotic society in United  
 16.32 States Code, title 36, formed to serve students under the age of 21, a school district must  
 16.33 include the group or organization in the school program identified in paragraph (a) or (b),



17.1 or provide a representative of a patriotic society an opportunity each school year to speak  
17.2 for a reasonable amount of time to students during the school day.

17.3 Sec. 6. Minnesota Statutes 2020, section 120B.021, subdivision 4, is amended to read:

17.4 Subd. 4. **Revisions and reviews required.** (a) The commissioner of education must  
17.5 revise and appropriately embed technology and information literacy standards consistent  
17.6 with recommendations from school media specialists into the state's academic standards  
17.7 and graduation requirements and implement a ten-year cycle to review and, consistent with  
17.8 the review, revise state academic standards and related benchmarks, consistent with this  
17.9 subdivision. During each ten-year review and revision cycle, the commissioner also must  
17.10 examine the alignment of each required academic standard and related benchmark with the  
17.11 knowledge and skills students need for career and college readiness and advanced work in  
17.12 the particular subject area. The commissioner must include the contributions of Minnesota  
17.13 American Indian tribes and communities as related to the academic standards during the  
17.14 review and revision of the required academic standards.

17.15 (b) The commissioner must ensure that the statewide mathematics assessments  
17.16 administered to students in grades 3 through 8 and 11 are aligned with the state academic  
17.17 standards in mathematics, consistent with section 120B.30, subdivision 1, paragraph (b).  
17.18 The commissioner must implement a review of the academic standards and related  
17.19 benchmarks in mathematics beginning in the 2021-2022 school year and every ten years  
17.20 thereafter.

17.21 (c) The commissioner must implement a review of the academic standards and related  
17.22 benchmarks in arts beginning in the 2017-2018 school year and every ten years thereafter.

17.23 (d) The commissioner must implement a review of the academic standards and related  
17.24 benchmarks in science beginning in the 2018-2019 school year and every ten years thereafter.

17.25 (e) The commissioner must implement a review of the academic standards and related  
17.26 benchmarks in language arts beginning in the 2019-2020 school year and every ten years  
17.27 thereafter.

17.28 (f) The commissioner must implement a review of the academic standards and related  
17.29 benchmarks in social studies beginning in the 2020-2021 school year and every ten years  
17.30 thereafter.

17.31 (g) The commissioner must implement a review of the academic standards and related  
17.32 benchmarks in physical education beginning in the ~~2022-2023~~ 2026-2027 school year and  
17.33 every ten years thereafter.

18.1 (h) School districts and charter schools must revise and align local academic standards  
18.2 and high school graduation requirements in health, world languages, and career and technical  
18.3 education to require students to complete the revised standards beginning in a school year  
18.4 determined by the school district or charter school. School districts and charter schools must  
18.5 formally establish a periodic review cycle for the academic standards and related benchmarks  
18.6 in health, world languages, and career and technical education.

18.7 Sec. 7. Minnesota Statutes 2020, section 120B.11, subdivision 1, is amended to read:

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

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

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

18.16 (c) "World's best workforce" means striving to: meet school readiness goals; have all  
18.17 third grade students achieve grade-level literacy; close the academic achievement gap among  
18.18 all racial and ethnic groups of students and between students living in poverty and students  
18.19 not living in poverty; have all students attain career and college readiness before graduating  
18.20 from high school; and have all students graduate from high school.

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

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

18.29 Sec. 8. Minnesota Statutes 2020, section 120B.11, subdivision 1a, is amended to read:

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

19.1 (1) the size of the academic achievement gap, rigorous course taking under section  
 19.2 120B.35, subdivision 3, paragraph (c), clause (2), participation in honors or gifted and  
 19.3 talented programming, and enrichment experiences by student subgroup;

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

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

19.6 (4) career and college readiness under section 120B.30, subdivision 1; and

19.7 (5) the number and percentage of students, by student subgroup, who are on track for  
 19.8 graduation.

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

19.11 Sec. 9. Minnesota Statutes 2020, section 120B.132, subdivision 1, is amended to read:

19.12 Subdivision 1. **Establishment; eligibility.** (a) A program is established to raise  
 19.13 kindergarten through grade 12 academic achievement through increased student participation  
 19.14 in preadvanced placement, advanced placement, and international baccalaureate programs,  
 19.15 consistent with section 120B.13. Schools and charter schools eligible to participate under  
 19.16 this section:

19.17 ~~(1) must have a three-year plan approved by the local school board to establish a new~~  
 19.18 ~~international baccalaureate program leading to international baccalaureate authorization,~~  
 19.19 ~~expand an existing program that leads to international baccalaureate authorization, or expand~~  
 19.20 ~~an existing authorized international baccalaureate program; or~~

19.21 ~~(2) must have a three-year plan approved by the local school board to create a new or~~  
 19.22 ~~expand an existing program to implement the college board advanced placement courses~~  
 19.23 ~~and exams or preadvanced placement initiative; and~~

19.24 ~~(3)~~ must propose to further raise students' academic achievement by:

19.25 ~~(i)~~ (1) increasing the availability of and all students' access to advanced placement or  
 19.26 international baccalaureate courses or programs;

19.27 ~~(ii)~~ (2) expanding the breadth of advanced placement or international baccalaureate  
 19.28 courses or programs that are available to students;

19.29 ~~(iii)~~ (3) increasing the number and the diversity of the students who participate in  
 19.30 advanced placement or international baccalaureate courses or programs and succeed;

20.1 ~~(iv)~~ (4) providing low-income and other disadvantaged students with increased access  
 20.2 to advanced placement or international baccalaureate courses and programs; or

20.3 ~~(v)~~ (5) increasing the number of high school students, including low-income and other  
 20.4 disadvantaged students, who receive college credit by successfully completing advanced  
 20.5 placement or international baccalaureate courses or programs and achieving satisfactory  
 20.6 scores on related exams.

20.7 (b) Within 90 days of receiving a grant under this section, a school district or charter  
 20.8 school must:

20.9 (1) adopt a three-year plan approved by the local school board to establish a new  
 20.10 international baccalaureate program leading to international baccalaureate authorization,  
 20.11 expand an existing program that leads to international baccalaureate authorization, or expand  
 20.12 an existing authorized international baccalaureate program; or

20.13 (2) adopt a three-year plan approved by the local school board to create a new or expand  
 20.14 an existing program to implement the college board advanced placement courses and exams  
 20.15 or preadvanced placement initiative.

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

20.17 Sec. 10. Minnesota Statutes 2020, section 120B.132, subdivision 3, is amended to read:

20.18 Subd. 3. **Funding; permissible funding uses.** (a) The commissioner shall award grants  
 20.19 to applicant school districts and charter schools that meet the requirements of subdivisions  
 20.20 1 and 2. The commissioner must award grants on an equitable geographical basis to the  
 20.21 extent feasible and consistent with this section. Grant awards must not exceed ~~the lesser of:~~

20.22 ~~(1) \$85 times the number of pupils enrolled at the participating sites on October 1 of the~~  
 20.23 ~~previous fiscal year;~~

20.24 ~~(2) the approved supplemental expenditures based on the budget submitted under~~  
 20.25 ~~subdivision 2. For charter schools in their first year of operation, the maximum funding~~  
 20.26 ~~award must be calculated using the number of pupils enrolled on October 1 of the current~~  
 20.27 ~~fiscal year. The commissioner may adjust the maximum funding award computed using~~  
 20.28 ~~prior year data for changes in enrollment attributable to school closings, school openings,~~  
 20.29 ~~grade level reconfigurations, or school district reorganizations between the prior fiscal year~~  
 20.30 ~~and the current fiscal year; or~~

20.31 ~~(3) \$150,000 per district or charter school.~~

21.1 (b) School districts and charter schools that submit an application and receive funding  
21.2 under this section must use the funding, consistent with the application, to:

21.3 (1) provide teacher training and instruction to more effectively serve students, including  
21.4 low-income and other disadvantaged students, who participate in preadvanced placement,  
21.5 advanced placement, or international baccalaureate courses or programs;

21.6 (2) further develop preadvanced placement, advanced placement, or international  
21.7 baccalaureate courses or programs;

21.8 (3) improve the transition between grade levels to better prepare students, including  
21.9 low-income and other disadvantaged students, for succeeding in preadvanced placement,  
21.10 advanced placement, or international baccalaureate courses or programs;

21.11 (4) purchase books and supplies;

21.12 (5) pay course or program fees;

21.13 (6) increase students' participation in and success with preadvanced placement, advanced  
21.14 placement, or international baccalaureate courses or programs;

21.15 (7) expand students' access to preadvanced placement, advanced placement, or  
21.16 international baccalaureate courses or programs through online learning;

21.17 (8) hire appropriately licensed personnel to teach additional advanced placement or  
21.18 international baccalaureate courses or programs; or

21.19 (9) engage in other activities to expand low-income or disadvantaged students' access  
21.20 to, participation in, and success with preadvanced placement, advanced placement, or  
21.21 international baccalaureate courses or programs. Other activities may include but are not  
21.22 limited to preparing and disseminating promotional materials to low-income and other  
21.23 disadvantaged students and their families.

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

21.25 Sec. 11. Minnesota Statutes 2020, section 121A.04, subdivision 4, is amended to read:

21.26 Subd. 4. **Provision of separate teams.** When an equal opportunity to participate in the  
21.27 elementary or secondary school level athletic program of an educational institution or public  
21.28 service is not provided to members of a sex whose overall athletic opportunities have  
21.29 previously been limited, that educational institution or public service shall, where there is  
21.30 demonstrated interest, provide separate teams for members of the excluded sex in sports  
21.31 which it determines will provide members of that excluded sex with an equal opportunity  
21.32 to participate in its athletic program and which will attempt to accommodate their

22.1 demonstrated interests. A public elementary or secondary school, or a school that is a member  
22.2 of the Minnesota State High School League, that permits a person whose sex is male to  
22.3 participate in interscholastic or intramural athletics that are designed for women or girls, is  
22.4 in violation of this section. Nothing in this section may be construed to invalidate a court  
22.5 order.

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

22.7 Sec. 12. Minnesota Statutes 2020, section 121A.45, is amended by adding a subdivision  
22.8 to read:

22.9 **Subd. 4. Dismissal of students in kindergarten through grade three.** Notwithstanding  
22.10 subdivision 2, a pupil in kindergarten through grade 3 may only be dismissed in  
22.11 circumstances where the child poses a safety threat to the child or others.

22.12 Sec. 13. Minnesota Statutes 2020, section 121A.55, is amended to read:

22.13 **121A.55 POLICIES TO BE ESTABLISHED.**

22.14 **Subdivision 1. Written discipline policies; area learning centers; removal of**  
22.15 **students.** (a) The commissioner of education shall promulgate guidelines to assist each  
22.16 school board. Each school board shall establish uniform criteria for dismissal and adopt  
22.17 written policies and rules to effectuate the purposes of sections 121A.40 to 121A.56. The  
22.18 policies shall emphasize preventing dismissals through early detection of problems and  
22.19 shall be designed to address students' inappropriate behavior from recurring. The policies  
22.20 shall recognize the continuing responsibility of the school for the education of the pupil  
22.21 during the dismissal period. The alternative educational services, if the pupil wishes to take  
22.22 advantage of them, must be adequate to allow the pupil to make progress towards meeting  
22.23 the graduation standards adopted under section 120B.02 and help prepare the pupil for  
22.24 readmission.

22.25 (b) An area learning center under section 123A.05 may not prohibit an expelled or  
22.26 excluded pupil from enrolling solely because a district expelled or excluded the pupil. The  
22.27 board of the area learning center may use the provisions of the Pupil Fair Dismissal Act to  
22.28 exclude a pupil or to require an admission plan.

22.29 (c) Each school district shall develop a policy and report it to the commissioner on the  
22.30 appropriate use of peace officers and crisis teams to remove students who have an  
22.31 individualized education program from school grounds.

23.1 Subd. 2. **Annual discipline policy review; stakeholder group.** (a) A school board must  
 23.2 annually convene stakeholders to review the district's discipline policy. The stakeholder  
 23.3 group must consist of at least 25 percent parents or guardians of current students and at least  
 23.4 25 percent of current students. Other stakeholders may include other community members  
 23.5 and relevant school staff. The school board may assign the duty to review the discipline  
 23.6 policy to an existing school or site council that has the same percentage of parents and  
 23.7 students as required of the stakeholder group.

23.8 (b) The stakeholder group may make recommendations to the school board regarding  
 23.9 changes to the discipline policy. The stakeholder group must have access to data on discipline  
 23.10 incidents the district reports to the Department of Education and the Office for Civil Rights.  
 23.11 Any data that includes identifiable student information must be excluded from the data  
 23.12 provided to the stakeholder group.

23.13 Subd. 3. **Parent, guardian, or student review of suspensions.** The district's discipline  
 23.14 policy must provide a process for a parent, guardian, or student age 18 or older to request  
 23.15 review of an imposed suspension.

23.16 Sec. 14. Minnesota Statutes 2020, section 122A.06, subdivision 4, is amended to read:

23.17 Subd. 4. **Comprehensive, scientifically based reading instruction.** (a) "Comprehensive,  
 23.18 scientifically based reading instruction" includes a program or collection of instructional  
 23.19 practices that is based on valid, replicable evidence showing that when these programs or  
 23.20 practices are used, students can be expected to achieve, at a minimum, satisfactory reading  
 23.21 progress. The program or collection of practices must include, at a minimum, effective,  
 23.22 ~~balanced~~ instruction in all five areas of reading: phonemic awareness, phonics, fluency,  
 23.23 vocabulary development, and reading comprehension.

23.24 Comprehensive, scientifically based reading instruction also includes and integrates  
 23.25 instructional strategies for continuously assessing, evaluating, and communicating the  
 23.26 student's reading progress and needs in order to design and implement ongoing interventions  
 23.27 so that students of all ages and proficiency levels can read and comprehend text, write, and  
 23.28 apply higher level thinking skills. For English learners developing literacy skills, districts  
 23.29 are encouraged to use strategies that teach reading and writing in the students' native language  
 23.30 and English at the same time.

23.31 (b) "Fluency" is the ability of students to read text with speed, accuracy, and proper  
 23.32 expression.

24.1 (c) "Phonemic awareness" is the ability of students to notice, think about, and manipulate  
24.2 individual sounds in spoken syllables and words.

24.3 (d) "Phonics" is the understanding that there are systematic and predictable relationships  
24.4 between written letters and spoken words. Phonics instruction is a way of teaching reading  
24.5 that stresses learning how letters correspond to sounds and how to apply this knowledge in  
24.6 reading and spelling.

24.7 (e) "Reading comprehension" is an active process that requires intentional thinking  
24.8 during which meaning is constructed through interactions between text and reader.  
24.9 Comprehension skills are taught explicitly by demonstrating, explaining, modeling, and  
24.10 implementing specific cognitive strategies to help beginning readers derive meaning through  
24.11 intentional, problem-solving thinking processes.

24.12 (f) "Vocabulary development" is the process of teaching vocabulary both directly and  
24.13 indirectly, with repetition and multiple exposures to vocabulary items. Learning in rich  
24.14 contexts, incidental learning, and use of computer technology enhance the acquiring of  
24.15 vocabulary.

24.16 (g) Nothing in this subdivision limits the authority of a school district to select a school's  
24.17 reading program or curriculum.

24.18 Sec. 15. Minnesota Statutes 2020, section 123B.86, subdivision 3, is amended to read:

24.19 Subd. 3. **Board control.** (a) When transportation is provided, the scheduling of routes,  
24.20 manner and method of transportation, control and discipline of school children and any  
24.21 other matter relating thereto shall be within the sole discretion, control and management of  
24.22 the board.

24.23 (b) A school board and a nonpublic school may mutually agree to a written plan for the  
24.24 board to provide nonpublic pupil transportation to nonpublic students.

24.25 (1) A school board that provides pupil transportation through its employees may transport  
24.26 nonpublic pupils according to the plan and retain the nonpublic pupil transportation aid  
24.27 attributable to that plan. A nonpublic school may make a payment to the school district to  
24.28 cover additional transportation services agreed to in the written plan for nonpublic pupil  
24.29 transportation services not required under sections 123B.84 to 123B.87.

24.30 (2) A school board that contracts for pupil transportation services may enter into a  
24.31 contractual arrangement with a school bus contractor according to the written plan adopted  
24.32 by the school board and the nonpublic school to transport nonpublic pupils and retain the  
24.33 nonpublic pupil transportation aid attributable to that plan for purposes of paying the school



25.1 bus contractor. A nonpublic school may make a payment to the school district to cover  
25.2 additional transportation services agreed to in the written plan for nonpublic pupil  
25.3 transportation services included in the contract that are not required under sections 123B.84  
25.4 to 123B.87.

25.5 (c) The school district must report the number of nonpublic pupils transported and the  
25.6 nonpublic pupil transportation expenditures incurred under paragraph (b) in the form and  
25.7 manner specified by the commissioner.

25.8 Sec. 16. Minnesota Statutes 2020, section 124D.09, subdivision 5a, is amended to read:

25.9 Subd. 5a. **Authorization; career or technical education.** A 10th, 11th, or 12th grade  
25.10 pupil enrolled in a district or an American Indian-controlled tribal contract or grant school  
25.11 eligible for aid under section 124D.83, except a foreign exchange pupil enrolled in a district  
25.12 under a cultural exchange program, may enroll in a career or technical education course  
25.13 offered by a Minnesota state college or university. A 10th grade pupil applying for enrollment  
25.14 in a career or technical education course under this subdivision must have received a passing  
25.15 score on the 8th grade Minnesota Comprehensive Assessment in reading as a condition of  
25.16 enrollment. A current 10th grade pupil who did not take the 8th grade Minnesota  
25.17 Comprehensive Assessment in reading may substitute another reading assessment accepted  
25.18 by the enrolling postsecondary institution. A secondary pupil may enroll in the pupil's first  
25.19 postsecondary options enrollment course under this subdivision. A student who is refused  
25.20 enrollment by a Minnesota state college or university under this subdivision may apply to  
25.21 an eligible institution offering a career or technical education course. A 10th grade student  
25.22 who qualifies to enroll in a career or technical education course under this subdivision may  
25.23 enroll in more than one career or technical education course in their first semester of their  
25.24 10th grade school year. The postsecondary institution must give priority to its students  
25.25 according to subdivision 9. If a secondary student receives a grade of "C" or better in the  
25.26 career or technical education course taken under this subdivision, the postsecondary  
25.27 institution must allow the student to take additional postsecondary courses for secondary  
25.28 credit at that institution, not to exceed the limits in subdivision 8. A "career or technical  
25.29 course" is a course that is part of a career and technical education program that provides  
25.30 individuals with coherent, rigorous content aligned with academic standards and relevant  
25.31 technical knowledge and skills needed to prepare for further education and careers in current  
25.32 and emerging professions and provide technical skill proficiency, an industry recognized  
25.33 credential, and a certificate, a diploma, or an associate degree.

26.1 Sec. 17. Minnesota Statutes 2020, section 124D.09, subdivision 7, is amended to read:

26.2 Subd. 7. **Dissemination of information; notification of intent to enroll.** By the earlier  
 26.3 of (1) three weeks prior to the date by which a student must register for district courses for  
 26.4 the following school year, or (2) March 1 of each year, a district must provide up-to-date  
 26.5 information on the district's website and in materials that are distributed to parents and  
 26.6 students about the program, including information about enrollment requirements and the  
 26.7 ability to earn postsecondary credit to all pupils in grades 8, 9, 10, and 11. To assist the  
 26.8 district in planning, a pupil must inform the district by May 30 of each year of the pupil's  
 26.9 intent to enroll in postsecondary courses during the following school year. A pupil is bound  
 26.10 by notifying or not notifying the district by May 30. The May 30 deadline does not apply  
 26.11 if the district does not meet the requirements for dissemination of information under this  
 26.12 subdivision.

26.13 Sec. 18. Minnesota Statutes 2020, section 124D.09, subdivision 9, is amended to read:

26.14 Subd. 9. **Enrollment priority.** (a) A postsecondary institution must give priority to its  
 26.15 postsecondary students when enrolling pupils in grades 10, 11, and 12 in its courses. A  
 26.16 postsecondary institution may provide information about its programs to a secondary school  
 26.17 or to a pupil or, parent and it may advertise or otherwise recruit or solicit a secondary pupil  
 26.18 to enroll in its programs, or guardian on educational and, programmatic, and financial  
 26.19 grounds only except, notwithstanding other law to the contrary, and for the 2014-2015  
 26.20 through 2019-2020 school years only. An eligible postsecondary institution may advertise  
 26.21 or otherwise recruit or solicit a secondary pupil residing in a school district with 700 students  
 26.22 or more in grades 10, 11, and 12, to enroll in its programs on educational, programmatic,  
 26.23 or financial grounds.

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

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

27.1 (d) If a postsecondary institution enrolls a secondary school pupil in a course under this  
27.2 section, the postsecondary institution also must enroll in the same course an otherwise  
27.3 enrolled and qualified postsecondary student who qualifies as a veteran under section  
27.4 197.447, and demonstrates to the postsecondary institution's satisfaction that the institution's  
27.5 established enrollment timelines were not practicable for that student.

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

27.9 Sec. 19. Minnesota Statutes 2020, section 124D.09, subdivision 11, is amended to read:

27.10 Subd. 11. **Participation in high school activities.** Enrolling in a course under this section  
27.11 shall not, by itself, prohibit a pupil from participating in activities sponsored by the pupil's  
27.12 high school, leadership roles, or participating in national organizations sponsored by the  
27.13 pupil's high school.

27.14 Sec. 20. Minnesota Statutes 2020, section 124D.09, subdivision 12, is amended to read:

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

27.17 (b) A district shall grant academic credit to a pupil enrolled in a course for secondary  
27.18 credit if the pupil successfully completes the course. Seven quarter or four semester college  
27.19 credits equal at least one full year of high school credit. Fewer college credits may be  
27.20 prorated. A district must also grant academic credit to a pupil enrolled in a course for  
27.21 postsecondary credit if secondary credit is requested by a pupil. If no comparable course is  
27.22 offered by the district, the district must, as soon as possible, notify the commissioner, who  
27.23 shall determine the number of credits that shall be granted to a pupil who successfully  
27.24 completes a course. If a comparable course is offered by the district, the school board shall  
27.25 grant a comparable number of credits to the pupil. If there is a dispute between the district  
27.26 and the pupil regarding the number of credits granted for a particular course, the pupil may  
27.27 appeal the board's decision to the commissioner. The commissioner's decision regarding  
27.28 the number of credits shall be final.

27.29 (c) A school board must adopt a policy regarding weighted grade point averages for any  
27.30 high school or dual enrollment course. The board must adopt an identical policy regarding  
27.31 weighted grade point averages for credits earned through postsecondary enrollment options  
27.32 coursework as it gives to credits earned through comparable concurrent enrollment  
27.33 coursework. The policy must state whether the district offers weighted grades. A school

28.1 board must annually publish on its website a list of courses for which a student may earn a  
28.2 weighted grade.

28.3 (d) The secondary credits granted to a pupil must be counted toward the graduation  
28.4 requirements and subject area requirements of the district. Evidence of successful completion  
28.5 of each course and secondary credits granted must be included in the pupil's secondary  
28.6 school record. A pupil shall provide the school with a copy of the pupil's grade in each  
28.7 course taken for secondary credit under this section. Upon the request of a pupil, the pupil's  
28.8 secondary school record must also include evidence of successful completion and credits  
28.9 granted for a course taken for postsecondary credit. In either case, the record must indicate  
28.10 that the credits were earned at a postsecondary institution.

28.11 (e) If a pupil enrolls in a postsecondary institution after leaving secondary school, the  
28.12 postsecondary institution must award postsecondary credit for any course successfully  
28.13 completed for secondary credit at that institution. Other postsecondary institutions may  
28.14 award, after a pupil leaves secondary school, postsecondary credit for any courses  
28.15 successfully completed under this section. An institution may not charge a pupil for the  
28.16 award of credit.

28.17 (f) The Board of Trustees of the Minnesota State Colleges and Universities and the  
28.18 Board of Regents of the University of Minnesota must, and private nonprofit and proprietary  
28.19 postsecondary institutions should, award postsecondary credit for any successfully completed  
28.20 courses in a program certified by the National Alliance of Concurrent Enrollment Partnerships  
28.21 offered according to an agreement under subdivision 10. Consistent with section 135A.101,  
28.22 subdivision 3, all MnSCU institutions must give full credit to a secondary pupil who  
28.23 completes for postsecondary credit a postsecondary course or program that is part or all of  
28.24 a goal area or a transfer curriculum at a MnSCU institution when the pupil enrolls in a  
28.25 MnSCU institution after leaving secondary school. Once one MnSCU institution certifies  
28.26 as completed a secondary student's postsecondary course or program that is part or all of a  
28.27 goal area or a transfer curriculum, every MnSCU institution must consider the student's  
28.28 course or program for that goal area or the transfer curriculum as completed.

28.29 Sec. 21. Minnesota Statutes 2020, section 124D.09, subdivision 22, is amended to read:

28.30 Subd. 22. **Transportation.** (a) A parent or guardian of a pupil enrolled in a course for  
28.31 secondary credit may apply to the pupil's district of residence for reimbursement for  
28.32 transporting the pupil between the secondary school in which the pupil is enrolled or the  
28.33 pupil's home and the postsecondary institution that the pupil attends. The state shall provide  
28.34 state aid to a district in an amount sufficient to reimburse the parent or guardian, or district,

29.1 for the necessary transportation costs when the family's or guardian's income is at or below  
 29.2 the poverty level, as determined by the federal government. The reimbursement shall be  
 29.3 the pupil's or district's actual cost of transportation or 15 cents per mile traveled, whichever  
 29.4 is less. Reimbursement may not be paid for more than 250 miles per week. However, if the  
 29.5 nearest postsecondary institution is more than 25 miles from the pupil's resident secondary  
 29.6 school, the weekly reimbursement may not exceed the reimbursement rate per mile times  
 29.7 the actual distance between the secondary school or the pupil's home and the nearest  
 29.8 postsecondary institution times ten. The state must pay aid to the district according to this  
 29.9 subdivision. A district that is reimbursed for transporting an eligible pupil under this  
 29.10 subdivision must not charge any pupil for transportation to or from a postsecondary  
 29.11 institution.

29.12 (b) A parent or guardian of an alternative pupil enrolled in a course for secondary credit  
 29.13 may apply to the pupil's postsecondary institution for reimbursement for transporting the  
 29.14 pupil between the secondary school in which the pupil is enrolled or the pupil's home and  
 29.15 the postsecondary institution in an amount sufficient to reimburse the parent or guardian  
 29.16 for the necessary transportation costs when the family's or guardian's income is at or below  
 29.17 the poverty level, as determined by the federal government. The amount of the reimbursement  
 29.18 shall be determined as in paragraph (a). The state must pay aid to the postsecondary institution  
 29.19 according to this subdivision.

29.20 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

29.21 **Sec. 22. [124D.097] DISTANCE LEARNING OPTION.**

29.22 A school district may offer a full distance learning option to its enrolled resident students.  
 29.23 A distance learning option may be part of a school's curriculum offerings. A student may  
 29.24 complete all of the educational expectations and graduation requirements according to  
 29.25 section 120B.02 through distance learning. A school district that offers distance learning is  
 29.26 not an online learning provider and is not subject to Department of Education approval  
 29.27 under section 124D.095. A school district may assign a student who is participating in full  
 29.28 distance learning to a building for purposes of determining compensatory revenue pupil  
 29.29 units under section 126C.05, subdivision 3, and free and reduced-price meal eligibility under  
 29.30 section 126C.05, subdivision 16.

29.31 **EFFECTIVE DATE.** This section is effective for the 2021-2022 school year and later.

30.1 Sec. 23. Minnesota Statutes 2020, section 124D.12, is amended to read:

30.2 **124D.12 PURPOSE OF FLEXIBLE LEARNING YEAR PROGRAMS.**

30.3 Sections 124D.12 to 124D.127 authorize districts to evaluate, plan and employ the use  
 30.4 of flexible learning year programs. It is anticipated that the open selection of the type of  
 30.5 flexible learning year operation from a variety of alternatives will allow each district seeking  
 30.6 to utilize this concept to suitably fulfill the educational needs of its pupils. These alternatives  
 30.7 must include, but not be limited to, various 45-15 plans, four-quarter plans, quinmester  
 30.8 plans, extended learning year plans, and flexible all-year plans. ~~A school district with an  
 30.9 approved four-day week plan in the 2014-2015 school year may continue under a four-day  
 30.10 week plan through the end of the 2019-2020 school year. Future approvals are contingent  
 30.11 upon meeting the school district's performance goals established in the district's plan under  
 30.12 section 120B.11. The commissioner must give a school district one school year's notice  
 30.13 before revoking approval of its flexible learning year program.~~

30.14 **EFFECTIVE DATE.** This section is effective for the 2021-2022 school year and later.

30.15 Sec. 24. Minnesota Statutes 2020, section 124D.121, is amended to read:

30.16 **124D.121 DEFINITION OF FLEXIBLE LEARNING YEAR PROGRAM.**

30.17 "Flexible learning year program" means any district plan approved by the ~~commissioner~~  
 30.18 school board that utilizes buildings and facilities during the entire year or that provides  
 30.19 forms of optional scheduling of pupils and personnel during the learning year in elementary  
 30.20 and secondary schools or residential facilities for children with a disability.

30.21 **EFFECTIVE DATE.** This section is effective for the 2021-2022 school year and later.

30.22 Sec. 25. Minnesota Statutes 2020, section 124D.122, is amended to read:

30.23 **124D.122 ESTABLISHMENT OF FLEXIBLE LEARNING YEAR PROGRAM.**

30.24 The board of any district or a consortium of districts, ~~with the approval of the~~  
 30.25 ~~commissioner~~, may establish and operate a flexible learning year program in one or more  
 30.26 of the day or residential facilities for children with a disability within the district. Consortiums  
 30.27 may use a single ~~application and~~ evaluation process, though results, public hearings, and  
 30.28 board approvals must be obtained for each district as required under appropriate sections.  
 30.29 ~~The commissioner must approve or disapprove of a flexible learning year application within~~  
 30.30 ~~45 business days of receiving the application. If the commissioner disapproves the~~  
 30.31 ~~application, the commissioner must give the district or consortium detailed reasons for the~~  
 30.32 ~~disapproval.~~

31.1 **EFFECTIVE DATE.** This section is effective for the 2021-2022 school year and later.

31.2 Sec. 26. Minnesota Statutes 2020, section 124D.126, subdivision 1, is amended to read:

31.3 Subdivision 1. **Powers and duties.** The commissioner must:

31.4 ~~(1) promulgate rules necessary to the operation of sections 124D.12 to 124D.127;~~

31.5 ~~(2) (1) cooperate with and provide supervision of flexible learning year programs to~~

31.6 ~~determine compliance with the provisions of sections 124D.12 to 124D.127, the~~

31.7 ~~commissioner's standards and qualifications, and the proposed program as submitted and~~

31.8 ~~approved;~~

31.9 ~~(3) (2) provide any necessary adjustments of (a) (i) attendance and membership~~

31.10 ~~computations and (b) (ii) the dates and percentages of apportionment of state aids; and~~

31.11 ~~(4) (3) consistent with the definition of "average daily membership" in section 126C.05,~~

31.12 ~~subdivision 8, furnish the board of a district implementing a flexible learning year program~~

31.13 ~~with a formula for computing average daily membership. This formula must be computed~~

31.14 ~~so that tax levies to be made by the district, state aids to be received by the district, and any~~

31.15 ~~and all other formulas based upon average daily membership are not affected solely as a~~

31.16 ~~result of adopting this plan of instruction.~~

31.17 **EFFECTIVE DATE.** This section is effective for the 2021-2022 school year and later.

31.18 Sec. 27. Minnesota Statutes 2020, section 124D.127, is amended to read:

31.19 **124D.127 TERMINATION OF FLEXIBLE LEARNING YEAR PROGRAM.**

31.20 The board of any district, ~~with the approval of the commissioner of education,~~ may

31.21 terminate a flexible learning year program in one or more of the day or residential facilities

31.22 for children with a disability within the district. This section shall not be construed to permit

31.23 an exception to section 120A.22, 127A.41, subdivision 7, or 127A.43.

31.24 **EFFECTIVE DATE.** This section is effective for the 2021-2022 school year and later.

31.25 Sec. 28. **[124D.4536] RURAL CAREER AND TECHNICAL EDUCATION**

31.26 **CONSORTIUM GRANTS.**

31.27 Subdivision 1. **Definition.** (a) "Rural career and technical education (CTE) consortium"

31.28 means a voluntary collaboration of at least one greater Minnesota service cooperative and

31.29 other regional public and private partners, including school districts and higher education

32.1 institutions, that work together to provide career and technical education opportunities  
 32.2 within the service cooperative's multicounty service area.

32.3 (b) A consortium that includes more than one service cooperative must designate one  
 32.4 service cooperative to serve as fiscal host for the consortium.

32.5 Subd. 2. **Establishment.** (a) A rural CTE consortium shall:

32.6 (1) focus on the development of courses and programs that encourage collaboration  
 32.7 between two or more school districts;

32.8 (2) develop new career and technical programs that focus on the industry sectors that  
 32.9 fuel the rural regional economy;

32.10 (3) facilitate the development of highly trained and knowledgeable students who are  
 32.11 equipped with technical and workplace skills needed by regional employers;

32.12 (4) improve access to career and technical education programs for students who attend  
 32.13 sparsely populated rural school districts by developing public and private partnerships with  
 32.14 business and industry leaders and by increasing coordination of high school and  
 32.15 postsecondary program options;

32.16 (5) increase family and student awareness of the availability and benefit of career and  
 32.17 technical education courses and training opportunities; and

32.18 (6) provide capital start-up costs for items, including but not limited to a mobile welding  
 32.19 lab, medical equipment and lab, and industrial kitchen equipment.

32.20 (b) In addition to the requirements in paragraph (a), a rural CTE consortium may:

32.21 (1) address the teacher shortage crisis in career and technical education through incentive  
 32.22 funding and training programs; and

32.23 (2) provide transportation reimbursement grants to provide equitable opportunities  
 32.24 throughout the region for students to participate in career and technical education.

32.25 Subd. 3. **Rural career and technical education advisory committee.** In order to be  
 32.26 eligible for a grant under this section, a greater Minnesota service cooperative must establish  
 32.27 a rural career and technical education advisory committee to advise the cooperative on the  
 32.28 administration of the rural CTE consortium.

32.29 Subd. 4. **Private funding.** A rural CTE consortium may receive other sources of funds  
 32.30 to supplement state funding. All funds received shall be administered by the service  
 32.31 cooperative that is a member of the consortium.



33.1 Subd. 5. Reporting requirements. By January 15 of each year, a rural CTE consortium  
33.2 receiving funding under this section must submit an annual report on the progress of its  
33.3 activities to the commissioner of education and the chairs and ranking minority members  
33.4 of the legislative committees with jurisdiction over secondary and postsecondary education.  
33.5 The annual report must contain a financial report for the preceding fiscal year.

33.6 Subd. 6. Grant awards. The Minnesota Service Cooperatives may consult with the  
33.7 commissioner to award grants to any rural CTE consortium that qualifies under this section.

33.8 Sec. 29. Minnesota Statutes 2020, section 124E.05, subdivision 5, is amended to read:

33.9 Subd. 5. **Review by commissioner.** (a) The commissioner shall review an authorizer's  
33.10 performance every five years in a manner and form determined by the commissioner, subject  
33.11 to paragraphs (b) and (c), and may review an authorizer's performance more frequently at  
33.12 the commissioner's own initiative or at the request of a charter school operator, charter  
33.13 school board member, or other interested party. The commissioner, after completing the  
33.14 review, shall transmit a report with findings to the authorizer.

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

33.16 (1) use criteria appropriate to the authorizer and the schools it charters to review the  
33.17 authorizer's performance; and

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

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

33.23 (1) fail to credit;

33.24 (2) withhold points; or

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

33.27 (d) An authorizer that is a school district that submitted a written promise under  
33.28 subdivision 4, paragraph (b), may submit a new written promise to comply with the  
33.29 requirements to the commissioner as part of the review process.

34.1 Sec. 30. Minnesota Statutes 2020, section 124E.05, subdivision 6, is amended to read:

34.2 Subd. 6. **Corrective action.** (a) If, consistent with this chapter, the commissioner finds  
 34.3 that an authorizer has not met the requirements of this chapter, the commissioner may subject  
 34.4 the authorizer to a corrective action plan, which may ~~include terminating the contract with~~  
 34.5 ~~the charter school board of directors of a school it chartered.~~ last no longer than 130 business  
 34.6 days. The commissioner may prohibit an authorizer on a corrective plan from accepting a  
 34.7 transfer application from a charter school and an application to establish a charter school.

34.8 (b) The commissioner must notify the authorizer in writing ~~of~~ that the authorizer has  
 34.9 been placed on a corrective plan. The notice must include any findings that may subject the  
 34.10 authorizer to corrective action at the conclusion of the corrective plan and the authorizer  
 34.11 then has 15 business days to request an informal hearing before the commissioner takes  
 34.12 corrective action. The commissioner must hold an informal hearing within 15 days of the  
 34.13 request. If the issues identified as the basis for the corrective action are not resolved at the  
 34.14 informal hearing, the authorizer must make the requested improvements and notify the  
 34.15 commissioner of the improvements within 45 business days. Within 20 business days, the  
 34.16 commissioner must review the changes and notify the authorizer of any remaining issues  
 34.17 to be resolved. An authorizer must address the remaining issues as directed by the  
 34.18 commissioner within 20 business days. Within 15 business days, the commissioner must  
 34.19 review the changes and notify the authorizer whether all issues in the corrective plan have  
 34.20 been resolved.

34.21 (c) If the commissioner terminates a ~~contract between an authorizer and a charter school~~  
 34.22 ~~under this paragraph~~ the authorizer's ability to charter a school, the commissioner ~~may~~ must  
 34.23 assist the affected charter school in acquiring a new authorizer. A charter school board of  
 34.24 directors may submit to the commissioner a request to transfer to a new authorizer without  
 34.25 the approval or consent of the current authorizer if that authorizer has been under a corrective  
 34.26 action plan for more than 130 business days.

34.27 ~~(b)~~ (d) The commissioner may at any time take corrective action against an authorizer,  
 34.28 including terminating an authorizer's ability to charter a school, terminating a contract with  
 34.29 a charter school, and other appropriate sanctions for:

34.30 (1) failing to demonstrate the criteria under subdivision 3 under which the commissioner  
 34.31 approved the authorizer;

34.32 (2) violating a term of the chartering contract between the authorizer and the charter  
 34.33 school board of directors;

34.34 (3) unsatisfactory performance as an approved authorizer; ~~or~~

- 35.1 (4) any good cause shown that gives the commissioner a legally sufficient reason to take  
 35.2 corrective action against an authorizer; or  
 35.3 (5) failing to meet the terms of a corrective action plan by the specified deadline.

35.4 Sec. 31. Minnesota Statutes 2020, section 126C.05, subdivision 8, is amended to read:

35.5 Subd. 8. **Average daily membership.** (a) Membership for pupils in grades kindergarten  
 35.6 through 12 and for prekindergarten pupils with disabilities shall mean the number of pupils  
 35.7 on the current roll of the school, counted from the date of entry until withdrawal. The date  
 35.8 of withdrawal shall mean the day the pupil permanently leaves the school or the date it is  
 35.9 officially known that the pupil has left or has been legally excused. However, a pupil,  
 35.10 regardless of age, who has been absent from school for 15 consecutive school days during  
 35.11 the regular school year or for five consecutive school days during summer school or  
 35.12 intersession classes of flexible school year programs without receiving instruction in the  
 35.13 home or hospital shall be dropped from the roll and classified as withdrawn. Nothing in this  
 35.14 section shall be construed as waiving the compulsory attendance provisions cited in section  
 35.15 120A.22. Average daily membership equals the sum for all pupils of the number of days  
 35.16 of the school year each pupil is enrolled in the district's schools divided by the number of  
 35.17 days the schools are in session, are providing distance learning under section 124D.097, or  
 35.18 are providing e-learning distance learning days due to inclement weather under section  
 35.19 120A.414. Days of summer school or intersession classes of flexible school year programs  
 35.20 are only included in the computation of membership for pupils with a disability not  
 35.21 appropriately served primarily in the regular classroom. A student must not be counted as  
 35.22 more than 1.2 pupils in average daily membership under this section and section 126C.10,  
 35.23 subdivision 2a, paragraph (b). When the initial total average daily membership exceeds 1.2  
 35.24 for a pupil enrolled in more than one school district during the fiscal year, each district's  
 35.25 average daily membership must be reduced proportionately.

35.26 (b) A student must not be counted as more than one pupil in average daily membership  
 35.27 except for purposes of section 126C.10, subdivision 2a.

35.28 **EFFECTIVE DATE.** This section is effective for the 2021-2022 school year and later.

35.29 Sec. 32. **[127A.20] EVIDENCE-BASED EDUCATION GRANTS.**

35.30 **Subdivision 1. Purpose and applicability.** The purpose of this section is to create a  
 35.31 process to describe, measure, and report on the effectiveness of any prekindergarten through  
 35.32 grade 12 education program funded in whole or in part through funds appropriated by the  
 35.33 legislature to the commissioner of education for grants to organizations. The evidence-based

36.1 evaluation required by this section applies to all grants awarded by the commissioner of  
 36.2 education on or after July 1, 2022.

36.3 Subd. 2. **Goals.** Each applicant for a grant awarded by the commissioner of education  
 36.4 must include in the grant application a statement of the goals of the education program and  
 36.5 grant funds. To the extent practicable, the goals must be aligned to the state of Minnesota's  
 36.6 world's best workforce and the federally required Every Student Succeeds Act accountability  
 36.7 systems.

36.8 Subd. 3. **Strategies and data.** Each applicant must include in the grant application a  
 36.9 description of the strategies that will be used to meet the goals specified in the application.  
 36.10 The applicant must also include a plan to collect data to measure the effectiveness of the  
 36.11 strategies outlined in the grant application.

36.12 Subd. 4. **Reporting.** Within 180 days of the end of the grant period, each grant recipient  
 36.13 must compile a report that describes the data that was collected and evaluate the effectiveness  
 36.14 of the strategies. The evidence-based report may identify or propose alternative strategies  
 36.15 based on the results of the data. The report must be submitted to the commissioner of  
 36.16 education and to the chairs and ranking minority members of the legislative committees  
 36.17 with jurisdiction over prekindergarten through grade 12 education. The report must be filed  
 36.18 with the Legislative Reference Library according to section 3.195.

36.19 Subd. 5. **Grant defined.** For purposes of this section, "grant" means money appropriated  
 36.20 from the state general fund to the commissioner of education for distribution to the grant  
 36.21 recipients.

36.22 **EFFECTIVE DATE.** This section is effective July 1, 2022.

36.23 Sec. 33. Laws 2017, First Special Session chapter 5, article 2, section 52, is amended to  
 36.24 read:

36.25 Sec. 52. **EDUCATION INNOVATION RESEARCH ZONES PILOT ZONE**  
 36.26 **PROGRAM.**

36.27 Subdivision 1. **Establishment; requirements for participation; research innovation**  
 36.28 **zone plans.** (a) The innovation ~~research~~ zone ~~pilot~~ program is established to improve student  
 36.29 and school outcomes consistent with the world's best workforce requirements under  
 36.30 Minnesota Statutes, section 120B.11. Innovation zone partnerships allow school districts  
 36.31 and charter schools to research and implement innovative education programming models  
 36.32 designed to better prepare students for the world of the 21st century.

37.1 (b) One or more school districts or charter schools may join together to form an innovation  
 37.2 zone partnership. The partnership may include other nonschool partners, including  
 37.3 postsecondary institutions, other units of local government, nonprofit organizations, and  
 37.4 for-profit organizations. An innovation zone plan must be collaboratively developed in  
 37.5 concert with the school's instructional staff.

37.6 (c) An innovation ~~research~~ zone partnership ~~must research and~~ may implement innovative  
 37.7 education programs and models that ~~are based on proposed hypotheses. An innovation zone~~  
 37.8 ~~plan may include an emerging practice not yet supported by peer-reviewed research.~~  
 37.9 ~~Examples of innovation zone research~~ may include, but are not limited to:

37.10 (1) personalized learning, allowing students to excel at their own pace and according to  
 37.11 their interests, aspirations, and unique needs;

37.12 (2) the use of competency outcomes rather than seat time and course completion to fulfill  
 37.13 standards, credits, and other graduation requirements;

37.14 (3) multidisciplinary, real-world, inquiry-based, and student-directed models designed  
 37.15 to make learning more engaging and relevant, including documenting and validating learning  
 37.16 that takes place beyond the school day and school walls;

37.17 (4) models of instruction designed to close the achievement gap, including new models  
 37.18 for age three to grade 3 models, English as a second language models, early identification  
 37.19 and prevention of mental health issues, and others;

37.20 (5) new partnerships between secondary schools and postsecondary institutions,  
 37.21 employers, or career training institutions enabling students to complete industry certifications,  
 37.22 postsecondary education credits, and other credentials;

37.23 (6) new methods of collaborative leadership including the expansion of schools where  
 37.24 teachers have larger professional roles;

37.25 (7) new ways to enhance parental and community involvement in learning;

37.26 (8) new models of professional development for educators, including embedded  
 37.27 professional development; ~~or~~

37.28 (9) new models in other areas such as whole child instruction, social-emotional skill  
 37.29 development, technology-based or blended learning, parent and community involvement,  
 37.30 professional development and mentoring, and models that increase the return on investment; ;

37.31 (10) new models of evaluation, assessment, and accountability using multiple indicators  
 37.32 including models that demonstrate alternative ways to validate students' academic attainment

38.1 that have predictive validity to the state tests, but also include other variables such as problem  
 38.2 solving, creativity, analytical thinking, collaboration, respecting others, global understanding,  
 38.3 postgraduation student performance, and other information;

38.4 (11) improving teacher and principal mentoring and evaluation;

38.5 (12) granting a high school diploma to a student who meets the graduation requirements  
 38.6 under Minnesota Statutes, section 120B.02, subdivision 2, who demonstrates preparation  
 38.7 for postsecondary education or a career consistent with the world's best workforce goals  
 38.8 under Minnesota Statutes, section 120B.11, and who meets the following requirements:

38.9 (i) completes four years of high school; and

38.10 (ii) completes at least one year of postsecondary education at a two- or four-year college  
 38.11 or university through concurrent enrollment, advanced placement, or international  
 38.12 baccalaureate courses; or

38.13 (iii) completes a career certification up to the apprenticeship program level if one is  
 38.14 required for that certification;

38.15 (13) using the provisions in Minnesota Statutes, sections 124D.085, governing experiential  
 38.16 and applied learning opportunities; 124D.52, subdivision 9, governing standard adult high  
 38.17 school diploma requirements; and 126C.05, subdivision 15, paragraph (b), item (i), governing  
 38.18 the use of independent study;

38.19 (14) allow a student in grade 10, 11, or 12 to participate in career and technical programs  
 38.20 after school, on weekends, and during school breaks, including summers, and be included  
 38.21 in the average daily membership up to one. The classes must generate both high school and  
 38.22 postsecondary credit and lead to either a career certification, technical college degree, or  
 38.23 an apprenticeship program;

38.24 (15) methods to initiate prevention models to reduce student needs for special education  
 38.25 and to reduce teacher time devoted to the required special education documentation; or

38.26 (16) other innovations as determined by the local boards.

38.27 (d) An innovation zone plan submitted to the commissioner must describe:

38.28 (1) how the plan will improve student and school outcomes consistent with the world's  
 38.29 best workforce requirements under Minnesota Statutes, section 120B.11;

38.30 (2) the role of each partner in the zone;

38.31 ~~(3) the research methodology used for each proposed action in the plan;~~

39.1 ~~(4)~~ (3) the exemptions from statutes and rules in subdivision 2 that the ~~research~~ innovation  
 39.2 zone partnership will use;

39.3 ~~(5)~~ (4) a description of how teachers and other educational staff from the affected school  
 39.4 sites will be included in the planning and implementation process;

39.5 ~~(6)~~ (5) a detailed description of expected outcomes and graduation standards;

39.6 ~~(7)~~ (6) a timeline for implementing the plan and assessing the outcomes; and

39.7 ~~(8)~~ (7) how results of the plan will be disseminated.

39.8 The governing board for each partner must approve the innovation zone plan.

39.9 (e) Upon unanimous approval of the initial innovation zone partners ~~and approval of the~~  
 39.10 ~~commissioner of education~~, the innovation zone partnership may extend membership to  
 39.11 other partners. A new partner's membership is effective 30 days after the innovation zone  
 39.12 partnership notifies the commissioner of the proposed change in membership ~~unless the~~  
 39.13 ~~commissioner disapproves the new partner's membership~~ and updates their plan.

39.14 (f) Notwithstanding any other law to the contrary, a school district or charter school  
 39.15 participating in an innovation zone partnership under this section continues to receive all  
 39.16 revenue and maintains its taxation authority in the same manner as before its participation  
 39.17 in the innovation zone partnership. The innovation zone school district and charter school  
 39.18 partners remain organized and governed by their respective school boards with general  
 39.19 powers under Minnesota Statutes, chapter 123B or 124E, and remain subject to any  
 39.20 employment agreements under Minnesota Statutes, chapters 122A and 179A. School district  
 39.21 and charter school employees participating in an innovation zone partnership remain  
 39.22 employees of their respective school district or charter school.

39.23 (g) An innovation zone partnership may submit its plan at any time to the commissioner  
 39.24 in the form and manner specified by the commissioner. ~~The commissioner must approve~~  
 39.25 ~~or reject the plan after reviewing the recommendation of the Innovation Research Zone~~  
 39.26 ~~Advisory Panel. An initial innovation zone plan that has been rejected by the commissioner~~  
 39.27 ~~may be resubmitted to the commissioner after the innovation zone partnership has modified~~  
 39.28 ~~the plan to meet each individually identified objection.~~

39.29 (h) An innovation zone plan must not cause an increase in state aid or levies for partners.

39.30 Subd. 2. **Exemptions from laws and rules.** (a) Notwithstanding any other law to the  
 39.31 contrary, an innovation zone partner with ~~an approved~~ a plan filed with the commissioner  
 39.32 is exempt from each of the following state education laws and rules specifically identified  
 39.33 in its plan:

40.1 (1) any law or rule from which a district-created, site-governed school under Minnesota  
40.2 Statutes, section 123B.045, is exempt;

40.3 (2) any statute or rule from which the commissioner has exempted another district or  
40.4 charter school, as identified in the list published on the Department of Education's Web site  
40.5 under subdivision 4, paragraph (b);

40.6 (3) online learning program approval under Minnesota Statutes, section 124D.095,  
40.7 subdivision 7, if the school district or charter school offers a course or program online  
40.8 combined with direct access to a teacher for a portion of that course or program;

40.9 (4) restrictions on extended time revenue under Minnesota Statutes, section 126C.10,  
40.10 subdivision 2a, for a student who meets the criteria of Minnesota Statutes, section 124D.68,  
40.11 subdivision 2; and

40.12 (5) any required hours of instruction in any class or subject area for a student who is  
40.13 meeting all competencies consistent with the graduation standards described in the innovation  
40.14 zone plan.

40.15 (b) The exemptions under this subdivision must not be construed as exempting an  
40.16 innovation zone partner from the Minnesota Comprehensive Assessments or as increasing  
40.17 any state aid or levy.

40.18 ~~Subd. 3. **Innovation Research Zone Advisory Panel.** (a) The commissioner must~~  
40.19 ~~establish and convene an Innovation Research Zone Advisory Panel to review all innovation~~  
40.20 ~~zone plans submitted for approval.~~

40.21 ~~(b) The panel must be composed of nine members. One member must be appointed by~~  
40.22 ~~each of the following organizations: Educators for Excellence, Education Minnesota,~~  
40.23 ~~Minnesota Association of Secondary School Principals, Minnesota Elementary School~~  
40.24 ~~Principals' Association, Minnesota Association of School Administrators, Minnesota School~~  
40.25 ~~Boards Association, Minnesota Association of Charter Schools, and the Office of Higher~~  
40.26 ~~Education. The commissioner must appoint one member with expertise in evaluation and~~  
40.27 ~~research.~~

40.28 ~~Subd. 4. **Commissioner approval; duties.** (a) Upon recommendation of the Innovation~~  
40.29 ~~Research Zone Advisory Panel, the commissioner may approve up to three innovation zone~~  
40.30 ~~plans in the seven-county metropolitan area and up to three in greater Minnesota. If an~~  
40.31 ~~innovation zone partnership fails to implement its innovation zone plan as described in its~~  
40.32 ~~application and according to the stated timeline, upon recommendation of the Innovation~~  
40.33 ~~Research Zone Advisory Panel, the commissioner ~~must~~ may alert the partnership members~~



41.1 and provide the opportunity to remediate. If implementation continues to fail, the  
 41.2 commissioner ~~must~~ may suspend or terminate the innovation zone plan.

41.3 (b) The commissioner must publish a list of the exemptions the commissioner has granted  
 41.4 to a district or charter school on the Department of Education's Web site by July 1, 2017.  
 41.5 The list must be updated annually.

41.6 Subd. 5. **Project evaluation, dissemination, and report to legislature.** Each ~~research~~  
 41.7 innovation zone partnership must submit project data to the commissioner in the form and  
 41.8 manner ~~provided for in the approved application~~ specified by the commissioner. At least  
 41.9 once every two years, the commissioner ~~must~~ may analyze each innovation zone's progress  
 41.10 in realizing the objectives of the innovation zone partnership's plan. ~~The commissioner must~~  
 41.11 To the extent practicable, and using existing resources, the commissioner may summarize  
 41.12 and categorize innovation zone plans and submit a report to the legislative committees  
 41.13 having jurisdiction over education by February 1 of each odd-numbered year in accordance  
 41.14 with Minnesota Statutes, section 3.195.

41.15 Sec. 34. **ACADEMIC STANDARDS REVIEW SUSPENSION.**

41.16 Notwithstanding Minnesota Statutes, section 120B.021, the commissioner of education  
 41.17 must suspend any ongoing review or revision of academic standards, or implementation of  
 41.18 revised academic standards under Minnesota Statutes, section 120B.021, until June 1, 2023.

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

41.20 Sec. 35. **DIGITAL WELL-BEING GRANT.**

41.21 Subdivision 1. Findings; grant. (a) The legislature finds that the negative effects of  
 41.22 screen overuse and misuse impact the healthy development of young people. Research  
 41.23 supports a growing amount of evidence on the effects of screen overuse and misuse on the  
 41.24 following dimensions of well-being:

41.25 (1) physically, including sleep disturbances, eye strain, headaches, obesity, back and  
 41.26 neck pain, and physiological changes in the brain;

41.27 (2) mentally, including depression, anxiety, suicidal ideation, and addictive tendencies;

41.28 (3) socially, including loneliness, social upward mobility comparison, nomophobia,  
 41.29 sexting, cyberbullying, unfiltered access to pornography, and diminished social and  
 41.30 interpersonal skills;

42.1 (4) emotionally, including emotional dysregulation, decreased ability to express empathy,  
 42.2 and lowered self-esteem; and

42.3 (5) cognitive distraction, including diminished academic performance, decreased working  
 42.4 memory, decrease in cognitive capacity and functioning, and increase in ADHD.

42.5 (b) The effects of screen overuse and misuse impact every generation, gender, race, and  
 42.6 social class. Technology poses a greater detriment to underserved populations on social  
 42.7 mobility comparisons, academic achievement, distraction by devices in the learning  
 42.8 environment, compromised use of technology as a learning tool, reduced social and emotional  
 42.9 learning skills, and lower levels of learning motivation and self-confidence.

42.10 (c) The negative effects of social media on young people include sleep disruption,  
 42.11 increased cyberbullying and rumor spreading, increased depression and anxiety, declines  
 42.12 in life satisfaction, loss of interest in daily activities with peers, increased tendency to send  
 42.13 sexualized images, suicidal ideation, self-harming, and obesity.

42.14 (d) The commissioner of education must award a grant to LiveMore ScreenLess, a  
 42.15 Minnesota-based organization that collaborates with communities to promote digital  
 42.16 well-being. LiveMore ScreenLess must use the grant funds as described in subdivisions 2  
 42.17 to 5.

42.18 Subd. 2. **Digital well-being resource hub.** The grant to LiveMore ScreenLess must be  
 42.19 used to support the development of a library of resources for young people, parents, schools,  
 42.20 after-school programs, and community-based organizations to serve Minnesota as the  
 42.21 premiere resource for promoting digital well-being.

42.22 Subd. 3. **Network of organizations.** LiveMore ScreenLess must identify key local and  
 42.23 national organizations focused on particular aspects of healthy screen use and healthy youth  
 42.24 development, including the issues of cyberbullying, suicide prevention, mental health,  
 42.25 antipornography, mindfulness, and social and emotional learning, in order to create a robust  
 42.26 network for addressing digital well-being. LiveMore ScreenLess must collaborate, coordinate,  
 42.27 and build upon Minnesota organizations and resources to address the effects of screen  
 42.28 overuse and misuse with other advocates of young people.

42.29 Subd. 4. **Train-the-trainer series.** LiveMore ScreenLess must implement the digital  
 42.30 well-being train-the-trainer series for all Minnesotans serving and advocating for young  
 42.31 people in Minnesota, including youth development and leadership organizations, schools,  
 42.32 community-based organizations, government sectors, and other related agencies.

43.1 Subd. 5. Peer-to-peer training development. LiveMore ScreenLess must deliver  
43.2 peer-to-peer training to develop young people as mentors and leaders to advocate and  
43.3 promote digital well-being among their peers and younger students.

43.4 Sec. 36. EDUCATION SAVINGS ACCOUNTS FOR STUDENTS ACT.

43.5 Subdivision 1. Title. This act will be known as the "Education Savings Accounts for  
43.6 Students Act."

43.7 Subd. 2. Definitions. (a) For the purposes of this section, the following terms have the  
43.8 meanings given them.

43.9 (b) "Commissioner" means the commissioner of education.

43.10 (c) "Department" means the Department of Education.

43.11 (d) "Educational service provider" means an eligible school, tutor, or other person or  
43.12 organization that provides education-related services and products to participating students.  
43.13 The eligible student's parent shall not be an educational service provider for that student.

43.14 (e) "Eligible school" means a nonpublic school where a student can fulfill compulsory  
43.15 education requirements and that is recognized by the commissioner or accredited by an  
43.16 accrediting agency recognized by the Minnesota Nonpublic Education Council under  
43.17 Minnesota Statutes, section 123B.445, paragraph (a). An eligible school does not include  
43.18 a home school under Minnesota Statutes, sections 120A.22, subdivision 4, and 120A.24.

43.19 (f) "Eligible student" means any student who resides in Minnesota and who attended a  
43.20 public school or a public charter school during the semester preceding participation in the  
43.21 program.

43.22 (g) "Parent" means a resident of this state who is a parent, legal guardian, custodian, or  
43.23 other person with the authority to act on behalf of the eligible student.

43.24 (h) "Postsecondary institution" means a college or university accredited by a state,  
43.25 regional, or national accrediting organization.

43.26 (i) "Program" means a program to implement education savings accounts (ESAs).

43.27 (j) "Tutor" means a person who (1) is certified or licensed by a state, regional, or national  
43.28 certification or licensing organization to teach, (2) has earned a valid teacher's license, or  
43.29 (3) has experience teaching at a postsecondary institution.

43.30 Subd. 3. Education savings account (ESA) program. (a) An eligible student qualifies  
43.31 to participate in the program if the student's parent signs an agreement:

44.1 (1) to arrange for the provision of organized, appropriate educational services with  
44.2 measurable goals to the participating student in at least the subjects of reading, writing,  
44.3 mathematics, social studies, and science; and

44.4 (2) to not enroll the participating student in a public school or a public charter school  
44.5 for as long as the student is participating in the program.

44.6 (b) A parent shall use the funds deposited in a participating student's ESA for any of the  
44.7 following qualifying expenses to educate the student using any of the methods or combination  
44.8 of methods in this paragraph that meet the requirement in paragraph (a), clause (1):

44.9 (1) tuition and fees at an eligible school;

44.10 (2) payment to a tutor;

44.11 (3) payment for purchase of curriculum, including any textbooks and supplemental  
44.12 materials required by the curriculum;

44.13 (4) fees for transportation to and from an educational service provider paid to a  
44.14 fee-for-service transportation provider;

44.15 (5) tuition and fees for online learning programs or courses;

44.16 (6) fees for nationally standardized norm-referenced achievement tests, including alternate  
44.17 assessments, and fees for advanced placement examinations or similar courses and any  
44.18 examinations related to college or university admission;

44.19 (7) educational services or therapies from a licensed or certified practitioner or provider,  
44.20 including licensed or certified paraprofessionals or educational aides;

44.21 (8) services provided by a public school, including individual classes and extracurricular  
44.22 programs;

44.23 (9) tuition, fees, and textbooks at a postsecondary institution;

44.24 (10) no more than \$300 in annual consumable school supplies necessary for the student's  
44.25 education; or

44.26 (11) computer hardware and software and other technological devices if an eligible  
44.27 school, tutor, educational service provider, or licensed medical professional verifies in  
44.28 writing that these items are necessary for the student to meet annual, measurable goals.

44.29 (c) Neither a participating student nor anyone on the student's behalf may receive cash  
44.30 or cash-equivalent items, such as gift cards or store credit, from refunds or rebates from a  
44.31 provider of services or products in this program. Refunds or rebates shall be credited directly

45.1 to the participating student's ESA. The funds in an ESA may only be used for  
45.2 education-related purposes. Eligible schools, postsecondary institutions, and educational  
45.3 service providers that serve participating students shall provide parents with a receipt for  
45.4 all qualifying expenses.

45.5 (d) Payment for educational services through an ESA shall not preclude parents from  
45.6 paying for educational services using non-ESA funds.

45.7 (e) For purposes of continuity of educational attainment, students who enroll in the  
45.8 program shall remain eligible to receive monthly ESA payments until the participating  
45.9 student returns to a public school, graduates from high school, or completes the school year  
45.10 in which the student reaches the age of 21, whichever occurs first.

45.11 (f) Any funds remaining in a student's ESA upon graduation from high school may be  
45.12 used to attend or take courses from a postsecondary institution, with qualifying expenses  
45.13 subject to the applicable conditions in paragraph (b).

45.14 (g) Upon the participating student's graduation from a postsecondary institution or after  
45.15 any period of four consecutive years after graduation from high school that the student is  
45.16 not enrolled in a postsecondary institution, the participating student's ESA shall be closed  
45.17 and any remaining funds shall be returned to the state general fund.

45.18 (h) A participating student shall be allowed to return to the resident school district at  
45.19 any time after enrolling in the program, according to rules adopted by the commissioner  
45.20 providing for the least disruptive process for doing so. Upon a participating student's return  
45.21 to the resident school district, the student's ESA shall be closed and any remaining funds  
45.22 shall be returned to the state general fund.

45.23 (i) The commissioner shall begin accepting applications for the program on July 1, 2022.

45.24 Subd. 4. **Funding.** (a) The commissioner shall determine the amount to be deposited in  
45.25 each student's ESA on a first-come, first-served basis. The commissioner shall calculate the  
45.26 following to determine the ESA amount: the statewide average general education aid per  
45.27 adjusted pupil unit.

45.28 (b) The information in paragraph (a) must be provided by the school in the form required  
45.29 by the commissioner.

45.30 Subd. 5. **District aid adjustment.** The commissioner shall make a onetime adjustment  
45.31 to a serving school district's general education aid in the fiscal year following a participating  
45.32 student's withdrawal from the district. The commissioner shall increase the district's general  
45.33 education aid for each participating student who withdrew from the district by an amount

46.1 equal to ten percent of the statewide average general education revenue per adjusted pupil  
46.2 unit for the previous fiscal year.

46.3 Subd. 6. **Administration.** (a) The commissioner shall create a standard form that parents  
46.4 of students may submit to establish the student's eligibility for an ESA. The commissioner  
46.5 shall ensure that the application is readily available to interested families through various  
46.6 sources, including the department's website, and a copy of procedural safeguards annually  
46.7 given to parents.

46.8 (b) The commissioner shall provide parents of participating students with a written  
46.9 explanation of the allowable uses of ESAs, the responsibilities of parents, and the duties of  
46.10 the commissioner. The information shall also be made available on the department's website.

46.11 (c) The commissioner shall annually notify all students who are eligible to participate  
46.12 of the existence of the program and shall ensure that low-income families are made aware  
46.13 of their potential eligibility.

46.14 (d) The commissioner may deduct up to three percent from appropriations made to fund  
46.15 ESAs to cover the costs of overseeing and administering the program.

46.16 (e) The commissioner shall make payments to the ESAs of participating students on a  
46.17 monthly basis unless there is evidence of misuse of the ESA pursuant to this subdivision.

46.18 (f) The commissioner shall make a determination of eligibility and shall approve the  
46.19 application within 45 business days of receiving an application for participation in the  
46.20 program.

46.21 Subd. 7. **ESA establishment.** (a) To ensure that funds are spent appropriately, the  
46.22 commissioner shall adopt rules and policies necessary for the administration of the program,  
46.23 including the auditing of ESAs, and shall conduct or contract for random audits throughout  
46.24 the year.

46.25 (b) Beginning with the 2022-2023 school year, the commissioner shall issue ESA cards  
46.26 to parents making expenditures under this section on behalf of a participating student. ESA  
46.27 cards shall be issued to parents upon enrollment in the program and shall expire when the  
46.28 participating student's ESA is closed, except for the periodic expiration and replacement of  
46.29 cards in the normal course of business. All unexpended amounts shall remain in the student's  
46.30 ESA and be combined with the following year's allocation of ESA funds, subject to  
46.31 subdivision 3, paragraphs (f) and (g).

46.32 (c) The commissioner, taking into consideration requests from the parents of participating  
46.33 students, shall use merchant category classification (MCC) codes, or a similar system as

47.1 practicable and consistent with current technology, to identify categories of providers that  
47.2 provide services and products consistent with subdivision 3, paragraph (b). The commissioner  
47.3 shall make a list of blocked and unblocked MCC codes publicly available for purposes of  
47.4 the program.

47.5 (d) The commissioner shall adopt a process for removing educational service providers  
47.6 that defraud parents and for referring cases of fraud to law enforcement.

47.7 (e) The commissioner shall establish or contract for the establishment of an online,  
47.8 anonymous fraud-reporting service and an anonymous telephone hotline for fraud reporting.

47.9 (f) The commissioner shall adopt rules implementing policies on misspending of ESA  
47.10 funds.

47.11 (g) Any amount not spent in the allowable categories pursuant to the agreement will  
47.12 cause the ESA card to be temporarily suspended and the parent contacted within five business  
47.13 days by United States mail at the parent's home address explaining the suspension, detailing  
47.14 the violation, and requesting the parent to:

47.15 (1) provide additional documentation within 15 business days justifying the expenditure;  
47.16 or

47.17 (2) repay the misspent amount within 15 business days.

47.18 (h) If the parent does not provide sufficient documentation and refuses to repay the  
47.19 amount, the commissioner shall begin the removal process and shall seek to recover the  
47.20 misspent funds using administrative measures or other appropriate measures, including  
47.21 referral to collections, seeking a civil judgment, or referral to law enforcement.

47.22 (i) If the parent repays the amount within the requested time frame, then the offense will  
47.23 be recorded and held in the parent's file.

47.24 (j) Three offenses within a consecutive three-year period shall disqualify the student  
47.25 from participating in the program.

47.26 (k) If the commissioner determines that a parent has failed to comply with the terms of  
47.27 the agreement as specified in subdivision 3, the commissioner shall suspend the participating  
47.28 student's ESA. The commissioner shall notify the parent in writing within five business  
47.29 days that the ESA has been suspended and that no further transactions will be allowed or  
47.30 disbursements made. The notification shall specify the reason for the suspension and state  
47.31 that the parent has 21 business days to respond and take corrective action.

48.1 (l) If the parent fails to respond to the commissioner, furnish reasonable and necessary  
 48.2 information, or make a report that may be required for reinstatement within the 21-day  
 48.3 period, the commissioner may remove the participating student from the program.

48.4 (m) The decision of the commissioner under this section is subject to judicial review  
 48.5 under Minnesota Statutes, sections 14.63 to 14.69. The decision of the commissioner is  
 48.6 stayed pending an appeal.

48.7 (n) The commissioner shall refer cases of substantial misuse of funds to law enforcement  
 48.8 agencies for investigation if evidence of fraudulent intent and use of an ESA is obtained.

48.9 Subd. 8. **Scope.** An eligible nonpublic school is autonomous and not an agent of the  
 48.10 state or federal government, and therefore:

48.11 (1) the commissioner, department, or any other government agency shall not in any way  
 48.12 regulate the educational program of a nonpublic school or educational service provider that  
 48.13 accepts funds from the parent of a participating student;

48.14 (2) the creation of the program does not expand the regulatory authority of the state, its  
 48.15 officers, or any school district to impose any additional regulation of nonpublic schools or  
 48.16 educational service providers beyond those necessary to enforce the requirements of the  
 48.17 program; and

48.18 (3) eligible schools and educational service providers shall be given the maximum  
 48.19 freedom to provide for the educational needs of their students without governmental control.  
 48.20 No eligible school or educational service provider shall be required to alter its creed,  
 48.21 practices, admission policies, or curriculum in order to accept participating students.

48.22 Subd. 9. **Severability.** If any provision of this law or its application is found to be  
 48.23 unconstitutional and void, the remaining provisions or applications of this law that can be  
 48.24 given effect without the invalid provision or application are valid.

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

48.26 **Sec. 37. APPROPRIATIONS.**

48.27 Subdivision 1. **Department of Education.** The sums indicated in this section are  
 48.28 appropriated from the general fund to the Department of Education for the fiscal years  
 48.29 designated.

48.30 Subd. 2. **Achievement and integration aid.** For achievement and integration aid under  
 48.31 Minnesota Statutes, section 124D.862:



49.1           \$       83,930,000   ..... 2022

49.2           \$       83,228,000   ..... 2023

49.3       The 2022 appropriation includes \$8,868,000 for 2021 and \$75,062,000 for 2022.

49.4       The 2023 appropriation includes \$8,340,000 for 2022 and \$74,888,000 for 2023.

49.5           Subd. 3. **Interdistrict desegregation or integration transportation grants.** For  
 49.6 interdistrict desegregation or integration transportation grants under Minnesota Statutes,  
 49.7 section 124D.87:

49.8           \$       12,319,000   ..... 2022

49.9           \$       14,822,000   ..... 2023

49.10       Subd. 4. **Literacy incentive aid.** For literacy incentive aid under Minnesota Statutes,  
 49.11 section 124D.98:

49.12         \$       45,103,000   ..... 2022

49.13         \$       45,964,000   ..... 2023

49.14       The 2022 appropriation includes \$4,463,000 for 2021 and \$40,640,000 for 2022.

49.15       The 2023 appropriation includes \$4,515,000 for 2022 and \$41,449,000 for 2023.

49.16       Subd. 5. **Tribal contract school aid.** For tribal contract school aid under Minnesota  
 49.17 Statutes, section 124D.83:

49.18         \$       2,634,000   ..... 2022

49.19         \$       2,936,000   ..... 2023

49.20       The 2022 appropriation includes \$240,000 for 2021 and \$2,394,000 for 2022.

49.21       The 2023 appropriation includes \$266,000 for 2022 and \$2,670,000 for 2023.

49.22       Subd. 6. **American Indian education aid.** For American Indian education aid under  
 49.23 Minnesota Statutes, section 124D.81, subdivision 2a:

49.24         \$       11,358,000   ..... 2022

49.25         \$       11,774,000   ..... 2023

49.26       The 2022 appropriation includes \$1,102,000 for 2021 and \$10,256,000 for 2022.

49.27       The 2023 appropriation includes \$1,139,000 for 2022 and \$10,635,000 for 2023.

49.28       Subd. 7. **ServeMinnesota program.** (a) For funding ServeMinnesota programs under  
 49.29 Minnesota Statutes, sections 124D.37 to 124D.45:

49.30         \$       900,000       ..... 2022

49.31         \$       900,000       ..... 2023

50.1 (b) A grantee organization may provide health and child care coverage to the dependents  
 50.2 of each participant enrolled in a full-time ServeMinnesota program to the extent such  
 50.3 coverage is not otherwise available. Any balance in the first year does not cancel but is  
 50.4 available in the second year.

50.5 Subd. 8. **Early childhood literacy programs.** (a) For early childhood literacy programs  
 50.6 under Minnesota Statutes, section 119A.50, subdivision 3:

50.7 \$ 7,950,000 ..... 2022

50.8 \$ 7,950,000 ..... 2023

50.9 (b) Up to \$7,950,000 each year is for leveraging federal and private funding to support  
 50.10 AmeriCorps members serving in the Minnesota reading corps program established by  
 50.11 ServeMinnesota, including costs associated with training and teaching early literacy skills  
 50.12 to children ages three through grade 3 and evaluating the impact of the program under  
 50.13 Minnesota Statutes, sections 124D.38, subdivision 2, and 124D.42, subdivision 6.

50.14 (c) Any balance in the first year does not cancel but is available in the second year.

50.15 Subd. 9. **Minnesota math corps program.** (a) For the Minnesota math corps program  
 50.16 under Minnesota Statutes, section 124D.42, subdivision 9:

50.17 \$ 500,000 ..... 2022

50.18 \$ 500,000 ..... 2023

50.19 (b) Any balance in the first year does not cancel but is available in the second year.

50.20 Subd. 10. **Student organizations.** (a) For student organizations:

50.21 \$ 768,000 ..... 2022

50.22 \$ 768,000 ..... 2023

50.23 (b) \$46,000 each year is for student organizations serving health occupations (HOSA).

50.24 (c) \$100,000 each year is for student organizations serving trade and industry occupations  
 50.25 (Skills USA, secondary and postsecondary).

50.26 (d) \$95,000 each year is for student organizations serving business occupations (BPA,  
 50.27 secondary and postsecondary).

50.28 (e) \$193,000 each year is for student organizations serving agriculture occupations (FFA,  
 50.29 PAS).

50.30 (f) \$185,000 each year is for student organizations serving family and consumer science  
 50.31 occupations (FCCLA). Notwithstanding Minnesota Rules, part 3505.1000, subparts 28 and

51.1 31, the student organizations serving FCCLA shall continue to serve students younger than  
 51.2 grade 9.

51.3 (g) \$109,000 each year is for student organizations serving marketing occupations (DECA  
 51.4 and DECA collegiate).

51.5 (h) \$40,000 each year is for the Minnesota Foundation for Student Organizations.

51.6 (i) Any balance in the first year does not cancel but is available in the second year.

51.7 Subd. 11. **Museums and education centers.** (a) For grants to museums and education  
 51.8 centers:

51.9 \$ 460,000 ..... 2022

51.10 \$ 460,000 ..... 2023

51.11 (b) \$269,000 each year is for the Minnesota Children's Museum.

51.12 (c) \$50,000 each year is for the Children's Museum of Rochester.

51.13 (d) \$50,000 each year is for the Duluth Children's Museum.

51.14 (e) \$41,000 each year is for the Minnesota Academy of Science.

51.15 (f) \$50,000 each year is for the Headwaters Science Center.

51.16 (g) Any balance in the first year does not cancel but is available in the second year.

51.17 (h) The base for fiscal year 2024 and later is \$510,000. The base for fiscal year 2024  
 51.18 and later is for the museums and amounts indicated in paragraphs (b) through (f), and  
 51.19 includes \$50,000 each year for the Children's Museum of Southern Minnesota.

51.20 Subd. 12. **Starbase MN.** (a) For a grant to Starbase MN for a rigorous science,  
 51.21 technology, engineering, and math (STEM) program providing students in grades 4 through  
 51.22 6 with a multisensory learning experience and a hands-on curriculum in an aerospace  
 51.23 environment using state-of-the-art technology:

51.24 \$ 500,000 ..... 2022

51.25 \$ 500,000 ..... 2023

51.26 (b) Any balance in the first year does not cancel but is available in the second year.

51.27 Subd. 13. **Recovery program grants.** (a) For recovery program grants under Minnesota  
 51.28 Statutes, section 124D.695:

51.29 \$ 750,000 ..... 2022

51.30 \$ 750,000 ..... 2023

52.1 (b) Any balance in the first year does not cancel but is available in the second year.

52.2 Subd. 14. **Minnesota Principals Academy.** (a) For grants to the University of Minnesota  
 52.3 College of Education and Human Development for the operation of the Minnesota Principals  
 52.4 Academy:

52.5 \$ 200,000 ..... 2022

52.6 \$ 200,000 ..... 2023

52.7 (b) Of these amounts, \$50,000 must be used to pay the costs of attendance for principals  
 52.8 and school leaders from schools identified for intervention under the state's accountability  
 52.9 system as implemented to comply with the federal Every Student Succeeds Act. To the  
 52.10 extent funds are available, the Department of Education is encouraged to use up to \$200,000  
 52.11 of federal Title II funds to support additional participation in the Principals Academy by  
 52.12 principals and school leaders from schools identified for intervention under the state's  
 52.13 accountability system as implemented to comply with the federal Every Student Succeeds  
 52.14 Act.

52.15 (c) The Principals Academy must provide participating principals and school leaders  
 52.16 with information on, or instruction in, the language essentials for teachers of reading and  
 52.17 spelling program and other comprehensive, scientifically based reading instruction as defined  
 52.18 in Minnesota Statutes, section 122A.06.

52.19 (d) Any balance in the first year does not cancel but is available in the second year.

52.20 Subd. 15. **Charter school building lease aid.** For building lease aid under Minnesota  
 52.21 Statutes, section 124E.22:

52.22 \$ 93,242,000 ..... 2022

52.23 \$ 99,545,000 ..... 2023

52.24 The 2022 appropriation includes \$8,617,000 for 2021 and \$84,625,000 for 2022.

52.25 The 2023 appropriation includes \$9,402,000 for 2022 and \$90,143,000 for 2023.

52.26 Subd. 16. **Statewide testing and reporting system.** (a) For the statewide testing and  
 52.27 reporting system under Minnesota Statutes, section 120B.30:

52.28 \$ 9,692,000 ..... 2022

52.29 \$ 9,692,000 ..... 2023

52.30 (b) Any balance in the first year does not cancel but is available in the second year.

52.31 (c) The base for fiscal year 2024 and later is \$10,892,000.

53.1 Subd. 17. Examination fees; teacher training and support programs. (a) For students'  
 53.2 advanced placement and international baccalaureate examination fees under Minnesota  
 53.3 Statutes, section 120B.13, subdivision 3, and the training and related costs for teachers and  
 53.4 other interested educators under Minnesota Statutes, section 120B.13, subdivision 1:

53.5           \$        4,500,000   ..... 2022

53.6           \$        4,500,000   ..... 2023

53.7           (b) The advanced placement program shall receive 75 percent of the appropriation each  
 53.8 year and the international baccalaureate program shall receive 25 percent of the appropriation  
 53.9 each year. The department, in consultation with representatives of the advanced placement  
 53.10 and international baccalaureate programs selected by the Advanced Placement Advisory  
 53.11 Council and International Baccalaureate Minnesota, respectively, shall determine the amounts  
 53.12 of the expenditures each year for examination fees and training and support programs for  
 53.13 each program.

53.14           (c) Notwithstanding Minnesota Statutes, section 120B.13, subdivision 1, at least \$500,000  
 53.15 each year is for teachers to attend subject matter summer training programs and follow-up  
 53.16 support workshops approved by the advanced placement or international baccalaureate  
 53.17 programs. The amount of the subsidy for each teacher attending an advanced placement or  
 53.18 international baccalaureate summer training program or workshop shall be the same. The  
 53.19 commissioner shall determine the payment process and the amount of the subsidy.

53.20           (d) The commissioner shall pay all examination fees for all students of low-income  
 53.21 families under Minnesota Statutes, section 120B.13, subdivision 3, and to the extent of  
 53.22 available appropriations, shall also pay examination fees for students sitting for an advanced  
 53.23 placement examination, international baccalaureate examination, or both.

53.24           (e) Any balance in the first year does not cancel but is available in the second year.

53.25           Subd. 18. Grants to increase science, technology, engineering, and math course  
 53.26 offerings. (a) For grants to schools to encourage low-income and other underserved students  
 53.27 to participate in advanced placement and international baccalaureate programs according  
 53.28 to Minnesota Statutes, section 120B.132:

53.29           \$        250,000   ..... 2022

53.30           \$        250,000   ..... 2023

53.31           (b) Any balance in the first year does not cancel but is available in the second year.

53.32           (c) The commissioner must consider grant applications from schools located in greater  
 53.33 Minnesota and from schools located in the seven-county metropolitan area.

54.1 Subd. 19. Rural career and technical education consortium. (a) To the Minnesota  
 54.2 Service Cooperatives for rural career and technical education consortium grants under  
 54.3 Minnesota Statutes, section 124D.4536:

54.4 \$ 5,000,000 ..... 2022

54.5 \$ 5,000,000 ..... 2023

54.6 (b) If the appropriation in the first year is insufficient, the 2023 appropriation is available.  
 54.7 Any balance in the first year does not cancel but is available in the second year.

54.8 Subd. 20. Concurrent enrollment aid. (a) For concurrent enrollment aid under  
 54.9 Minnesota Statutes, section 124D.091:

54.10 \$ 4,000,000 ..... 2022

54.11 \$ 4,000,000 ..... 2023

54.12 (b) If the appropriation is insufficient, the commissioner must proportionately reduce  
 54.13 the aid payment to each school district.

54.14 (c) Any balance in the first year does not cancel but is available in the second year.

54.15 Subd. 21. P-TECH schools. (a) For P-TECH support grants under Minnesota Statutes,  
 54.16 section 124D.093, subdivision 5:

54.17 \$ 791,000 ..... 2022

54.18 \$ 791,000 ..... 2023

54.19 (b) The amounts in this subdivision are for grants to a public-private partnership that  
 54.20 includes Independent School District No. 535, Rochester.

54.21 (c) Any balance in the first year does not cancel but is available in the second year.

54.22 (d) The base for fiscal year 2024 and later is \$791,000 for a public-private partnership  
 54.23 that includes Independent School District No. 535, Rochester.

54.24 Subd. 22. College entrance examination reimbursement. (a) To reimburse districts  
 54.25 for students who qualify under Minnesota Statutes, section 120B.30, subdivision 1, paragraph  
 54.26 (e), for payment of their college entrance examination fee:

54.27 \$ 1,011,000 ..... 2022

54.28 \$ 1,011,000 ..... 2023

54.29 (b) The commissioner must reimburse school districts for the costs for free or  
 54.30 reduced-price meal eligible students who take the ACT or SAT test under Minnesota Statutes,  
 54.31 section 120B.30, subdivision 1.

55.1 (c) Any balance in the first year does not cancel but is available in the second year.

55.2 Subd. 23. **Minnesota Independence College and Community.** (a) For transfer to the  
 55.3 Office of Higher Education for grants to Minnesota Independence College and Community  
 55.4 for tuition reduction and institutional support:

55.5 \$ 625,000 ..... 2022

55.6 \$ 625,000 ..... 2023

55.7 (b) Any balance in the first year does not cancel but is available in the second year.

55.8 Subd. 24. **Sanneh Foundation.** (a) For grants to the Sanneh Foundation for purposes  
 55.9 of paragraph (b):

55.10 \$ 1,000,000 ..... 2022

55.11 \$ 1,000,000 ..... 2023

55.12 (b) The grants to the Sanneh Foundation must be directed toward programs for  
 55.13 low-performing and chronically absent students with a focus on low-income students and  
 55.14 students of color. The goals of the grants include decreasing absenteeism, encouraging  
 55.15 school engagement, improving grades, and improving graduation rates. The grants may be  
 55.16 used to:

55.17 (1) provide all-day, in-school academic and behavioral interventions and social and  
 55.18 emotional learning throughout the school year;

55.19 (2) provide year-round, out-of-school behavioral, social, and emotional learning  
 55.20 interventions and enrichment activities;

55.21 (3) enhance career exploration opportunities, including exposure to businesses and  
 55.22 business activities; and

55.23 (4) develop pathways in cooperation with business higher education partners for  
 55.24 participants to pursue careers in education and youth development.

55.25 (c) Any balance in the first year does not cancel but is available in the second year. The  
 55.26 base for fiscal year 2024 and later is \$0.

55.27 Subd. 25. **Digital well-being.** (a) For a grant to LiveMore ScreenLess to promote digital  
 55.28 well-being:

55.29 \$ 1,500,000 ..... 2022

55.30 \$ 0 ..... 2023

55.31 (b) Prior to receiving funds under this subdivision, LiveMore ScreenLess must submit  
 55.32 a proposed budget and timeline for expenditure of grant funds to the commissioner. LiveMore

56.1 ScreenLess must submit regular progress reports in a form and manner determined by the  
 56.2 commissioner in each year of the grant, which may include financial reconciliation of  
 56.3 expenditures made by LiveMore ScreenLess.

56.4 (c) By January 15 of each year, LiveMore ScreenLess must submit a report detailing  
 56.5 expenditures, activities, and outcomes to the commissioner and the chairs and ranking  
 56.6 minority members of the legislative committees with primary jurisdiction over kindergarten  
 56.7 through grade 12 education policy and finance.

56.8 (d) Any balance in the first year does not cancel but is available in the second year. The  
 56.9 base for fiscal year 2024 and later is \$0.

56.10 Subd. 26. **Education savings accounts.** (a) For education savings accounts development  
 56.11 and funding:

56.12 \$ 2,245,000 ..... 2022

56.13 \$ 74,186,000 ..... 2023

56.14 (b) Any balance in the first year does not cancel but is available in the second year.

56.15 Subd. 27. **Online access to music education.** (a) For a grant to the MacPhail Center for  
 56.16 Music to broaden access to music education in Minnesota:

56.17 \$ 150,000 ..... 2022

56.18 \$ 150,000 ..... 2023

56.19 (b) The MacPhail Center must use the grants received under paragraph (a) to broaden  
 56.20 access to music education in Minnesota. The program must supplement and enhance an  
 56.21 existing program and may provide individual instruction, sectional ensembles, and other  
 56.22 group activities, workshops, and early childhood music activities. The MacPhail Center  
 56.23 must design its program in consultation with the Department of Education arts education  
 56.24 specialist under Minnesota Statutes, section 127A.155. The grants may be used by the  
 56.25 MacPhail Center for employee costs and for any related travel costs.

56.26 (c) Upon request from a school's music educator, the MacPhail Center may enter into  
 56.27 an agreement with the school to provide a program according to paragraph (b). In an early  
 56.28 childhood setting, the MacPhail Center may provide a program upon a request initiated by  
 56.29 an early childhood educator.

56.30 (d) By January 15 of each year, the MacPhail Center shall prepare and submit a report  
 56.31 to the legislative committees with jurisdiction over education finance describing the online  
 56.32 programs offered, program outcomes, the students served, an estimate of the unmet need  
 56.33 for music education, and a detailed list of expenditures for the previous year.



57.1 (e) The base for fiscal year 2024 and later is \$0.

57.2 Sec. 38. REVISOR INSTRUCTION.

57.3 (a) The revisor of statutes shall codify section 33 as Minnesota Statutes, section 124D.901.

57.4 (b) The revisor of statutes shall renumber each section of Minnesota Statutes listed in  
 57.5 column A with the number listed in column B. The revisor shall also make necessary  
 57.6 cross-reference changes consistent with the renumbering. The revisor shall also make any  
 57.7 technical language and other changes necessitated by the renumbering and cross-reference  
 57.8 changes in this act.

57.9	<u>Column A</u>	<u>Column B</u>
57.10	<u>General Requirements Statewide Assessments</u>	
57.11	<u>120B.30, subdivision 1a, paragraph (h)</u>	<u>120B.30, subdivision 1</u>
57.12	<u>120B.30, subdivision 1, paragraph (q)</u>	<u>120B.30, subdivision 2</u>
57.13	<u>120B.30, subdivision 1a, paragraph (g)</u>	<u>120B.30, subdivision 3</u>
57.14	<u>120B.30, subdivision 1b</u>	<u>120B.30, subdivision 4</u>
57.15	<u>120B.30, subdivision 1, paragraph (n)</u>	<u>120B.30, subdivision 5, paragraph (a)</u>
57.16	<u>120B.30, subdivision 1, paragraph (a)</u>	<u>120B.30, subdivision 5, paragraph (b)</u>
57.17	<u>120B.30, subdivision 1a, paragraph (e)</u>	<u>120B.30, subdivision 6, paragraph (a)</u>
57.18	<u>120B.30, subdivision 2, paragraph (a)</u>	<u>120B.30, subdivision 6, paragraph (b)</u>
57.19	<u>120B.30, subdivision 2, paragraph (b),</u>	<u>120B.30, subdivision 6, paragraph (c)</u>
57.20	<u>clauses (1) and (2)</u>	
57.21	<u>120B.30, subdivision 2</u>	<u>120B.30, subdivision 6, paragraph (d)</u>
57.22	<u>120B.30, subdivision 4</u>	<u>120B.30, subdivision 7</u>
57.23	<u>120B.30, subdivision 5</u>	<u>120B.30, subdivision 8</u>
57.24	<u>120B.30, subdivision 6</u>	<u>120B.30, subdivision 9</u>
57.25	<u>120B.30, subdivision 1, paragraph (e)</u>	<u>120B.30, subdivision 10</u>
57.26	<u>General Requirements Test Design</u>	
57.27	<u>120B.30, subdivision 1a, paragraph (a),</u>	<u>120B.301, subdivision 1</u>
57.28	<u>clauses (1) to (5)</u>	
57.29	<u>120B.30, subdivision 1, paragraph (a)</u>	<u>120B.301, subdivision 2</u>
57.30	<u>120B.30, subdivision 1, paragraph (b)</u>	<u>120B.301, subdivision 3, paragraph (a)</u>
57.31	<u>120B.30, subdivision 1, paragraph (n)</u>	<u>120B.301, subdivision 3, paragraph (b)</u>
57.32	<u>120B.30, subdivision 1a, paragraph (b)</u>	<u>120B.301, subdivision 3, paragraph (c)</u>
57.33	<u>120B.30, subdivision 1a, paragraph (c),</u>	<u>120B.301, subdivision 3, paragraph (d)</u>
57.34	<u>clauses (1) and (2)</u>	
57.35	<u>Assessment Graduation Requirements</u>	
57.36	<u>120B.30, subdivision 1, paragraph (c),</u>	<u>120B.304, subdivision 1</u>
57.37	<u>clauses (1) and (2)</u>	

58.1 120B.30, subdivision 1, paragraph (d) 120B.304, subdivision 2

58.2 120B.30, subdivision 1, paragraph (i) 120B.304, subdivision 3

58.3 Assessment Reporting Requirements

58.4 120B.30, subdivision 1a, paragraph (f), 120B.305, subdivision 1  
58.5 clauses (1) to (3)

58.6 120B.30, subdivision 1a, paragraph (d), 120B.305, subdivision 2, paragraph (a)  
58.7 clauses (1) to (4)

58.8 120B.30, subdivision 1, paragraph (m) 120B.305, subdivision 2, paragraph (b)

58.9 120B.30, subdivision 1, paragraph (n) 120B.305, subdivision 2, paragraph (c)

58.10 120B.30, subdivision 1, paragraph (o), 120B.305, subdivision 3, paragraph (a)  
58.11 clauses (1) to (4)

58.12 120B.30, subdivision 3 120B.305, subdivision 3, paragraph (b)

58.13 District Assessment Requirements

58.14 120B.301, paragraphs (a) to (c) 120B.306, subdivision 1

58.15 120B.304, paragraphs (a) and (b) 120B.306, subdivision 2

58.16 College and Career Readiness

58.17 120B.30, subdivision 1, paragraph (p) 120B.307, subdivision 1

58.18 120B.30, subdivision 1, paragraph (d) 120B.307, subdivision 2

58.19 120B.30, subdivision 1, paragraph (f) 120B.307, subdivision 3

58.20 120B.30, subdivision 1, paragraph (g) 120B.307, subdivision 4, paragraph (a)

58.21 120B.30, subdivision 1, paragraph (h) 120B.307, subdivision 4, paragraph (b)

58.22 120B.30, subdivision 1, paragraph (j) 120B.307, subdivision 4, paragraph (c)

58.23 120B.30, subdivision 1, paragraph (k) 120B.307, subdivision 4, paragraph (d)

58.24 120B.30, subdivision 1, paragraph (l) 120B.307, subdivision 4, paragraph (e)

58.25 **Sec. 39. REPEALER.**

58.26 Minnesota Rules, part 3500.1000, is repealed.

58.27 **ARTICLE 3**

58.28 **TEACHERS**

58.29 Section 1. Minnesota Statutes 2020, section 121A.53, subdivision 2, is amended to read:

58.30 Subd. 2. **Report.** (a) The school board must include state student identification numbers  
58.31 of affected pupils on all dismissal and other disciplinary reports required by the department.  
58.32 The department must report annually to the commissioner summary data on the number of  
58.33 dismissals and physical assaults of district employees by a student by age, grade, gender,  
58.34 race, and special education status of the affected pupils. All dismissal and other disciplinary  
58.35 reports must be submitted through the department electronic reporting system.

59.1 (b) The commissioner must aggregate the district data reported under this section and  
59.2 include the aggregated data, including aggregated data on physical assaults of a district  
59.3 employee by a student, in the annual school performance reports under section 120B.36.

59.4 (c) A teacher that is physically assaulted by a student must receive a copy of the report  
59.5 to the commissioner submitted according to subdivision 1.

59.6 Sec. 2. Minnesota Statutes 2020, section 121A.61, subdivision 3, is amended to read:

59.7 Subd. 3. **Policy components.** The policy must include at least the following components:

59.8 (a) rules governing student conduct and procedures for informing students of the rules;

59.9 (b) the grounds for removal of a student from a class;

59.10 (c) the authority of the classroom teacher to remove students from the classroom pursuant  
59.11 to procedures and rules established in the district's policy;

59.12 (d) the procedures for removal of a student from a class by a teacher, school administrator,  
59.13 or other school district employee;

59.14 (e) the period of time for which a student may be removed from a class, which may not  
59.15 exceed five class periods for a violation of a rule of conduct;

59.16 (f) provisions relating to the responsibility for and custody of a student removed from  
59.17 a class;

59.18 (g) the procedures for return of a student to the specified class from which the student  
59.19 has been removed;

59.20 (h) the procedures for notifying a student and the student's parents or guardian of  
59.21 violations of the rules of conduct and of resulting disciplinary actions;

59.22 (i) any procedures determined appropriate for encouraging early involvement of parents  
59.23 or guardians in attempts to improve a student's behavior;

59.24 (j) any procedures determined appropriate for encouraging early detection of behavioral  
59.25 problems;

59.26 (k) any procedures determined appropriate for referring a student in need of special  
59.27 education services to those services;

59.28 (l) the procedures for consideration of whether there is a need for a further assessment  
59.29 or of whether there is a need for a review of the adequacy of a current individualized  
59.30 education program of a student with a disability who is removed from class;

60.1 (m) procedures for detecting and addressing chemical abuse problems of a student while  
60.2 on the school premises;

60.3 (n) the minimum consequences for violations of the code of conduct;

60.4 (o) procedures for immediate and appropriate interventions tied to violations of the code;

60.5 (p) a provision that states that a teacher, school employee, school bus driver, or other  
60.6 agent of a district may use reasonable force in compliance with section 121A.582 and other  
60.7 laws;

60.8 (q) an agreement regarding procedures to coordinate crisis services to the extent funds  
60.9 are available with the county board responsible for implementing sections 245.487 to  
60.10 245.4889 for students with a serious emotional disturbance or other students who have an  
60.11 individualized education program whose behavior may be addressed by crisis intervention;  
60.12 and

60.13 (r) a provision that states a student must be removed from class immediately if the student  
60.14 engages in assault or violent behavior. For purposes of this paragraph, "assault" has the  
60.15 meaning given it in section 609.02, subdivision 10. The removal shall be for a period of  
60.16 time deemed appropriate by the principal, in consultation with the teacher. The principal  
60.17 must remove the student from class for at least three school days following the day of the  
60.18 incident. A student may only return to the class from which they were removed after the  
60.19 student has been given assistance to prevent the inappropriate behavior from recurring.

60.20 Sec. 3. Minnesota Statutes 2020, section 121A.64, is amended to read:

60.21 **121A.64 NOTIFICATION; TEACHERS' AND PARAPROFESSIONALS'**  
60.22 **LEGITIMATE EDUCATIONAL INTEREST.**

60.23 (a) A classroom teacher has a legitimate educational interest in knowing which students  
60.24 placed in the teacher's classroom have a history of violent behavior, including any  
60.25 documented physical assault of a district employee by the student, and must be notified  
60.26 before such students are placed in the teacher's classroom.

60.27 (b) A paraprofessional assigned to work alone or on a regular basis with a student with  
60.28 a disability has a legitimate educational interest in knowing whether the student has a history  
60.29 of violent behavior, including any documented physical assault of a district employee by  
60.30 the student, and must be notified before being assigned to work with the student.

60.31 ~~(b)~~(c) Representatives of the school board and the exclusive representative of the teachers  
60.32 shall discuss issues related to the model policy on student records adopted under Laws 1999,

61.1 chapter 241, article 9, section 50, and any modifications adopted under Laws 2003, First  
61.2 Special Session chapter 9, for notifying classroom teachers and other school district  
61.3 employees having a legitimate educational interest in knowing about students with a history  
61.4 of violent behavior, including any documented physical assault of a district employee by  
61.5 students placed in classrooms. The representatives of the school board and the exclusive  
61.6 representative of the teachers also may discuss the need for intervention services or conflict  
61.7 resolution or training for staff related to placing students with a history of violent behavior  
61.8 in teachers' classrooms.

61.9 Sec. 4. Minnesota Statutes 2020, section 122A.06, is amended by adding a subdivision to  
61.10 read:

61.11 Subd. 9. **Professional license.** A "professional license" means a Tier 1, Tier 2, Tier 3,  
61.12 or Tier 4 teacher license issued by the Professional Educator Licensing and Standards Board  
61.13 in accordance with sections 122A.18 to 122A.184.

61.14 Sec. 5. Minnesota Statutes 2020, section 122A.092, is amended by adding a subdivision  
61.15 to read:

61.16 Subd. 9. **Agreements with out-of-state program providers.** The Professional Educator  
61.17 Licensing and Standards Board must encourage Minnesota teacher preparation providers  
61.18 to develop teacher preparation programs in licensure areas where no teacher preparation  
61.19 program exists in Minnesota. The board must encourage these programs to have at least 80  
61.20 percent of the required coursework available online. If an in-state approved teacher  
61.21 preparation program is not established for a teacher licensure area, the board must identify  
61.22 one or more out-of-state programs with national accreditation. The board is encouraged to  
61.23 identify out-of-state programs that have a majority of required coursework online and post  
61.24 program information on the board's website of approved licensure programs.

61.25 Sec. 6. Minnesota Statutes 2020, section 122A.181, subdivision 1, is amended to read:

61.26 Subdivision 1. **Application requirements.** The Professional Educator Licensing and  
61.27 Standards Board must approve a request from a district or charter school to issue a Tier 1  
61.28 license in a specified content area to a candidate if:

61.29 (1) the candidate meets the professional requirement in subdivision 2;

61.30 (2) the district or charter school affirms that the candidate has the necessary skills and  
61.31 knowledge to teach in the specified content area; and

61.32 (3) the district or charter school demonstrates that:

62.1 ~~(i)~~ a criminal background check under section 122A.18, subdivision 8, has been completed  
 62.2 on the candidate; ~~and~~

62.3 ~~(ii) the district or charter school has posted the teacher position but was unable to hire~~  
 62.4 ~~an acceptable teacher with a Tier 2, 3, or 4 license for the position.~~

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

62.6 Sec. 7. Minnesota Statutes 2020, section 122A.181, subdivision 3, is amended to read:

62.7 Subd. 3. **Term of license and renewal.** (a) The Professional Educator Licensing and  
 62.8 Standards Board must issue an initial Tier 1 license for a term of one year. A Tier 1 license  
 62.9 may be renewed subject to paragraphs (b) and (c). The board may submit written comments  
 62.10 to the district or charter school that requested the renewal regarding the candidate.

62.11 (b) The Professional Educator Licensing and Standards Board must renew a Tier 1  
 62.12 license if:

62.13 ~~(1) the district or charter school requesting the renewal demonstrates that it has posted~~  
 62.14 ~~the teacher position but was unable to hire an acceptable teacher with a Tier 2, 3, or 4 license~~  
 62.15 ~~for the position;~~

62.16 ~~(2)~~ (1) the teacher holding the Tier 1 license took a content examination in accordance  
 62.17 with section 122A.185 and submitted the examination results to the teacher's employing  
 62.18 district or charter school within one year of the board approving the request for the initial  
 62.19 Tier 1 license;

62.20 ~~(3)~~ (2) the teacher holding the Tier 1 license participated in cultural competency training  
 62.21 consistent with section 120B.30, subdivision 1, paragraph (q), within one year of the board  
 62.22 approving the request for the initial Tier 1 license; and

62.23 ~~(4)~~ (3) the teacher holding the Tier 1 license met the mental illness training renewal  
 62.24 requirement under section 122A.187, subdivision 6.

62.25 The requirement in clause ~~(2)~~ (1) does not apply to a teacher that teaches a class in a career  
 62.26 and technical education or career pathways course of study.

62.27 (c) A Tier 1 license must not be renewed more than three times, unless the requesting  
 62.28 district or charter school can show good cause for additional renewals. A Tier 1 license  
 62.29 issued to teach (1) a class or course in a career and technical education or career pathway  
 62.30 course of study or (2) in a shortage area, as defined in section 122A.06, subdivision 6, may  
 62.31 be renewed without limitation.

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

63.1 Sec. 8. Minnesota Statutes 2020, section 122A.40, subdivision 3, is amended to read:

63.2 Subd. 3. **Hiring, dismissing.** (a) School boards must hire or dismiss teachers at duly  
63.3 called meetings. Where a husband and wife, brother and sister, or two brothers or sisters,  
63.4 constitute a quorum, no contract employing a teacher shall be made or authorized except  
63.5 upon the unanimous vote of the full board. A teacher related by blood or marriage, within  
63.6 the fourth degree, computed by the civil law, to a board member shall not be employed  
63.7 except by a unanimous vote of the full board. The initial employment of the teacher in the  
63.8 district must be by written contract, signed by the teacher and by the chair and clerk. All  
63.9 subsequent employment of the teacher in the district must be by written contract, signed by  
63.10 the teacher and by the chair and clerk, except where there is a master agreement covering  
63.11 the employment of the teacher. Contracts for teaching or supervision of teaching can be  
63.12 made only with qualified teachers. A teacher shall not be required to reside within the  
63.13 employing district as a condition to teaching employment or continued teaching employment.

63.14 (b) A school district must not give preference in the hiring or dismissal of a teacher  
63.15 based on the teacher's seniority.

63.16 (c) A school district must report all new teacher hires and terminations, including layoffs,  
63.17 by race and ethnicity annually to the Professional Educator Licensing and Standards Board.  
63.18 The report must not include data that would personally identify individuals.

63.19 **EFFECTIVE DATE.** This section is effective for collective bargaining agreements  
63.20 entered into on or after July 1, 2021.

63.21 Sec. 9. Minnesota Statutes 2020, section 122A.40, subdivision 10, is amended to read:

63.22 Subd. 10. **Negotiated unrequested leave of absence.** (a) The school board and the  
63.23 exclusive bargaining representative of the teachers must negotiate a plan providing for  
63.24 unrequested leave of absence without pay or fringe benefits for as many teachers as may  
63.25 be necessary because of discontinuance of position, lack of pupils, financial limitations, or  
63.26 merger of classes caused by consolidation of districts.

63.27 (b) The plan for unrequested leave of absence must not require the school board to place  
63.28 a teacher on unrequested leave of absence first based on their tier of licensure.

63.29 **EFFECTIVE DATE.** This section is effective for collective bargaining agreements  
63.30 entered into on or after July 1, 2021.

64.1 Sec. 10. Minnesota Statutes 2020, section 122A.41, subdivision 14a, is amended to read:

64.2 Subd. 14a. **Negotiated unrequested leave of absence.** (a) The school board and the  
64.3 exclusive bargaining representative of the teachers must negotiate a plan providing for  
64.4 unrequested leave of absence without pay or fringe benefits for as many teachers as may  
64.5 be necessary because of discontinuance of position, lack of pupils, financial limitations, or  
64.6 merger of classes caused by consolidation of districts.

64.7 (b) The plan for unrequested leave of absence must not require the school board to place  
64.8 a teacher on unrequested leave of absence first based on their tier of licensure.

64.9 **EFFECTIVE DATE.** This section is effective for collective bargaining agreements  
64.10 entered into on or after July 1, 2021.

64.11 Sec. 11. Minnesota Statutes 2020, section 122A.41, is amended by adding a subdivision  
64.12 to read:

64.13 Subd. 16. **Hiring and dismissal.** (a) A school district must not give preference in the  
64.14 hiring or dismissal of a teacher based on the teacher's seniority.

64.15 (b) A school district must report all new teacher hires and terminations, including layoffs,  
64.16 by race and ethnicity annually to the Professional Educator Licensing and Standards Board.  
64.17 The report must not include data that would personally identify individuals.

64.18 **EFFECTIVE DATE.** This section is effective for collective bargaining agreements  
64.19 entered into on or after July 1, 2021.

64.20 Sec. 12. **[122A.59] COME TEACH IN MINNESOTA HIRING BONUSES.**

64.21 Subdivision 1. **Purpose.** This section establishes a program to support districts and  
64.22 schools recruiting and offering hiring bonuses for licensed teachers who are American  
64.23 Indian or a person of color from another state or country in order to meet staffing needs in  
64.24 shortage areas in economic development regions in Minnesota.

64.25 Subd. 2. **Eligibility.** A district or school must verify that the hiring bonus is given to  
64.26 teachers licensed in another state who:

64.27 (1) qualify for a Tier 3 or Tier 4 Minnesota license;

64.28 (2) have moved to the economic development region in Minnesota where they were  
64.29 hired; and



65.1 (3) belong to a racial or ethnic group that is underrepresented among teachers compared  
65.2 to students in the district or school under section 120B.35, subdivision 3, paragraph (b),  
65.3 clause (2).

65.4 Subd. 3. **Bonus amount.** A district or school may offer a signing and retention bonus  
65.5 of a minimum of \$2,500 and a maximum of \$5,000 to a teacher who meets the eligibility  
65.6 requirements. A teacher who meets eligibility requirements and meets a licensure shortage  
65.7 area in the economic development region of the state where the school is located may be  
65.8 offered a signing bonus of a minimum of \$4,000 and a maximum of \$8,000. A teacher must  
65.9 be paid half of the bonus when starting employment and half after completing four years  
65.10 of service in the hiring district or school if they have demonstrated teaching effectiveness  
65.11 and are not on a professional improvement plan under section 122A.40, subdivision 8,  
65.12 paragraph (b), clause (12) or (13), or are being considered for termination under section  
65.13 122A.40, subdivision 9. A teacher who does not complete their first school year upon  
65.14 receiving a hiring bonus must repay the hiring bonus. The maximum bonus amounts listed  
65.15 in this section are only for purposes of reimbursement under subdivision 4. A district may  
65.16 include a signing and retention bonus in its achievement and integration plan under section  
65.17 124D.861, subdivision 2.

65.18 Subd. 4. **Administration.** The commissioner must establish a process for districts or  
65.19 schools to seek reimbursement for hiring bonuses given to teachers in shortage areas moving  
65.20 to and working in Minnesota schools experiencing specific shortages. The commissioner  
65.21 must provide guidance for districts to seek repayment of a hiring bonus from a teacher who  
65.22 does not complete their first year of employment. The department may conduct a pilot  
65.23 program with a small number of teachers during the 2022-2023 biennium to establish  
65.24 feasibility. The department must submit a report by December 1, 2022, to the chairs and  
65.25 ranking minority members of the legislative committees having jurisdiction over K-12  
65.26 education detailing the effectiveness of the program and recommendations for improvement  
65.27 in future years.

65.28 **EFFECTIVE DATE.** This section applies to teacher contracts entered into on or after  
65.29 July 1, 2021.

65.30 Sec. 13. Minnesota Statutes 2020, section 122A.61, subdivision 1, is amended to read:

65.31 Subdivision 1. **Staff development revenue.** (a) A district is required to reserve an amount  
65.32 equal to at least two percent of the basic revenue under section 126C.10, subdivision 2, for:

65.33 (1) teacher development and evaluation under section 122A.40, subdivision 8, or 122A.41,  
65.34 subdivision 5;

- 66.1 (2) principal development and evaluation under section 123B.147, subdivision 3;
- 66.2 (3) professional development under section 122A.60; ~~and~~
- 66.3 (4) in-service education for programs under section 120B.22, subdivision 2; and
- 66.4 (5) teacher mentorship under section 122A.70, subdivision 1.

66.5 (b) To the extent extra funds remain, staff development revenue may be used for staff  
 66.6 development plans, including plans for challenging instructional activities and experiences  
 66.7 under section 122A.60, and for curriculum development and programs, other in-service  
 66.8 education, ~~teachers' mentoring under section 122A.70 and evaluation~~, teachers' workshops,  
 66.9 teacher conferences, the cost of substitute teachers for staff development purposes, preservice  
 66.10 and in-service education for special education professionals and paraprofessionals, and  
 66.11 other related costs for staff development efforts.

66.12 (c) A district may annually waive the requirement to reserve their basic revenue under  
 66.13 this section if a majority vote of the licensed teachers in the district and a majority vote of  
 66.14 the school board agree to a resolution to waive the requirement. A district in statutory  
 66.15 operating debt is exempt from reserving basic revenue according to this section. Districts  
 66.16 may expend an additional amount of unreserved revenue for staff development based on  
 66.17 their needs.

66.18 Sec. 14. Minnesota Statutes 2020, section 122A.635, subdivision 1, is amended to read:

66.19 Subdivision 1. **Establishment.** The Professional Educator Licensing and Standards  
 66.20 Board must award competitive grants to increase the number of teacher candidates of color  
 66.21 or who are American Indian, and meet the requirements for a Tier 1, 2, or 3 license under  
 66.22 section 122A.181, 122A.182, or 122A.183. Eligibility for a grant under this section is limited  
 66.23 to ~~public or private higher education institutions that offer a teacher preparation program~~  
 66.24 ~~approved by the Professional Educator Licensing and Standards Board~~ programs, including  
 66.25 alternative teacher preparation programs, located in Minnesota.

66.26 Sec. 15. Minnesota Statutes 2020, section 122A.635, subdivision 2, is amended to read:

66.27 Subd. 2. **Competitive grants.** (a) The Professional Educator Licensing and Standards  
 66.28 Board must award competitive grants under this section based on the following criteria:

- 66.29 (1) the number or percentage of teacher candidates being supported in the program who  
 66.30 are of color or who are American Indian;

67.1 (2) program outcomes, including graduation or program completion rates, licensure  
 67.2 rates, and placement rates and, for each outcome measure, the number of those teacher  
 67.3 candidates of color or who are American Indian; and

67.4 (3) the percent of racially and ethnically diverse teacher candidates enrolled in the  
 67.5 institution compared to:

67.6 (i) the total percent of students of color and American Indian students enrolled at the  
 67.7 institution, regardless of major; and

67.8 (ii) the percent of underrepresented racially and ethnically diverse teachers in the  
 67.9 economic development region of the state where the institution is located and where a  
 67.10 shortage of diverse teachers exists, as reported under section 122A.091, subdivision 5.

67.11 ~~(b) The board must give priority in awarding grants under this section to institutions that~~  
 67.12 ~~received grants under Laws 2017, First Special Session chapter 5, article 2, section 57,~~  
 67.13 ~~subdivision 27, and have demonstrated continuing success at recruiting, retaining, graduating,~~  
 67.14 ~~and inducting teacher candidates of color or who are American Indian. If the board awards~~  
 67.15 ~~a competitive grant based on the criteria in paragraph (a) to a program that has not previously~~  
 67.16 ~~received funding, the board must thereafter give priority to the program equivalent to other~~  
 67.17 ~~programs given priority under this paragraph.~~

67.18 ~~(e)~~ (b) The board must determine award amounts for maintenance and expansion of  
 67.19 programs based on the number of candidates supported by an applicant program, sustaining  
 67.20 support for those candidates, and funds available.

67.21 Sec. 16. Minnesota Statutes 2020, section 122A.70, is amended to read:

67.22 **122A.70 TEACHER MENTORSHIP AND RETENTION OF EFFECTIVE**  
 67.23 **TEACHERS.**

67.24 Subdivision 1. **Teacher mentoring, induction, and retention programs.** (a) School  
 67.25 districts ~~are encouraged to~~ must develop teacher mentoring programs for teachers new to  
 67.26 the profession or district, including teaching residents, teachers of color, teachers who are  
 67.27 American Indian, teachers in license shortage areas, teachers with special needs, or  
 67.28 experienced teachers in need of peer coaching.

67.29 (b) Teacher mentoring programs must be included in or aligned with districts' teacher  
 67.30 evaluation and peer review processes under sections 122A.40, subdivision 8, and 122A.41,  
 67.31 subdivision 5. A district may use staff development revenue under section 122A.61, special  
 67.32 grant programs established by the legislature, or another funding source to pay a stipend to  
 67.33 a mentor who may be a current or former teacher who has taught at least three years and is

68.1 not on an improvement plan. Other initiatives using such funds or funds available under  
68.2 sections 124D.861 and 124D.862 may include:

68.3 (1) additional stipends as incentives to mentors of color or who are American Indian;

68.4 (2) financial supports for professional learning community affinity groups across schools  
68.5 within and between districts for teachers from underrepresented racial and ethnic groups to  
68.6 come together throughout the school year. For purposes of this section, "affinity groups"  
68.7 are groups of educators who share a common racial or ethnic identity in society as persons  
68.8 of color or who are American Indian;

68.9 (3) programs for induction aligned with the district or school mentorship program during  
68.10 the first three years of teaching, especially for teachers from underrepresented racial and  
68.11 ethnic groups; or

68.12 (4) grants supporting licensed and nonlicensed educator participation in professional  
68.13 development, such as workshops and graduate courses, related to increasing student  
68.14 achievement for students of color and American Indian students in order to close opportunity  
68.15 and achievement gaps.

68.16 (c) A school or district that receives a grant must negotiate additional retention strategies  
68.17 or protection from unrequested leave of absences in the beginning years of employment for  
68.18 teachers of color and teachers who are American Indian. Retention strategies may include  
68.19 providing financial incentives for teachers of color and teachers who are American Indian  
68.20 to work in the school or district for at least five years and placing American Indian educators  
68.21 at sites with other American Indian educators and educators of color at sites with other  
68.22 educators of color to reduce isolation and increase opportunity for collegial support.

68.23 Subd. 2. **Applications Board grants.** The Professional Educator Licensing and Standards  
68.24 Board must make grant application forms available to sites interested in developing or  
68.25 expanding a mentorship program. A school district; a group of school districts; a coalition  
68.26 of districts, teachers, and teacher education institutions; or a coalition of schools, teachers,  
68.27 or nonlicensed educators may apply for a program grant. The Professional Educator Licensing  
68.28 and Standards Board, in consultation with the teacher mentoring task force, must approve  
68.29 or disapprove the applications. To the extent possible, the approved applications must reflect  
68.30 effective mentoring, professional development, and retention components, and be  
68.31 geographically distributed throughout the state. The Professional Educator Licensing and  
68.32 Standards Board must encourage the selected sites to consider the use of its assessment  
68.33 procedures.

69.1 Subd. 3. **Criteria for selection.** At a minimum, applicants for grants under subdivision  
 69.2 2 must express commitment to:

69.3 (1) allow staff participation;

69.4 (2) assess skills of both beginning and mentor teachers;

69.5 (3) provide appropriate in-service to needs identified in the assessment;

69.6 (4) provide leadership to the effort;

69.7 (5) cooperate with higher education institutions;

69.8 (6) provide facilities and other resources;

69.9 (7) share findings, materials, and techniques with other school districts; and

69.10 (8) retain teachers of color and teachers who are American Indian.

69.11 Subd. 4. **Additional funding.** Grant applicants ~~are required to~~ must seek additional  
 69.12 funding and assistance from sources such as school districts, postsecondary institutions,  
 69.13 foundations, and the private sector.

69.14 Subd. 5. **Program implementation.** New and expanding mentorship sites that ~~are funded~~  
 69.15 receive a board grant under subdivision 2 to design, develop, implement, and evaluate their  
 69.16 program must participate in activities that support program development and implementation.  
 69.17 ~~The Professional Educator Licensing and Standards Board must provide resources and~~  
 69.18 ~~assistance to support new sites in their program efforts. These activities and services may~~  
 69.19 ~~include, but are not limited to: planning, planning guides, media, training, conferences,~~  
 69.20 ~~institutes, and regional and statewide networking meetings. Nonfunded schools or districts~~  
 69.21 ~~interested in getting started may participate. Fees may be charged for meals, materials, and~~  
 69.22 ~~the like.~~

69.23 Subd. 6. **Report.** By June 30 of each year after receiving a grant, recipients must submit  
 69.24 a report to the Professional Educator Licensing and Standards Board on program efforts  
 69.25 that describes mentoring and induction activities and assesses the impact of these programs  
 69.26 on teacher effectiveness and retention.

69.27 Sec. 17. Minnesota Statutes 2020, section 122A.76, is amended to read:

69.28 **122A.76 STATEWIDE CONCURRENT ENROLLMENT TEACHER TRAINING**  
 69.29 **PROGRAM PARTNERSHIP.**

69.30 Subdivision 1. **Definition.** (a) For purposes of this section, the following terms have the  
 69.31 meanings given them.

70.1 (b) ~~"Northwest Regional Partnership"~~ "Concurrent Enrollment Teacher Partnership"  
 70.2 means a voluntary association of the Lakes Country Service Cooperative, the Northwest  
 70.3 Service Cooperative, ~~and the Metropolitan Education Cooperative Service Unit,~~ Minnesota  
 70.4 State University-Moorhead, and other interested Minnesota state colleges and universities  
 70.5 that ~~works~~ work together to provide coordinated higher learning opportunities for teachers.

70.6 (c) ~~"State Partnership" means a voluntary association of the Northwest Regional~~  
 70.7 ~~Partnership and the Metropolitan Educational Cooperative Service Unit.~~

70.8 (d) ~~"Eligible postsecondary institution"~~ means a public or private postsecondary institution  
 70.9 that awards graduate credits.

70.10 (e) (d) ~~"Eligible teacher"~~ means a licensed teacher of ~~secondary school~~ courses for  
 70.11 postsecondary credit.

70.12 Subd. 1a. **Fiscal host.** Lakes Country Service Cooperative is the fiscal host for the  
 70.13 Concurrent Enrollment Teacher Partnership.

70.14 Subd. 2. **Establishment.** (a) ~~Lakes Country Service Cooperative, in consultation with~~  
 70.15 ~~the Northwest Service Cooperative,~~ The Concurrent Enrollment Teacher Partnership may  
 70.16 develop a continuing education program to allow eligible teachers to attain the requisite  
 70.17 graduate credits necessary to be qualified to teach ~~secondary school~~ courses for postsecondary  
 70.18 credit.

70.19 (b) ~~If established, the State Partnership~~ The Concurrent Enrollment Teacher Partnership  
 70.20 must contract with one or more eligible postsecondary institutions to establish a ~~continuing~~  
 70.21 ~~education credit~~ program to allow eligible teachers to attain sufficient graduate credits to  
 70.22 qualify to teach ~~secondary school~~ courses for postsecondary credit. Members of the State  
 70.23 Concurrent Enrollment Teacher Partnership must work to eliminate duplication of service  
 70.24 and develop the ~~continuing education credit~~ program efficiently and cost-effectively.

70.25 Subd. 3. **Curriculum development.** The ~~continuing education~~ program must use flexible  
 70.26 delivery models, such as an online education curriculum, that allow eligible secondary  
 70.27 school teachers to attain graduate credit at a reduced credit rate. Information about the  
 70.28 curriculum, including course length and course requirements, must be posted on the website  
 70.29 of the eligible institution offering the course at least two weeks before eligible teachers are  
 70.30 required to register for courses ~~in the continuing education program.~~

70.31 Subd. 4. **Funding for course participation; course development; scholarships;**  
 70.32 **stipends participation incentives.** (a) Lakes Country Service Cooperative, in consultation

71.1 with the other members of the ~~Northwest Regional~~ Concurrent Enrollment Teacher  
 71.2 Partnership, shall: must

71.3 ~~(1) provide funding for course development~~ eligible teachers to participate in the program  
 71.4 for up to 18 credits in applicable postsecondary subject areas;

71.5 ~~(2) provide scholarships for eligible teachers to enroll in the continuing education~~  
 71.6 program; and

71.7 ~~(3) develop criteria for awarding educator stipends on a per-credit basis to incentivize~~  
 71.8 participation in the continuing education program.

71.9 ~~(b) If established, the State Partnership must:~~

71.10 ~~(1) provide funding for course development for up to 18 credits in applicable~~  
 71.11 postsecondary subject areas;

71.12 ~~(2) provide scholarships for eligible teachers to enroll in the continuing education~~  
 71.13 program; and

71.14 ~~(3) develop criteria for awarding educator stipends on a per-credit basis to incentivize~~  
 71.15 participation in the continuing education program.

71.16 ~~(b) The Concurrent Enrollment Teacher Partnership may:~~

71.17 ~~(1) provide funding for course development in applicable postsecondary subject areas;~~

71.18 ~~(2) work with school districts to develop incentives for teachers to participate in the~~  
 71.19 program; and

71.20 ~~(3) enroll college faculty, as space permits, and provide financial assistance if state aid~~  
 71.21 remains available.

71.22 Subd. 5. **Private funding.** The partnerships may receive private resources to supplement  
 71.23 the available public money. ~~All money received in fiscal year 2017 shall be administered~~  
 71.24 ~~by the Lakes Country Service Cooperative. All money received in fiscal year 2018 and later~~  
 71.25 ~~shall be administered by the State Partnership.~~

71.26 Subd. 6. **Report required.** ~~(a) The Northwest Regional Partnership must submit a report~~  
 71.27 ~~by January 15, 2018, on the progress of its activities to the legislature, commissioner of~~  
 71.28 ~~education, and Board of Trustees of the Minnesota State Colleges and Universities. The~~  
 71.29 ~~report shall contain a financial report for the preceding year.~~

71.30 ~~(b) If established, the State~~ The Concurrent Enrollment Teacher Partnership must submit  
 71.31 an annual joint report to the legislature and the Office of Higher Education by January 15

72.1 of each year on the progress of its activities. The report must include the number of teachers  
 72.2 participating in the program, the geographic location of the teachers, the number of credits  
 72.3 earned, and the subject areas of the courses in which participants earned credit. The report  
 72.4 must include a financial report for the preceding year.

72.5 Sec. 18. **122A.85] TEACHER AND CLASSROOM SAFETY CODED ELSEWHERE.**

72.6 Subdivision 1. **Scope.** The sections referred to in subdivisions 2 to 5 are codified outside  
 72.7 this section. Those sections include many but not all the sections governing teacher and  
 72.8 classroom safety.

72.9 Subd. 2. **Dismissal and disciplinary report to the commissioner.** A teacher who was  
 72.10 physically assaulted by a student must receive a copy of the report to the commissioner  
 72.11 under section 121A.53.

72.12 Subd. 3. **Discipline and removal of students from class.** A student must be removed  
 72.13 from class immediately if the student engages in assault or violent behavior under section  
 72.14 121A.61.

72.15 Subd. 4. **Teachers' and paraprofessionals' legitimate educational interest.** (a) A  
 72.16 teacher has a legitimate educational interest in knowing which students placed in their  
 72.17 classroom have a history of violent behavior and must be notified before such students are  
 72.18 placed in their classroom under section 121A.64.

72.19 (b) A paraprofessional has a legitimate educational interest in knowing whether a student  
 72.20 with a disability that the paraprofessional works with alone or on a regular basis has a history  
 72.21 of violent behavior and must be notified before being assigned to work with the student  
 72.22 under section 121A.64.

72.23 Subd. 5. **General control of school and classroom.** A teacher of record must have the  
 72.24 general control and government of a school and classroom and a teacher may remove violent  
 72.25 or disruptive students from class as provided under section 122A.42.

72.26 Subd. 6. **Notice of rights and responsibilities.** At least once each school year, in the  
 72.27 form and manner determined by the charter school or school district, a teacher and  
 72.28 administrator must be informed of their rights and responsibilities under these statutes and  
 72.29 related school or district policies.

72.30 Sec. 19. **PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD.**

72.31 Notwithstanding any law to the contrary, the Professional Educator Licensing and  
 72.32 Standards Board must extend by six months any calendar year 2021 deadline for completion



73.1 of license renewal requirements because of interruptions due to COVID-19 for licenses  
73.2 under their jurisdiction.

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

73.4 Sec. 20. **SHORT-CALL SUBSTITUTE TEACHER PILOT.**

73.5 (a) A school district may employ a person who meets the professional requirements of  
73.6 Minnesota Statutes, section 122A.181, subdivision 2, paragraph (b), as a short-call substitute  
73.7 teacher in any content area, not only career and technical education, notwithstanding any  
73.8 licensing requirements in Minnesota Statutes, chapter 122A. A school district must request  
73.9 a background check in accordance with section 123B.03 on a short-call substitute teacher  
73.10 employed under this section. Each assignment to replace a teacher of record must last no  
73.11 longer than 15 consecutive school days.

73.12 (b) A district must report to the Professional Educator Licensing and Standards Board  
73.13 all persons it employs under this section and affirm that each person meets the professional  
73.14 requirements for a short-call substitute teacher.

73.15 **EFFECTIVE DATE.** This section is effective for the 2020-2021, 2021-2022, and  
73.16 2022-2023 school years only.

73.17 Sec. 21. **APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

73.18 Subdivision 1. **Department of Education.** The sums indicated in this section are  
73.19 appropriated from the general fund to the commissioner of education for the fiscal years  
73.20 designated.

73.21 Subd. 2. **Statewide concurrent enrollment teacher training program.** (a) For the  
73.22 concurrent enrollment teacher partnership under Minnesota Statutes, section 122A.76:

73.23     \$        375,000    .....  2022

73.24     \$        375,000    .....  2023

73.25 (b) Any balance in the first year does not cancel but is available in the second year.

73.26 Subd. 3. **Paraprofessional pathway to teacher licensure.** (a) For grants to school  
73.27 districts for Grow Your Own new teacher programs:

73.28     \$        4,000,000    .....  2022

73.29     \$        4,000,000    .....  2023

73.30 (b) The grants are for school districts with more than 30 percent minority students for  
73.31 a Professional Educator Licensing and Standards Board-approved nonconventional teacher

74.1 residency pilot program or alternative teacher preparation program. The program must  
 74.2 provide tuition scholarships or stipends to enable school district employees or community  
 74.3 members affiliated with a school district who seek an education license to participate in a  
 74.4 nonconventional or an alternative teacher preparation program. School districts that receive  
 74.5 funds under this subdivision are strongly encouraged to recruit candidates of color and  
 74.6 American Indian candidates to participate in the Grow Your Own new teacher programs.  
 74.7 Districts or schools providing financial support may require a commitment as determined  
 74.8 by the district to teach in the district or school for a reasonable amount of time that does  
 74.9 not exceed five years.

74.10 (c) School districts and charter schools may also apply for grants to develop innovative  
 74.11 expanded Grow Your Own programs that encourage secondary school students to pursue  
 74.12 teaching, including developing and offering dual-credit postsecondary course options in  
 74.13 schools for "Introduction to Teaching" or "Introduction to Education" courses consistent  
 74.14 with Minnesota Statutes, section 124D.09, subdivision 10.

74.15 (d) Programs must annually report to the commissioner by the date determined by the  
 74.16 commissioner on their activities under this section, including the number of participants,  
 74.17 the percentage of participants who are of color or who are American Indian, and an  
 74.18 assessment of program effectiveness, including participant feedback, areas for improvement,  
 74.19 the percentage of participants continuing to pursue teacher licensure, and the number of  
 74.20 participants hired in the school or district as teachers after completing preparation programs.

74.21 (e) The department may retain up to \$120,000 of the appropriation amount in each fiscal  
 74.22 year to monitor and administer the grant program.

74.23 (f) Any balance in the first year does not cancel but is available in the second year.

74.24 Subd. 4. **Expanded concurrent enrollment grants.** (a) For grants to institutions offering  
 74.25 "Introduction to Teaching" or "Introduction to Education" college in the schools courses  
 74.26 under Minnesota Statutes, section 124D.09, subdivision 10, paragraph (b):

74.27     \$        375,000    .....  2022

74.28     \$        375,000    .....  2023

74.29 (b) The department may retain up to \$18,750 of the appropriation amount in each fiscal  
 74.30 year to monitor and administer the grant program.

74.31 (c) Any balance in the first year does not cancel but is available in the second year.

74.32 Subd. 5. **Alternative teacher compensation aid.** (a) For alternative teacher compensation  
 74.33 aid under Minnesota Statutes, section 122A.415, subdivision 4:

75.1           \$       88,617,000   ..... 2022

75.2           \$       88,518,000   ..... 2023

75.3           (b) The 2022 appropriation includes \$8,877,000 for 2021 and \$79,740,000 for 2022.

75.4           (c) The 2023 appropriation includes \$8,859,000 for 2022 and \$79,659,000 for 2023.

75.5           Subd. 6. **Agricultural educator grants.** (a) For agricultural educator grants under Laws  
75.6 2017, First Special Session chapter 5, article 2, section 51:

75.7           \$       250,000   ..... 2022

75.8           \$       250,000   ..... 2023

75.9           (b) Any balance in the first year does not cancel but is available in the second year.

75.10          Subd. 7. **American Indian teacher preparation grants.** (a) For joint grants to assist  
75.11 people who are American Indian to become teachers under Minnesota Statutes, section  
75.12 122A.63:

75.13          \$       460,000   ..... 2022

75.14          \$       460,000   ..... 2023

75.15          (b) Any balance in the first year does not cancel but is available in the second year.

75.16          Subd. 8. **Language Essentials for Teachers of Reading and Spelling grant.** (a) For  
75.17 grants to licensed teachers to complete the Language Essentials for Teachers of Reading  
75.18 and Spelling (LETRS) program:

75.19          \$       3,000,000   ..... 2022

75.20          \$       3,000,000   ..... 2023

75.21          (b) Any balance in the first year does not cancel but is available in the second year.

75.22          Subd. 9. **Come Teach in Minnesota hiring bonuses.** (a) For the Come Teach in  
75.23 Minnesota hiring bonuses pilot program under Minnesota Statutes, section 122A.59:

75.24          \$       350,000   ..... 2022

75.25          \$       350,000   ..... 2023

75.26          (b) The department may use up to \$35,000 of the appropriation amount to develop and  
75.27 administer the program under this subdivision.

75.28          (c) Any balance in the first year does not cancel but is available in the second year.

75.29          Subd. 10. **Black Men Teach Twin Cities grant** (a) For transfer to the Office of Higher  
75.30 Education for a grant to Black Men Teach Twin Cities to establish partnerships with eight

76.1 school district elementary schools or elementary charter schools with a goal of increasing  
 76.2 the number of black male teachers to 20 percent of the employees at each school site:

76.3         \$         750,000     ..... 2022

76.4         \$             0         ..... 2023

76.5         (b) Any balance does not cancel but is available until June 30, 2024. The base for fiscal  
 76.6 year 2024 and later is \$0.

76.7         (c) The grant recipient must provide a detailed report to the chairs and ranking minority  
 76.8 members of the legislative committees having jurisdiction over higher education and  
 76.9 kindergarten through grade 12 education by January 15 of each year until 2025 describing  
 76.10 how the grant funds were used. The report must describe the progress made toward the goal  
 76.11 of increasing the number of black male teachers at each school site and strategies used.

76.12         Sec. 22. **APPROPRIATIONS; PROFESSIONAL EDUCATOR LICENSING AND**  
 76.13 **STANDARDS BOARD.**

76.14         Subdivision 1. Professional Educator Licensing and Standards Board. The sums  
 76.15 indicated in this section are appropriated from the general fund to the Professional Educator  
 76.16 Licensing and Standards Board for the fiscal years designated.

76.17         Subd. 2. Mentoring, induction, and retention incentive program grants. (a) For the  
 76.18 development and expansion of mentoring, induction, and retention programs designed for  
 76.19 teachers of color or American Indian teachers under Minnesota Statutes, section 122A.70:

76.20         \$         2,000,000     ..... 2022

76.21         \$         2,000,000     ..... 2023

76.22         (b) Any balance does not cancel but is available in the following fiscal year.

76.23         (c) For fiscal year 2024 and later, the base for grants under Minnesota Statutes, section  
 76.24 122A.70 is \$2,000,000.

76.25         (d) The board may retain up to \$60,000 of the appropriation amount in each fiscal year  
 76.26 to monitor and administer the grant program.

76.27         Subd. 3. Teacher recruitment marketing campaign. (a) For developing two contracts  
 76.28 to develop and implement an outreach and marketing campaign under this subdivision:

76.29         \$         500,000     ..... 2022

76.30         \$         500,000     ..... 2023

77.1 (b) The Professional Educator Licensing and Standards Board must issue a request for  
 77.2 proposals to develop and implement an outreach and marketing campaign to elevate the  
 77.3 profession and recruit teachers, especially teachers of color and American Indian teachers.  
 77.4 Outreach efforts should include and support current and former Teacher of the Year finalists  
 77.5 interested in being recruitment fellows to encourage prospective educators throughout the  
 77.6 state.

77.7 (c) The outreach and marketing campaign must focus on making the following individuals  
 77.8 become interested in teaching in Minnesota public schools:

77.9 (1) high school and college students of color or American Indian students who have not  
 77.10 chosen a career path; or

77.11 (2) adults from racial or ethnic groups underrepresented in the teacher workforce who  
 77.12 may be seeking to change careers.

77.13 (d) The board must award two \$250,000 grants each year to firms or organizations that  
 77.14 demonstrate capacity to reach wide and varied audiences of prospective teachers based on  
 77.15 a work plan with quarterly deliverables. Preferences should be given to firms or organizations  
 77.16 that are led by people of color and that have people of color working on the campaign with  
 77.17 a proven record of success. The grant recipients must recognize current pathways or programs  
 77.18 to become a teacher and must partner with educators, schools, institutions, and racially  
 77.19 diverse communities. The grant recipients are encouraged to provide in-kind contributions  
 77.20 or seek funds from nonstate sources to supplement the grant award.

77.21 (e) The board may use no more than \$15,000 of the appropriation amount in each fiscal  
 77.22 year to administer the program under this subdivision, and may have an interagency  
 77.23 agreement with the Department of Education including transfer of funds to help administer  
 77.24 the program.

77.25 (f) Any balance in the first year does not cancel but is available in the second year.

77.26 Subd. 4. Collaborative urban and greater Minnesota educators of color grants. (a)  
 77.27 For collaborative urban and greater Minnesota educators of color grants under Minnesota  
 77.28 Statutes, section 122A.635:

77.29 \$ 1,000,000 ..... 2022

77.30 \$ 1,000,000 ..... 2023

77.31 (b) The board may retain up to \$30,000 of the appropriation amount in each fiscal year  
 77.32 to monitor and administer the grant program and a portion of these funds may be transferred

78.1 to the Office of Higher Education as determined by the executive director of the board and  
 78.2 the commissioner to support the administration of the program.

78.3 (c) Any balance in the first year does not cancel but is available in the second year.

78.4 Sec. 23. **REVISOR INSTRUCTION.**

78.5 The revisor of statutes shall codify Laws 2017, First Special Session chapter 5, article  
 78.6 2, section 51, as Minnesota Statutes, section 122A.77.

## 78.7 ARTICLE 4

### 78.8 SPECIAL EDUCATION

78.9 Section 1. Minnesota Statutes 2020, section 121A.21, is amended to read:

78.10 **121A.21 SCHOOL HEALTH SERVICES.**

78.11 **Subdivision 1. Requirements.** (a) Every school board must provide services to promote  
 78.12 the health of its pupils.

78.13 (b) The board of a district with 1,000 pupils or more in average daily membership in  
 78.14 early childhood family education, preschool disabled, elementary, and secondary programs  
 78.15 must comply with the requirements of this paragraph. It may use one or a combination of  
 78.16 the following methods:

78.17 (1) employ personnel, including at least one full-time equivalent licensed school nurse;

78.18 (2) contract with a public or private health organization or another public agency for  
 78.19 personnel during the regular school year, determined appropriate by the board, who are  
 78.20 currently licensed under chapter 148 and who are certified public health nurses; or

78.21 (3) enter into another arrangement approved by the commissioner.

78.22 **Subd. 2. Definitions.** (a) For purposes of this section, the following terms have the  
 78.23 meanings given.

78.24 (b) "Clinical nursing provider" means an agency or nurse that renders clinical nursing  
 78.25 services or their designee.

78.26 (c) "Clinical nursing services" means specific health care services, based on a physician's  
 78.27 or advanced practice nurse's orders, as provided by a registered nurse or licensed practical  
 78.28 nurse with specialized pediatric training who either attends to the pupil directly or supervises  
 78.29 the work of their designee.

79.1 (d) "Pupil who is medically fragile" means a school-aged child who has a life-threatening  
79.2 medical condition, and as a result of such condition, requires individualized and continuous  
79.3 clinical nursing services.

79.4 Subd. 3. **Clinical nursing services at school.** (a) Maintaining a continuity of care for  
79.5 students who are medically fragile is necessary for those pupils' safety, creates a safer  
79.6 environment at school and during transportation, and fosters learning and inclusion.

79.7 (b) A pupil who is medically fragile who requires clinical nursing services must receive  
79.8 services and care needed to meet the child's clinical nursing service needs while attending  
79.9 school or during transportation to and from school. The school and the parent or legal  
79.10 guardian are encouraged to consult and collaborate with the pupil's treating or ordering  
79.11 provider about services and care needed to meet the pupil's clinical nursing service needs  
79.12 in the school. If the school and the parent or legal guardian do not agree about the service  
79.13 and care needed to meet the child's clinical nursing service needs while attending school or  
79.14 during transportation to and from school, the school and the parent or legal guardian must  
79.15 contact the pupil's licensed care provider to attempt to mutually consult and clarify the  
79.16 medical orders outlined in the plan of care. The objective of the consultation is to review  
79.17 and revise, as necessary, the services proposed by the school to ensure the proposed services  
79.18 are sufficient to meet the student's needs.

79.19 (c) If a pupil who is medically fragile requires clinical nursing services care at school  
79.20 or during transportation to and from school, the school and the parent or legal guardian must  
79.21 meet to discuss options for arranging for clinical nursing services during school. Options  
79.22 may include but are not limited to:

79.23 (1) the pupil's clinical nursing provider in the home provides clinical nursing services  
79.24 to the pupil at school and during transportation to and from school;

79.25 (2) the school contracts with the pupil's existing clinical nursing provider to provide  
79.26 clinical nursing services to the pupil at school and during transportation to and from school;  
79.27 and

79.28 (3) the school arranges for clinical nursing services for the pupil at school and during  
79.29 transportation to and from school, either by school staff or a contract with another clinical  
79.30 nursing services provider.

79.31 (d) When considering options for arranging for clinical nursing services, the school and  
79.32 the parents or legal guardians shall take into account the following factors:

80.1 (1) the ability of a clinical nursing provider to provide the specific clinical nursing  
 80.2 services the pupil requires;

80.3 (2) the familiarity of the clinical nursing provider with the pupil's specific clinical nursing  
 80.4 services needs and any training that may be required; and

80.5 (3) the impact of the selection of a clinical nursing provider on the availability of clinical  
 80.6 nursing services to the pupil at home.

80.7 The meeting and decision between the school and parents or legal guardians may take place  
 80.8 during individualized education plan team meetings under the Individuals with Disabilities  
 80.9 in Education Act or meetings required by Section 504 of the Rehabilitation Act, if applicable,  
 80.10 and, if applicable, the dispute resolution processes available under either act are available  
 80.11 to the school and to the parents or legal guardian.

80.12 (e) For the purposes of this subdivision, the school district and nurse or clinical nursing  
 80.13 service provider must enter into agreements as necessary to establish mutual expectations  
 80.14 of the nurse's or provider's conduct in the school environment, including confidentiality  
 80.15 agreements, who they are designated to report to in the school environment, supervision,  
 80.16 and the nurse's or provider's authority within the school environment.

80.17 **Sec. 2. SPECIAL EDUCATION RECOVERY SERVICES AND SUPPORTS.**

80.18 Subdivision 1. **Special education recovery.** The commissioner of education, school  
 80.19 districts, and charter schools must collaborate with families of students with disabilities as  
 80.20 provided in this section to address the impact of disruptions to in-person instruction on  
 80.21 students' access to a free appropriate public education due to COVID-19.

80.22 Subd. 2. **Special education services and supports.** (a) A school district or charter school  
 80.23 that serves one or more students with disabilities must invite the parents of a student with  
 80.24 a disability to a meeting of each individualized education program (IEP) team as soon as  
 80.25 practicable, to determine whether special education services and supports are necessary to  
 80.26 address lack of progress on IEP goals or in the general education curriculum or loss of  
 80.27 learning or skills due to disruptions due to COVID-19. The services and supports may  
 80.28 include but are not limited to extended school year services, additional IEP services,  
 80.29 compensatory services, or other appropriate services. This meeting may occur in an annual  
 80.30 or other regularly scheduled IEP meeting. If the IEP team determines that the services and  
 80.31 supports are necessary, the team shall determine what services and supports are appropriate  
 80.32 for the student and when and how those services should be provided, in accordance with  
 80.33 relevant guidance from the Minnesota Department of Education and the United States



81.1 Department of Education. The services and supports must be included in the IEP of the  
81.2 student. A district or charter school must report to the commissioner, in the form and manner  
81.3 determined by the commissioner, the services and supports provided to students with  
81.4 disabilities under this section, including the cost of providing the services.

81.5 (b) In determining whether a student is eligible for services and supports described in  
81.6 paragraph (a), and what services and supports are appropriate for the student, the IEP team  
81.7 must consider, in conjunction with any other considerations advised by guidance from the  
81.8 Minnesota Department of Education or the United States Department of Education:

81.9 (1) services and supports provided to the student before the disruptions to in-person  
81.10 instruction due to COVID-19;

81.11 (2) the ability of the student to access services and supports;

81.12 (3) the student's progress toward IEP goals, including the goals in the IEP in effect before  
81.13 disruptions to in-person instruction related to COVID-19, and progress in the general  
81.14 education curriculum;

81.15 (4) the student's regression or lost skills resulting from disruptions to instruction;

81.16 (5) other significant influences on the student's ability to participate in and benefit from  
81.17 instruction as a result of COVID-19, including family loss, changed family circumstances,  
81.18 other trauma, and illness; and

81.19 (6) the types of services and supports that would benefit the student and improve the  
81.20 student's ability to benefit from school, including academic supports, behavioral supports,  
81.21 mental health supports, related services, and other services and supports.

81.22 (c) When considering how and when the services and supports described in paragraph  
81.23 (a) should be provided, the IEP team must take into account the timing and delivery method  
81.24 most appropriate for the student, such as time of day, day of the week, or time of year; and  
81.25 the availability of other services accessible to the student to address learning loss. The IEP  
81.26 team may determine that providers in addition to school district or charter school staff are  
81.27 most appropriate to provide the services and supports described in paragraph (a).

81.28 (d) A school district or charter school must make available the services and supports  
81.29 included in an IEP, as described in paragraph (a), until the IEP team determines that services  
81.30 and supports are no longer necessary to address lack of progress on IEP goals or in the  
81.31 general education curriculum or loss of learning or skills due to disruptions due to COVID-19.

81.32 (e) A school district or charter school may use federal funds to comply with this section.

82.1 **Sec. 3. REPORT ON BEHAVIORAL HEALTH SERVICES REIMBURSEMENT.**

82.2 The commissioners of education and human services shall consult with stakeholders to  
 82.3 identify strategies to streamline access and reimbursement for behavioral health services  
 82.4 for children with an individualized education program or an individualized family service  
 82.5 plan who are enrolled in medical assistance and, whenever possible, avoid duplication of  
 82.6 services and procedures. The commissioners shall identify strategies to reduce administrative  
 82.7 burden for schools while ensuring continuity of care for student's accessing services when  
 82.8 not in school and shall review models in other states. The commissioners shall provide an  
 82.9 update, including any recommendations for statutory changes, to the chairs and ranking  
 82.10 minority members of the committees with jurisdiction over kindergarten through grade 12  
 82.11 education and human services by November 1, 2021.

82.12 **Sec. 4. APPROPRIATIONS.**

82.13 Subdivision 1. **Department of Education.** The sums indicated in this section are  
 82.14 appropriated from the general fund to the Department of Education for the fiscal years  
 82.15 designated.

82.16 Subd. 2. **Special education; regular.** For special education aid under Minnesota Statutes,  
 82.17 section 125A.75:

82.18 \$ 1,821,955,000 ..... 2022

82.19 \$ 1,942,616,000 ..... 2023

82.20 The 2022 appropriation includes \$215,125,000 for 2021 and \$1,606,830,000 for 2022.

82.21 The 2023 appropriation includes \$226,195,000 for 2022 and \$1,716,421,000 for 2023.

82.22 Subd. 3. **Aid for children with disabilities.** For aid under Minnesota Statutes, section  
 82.23 125A.75, subdivision 3, for children with disabilities placed in residential facilities within  
 82.24 the district boundaries for whom no district of residence can be determined:

82.25 \$ 1,818,000 ..... 2022

82.26 \$ 2,010,000 ..... 2023

82.27 If the appropriation for either year is insufficient, the appropriation for the other year is  
 82.28 available.

82.29 Subd. 4. **Travel for home-based services.** For aid for teacher travel for home-based  
 82.30 services under Minnesota Statutes, section 125A.75, subdivision 1:

82.31 \$ 465,000 ..... 2022

82.32 \$ 512,000 ..... 2023

83.1 The 2022 appropriation includes \$23,000 for 2021 and \$442,000 for 2022.

83.2 The 2023 appropriation includes \$49,000 for 2022 and \$463,000 for 2023.

83.3 Subd. 5. **Court-placed special education revenue.** For reimbursing serving school  
 83.4 districts for unreimbursed eligible expenditures attributable to children placed in the serving  
 83.5 school district by court action under Minnesota Statutes, section 125A.79, subdivision 4:

83.6 \$ 24,000 ..... 2022

83.7 \$ 25,000 ..... 2023

83.8 Subd. 6. **Special education out-of-state tuition.** For special education out-of-state  
 83.9 tuition under Minnesota Statutes, section 125A.79, subdivision 8:

83.10 \$ 250,000 ..... 2022

83.11 \$ 250,000 ..... 2023

83.12 Subd. 7. **Clinical nursing services guidance.** For the commissioner to develop guidance  
 83.13 for school districts on arranging for and accommodating clinical nursing services at school  
 83.14 under Minnesota Statutes, section 121A.21:

83.15 \$ 100,000 ..... 2022

83.16 \$ 0 ..... 2023

83.17 This is a onetime appropriation.

## ARTICLE 5

### HEALTH AND SAFETY

83.20 Section 1. [121A.24] SEIZURE TRAINING AND ACTION PLAN.

83.21 Subdivision 1. **Seizure action plan.** (a) For purposes of this section, "seizure action  
 83.22 plan" means a written individualized health plan designed to acknowledge and prepare for  
 83.23 the health care needs of a student with a seizure disorder diagnosed by the student's treating  
 83.24 licensed health care provider.

83.25 (b) The requirements of this subdivision apply to a school district or charter school where  
 83.26 an enrolled student's parent or guardian has notified the school district or charter school that  
 83.27 the student has a diagnosed seizure disorder and has seizure rescue medication or medication  
 83.28 prescribed by the student's licensed health care provider to treat seizure disorder symptoms  
 83.29 approved by the United States Food and Drug Administration. The parent or guardian of a  
 83.30 student with a diagnosed seizure disorder must collaborate with school personnel to  
 83.31 implement the seizure action plan.

84.1 (c) A seizure action plan must:

84.2 (1) identify at least one employee at each school site who is on duty during the entire  
 84.3 school day and can administer or assist with the administration of seizure rescue medication  
 84.4 or medication prescribed to treat seizure disorder symptoms approved by the United States  
 84.5 Food and Drug Administration;

84.6 (2) require training on seizure medications for an employee identified under clause (1),  
 84.7 recognition of signs and symptoms of seizures, and appropriate steps to respond to seizures;  
 84.8 and

84.9 (3) be filed in the office of the school principal or licensed school nurse or, in the absence  
 84.10 of a licensed school nurse, a professional nurse or designated individual.

84.11 (d) A school district or charter school employee or volunteer responsible for the  
 84.12 supervision or care of a student with a diagnosed seizure disorder must be given notice and  
 84.13 a copy of the seizure action plan, the name of the employee identified under paragraph (c),  
 84.14 clause (1), and the method by which the trained school employee may be contacted in an  
 84.15 emergency.

84.16 Subd. 2. **Training requirements.** A school district or charter school must provide all  
 84.17 licensed school nurses or, in the absence of a licensed school nurse, a professional nurse or  
 84.18 designated individual, and other school staff working with students with self-study materials  
 84.19 on seizure disorder signs, symptoms, medications, and appropriate responses.

84.20 Subd. 3. **Department of Health.** A school district or charter school may consult with  
 84.21 the commissioner of health regarding training resources to comply with the requirements  
 84.22 of this section.

84.23 **EFFECTIVE DATE.** This section is effective for the 2022-2023 school year and later.

84.24 Sec. 2. **[121A.336] NOTIFICATION OF ENVIRONMENTAL HAZARDS.**

84.25 Upon notification by the Department of Health or Pollution Control Agency to a school  
 84.26 district, charter school, or nonpublic school of environmental hazards that may affect the  
 84.27 health of students or school staff, the school must notify school staff, students, and parents  
 84.28 of the hazards as soon as practicable. The notice must include direction on how to obtain  
 84.29 additional information about the hazard, including any actions that may reduce potential  
 84.30 harm to those affected by the hazard.

85.1 Sec. 3. Minnesota Statutes 2020, section 126C.44, is amended to read:

85.2 **126C.44 SAFE SCHOOLS LEVY REVENUE.**

85.3 Subdivision 1. Safe schools revenue. (a) Each district may make a levy on all taxable  
85.4 property located within the district for the purposes specified in this section. The maximum  
85.5 amount which may be levied for all costs under this section shall be equal to \$36 multiplied  
85.6 by For fiscal year 2022 and fiscal year 2023, the safe schools revenue for a school district  
85.7 equals \$37 times the district's adjusted pupil units for the school year. For fiscal year 2024  
85.8 and later, the safe schools revenue for a school district equals \$47 times the district's adjusted  
85.9 pupil units for the school year.

85.10 Subd. 2. Safe schools levy. (a) For fiscal year 2022, a district's safe schools levy equals  
85.11 \$36 times the district's adjusted pupil units for the school year.

85.12 (b) To obtain safe schools revenue for fiscal year 2023 and later, a district may levy an  
85.13 amount not more than \$37 times the district's adjusted pupil units for the school year, times  
85.14 the lesser of one or the ratio of its adjusted net tax capacity per adjusted pupil unit to the  
85.15 safe schools equalizing factor. The safe schools equalizing factor equals 60 percent of the  
85.16 state average net tax capacity per adjusted pupil unit for all school districts.

85.17 Subd. 3. Safe schools aid. (a) Basic safe schools aid equals safe schools revenue minus  
85.18 the permitted safe schools levy.

85.19 (b) Safe schools equalization aid equals the safe schools revenue minus the basic safe  
85.20 schools aid minus the safe schools levy. If a school district does not levy the entire amount  
85.21 permitted, the safe schools equalization aid must be reduced in proportion to the actual  
85.22 amount levied.

85.23 (c) For fiscal year 2022, a district's safe schools aid equals basic safe schools aid. For  
85.24 fiscal year 2023 and later, a district's safe schools aid equals basic safe schools aid plus safe  
85.25 schools equalization aid.

85.26 Subd. 4. Cooperative safe schools revenue. In addition to the amounts in subdivision  
85.27 1, the cooperative safe schools revenue for a school district that is a member of a cooperative  
85.28 unit that enrolls students equals the district's adjusted pupil units for the school year, times  
85.29 \$16 for fiscal year 2022, \$20 for fiscal year 2023, and \$26 for fiscal year 2024 and later.  
85.30 Revenue raised under this subdivision must be transferred to the cooperative unit and be  
85.31 reserved and used only for costs associated with safe schools activities authorized under  
85.32 subdivision 10. For purposes of this section, "cooperative unit" has the meaning given under  
85.33 section 123A.24, subdivision 2.

86.1 Subd. 5. Cooperative safe schools levy. (a) For fiscal year 2022, the cooperative safe  
86.2 schools levy for a school district that is a member of an intermediate district may not exceed  
86.3 \$15 times the adjusted pupil units of the member district. The cooperative safe schools levy  
86.4 authority is in addition to a district's safe schools levy authority under subdivision 2.

86.5 (b) For fiscal year 2023 and later, the cooperative safe schools levy for a school district  
86.6 that is a member of a cooperative unit that enrolls students may not exceed \$20 times the  
86.7 adjusted pupil units of the member district times the lesser of one or the ratio of its adjusted  
86.8 net tax capacity per adjusted pupil unit to the safe schools equalizing factor. The cooperative  
86.9 safe schools levy authority is in addition to a district's safe schools levy authority under  
86.10 subdivision 2.

86.11 Subd. 6. Cooperative safe schools aid. (a) Basic cooperative safe schools aid equals  
86.12 cooperative safe schools revenue minus the permitted cooperative safe schools levy.

86.13 (b) Cooperative safe schools equalization aid equals cooperative safe schools revenue  
86.14 minus basic cooperative safe schools aid minus the cooperative safe schools levy. If a school  
86.15 district does not levy the entire amount permitted, the cooperative safe schools equalization  
86.16 aid must be reduced in proportion to the actual amount levied.

86.17 (c) For fiscal year 2022, the cooperative safe schools aid for a school district that is a  
86.18 member of a cooperative unit that enrolls students equals basic cooperative safe schools  
86.19 aid. For fiscal year 2023 and later, the cooperative safe schools aid for a school district that  
86.20 is a member of a cooperative unit that enrolls students equals basic cooperative safe schools  
86.21 aid plus cooperative safe schools equalization aid.

86.22 Subd. 7. Safe schools aid for charter schools. (a) For fiscal year 2022 and fiscal year  
86.23 2023, safe schools aid for a charter school equals \$37 times the adjusted pupil units for the  
86.24 school year. For fiscal year 2024 and later, safe schools aid for a charter school equals \$47  
86.25 times the adjusted pupil units for the school year.

86.26 (b) Safe schools aid must be reserved and used only for costs associated with safe schools  
86.27 activities authorized under subdivision 10.

86.28 Subd. 8. Safe schools aid for nonpublic schools. (a) For fiscal year 2022 and fiscal  
86.29 year 2023, safe schools aid for a nonpublic school, excluding a home school, equals \$37  
86.30 times enrollment for the school year. For fiscal year 2024 and later, safe schools aid for a  
86.31 nonpublic school, excluding a home school, equals \$47 times enrollment for the school  
86.32 year.

87.1 (b) Safe schools aid must be reserved and used only for costs associated with safe schools  
 87.2 activities authorized under subdivision 10.

87.3 Subd. 9. Safe schools aid for American Indian tribal contract or grant schools. (a)  
 87.4 For fiscal year 2022 and fiscal year 2023, safe schools aid for an American Indian tribal  
 87.5 contract or grant school equals \$37 times enrollment for the school year. For fiscal year  
 87.6 2024 and later, safe schools aid for an American Indian tribal contract or grant school equals  
 87.7 \$47 times enrollment for the school year.

87.8 (b) Safe schools aid must be reserved and used only for costs associated with safe schools  
 87.9 activities authorized under subdivision 10.

87.10 Subd. 10. Uses of safe schools revenue. ~~The proceeds of the levy~~ (a) For fiscal year  
 87.11 2021 and later, safe schools revenue must be reserved and used for directly funding the  
 87.12 following purposes or for reimbursing the cities and counties who contract with the district  
 87.13 for the following purposes:

87.14 (1) to pay the costs incurred for the salaries, benefits, and transportation costs of peace  
 87.15 officers and sheriffs for liaison in services in the district's schools;

87.16 (2) to pay the costs for a drug abuse prevention program as defined in section 609.101,  
 87.17 subdivision 3, paragraph (e), in the elementary schools;

87.18 (3) to pay the costs for a gang resistance education training curriculum in the district's  
 87.19 schools;

87.20 (4) to pay the costs for security in the district's schools and on school property;

87.21 (5) to pay the costs for other crime prevention, drug abuse, student and staff safety,  
 87.22 voluntary opt-in suicide prevention tools, and violence prevention measures taken by the  
 87.23 school district;

87.24 (6) to pay costs for licensed school counselors, licensed school nurses, licensed school  
 87.25 social workers, licensed school psychologists, and licensed alcohol and chemical dependency  
 87.26 counselors to help provide early responses to problems;

87.27 (7) to pay for facility security enhancements including laminated glass, public  
 87.28 announcement systems, emergency communications devices, and equipment and facility  
 87.29 modifications related to violence prevention and facility security;

87.30 (8) to pay for costs associated with improving the school climate; ~~or~~

88.1 (9) to pay costs for collocating and collaborating with mental health professionals who  
 88.2 are not district employees or contractors or for school-linked mental health services delivered  
 88.3 by telemedicine; or

88.4 (10) to pay for the costs of enhancing cybersecurity in the district's information system.

88.5 (b) For expenditures under paragraph (a), clause (1), the district must initially attempt  
 88.6 to contract for services to be provided by peace officers or sheriffs with the police department  
 88.7 of each city or the sheriff's department of the county within the district containing the school  
 88.8 receiving the services. If a local police department or a county sheriff's department does  
 88.9 not wish to provide the necessary services, the district may contract for these services with  
 88.10 any other police or sheriff's department located entirely or partially within the school district's  
 88.11 boundaries.

88.12 (c) ~~A school district that is a member of an intermediate school district may include in~~  
 88.13 ~~its authority under this section the costs associated with safe schools activities authorized~~  
 88.14 ~~under paragraph (a) for intermediate school district programs. This authority must not exceed~~  
 88.15 ~~\$15 times the adjusted pupil units of the member districts. This authority is in addition to~~  
 88.16 ~~any other authority authorized under this section. Revenue raised under this paragraph must~~  
 88.17 ~~be transferred to the intermediate school district. A school district, charter school, or~~  
 88.18 cooperative unit receiving revenue under this section must annually report safe schools  
 88.19 expenditures to the commissioner, in the form and manner specified by the commissioner.  
 88.20 The report must conform to uniform financial and reporting standards established for this  
 88.21 purpose and provide a breakdown by functional area.

88.22 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later,  
 88.23 except that subdivision 10 is effective the day following final enactment.

88.24 Sec. 4. **APPROPRIATIONS.**

88.25 Subdivision 1. **Department of Education.** The sums indicated in this section are  
 88.26 appropriated from the general fund to the Department of Education for the fiscal years  
 88.27 designated.

88.28 Subd. 2. **Safe schools aid.** For safe schools aid under Minnesota Statutes, section  
 88.29 126C.44:

88.30 \$ 9,489,000 ..... 2022

88.31 \$ 6,935,000 ..... 2023

88.32 The fiscal year 2022 appropriation includes \$0 for 2021 and \$9,489,000 for 2022. The  
 88.33 fiscal year 2023 appropriation includes \$1,055,000 for 2022 and \$5,880,000 for 2023.



89.1 Subd. 3. **Suicide prevention training for teachers.** (a) For a grant to a nationally  
 89.2 recognized provider of evidence-based online training on suicide prevention and engagement  
 89.3 of students experiencing mental distress:

89.4 §            265,000    ..... 2022

89.5 (b) Training funded by the grant must be accessible to teachers in every school district,  
 89.6 charter school, intermediate school district, service cooperative, and tribal school in  
 89.7 Minnesota.

89.8 (c) The grant recipient must report to the commissioner of education the number of  
 89.9 teachers completing the online training, average length of time to complete training, and  
 89.10 length of average stay using the online training. The commissioner must survey online  
 89.11 training users to determine their perception of the online training. By January 8, 2023, the  
 89.12 commissioner must report the grant recipient's information and the survey results to the  
 89.13 chairs and ranking minority members of the legislative committees having jurisdiction over  
 89.14 kindergarten through grade 12 education.

89.15 (d) This is a onetime appropriation and is available until June 30, 2023.

## 89.16 **ARTICLE 6**

### 89.17 **FACILITIES, FUND TRANSFERS, & ACCOUNTING**

89.18 Section 1. Minnesota Statutes 2020, section 123B.10, is amended by adding a subdivision  
 89.19 to read:

89.20 Subd. 5. **Consulting fees.** The board must also publish at the same time and in a  
 89.21 conspicuous place on the district's official website a summary of actual expenditures by  
 89.22 vendor which exceed \$25,000 for the prior fiscal year for consulting fees for professional  
 89.23 services, consistent with the Uniform Financial Accounting and Reporting Standards Object  
 89.24 Code 305. The summary must include a notice that the district must provide more detailed  
 89.25 information upon request.

89.26 Sec. 2. Minnesota Statutes 2020, section 123B.595, subdivision 3, is amended to read:

89.27 Subd. 3. **Intermediate districts and other cooperative units.** (a) Upon approval through  
 89.28 the adoption of a resolution by each member district school board of an intermediate district  
 89.29 or other cooperative ~~units~~ unit under section 123A.24, subdivision 2, or a joint powers  
 89.30 district under section 471.59, and the approval of the commissioner of education, a school  
 89.31 district may include in its authority under this section a proportionate share of the long-term  
 89.32 maintenance costs of the intermediate district ~~or,~~ cooperative unit, or joint powers district.

90.1 The cooperative unit or joint powers district may issue bonds to finance the project costs  
 90.2 or levy for the costs; using long-term maintenance revenue transferred from member districts  
 90.3 to make debt service payments or pay project costs or, for leased facilities, pay the portion  
 90.4 of lease costs attributable to the amortized cost of long-term facilities maintenance projects  
 90.5 completed by the landlord. Authority under this subdivision is in addition to the authority  
 90.6 for individual district projects under subdivision 1.

90.7 (b) The resolution adopted under paragraph (a) may specify which member districts will  
 90.8 share the project costs under this subdivision, except that debt service payments for bonds  
 90.9 issued by a cooperative unit or joint powers district to finance long-term maintenance project  
 90.10 costs must be the responsibility of all member districts.

90.11 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2023 and later.

90.12 Sec. 3. Minnesota Statutes 2020, section 126C.40, subdivision 1, is amended to read:

90.13 Subdivision 1. **To lease building or land.** (a) When an independent or a special school  
 90.14 district or a group of independent or special school districts finds it economically  
 90.15 advantageous to rent or lease a building or land for any instructional purposes or for school  
 90.16 storage or furniture repair, and it determines that the operating capital revenue authorized  
 90.17 under section 126C.10, subdivision 13, is insufficient for this purpose, it may apply to the  
 90.18 commissioner for permission to make an additional capital expenditure levy for this purpose.  
 90.19 An application for permission to levy under this subdivision must contain financial  
 90.20 justification for the proposed levy, the terms and conditions of the proposed lease, and a  
 90.21 description of the space to be leased and its proposed use.

90.22 (b) The criteria for approval of applications to levy under this subdivision must include:  
 90.23 the reasonableness of the price, the appropriateness of the space to the proposed activity,  
 90.24 the feasibility of transporting pupils to the leased building or land, conformity of the lease  
 90.25 to the laws and rules of the state of Minnesota, and the appropriateness of the proposed  
 90.26 lease to the space needs and the financial condition of the district. The commissioner must  
 90.27 not authorize a levy under this subdivision in an amount greater than the cost to the district  
 90.28 of renting or leasing a building or land for approved purposes. The proceeds of this levy  
 90.29 must not be used for custodial or other maintenance services. A district may not levy under  
 90.30 this subdivision for the purpose of leasing or renting a district-owned building or site to  
 90.31 itself.

90.32 (c) For agreements finalized after July 1, 1997, a district may not levy under this  
 90.33 subdivision for the purpose of leasing: (1) a newly constructed building used primarily for  
 90.34 regular kindergarten, elementary, or secondary instruction; or (2) a newly constructed

91.1 building addition or additions used primarily for regular kindergarten, elementary, or  
 91.2 secondary instruction that contains more than 20 percent of the square footage of the  
 91.3 previously existing building.

91.4 (d) Notwithstanding paragraph (b), a district may levy under this subdivision for the  
 91.5 purpose of leasing or renting a district-owned building or site to itself only if the amount is  
 91.6 needed by the district to make payments required by a lease purchase agreement, installment  
 91.7 purchase agreement, or other deferred payments agreement authorized by law, and the levy  
 91.8 meets the requirements of paragraph (c). A levy authorized for a district by the commissioner  
 91.9 under this paragraph may be in the amount needed by the district to make payments required  
 91.10 by a lease purchase agreement, installment purchase agreement, or other deferred payments  
 91.11 agreement authorized by law, provided that any agreement include a provision giving the  
 91.12 school districts the right to terminate the agreement annually without penalty.

91.13 (e) The total levy under this subdivision for a district for any year must not exceed \$212  
 91.14 times the adjusted pupil units for the fiscal year to which the levy is attributable.

91.15 (f) For agreements for which a review and comment have been submitted to the  
 91.16 Department of Education after April 1, 1998, the term "instructional purpose" as used in  
 91.17 this subdivision excludes expenditures on stadiums.

91.18 (g) The commissioner of education may authorize a school district to exceed the limit  
 91.19 in paragraph (e) if the school district petitions the commissioner for approval. The  
 91.20 commissioner shall grant approval to a school district to exceed the limit in paragraph (e)  
 91.21 for not more than five years if the district meets the following criteria:

91.22 (1) the school district has been experiencing pupil enrollment growth in the preceding  
 91.23 five years;

91.24 (2) the purpose of the increased levy is in the long-term public interest;

91.25 (3) the purpose of the increased levy promotes colocation of government services; and

91.26 (4) the purpose of the increased levy is in the long-term interest of the district by avoiding  
 91.27 over construction of school facilities.

91.28 (h) A school district that is a member of an intermediate school district or other  
 91.29 cooperative unit under section 123A.24, subdivision 2, or a joint powers district under  
 91.30 section 471.59 may include in its authority under this section the costs associated with leases  
 91.31 of administrative and classroom space for ~~intermediate school district~~ programs of the  
 91.32 intermediate school district or other cooperative unit under section 123A.24, subdivision  
 91.33 2, or joint powers district under section 471.59. This authority must not exceed \$65 times

92.1 the adjusted pupil units of the member districts. This authority is in addition to any other  
 92.2 authority authorized under this section. The intermediate school district, other cooperative  
 92.3 unit, or joint powers district may specify which member districts will levy for lease costs  
 92.4 under this paragraph.

92.5 (i) In addition to the allowable capital levies in paragraph (a), for taxes payable in 2012  
 92.6 to 2023, a district that is a member of the "Technology and Information Education Systems"  
 92.7 data processing joint board, that finds it economically advantageous to enter into a lease  
 92.8 agreement to finance improvements to a building and land for a group of school districts  
 92.9 or special school districts for staff development purposes, may levy for its portion of lease  
 92.10 costs attributed to the district within the total levy limit in paragraph (e). The total levy  
 92.11 authority under this paragraph shall not exceed \$632,000.

92.12 (j) Notwithstanding paragraph (a), a district may levy under this subdivision for the  
 92.13 purpose of leasing administrative space if the district can demonstrate to the satisfaction of  
 92.14 the commissioner that the lease cost for the administrative space is no greater than the lease  
 92.15 cost for instructional space that the district would otherwise lease. The commissioner must  
 92.16 deny this levy authority unless the district passes a resolution stating its intent to lease  
 92.17 instructional space under this section if the commissioner does not grant authority under  
 92.18 this paragraph. The resolution must also certify that the lease cost for administrative space  
 92.19 under this paragraph is no greater than the lease cost for the district's proposed instructional  
 92.20 lease.

92.21 (k) Notwithstanding paragraph (a), a district may levy under this subdivision for the  
 92.22 district's proportionate share of deferred maintenance expenditures for a district-owned  
 92.23 building or site leased to a cooperative unit under section 123A.24, subdivision 2, or a joint  
 92.24 powers district under section 471.59 for any instructional purposes or for school storage.

92.25 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2023 and later.

92.26 Sec. 4. Laws 2020, chapter 116, article 3, section 8, is amended to read:

92.27 **Sec. 8. FUND TRANSFERS; FOR FISCAL YEARS 2020 AND 2021 ONLY;**  
 92.28 **REVENUE REDIRECTION FISCAL YEAR 2021 ONLY.**

92.29 Subdivision 1. **Fund and account transfers allowed.** Notwithstanding Minnesota  
 92.30 Statutes, section 123B.80, subdivision 3, for fiscal years 2020 and 2021 only, a school  
 92.31 district, charter school, or cooperative unit may transfer any funds not already assigned to  
 92.32 or encumbered by staff salary and benefits, or otherwise encumbered by federal law, from  
 92.33 any accounts or operating fund to the undesignated balance in any other operating fund.

93.1 Subd. 1a. **Redirected revenue uses.** Notwithstanding any law to the contrary, for fiscal  
 93.2 year 2021 only, a school district may redirect any reserved or restricted revenue to another  
 93.3 use upon adoption of a written resolution of the school board. This authority applies to any  
 93.4 funds not already assigned to or encumbered by staff salary and benefits, or otherwise  
 93.5 encumbered by federal law.

93.6 Subd. 2. **No aid or levy effect.** A fund ~~or~~ transfer, account transfer, or redirection of  
 93.7 revenue is allowed under this section if the transfer or revenue redirection does not increase  
 93.8 state aid obligations to the district or school, or result in additional property tax authority  
 93.9 for the district. Redirected revenue, a fund transfer, or an account transfer is limited to the  
 93.10 operating funds and accounts of a school district, charter school, or cooperative unit.

93.11 Subd. 3. **Board approval required; reporting; audit trail.** (a) A fund or account  
 93.12 transfer under this section for fiscal year 2020 is effective June 30, 2020, and a fund or  
 93.13 account transfer under this section for fiscal year 2021 is effective June 30, 2021. The school  
 93.14 board must approve any fund or account transfer before the reporting deadline for the  
 93.15 respective fiscal year.

93.16 (b) A school board that redirects reserved or restricted revenue or uses revenue for a  
 93.17 different purpose than the specific purposes listed in statute for that revenue must adopt a  
 93.18 written resolution outlining the purpose for, and specifying the amount of, funds that are  
 93.19 redirected.

93.20 (c) A school district, charter school, or cooperative unit must maintain accounting records  
 93.21 for the purposes of this section that are sufficient to document ~~both~~ the specific funds  
 93.22 transferred or redirected and use of those funds. The accounting records are subject to auditor  
 93.23 review. Any execution of flexibility must not interfere with or jeopardize funding per federal  
 93.24 requirements. Any transfer or redirection of funds must not interfere with the equitable  
 93.25 delivery of distance learning or social distancing models.

93.26 Subd. 4. **Commissioner's guidance.** The commissioner must prepare and post to the  
 93.27 department's website a document providing guidance on the process for approval of fund  
 93.28 and account balance transfers authorized under this section.

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

93.30 Sec. 5. **APPROPRIATIONS.**

93.31 Subdivision 1. **Department of Education.** The sums indicated in this section are  
 93.32 appropriated from the general fund to the Department of Education for the fiscal years  
 93.33 designated.

94.1 Subd. 2. Debt service equalization aid. For debt service equalization aid under  
 94.2 Minnesota Statutes, section 123B.53, subdivision 6:

94.3 \$ 25,001,000 ..... 2022

94.4 \$ 24,286,000 ..... 2023

94.5 The 2022 appropriation includes \$2,588,000 for 2021 and \$22,413,000 for 2022.

94.6 The 2023 appropriation includes \$2,490,000 for 2022 and \$21,796,000 for 2023.

94.7 Subd. 3. Long-term facilities maintenance equalized aid. For long-term facilities  
 94.8 maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

94.9 \$ 108,468,000 ..... 2022

94.10 \$ 110,899,000 ..... 2023

94.11 The 2022 appropriation includes \$10,660,000 for 2021 and \$97,808,000 for 2022.

94.12 The 2023 appropriation includes \$10,867,000 for 2022 and \$100,032,000 for 2023.

94.13 Subd. 4. Equity in telecommunications access. (a) For equity in telecommunications  
 94.14 access:

94.15 \$ 3,750,000 ..... 2022

94.16 \$ 3,750,000 ..... 2023

94.17 (b) If the appropriation amount is insufficient, the commissioner shall reduce the  
 94.18 reimbursement rate in Minnesota Statutes, section 125B.26, subdivisions 4 and 5, and the  
 94.19 revenue for fiscal years 2022 and 2023 shall be prorated.

94.20 (c) Any balance in the first year does not cancel but is available in the second year.

94.21 Subd. 5. Maximum effort loan aid. For aid payments to schools under Minnesota  
 94.22 Statutes, section 477A.09.

94.23 \$ 3,288,000 ..... 2022

94.24 \$ 0 ..... 2023

94.25 The base for fiscal year 2024 is \$0.

95.1

**ARTICLE 7**

95.2

**NUTRITION AND LIBRARIES**

95.3 Section 1. Minnesota Statutes 2020, section 124D.111, is amended to read:

95.4 **124D.111 SCHOOL MEALS POLICIES; LUNCH AID; FOOD SERVICE**

95.5 **ACCOUNTING.**

95.6 Subdivision 1. **School ~~lunch aid computation~~ meals policies.** (a) Each Minnesota  
95.7 participant in the national school lunch program must adopt and post to its website, or the  
95.8 website of the organization where the meal is served, a school meals policy.

95.9 (b) The policy must be in writing and clearly communicate student meal charges when  
95.10 payment cannot be collected at the point of service. The policy must be reasonable and  
95.11 well-defined and maintain the dignity of students by prohibiting lunch shaming or otherwise  
95.12 ostracizing the student.

95.13 (c) The policy must address whether the participant uses a collections agency to collect  
95.14 unpaid school meals debt.

95.15 (d) The policy must ensure that once a participant has placed a meal on a tray or otherwise  
95.16 served the meal to a student, the meal may not be subsequently withdrawn from the student  
95.17 by the cashier or other school official, whether or not the student has an outstanding meals  
95.18 balance.

95.19 (e) The policy must ensure that a student who has been determined eligible for free and  
95.20 reduced-price lunch must always be served a reimbursable meal even if the student has an  
95.21 outstanding debt.

95.22 (f) If a school contracts with a third party for its meal services, it must provide the vendor  
95.23 with its school meals policy. Any contract between the school and a third-party provider  
95.24 entered into or modified after July 1, 2021, must ensure that the third-party provider adheres  
95.25 to the participant's school meals policy.

95.26 **Subd. 1a. School lunch aid amounts.** Each school year, the state must pay participants  
95.27 in the national school lunch program the amount of 12.5 cents for each full paid and free  
95.28 student lunch and 52.5 cents for each reduced-price lunch served to students.

95.29 **Subd. 2. Application.** A school district, charter school, nonpublic school, or other  
95.30 participant in the national school lunch program shall apply to the department for this  
95.31 payment on forms provided by the department.

96.1 Subd. 2a. **Federal child and adult care food program; criteria and notice.** The  
96.2 commissioner must post on the department's website eligibility criteria and application  
96.3 information for nonprofit organizations interested in applying to the commissioner for  
96.4 approval as a multisite sponsoring organization under the federal child and adult care food  
96.5 program. The posted criteria and information must inform interested nonprofit organizations  
96.6 about:

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

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

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

96.14 Subd. 3. **School food service fund.** (a) The expenses described in this subdivision must  
96.15 be recorded as provided in this subdivision.

96.16 (b) In each district, the expenses for a school food service program for pupils must be  
96.17 attributed to a school food service fund. Under a food service program, the school food  
96.18 service may prepare or serve milk, meals, or snacks in connection with school or community  
96.19 service activities.

96.20 (c) Revenues and expenditures for food service activities must be recorded in the food  
96.21 service fund. The costs of processing applications, accounting for meals, preparing and  
96.22 serving food, providing kitchen custodial services, and other expenses involving the preparing  
96.23 of meals or the kitchen section of the lunchroom may be charged to the food service fund  
96.24 or to the general fund of the district. The costs of lunchroom supervision, lunchroom custodial  
96.25 services, lunchroom utilities, and other administrative costs of the food service program  
96.26 must be charged to the general fund.

96.27 That portion of superintendent and fiscal manager costs that can be documented as  
96.28 attributable to the food service program may be charged to the food service fund provided  
96.29 that the school district does not employ or contract with a food service director or other  
96.30 individual who manages the food service program, or food service management company.  
96.31 If the cost of the superintendent or fiscal manager is charged to the food service fund, the  
96.32 charge must be at a wage rate not to exceed the statewide average for food service directors  
96.33 as determined by the department.



97.1 (d) Capital expenditures for the purchase of food service equipment must be made from  
 97.2 the general fund and not the food service fund, unless the restricted balance in the food  
 97.3 service fund at the end of the last fiscal year is greater than the cost of the equipment to be  
 97.4 purchased.

97.5 (e) If the condition set out in paragraph (d) applies, the equipment may be purchased  
 97.6 from the food service fund.

97.7 (f) If a deficit in the food service fund exists at the end of a fiscal year, and the deficit  
 97.8 is not eliminated by revenues from food service operations in the next fiscal year, then the  
 97.9 deficit must be eliminated by a permanent fund transfer from the general fund at the end of  
 97.10 that second fiscal year. However, if a district contracts with a food service management  
 97.11 company during the period in which the deficit has accrued, the deficit must be eliminated  
 97.12 by a payment from the food service management company.

97.13 (g) Notwithstanding paragraph (f), a district may incur a deficit in the food service fund  
 97.14 for up to three years without making the permanent transfer if the district submits to the  
 97.15 commissioner by January 1 of the second fiscal year a plan for eliminating that deficit at  
 97.16 the end of the third fiscal year.

97.17 (h) If a surplus in the food service fund exists at the end of a fiscal year for three  
 97.18 successive years, a district may recode for that fiscal year the costs of lunchroom supervision,  
 97.19 lunchroom custodial services, lunchroom utilities, and other administrative costs of the food  
 97.20 service program charged to the general fund according to paragraph (c) and charge those  
 97.21 costs to the food service fund in a total amount not to exceed the amount of surplus in the  
 97.22 food service fund.

97.23 Subd. 4. **No fees.** A participant that receives school lunch aid under this section must  
 97.24 make lunch available without charge and must not deny a school lunch to all participating  
 97.25 students who qualify for free or reduced-price meals, whether or not that student has an  
 97.26 outstanding balance in the student's meals account attributable to a la carte purchases or for  
 97.27 any other reason.

97.28 Subd. 5. **Respectful treatment.** (a) The participant must also provide meals to students  
 97.29 in a respectful manner according to the policy adopted under subdivision 1. The participant  
 97.30 must ensure that any reminders for payment of outstanding student meal balances do not  
 97.31 demean or stigmatize any child participating in the school lunch program; including but  
 97.32 not limited to dumping meals, withdrawing a meal that has been served, announcing or  
 97.33 listing students' names publicly, or affixing stickers, stamps, or pins. The participant must  
 97.34 not impose any other restriction prohibited under section 123B.37 due to unpaid student

98.1 meal balances. The participant must not limit a student's participation in any school activities,  
 98.2 graduation ceremonies, field trips, athletics, activity clubs, or other extracurricular activities  
 98.3 or access to materials, technology, or other items provided to students due to an unpaid  
 98.4 student meal balance.

98.5 (b) If the commissioner or the commissioner's designee determines a participant has  
 98.6 violated the requirement to provide meals to participating students in a respectful manner,  
 98.7 the commissioner or the commissioner's designee must send a letter of noncompliance to  
 98.8 the participant. The participant is required to respond and, if applicable, remedy the practice  
 98.9 within 60 days.

98.10 Sec. 2. Minnesota Statutes 2020, section 134.355, subdivision 5, is amended to read:

98.11 Subd. 5. **Base aid distribution.** ~~Five~~ Fifteen percent of the available aid funds shall be  
 98.12 paid to each system as base aid for basic system services.

98.13 **EFFECTIVE DATE.** This section is effective for state aid for fiscal year 2022 and  
 98.14 later.

98.15 Sec. 3. Minnesota Statutes 2020, section 134.355, subdivision 6, is amended to read:

98.16 Subd. 6. **Adjusted net tax capacity per capita distribution.** ~~Twenty-five~~ Fifteen percent  
 98.17 of the available aid funds shall be distributed to regional public library systems based upon  
 98.18 the adjusted net tax capacity per capita for each member county or participating portion of  
 98.19 a county as calculated for the ~~second~~ third year preceding the fiscal year for which aid is  
 98.20 provided. Each system's entitlement shall be calculated as follows:

98.21 ~~(a)~~ (1) multiply the adjusted net tax capacity per capita for each county or participating  
 98.22 portion of a county by .0082;

98.23 ~~(b)~~ (2) add sufficient aid funds that are available under this subdivision to raise the  
 98.24 amount of the county or participating portion of a county with the lowest value calculated  
 98.25 according to ~~paragraph (a)~~ clause (1) to the amount of the county or participating portion  
 98.26 of a county with the next highest value calculated according to ~~paragraph (a)~~ clause (1).  
 98.27 Multiply the amount of the additional aid funds by the population of the county or  
 98.28 participating portion of a county;

98.29 ~~(c)~~ (3) continue the process described in ~~paragraph (b)~~ clause (2) by adding sufficient  
 98.30 aid funds that are available under this subdivision to the amount of a county or participating  
 98.31 portion of a county with the next highest value calculated in ~~paragraph (a)~~ clause (1) to raise  
 98.32 it and the amount of counties and participating portions of counties with lower values

99.1 calculated in ~~paragraph (a)~~ clause (1) up to the amount of the county or participating portion  
 99.2 of a county with the next highest value, until reaching an amount where funds available  
 99.3 under this subdivision are no longer sufficient to raise the amount of a county or participating  
 99.4 portion of a county and the amount of counties and participating portions of counties with  
 99.5 lower values up to the amount of the next highest county or participating portion of a county;  
 99.6 and

99.7 ~~(d)~~ (4) if the point is reached using the process in ~~paragraphs (b) and (c)~~ clauses (2) and  
 99.8 (3) at which the remaining aid funds under this subdivision are not adequate for raising the  
 99.9 amount of a county or participating portion of a county and all counties and participating  
 99.10 portions of counties with amounts of lower value to the amount of the county or participating  
 99.11 portion of a county with the next highest value, those funds are to be divided on a per capita  
 99.12 basis for all counties or participating portions of counties that received aid funds under the  
 99.13 calculation in ~~paragraphs (b) and (c)~~ clauses (2) and (3).

99.14 **EFFECTIVE DATE.** This section is effective for state aid for fiscal year 2022 and  
 99.15 later.

99.16 Sec. 4. Minnesota Statutes 2020, section 134.355, subdivision 7, is amended to read:

99.17 Subd. 7. **Population determination.** A regional public library system's population shall  
 99.18 be determined according to must be calculated using the most recent estimate available  
 99.19 under section 477A.011, subdivision 3, at the time the aid amounts are calculated, which  
 99.20 must be by April 1 in the year the calculation is made.

99.21 **EFFECTIVE DATE.** This section is effective for state aid for fiscal year 2022 and  
 99.22 later.

99.23 Sec. 5. **APPROPRIATIONS.**

99.24 Subdivision 1. **Department of Education.** The sums indicated in this section are  
 99.25 appropriated from the general fund to the Department of Education for the fiscal years  
 99.26 designated. Any balance in the first year does not cancel but is available in the second year.

99.27 Subd. 2. **School lunch.** For school lunch aid under Minnesota Statutes, section 124D.111,  
 99.28 and Code of Federal Regulations, title 7, section 210.17:

99.29        \$        16,635,000    .....    2022

99.30        \$        16,917,000    .....    2023

99.31 Subd. 3. **School breakfast.** For traditional school breakfast aid under Minnesota Statutes,  
 99.32 section 124D.1158:

100.1           \$       11,745,000   ..... 2022

100.2           \$       12,090,000   ..... 2023

100.3           Subd. 4. **Kindergarten milk.** For kindergarten milk aid under Minnesota Statutes,  
100.4 section 124D.118:

100.5           \$       656,000       ..... 2022

100.6           \$       658,000       ..... 2023

100.7           Subd. 5. **Summer school food service replacement.** For summer school food service  
100.8 replacement aid under Minnesota Statutes, section 124D.119:

100.9           \$       150,000       ..... 2022

100.10          \$       150,000       ..... 2023

100.11          Subd. 6. **Basic system support.** For basic system support aid under Minnesota Statutes,  
100.12 section 134.355:

100.13          \$       15,010,000   ..... 2022

100.14          \$       15,170,000   ..... 2023

100.15          The 2022 appropriation includes \$1,357,000 for 2021 and \$13,653,000 for 2022.

100.16          The 2023 appropriation includes \$1,517,000 for 2022 and \$13,653,000 for 2023.

100.17          Subd. 7. **Multicounty, multitype library systems.** For aid under Minnesota Statutes,  
100.18 sections 134.353 and 134.354, to multicounty, multitype library systems:

100.19          \$       1,300,000       ..... 2022

100.20          \$       1,300,000       ..... 2023

100.21          The 2022 appropriation includes \$130,000 for 2021 and \$1,170,000 for 2022.

100.22          The 2023 appropriation includes \$130,000 for 2022 and \$1,170,000 for 2023.

100.23          Subd. 8. **Electronic library for Minnesota.** For statewide licenses to online databases  
100.24 selected in cooperation with the Minnesota Office of Higher Education for school media  
100.25 centers, public libraries, state government agency libraries, and public or private college or  
100.26 university libraries:

100.27          \$       900,000       ..... 2022

100.28          \$       900,000       ..... 2023

100.29          Subd. 9. **Regional library telecommunications.** For regional library telecommunications  
100.30 aid under Minnesota Statutes, section 134.355:

101.1        \$        2,300,000    ..... 2022

101.2        \$        2,300,000    ..... 2023

101.3        The 2022 appropriation includes \$230,000 for 2021 and \$2,070,000 for 2022.

101.4        The 2023 appropriation includes \$230,000 for 2022 and \$2,070,000 for 2023.

101.5

## ARTICLE 8

101.6

### EARLY CHILDHOOD

101.7        Section 1. [124D.166] LIMIT ON SCREEN TIME FOR CHILDREN IN PRESCHOOL

101.8        AND KINDERGARTEN.

101.9        A child in a publicly funded preschool or kindergarten program may not use an

101.10 individual-use screen, such as a tablet, smartphone, or other digital media, without

101.11 engagement from a teacher or other students. This section does not apply to a child for

101.12 whom the school has an individualized family service plan or an individualized education

101.13 program in effect.

101.14        Sec. 2. APPROPRIATIONS.

101.15        Subdivision 1. Department of Education. The sums indicated in this section are

101.16 appropriated from the general fund to the Department of Education for the fiscal years

101.17 designated.

101.18        Subd. 2. School readiness. (a) For revenue for school readiness programs under

101.19 Minnesota Statutes, sections 124D.15 and 124D.16:

101.20        \$        33,683,000    ..... 2022

101.21        \$        33,683,000    ..... 2023

101.22        (b) The 2022 appropriation includes \$3,368,000 for 2021 and \$30,315,000 for 2022.

101.23        (c) The 2023 appropriation includes \$3,368,000 for 2022 and \$30,315,000 for 2023.

101.24        Subd. 3. Early learning scholarships. (a) For the early learning scholarship program

101.25 under Minnesota Statutes, section 124D.165:

101.26        \$        70,709,000    ..... 2022

101.27        \$        70,709,000    ..... 2023

101.28        (b) This appropriation is subject to the requirements under Minnesota Statutes, section

101.29 124D.165, subdivision 6.

102.1 Subd. 4. **Head Start program.** For Head Start programs under Minnesota Statutes,  
 102.2 section 119A.52:

102.3 \$ 25,100,000 ..... 2022

102.4 \$ 25,100,000 ..... 2023

102.5 Subd. 5. **Early childhood family education aid.** (a) For early childhood family education  
 102.6 aid under Minnesota Statutes, section 124D.135:

102.7 \$ 33,772,000 ..... 2022

102.8 \$ 34,055,000 ..... 2023

102.9 (b) The 2022 appropriation includes \$3,341,000 for 2021 and \$30,431,000 for 2022.

102.10 (c) The 2023 appropriation includes \$3,381,000 for 2022 and \$30,674,000 for 2023.

102.11 Subd. 6. **Developmental screening aid.** (a) For developmental screening aid under  
 102.12 Minnesota Statutes, sections 121A.17 and 121A.19:

102.13 \$ 3,582,000 ..... 2022

102.14 \$ 3,476,000 ..... 2023

102.15 (b) The 2022 appropriation includes \$360,000 for 2021 and \$3,222,000 for 2022.

102.16 (c) The 2023 appropriation includes \$357,000 for 2022 and \$3,119,000 for 2023.

102.17 Subd. 7. **ParentChild+ program.** For a grant to the ParentChild+ program:

102.18 \$ 900,000 ..... 2022

102.19 \$ 900,000 ..... 2023

102.20 The grant must be used for an evidence-based and research-validated early childhood literacy  
 102.21 and school readiness program for children ages 16 months to four years at its existing  
 102.22 suburban program location. The program must include urban and rural program locations  
 102.23 for fiscal years 2022 and 2023.

102.24 Subd. 8. **Kindergarten entrance assessment initiative and intervention program.** For  
 102.25 the kindergarten entrance assessment initiative and intervention program under Minnesota  
 102.26 Statutes, section 124D.162:

102.27 \$ 281,000 ..... 2022

102.28 \$ 281,000 ..... 2023

102.29 Subd. 9. **Quality rating and improvement system.** (a) For transfer to the commissioner  
 102.30 of human services for the purposes of expanding the quality rating and improvement system



104.1 the school district; and any other groups participating in the community education program  
104.2 in the school district.

104.3 (b) The advisory council must create a system to receive and review feedback and input  
104.4 on the use of general community education revenue under section 124D.20, subdivision 3.  
104.5 The advisory council must make written recommendations to the community education  
104.6 director and to the school board on the use of general community education revenue under  
104.7 section 124D.20, subdivision 3.

104.8 Sec. 2. Minnesota Statutes 2020, section 124D.20, subdivision 3, is amended to read:

104.9 Subd. 3. **General community education revenue.** The general community education  
104.10 revenue for a district equals \$5.23 for fiscal years 2005 and 2006 and \$5.42 for fiscal year  
104.11 2007 through fiscal year 2022 and \$5.97 for fiscal year 2023 and later, times the greater of  
104.12 1,335 or the population of the district. The population of the district is determined according  
104.13 to section 275.14.

104.14 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2023 and later.

104.15 Sec. 3. Minnesota Statutes 2020, section 124D.20, subdivision 7, is amended to read:

104.16 Subd. 7. **Community education aid.** (a) A district's community education aid is the  
104.17 difference between its community education revenue and the community education levy.  
104.18 If the district does not levy the entire amount permitted, the community education aid must  
104.19 be reduced in proportion to the actual amount levied.

104.20 (b) In addition to the community education aid under paragraph (a), a district's  
104.21 supplemental community education aid equals \$3.90 for fiscal year 2023 and \$16.94 for  
104.22 fiscal year 2024 and later, times the district's average daily membership for the school year.

104.23 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2023 and later.

104.24 Sec. 4. Minnesota Statutes 2020, section 124D.20, subdivision 8, is amended to read:

104.25 Subd. 8. **Uses of general revenue.** (a) General community education revenue may be  
104.26 used for:

104.27 (1) nonvocational, recreational, and leisure time activities and programs;

104.28 (2) programs for adults with disabilities, if the programs and budgets are approved by  
104.29 the department;

104.30 (3) adult basic education programs, according to section 124D.52;



- 105.1 (4) summer programs for elementary and secondary pupils;
- 105.2 (5) implementation of a youth development plan;
- 105.3 (6) implementation of a youth service program;
- 105.4 (7) early childhood family education programs, according to section 124D.13;
- 105.5 (8) school readiness programs, according to section 124D.15; ~~and~~
- 105.6 (9) school-age care programs, according to section 124D.19, subdivision 11; and
- 105.7 (10) other programs, including programs offered by other nonschool organizations,
- 105.8 consistent with the purpose of community education programs under section 124D.18.

105.9 (b) In addition to money from other sources, a district may use up to ten percent of its

105.10 community education revenue for equipment that is used exclusively in community education

105.11 programs. This revenue may be used only for the following purposes:

- 105.12 (1) to purchase or lease computers and related materials;
- 105.13 (2) to purchase or lease equipment for instructional programs; and
- 105.14 (3) to purchase textbooks and library books.

105.15 (c) General community education revenue must not be used to subsidize the direct activity

105.16 costs for adult enrichment programs. Direct activity costs include, but are not limited to,

105.17 the cost of the activity leader or instructor, cost of materials, or transportation costs.

105.18 **EFFECTIVE DATE.** This section is effective July 1, 2021.

105.19 Sec. 5. Minnesota Statutes 2020, section 124D.531, subdivision 1, is amended to read:

105.20 Subdivision 1. **State total adult basic education aid.** (a) The state total adult basic

105.21 education aid for fiscal year 2011 equals \$44,419,000, plus any amount that is not paid

105.22 during the previous fiscal year as a result of adjustments under subdivision 4, paragraph

105.23 (a), or section 124D.52, subdivision 3. The state total adult basic education aid for later

105.24 fiscal years equals:

105.25 (1) the state total adult basic education aid for the preceding fiscal year plus any amount

105.26 that is not paid for during the previous fiscal year, as a result of adjustments under subdivision

105.27 4, paragraph (a), or section 124D.52, subdivision 3; times

105.28 (2) the greater of 1.00 or the lesser of:

105.29 (i) 1.03; or

105.30 (ii) the average growth in state total contact hours over the prior ten program years.

106.1 Three percent of the state total adult basic education aid must be set aside for adult basic  
106.2 education supplemental service grants under section 124D.522.

106.3 (b) The state total adult basic education aid, excluding basic population aid, equals the  
106.4 difference between the amount computed in paragraph (a), and the state total basic population  
106.5 aid under subdivision 2.

106.6 **Sec. 6. APPROPRIATIONS.**

106.7 **Subdivision 1. Department of Education.** The sums indicated in this section are  
106.8 appropriated from the general fund to the Department of Education for the fiscal years  
106.9 designated. Any balances in the first year do not cancel but are available in the second year.

106.10 **Subd. 2. Community education aid.** For community education aid under Minnesota  
106.11 Statutes, section 124D.20:

106.12 \$ 180,000 ..... 2022

106.13 \$ 3,043,000 ..... 2023

106.14 The 2022 appropriation includes \$22,000 for 2021 and \$158,000 for 2022.

106.15 The 2023 appropriation includes \$17,000 for 2022 and \$3,026,000 for 2023.

106.16 **Subd. 3. Adults with disabilities program aid.** For adults with disabilities programs  
106.17 under Minnesota Statutes, section 124D.56:

106.18 \$ 710,000 ..... 2022

106.19 \$ 710,000 ..... 2023

106.20 The 2022 appropriation includes \$71,000 for 2021 and \$639,000 for 2022.

106.21 The 2023 appropriation includes \$71,000 for 2022 and \$639,000 for 2023.

106.22 **Subd. 4. Hearing-impaired adults.** For programs for hearing-impaired adults under  
106.23 Minnesota Statutes, section 124D.57:

106.24 \$ 70,000 ..... 2022

106.25 \$ 70,000 ..... 2023

106.26 **Subd. 5. School-age care aid.** For school-age care aid under Minnesota Statutes, section  
106.27 124D.22:

106.28 \$ 1,000 ..... 2022

106.29 \$ 1,000 ..... 2023

106.30 The 2022 appropriation includes \$0 for 2021 and \$1,000 for 2022.

107.1 The 2023 appropriation includes \$0 for 2022 and \$1,000 for 2023.

107.2 Subd. 6. **Tier 1 grants.** (a) For education partnership program Tier 1 sustaining grants  
 107.3 under Minnesota Statutes, section 124D.99:

107.4 \$ 2,600,000 ..... 2022

107.5 \$ 2,600,000 ..... 2023

107.6 (b) Of the amounts in paragraph (a), \$1,300,000 each year is for the Northside  
 107.7 Achievement Zone and \$1,300,000 each year is for the St. Paul Promise Neighborhood.

107.8 Subd. 7. **Tier 2 implementing grants.** For Tier 2 implementing grants under Minnesota  
 107.9 Statutes, section 124D.99:

107.10 \$ 480,000 ..... 2022

107.11 \$ 480,000 ..... 2023

107.12 Subd. 8. **Adult basic education aid.** For adult basic education aid under Minnesota  
 107.13 Statutes, section 124D.531:

107.14 \$ 53,191,000 ..... 2022

107.15 \$ 54,768,000 ..... 2023

107.16 The 2022 appropriation includes \$5,177,000 for 2021 and \$48,014,000 for 2022.

107.17 The 2023 appropriation includes \$5,334,000 for 2022 and \$49,434,000 for 2023.

107.18 Subd. 9. **High school equivalency tests.** For payment of the costs of the  
 107.19 commissioner-selected high school equivalency tests under Minnesota Statutes, section  
 107.20 124D.55:

107.21 \$ 125,000 ..... 2022

107.22 \$ 125,000 ..... 2023

## 107.23 **ARTICLE 10**

### 107.24 **STATE AGENCIES**

107.25 Section 1. Minnesota Statutes 2020, section 12.21, subdivision 3, is amended to read:

107.26 Subd. 3. **Specific authority.** (a) In performing duties under this chapter and to effect its  
 107.27 policy and purpose, the governor may:

107.28 (1) make, amend, and rescind the necessary orders and rules to carry out the provisions  
 107.29 of this chapter and section 216C.15 within the limits of the authority conferred by this  
 107.30 section, with due consideration of the plans of the federal government and without complying

108.1 with sections 14.001 to 14.69, but no order or rule has the effect of law except as provided  
108.2 by section 12.32;

108.3 (2) ensure that a comprehensive emergency operations plan and emergency management  
108.4 program for this state are developed and maintained, and are integrated into and coordinated  
108.5 with the emergency plans of the federal government and of other states to the fullest possible  
108.6 extent;

108.7 (3) in accordance with the emergency operations plan and the emergency management  
108.8 program of this state, procure supplies, equipment, and facilities; institute training programs  
108.9 and public information programs; and take all other preparatory steps, including the partial  
108.10 or full activation of emergency management organizations in advance of actual disaster to  
108.11 ensure the furnishing of adequately trained and equipped forces of emergency management  
108.12 personnel in time of need;

108.13 (4) make studies and surveys of the industries, resources, and facilities in this state as  
108.14 may be necessary to ascertain the capabilities of the state for emergency management and  
108.15 to plan for the most efficient emergency use of those industries, resources, and facilities;

108.16 (5) on behalf of this state, enter into mutual aid arrangements or cooperative agreements  
108.17 with other states, tribal authorities, and Canadian provinces, and coordinate mutual aid plans  
108.18 between political subdivisions of this state;

108.19 (6) delegate administrative authority vested in the governor under this chapter, except  
108.20 the power to make rules, and provide for the subdelegation of that authority;

108.21 (7) cooperate with the president and the heads of the armed forces, the Emergency  
108.22 Management Agency of the United States and other appropriate federal officers and agencies,  
108.23 and with the officers and agencies of other states in matters pertaining to the emergency  
108.24 management of the state and nation, including the direction or control of:

108.25 (i) emergency preparedness drills and exercises;

108.26 (ii) warnings and signals for drills or actual emergencies and the mechanical devices to  
108.27 be used in connection with them;

108.28 (iii) shutting off water mains, gas mains, electric power connections and the suspension  
108.29 of all other utility services;

108.30 (iv) the conduct of persons in the state, including entrance or exit from any stricken or  
108.31 threatened public place, occupancy of facilities, and the movement and cessation of  
108.32 movement of pedestrians, vehicular traffic, and all forms of private and public transportation  
108.33 during, prior, and subsequent to drills or actual emergencies;

109.1 (v) public meetings or gatherings; and

109.2 (vi) the evacuation, reception, and sheltering of persons;

109.3 (8) contribute to a political subdivision, within the limits of the appropriation for that  
 109.4 purpose, not more than 25 percent of the cost of acquiring organizational equipment that  
 109.5 meets standards established by the governor;

109.6 (9) formulate and execute, with the approval of the Executive Council, plans and rules  
 109.7 for the control of traffic in order to provide for the rapid and safe movement over public  
 109.8 highways and streets of troops, vehicles of a military nature, and materials for national  
 109.9 defense and war or for use in any war industry, for the conservation of critical materials, or  
 109.10 for emergency management purposes; and coordinate the activities of the departments or  
 109.11 agencies of the state and its political subdivisions concerned directly or indirectly with  
 109.12 public highways and streets, in a manner that will best effectuate those plans;

109.13 (10) alter or adjust by executive order, without complying with sections 14.01 to 14.69,  
 109.14 the working hours, workdays and work week of, and annual and sick leave provisions and  
 109.15 payroll laws regarding all state employees in the executive branch as the governor deems  
 109.16 necessary to minimize the impact of the disaster or emergency, conforming the alterations  
 109.17 or adjustments to existing state laws, rules, and collective bargaining agreements to the  
 109.18 extent practicable; and

109.19 ~~(11) authorize the commissioner of education to alter school schedules, curtail school~~  
 109.20 ~~activities, or order schools closed as defined in section 120A.05, subdivisions 9, 11, 13, and~~  
 109.21 ~~17, and including charter schools under chapter 124E, and elementary schools enrolling~~  
 109.22 ~~prekindergarten pupils in district programs; and~~

109.23 ~~(12)~~ transfer the direction, personnel, or functions of state agencies to perform or facilitate  
 109.24 response and recovery programs.

109.25 (b) The governor may not use any authority provided under this chapter to issue any  
 109.26 order or to authorize the commissioner of education to alter school schedules, curtail school  
 109.27 activities, or order schools closed. "School" as used in this section means a school as defined  
 109.28 in section 120A.05, subdivisions 9, 11, 13, and 17, and includes a charter school under  
 109.29 chapter 124E, and an elementary school enrolling prekindergarten pupils in district programs.  
 109.30 The governor may not use any authority provided under this chapter to prevent the typical  
 109.31 presence of students in school buildings. The governor may advise and consult with school  
 109.32 leaders regarding any action needed for emergency management purposes.

110.1 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
110.2 applies to peacetime emergencies in effect or declared on or after that date.

110.3 Sec. 2. Minnesota Statutes 2020, section 43A.08, subdivision 1, is amended to read:

110.4 Subdivision 1. **Unclassified positions.** Unclassified positions are held by employees  
110.5 who are:

110.6 (1) chosen by election or appointed to fill an elective office;

110.7 (2) heads of agencies required by law to be appointed by the governor or other elective  
110.8 officers, and the executive or administrative heads of departments, bureaus, divisions, and  
110.9 institutions specifically established by law in the unclassified service;

110.10 (3) deputy and assistant agency heads and one confidential secretary in the agencies  
110.11 listed in subdivision 1a and in the Office of Strategic and Long-Range Planning;

110.12 (4) the confidential secretary to each of the elective officers of this state and, for the  
110.13 secretary of state and state auditor, an additional deputy, clerk, or employee;

110.14 (5) intermittent help employed by the commissioner of public safety to assist in the  
110.15 issuance of vehicle licenses;

110.16 (6) employees in the offices of the governor and of the lieutenant governor and one  
110.17 confidential employee for the governor in the Office of the Adjutant General;

110.18 (7) employees of the Washington, D.C., office of the state of Minnesota;

110.19 (8) employees of the legislature and of legislative committees or commissions; provided  
110.20 that employees of the Legislative Audit Commission, except for the legislative auditor, the  
110.21 deputy legislative auditors, and their confidential secretaries, shall be employees in the  
110.22 classified service;

110.23 (9) presidents, vice-presidents, deans, other managers and professionals in academic  
110.24 and academic support programs, administrative or service faculty, teachers, research  
110.25 assistants, and student employees eligible under terms of the federal Economic Opportunity  
110.26 Act work study program in the ~~Perpich Center for Arts Education and the Minnesota State~~  
110.27 ~~Colleges and Universities~~, but not the custodial, clerical, or maintenance employees, or any  
110.28 professional or managerial employee performing duties in connection with the business  
110.29 administration of these institutions;

110.30 (10) officers and enlisted persons in the National Guard;

111.1 (11) attorneys, legal assistants, and three confidential employees appointed by the attorney  
111.2 general or employed with the attorney general's authorization;

111.3 (12) judges and all employees of the judicial branch, referees, receivers, jurors, and  
111.4 notaries public, except referees and adjusters employed by the Department of Labor and  
111.5 Industry;

111.6 (13) members of the State Patrol; provided that selection and appointment of State Patrol  
111.7 troopers must be made in accordance with applicable laws governing the classified service;

111.8 (14) examination monitors and intermittent training instructors employed by the  
111.9 Departments of Management and Budget and Commerce and by professional examining  
111.10 boards and intermittent staff employed by the technical colleges for the administration of  
111.11 practical skills tests and for the staging of instructional demonstrations;

111.12 (15) student workers;

111.13 (16) executive directors or executive secretaries appointed by and reporting to any  
111.14 policy-making board or commission established by statute;

111.15 (17) employees unclassified pursuant to other statutory authority;

111.16 (18) intermittent help employed by the commissioner of agriculture to perform duties  
111.17 relating to pesticides, fertilizer, and seed regulation;

111.18 (19) the administrators and the deputy administrators at the State Academies for the  
111.19 Deaf and the Blind; and

111.20 (20) chief executive officers in the Department of Human Services.

111.21 **EFFECTIVE DATE.** This section is effective June 30, 2022.

111.22 Sec. 3. Minnesota Statutes 2020, section 43A.08, subdivision 1a, is amended to read:

111.23 Subd. 1a. **Additional unclassified positions.** Appointing authorities for the following  
111.24 agencies may designate additional unclassified positions according to this subdivision: the  
111.25 Departments of Administration; Agriculture; Commerce; Corrections; Education;  
111.26 Employment and Economic Development; Explore Minnesota Tourism; Management and  
111.27 Budget; Health; Human Rights; Labor and Industry; Natural Resources; Public Safety;  
111.28 Human Services; Revenue; Transportation; and Veterans Affairs; the Housing Finance and  
111.29 Pollution Control Agencies; the State Lottery; the State Board of Investment; the Office of  
111.30 Administrative Hearings; the Office of MN.IT Services; the Offices of the Attorney General,  
111.31 Secretary of State, and State Auditor; the Minnesota State Colleges and Universities; the

112.1 Minnesota Office of Higher Education; ~~the Perpich Center for Arts Education~~; and the  
 112.2 Minnesota Zoological Board.

112.3 A position designated by an appointing authority according to this subdivision must  
 112.4 meet the following standards and criteria:

112.5 (1) the designation of the position would not be contrary to other law relating specifically  
 112.6 to that agency;

112.7 (2) the person occupying the position would report directly to the agency head or deputy  
 112.8 agency head and would be designated as part of the agency head's management team;

112.9 (3) the duties of the position would involve significant discretion and substantial  
 112.10 involvement in the development, interpretation, and implementation of agency policy;

112.11 (4) the duties of the position would not require primarily personnel, accounting, or other  
 112.12 technical expertise where continuity in the position would be important;

112.13 (5) there would be a need for the person occupying the position to be accountable to,  
 112.14 loyal to, and compatible with, the governor and the agency head, the employing statutory  
 112.15 board or commission, or the employing constitutional officer;

112.16 (6) the position would be at the level of division or bureau director or assistant to the  
 112.17 agency head; and

112.18 (7) the commissioner has approved the designation as being consistent with the standards  
 112.19 and criteria in this subdivision.

112.20 **EFFECTIVE DATE.** This section is effective June 30, 2022.

112.21 Sec. 4. Minnesota Statutes 2020, section 122A.416, is amended to read:

112.22 **122A.416 ALTERNATIVE TEACHER COMPENSATION REVENUE FOR**  
 112.23 **~~PERPICH CENTER FOR ARTS EDUCATION AND MULTIDISTRICT~~**  
 112.24 **INTEGRATION COLLABORATIVES.**

112.25 Notwithstanding sections 122A.414, 122A.415, and 126C.10, multidistrict integration  
 112.26 collaboratives ~~and the Perpich Center for Arts Education~~ are eligible to receive alternative  
 112.27 teacher compensation revenue as if they were intermediate school districts. To qualify for  
 112.28 alternative teacher compensation revenue, a multidistrict integration collaborative ~~or the~~  
 112.29 ~~Perpich Center for Arts Education~~ must meet all of the requirements of sections 122A.414  
 112.30 and 122A.415 that apply to intermediate school districts, must report its enrollment as of  
 112.31 October 1 of each year to the department, and must annually report its expenditures for the



113.1 alternative teacher professional pay system consistent with the uniform financial accounting  
113.2 and reporting standards to the department by November 30 of each year.

113.3 **EFFECTIVE DATE.** This section is effective June 30, 2022.

113.4 Sec. 5. Minnesota Statutes 2020, section 123A.30, subdivision 6, is amended to read:

113.5 Subd. 6. **Severance pay.** A district must pay severance pay to a teacher who is placed  
113.6 on unrequested leave of absence by the district as a result of the agreement. A teacher is  
113.7 eligible under this subdivision if the teacher:

113.8 (1) is a teacher, but not a superintendent;

113.9 (2) has a continuing contract with the district according to section 122A.40, subdivision  
113.10 7.

113.11 The amount of severance pay must be equal to the teacher's salary for the school year  
113.12 during which the teacher was placed on unrequested leave of absence minus the gross  
113.13 amount the teacher was paid during the 12 months following the teacher's termination of  
113.14 salary, by an entity whose teachers by statute or rule must possess a valid Minnesota teaching  
113.15 license, and minus the amount a teacher receives as severance or other similar pay according  
113.16 to a contract with the district or district policy. These entities requiring a valid Minnesota  
113.17 teaching license include, but are not limited to, the district that placed the teacher on  
113.18 unrequested leave of absence, another district in Minnesota, an education district, an  
113.19 intermediate school district, a service cooperative, a board formed under section 471.59, a  
113.20 state residential academy, ~~the Perpich Center for Arts Education~~, a vocational center, or a  
113.21 special education cooperative. These entities do not include a district in another state, a  
113.22 Minnesota public postsecondary institution, or a state agency. Only amounts earned by the  
113.23 teacher as a substitute teacher or in a position requiring a valid Minnesota teaching license  
113.24 shall be subtracted. A teacher may decline any offer of employment as a teacher without  
113.25 loss of rights to severance pay.

113.26 To determine the amount of severance pay that is due for the first six months following  
113.27 termination of the teacher's salary, the district may require the teacher to provide documented  
113.28 evidence of the teacher's employers and gross earnings during that period. The district must  
113.29 pay the teacher the amount of severance pay it determines to be due from the proceeds of  
113.30 the levy for this purpose. To determine the amount of severance pay that is due for the  
113.31 second six months of the 12 months following the termination of the teacher's salary, the  
113.32 district may require the teacher to provide documented evidence of the teacher's employers

114.1 and gross earnings during that period. The district must pay the teacher the amount of  
114.2 severance pay it determines to be due from the proceeds of the levy for this purpose.

114.3 A teacher who receives severance pay under this subdivision waives all further  
114.4 reinstatement rights under section 122A.40, subdivision 10 or 11. If the teacher receives  
114.5 severance pay, the teacher shall not receive credit for any years of service in the district  
114.6 paying severance pay prior to the year in which the teacher becomes eligible to receive  
114.7 severance pay.

114.8 The severance pay is subject to section 465.72. The district may levy annually according  
114.9 to section 126C.43, for the severance pay.

114.10 **EFFECTIVE DATE.** This section is effective June 30, 2022.

114.11 Sec. 6. Minnesota Statutes 2020, section 124D.05, subdivision 3, is amended to read:

114.12 Subd. 3. **Severance pay.** A district must pay severance pay to a teacher who is placed  
114.13 on unrequested leave of absence by the district as a result of an agreement under this section.  
114.14 A teacher is eligible under this subdivision if the teacher:

114.15 (1) is a teacher, as defined in section 122A.40, subdivision 1, but not a superintendent;

114.16 (2) has a continuing contract with the district according to section 122A.40, subdivision  
114.17 7.

114.18 The amount of severance pay must be equal to the teacher's salary for the school year  
114.19 during which the teacher was placed on unrequested leave of absence minus the gross  
114.20 amount the teacher was paid during the 12 months following the teacher's termination of  
114.21 salary, by an entity whose teachers by statute or rule must possess a valid Minnesota teaching  
114.22 license, and minus the amount a teacher receives as severance or other similar pay according  
114.23 to a contract with the district or district policy. These entities include, but are not limited  
114.24 to, the district that placed the teacher on unrequested leave of absence, another district in  
114.25 Minnesota, an education district, an intermediate school district, a service cooperative, a  
114.26 board formed under section 471.59, a state residential academy, ~~the Perpich Center for Arts~~  
114.27 ~~Education~~, a vocational center, or a special education cooperative. These entities do not  
114.28 include a district in another state, a Minnesota public postsecondary institution, or a state  
114.29 agency. Only amounts earned by the teacher as a substitute teacher or in a position requiring  
114.30 a valid Minnesota teaching license shall be subtracted. A teacher may decline any offer of  
114.31 employment as a teacher without loss of rights to severance pay.

114.32 To determine the amount of severance pay that is due for the first six months following  
114.33 termination of the teacher's salary, the district may require the teacher to provide documented

115.1 evidence of the teacher's employers and gross earnings during that period. The district must  
 115.2 pay the teacher the amount of severance pay it determines to be due from the proceeds of  
 115.3 the levy for this purpose. To determine the amount of severance pay that is due for the  
 115.4 second six months of the 12 months following the termination of the teacher's salary, the  
 115.5 district may require the teacher to provide documented evidence of the teacher's employers  
 115.6 and gross earnings during that period. The district must pay the teacher the amount of  
 115.7 severance pay it determines to be due from the proceeds of the levy for this purpose.

115.8 A teacher who receives severance pay under this subdivision waives all further  
 115.9 reinstatement rights under section 122A.40, subdivision 10 or 11. If the teacher receives  
 115.10 severance pay, the teacher must not receive credit for any years of service in the district  
 115.11 paying severance pay prior to the year in which the teacher becomes eligible to receive  
 115.12 severance pay.

115.13 The severance pay is subject to section 465.72. The district may levy annually according  
 115.14 to section 126C.43 for the severance pay.

115.15 **EFFECTIVE DATE.** This section is effective June 30, 2022.

115.16 Sec. 7. **[127A.155] LOLA AND RUDY PERPICH ARTS EDUCATION SPECIALIST.**

115.17 **Subdivision 1. Establishment of arts education specialist position.** The department  
 115.18 must provide arts support services to school districts throughout Minnesota through the  
 115.19 establishment of the Lola and Rudy Perpich arts education specialist position in the  
 115.20 unclassified service.

115.21 **Subd. 2. Specialist duties.** (a) The arts education specialist must offer resources and  
 115.22 outreach services statewide to enhance arts education opportunities for pupils in elementary  
 115.23 and secondary school. The arts education specialist must work with school districts across  
 115.24 Minnesota to:

115.25 (1) gather and conduct research in arts education;

115.26 (2) develop exemplary curriculum, instructional practices, and assessment;

115.27 (3) disseminate information regarding arts education opportunities; and

115.28 (4) provide materials, training, and assistance to the arts education committees in school  
 115.29 districts.

115.30 (b) The arts education specialist must collaborate with the commissioner of education  
 115.31 to develop arts standards and strengthen state policies related to arts education.

116.1 (c) The arts education specialist must serve as liaison for the Department of Education  
 116.2 to national organizations for arts education.

116.3 (d) The arts education specialist must collaborate with the MacPhail Center for Music  
 116.4 to provide online learning instruction to students.

116.5 **EFFECTIVE DATE.** This section is effective June 30, 2022.

116.6 Sec. 8. Minnesota Statutes 2020, section 128C.01, subdivision 4, is amended to read:

116.7 Subd. 4. **Board.** (a) The league must have at least a 20-member governing board.

116.8 (1) The governor must appoint four members according to section 15.0597. Each of the  
 116.9 four appointees must be a parent. At least one of them must be an American Indian, an  
 116.10 Asian, a Black, or a Hispanic.

116.11 (2) The Minnesota Association of Secondary School Principals must appoint two of its  
 116.12 members.

116.13 (3) The remaining ~~14~~ members must be selected according to ~~league bylaws~~ the league's  
 116.14 constitution.

116.15 (b) The terms, compensation, removal of members, and the filling of membership  
 116.16 vacancies are governed by section 15.0575, except that the four-year terms begin on August  
 116.17 1 and end on July 31. As provided by section 15.0575, members who are full-time state  
 116.18 employees or full-time employees of school districts or other political subdivisions of the  
 116.19 state may not receive any per diem payment for service on the board.

116.20 Sec. 9. Minnesota Statutes 2020, section 297A.70, subdivision 2, is amended to read:

116.21 Subd. 2. **Sales to government.** (a) All sales, except those listed in paragraph (b), to the  
 116.22 following governments and political subdivisions, or to the listed agencies or instrumentalities  
 116.23 of governments and political subdivisions, are exempt:

116.24 (1) the United States and its agencies and instrumentalities;

116.25 (2) school districts, local governments, the University of Minnesota, state universities,  
 116.26 community colleges, technical colleges, state academies, ~~the Perpich Minnesota Center for~~  
 116.27 ~~Arts Education~~, and an instrumentality of a political subdivision that is accredited as an  
 116.28 optional/special function school by the North Central Association of Colleges and Schools;

116.29 (3) hospitals and nursing homes owned and operated by political subdivisions of the  
 116.30 state of tangible personal property and taxable services used at or by hospitals and nursing  
 116.31 homes;

117.1 (4) notwithstanding paragraph (d), the sales and purchases by the Metropolitan Council  
117.2 of vehicles and repair parts to equip operations provided for in section 473.4051 are exempt  
117.3 through December 31, 2016;

117.4 (5) other states or political subdivisions of other states, if the sale would be exempt from  
117.5 taxation if it occurred in that state; and

117.6 (6) public libraries, public library systems, multicounty, multitype library systems as  
117.7 defined in section 134.001, county law libraries under chapter 134A, state agency libraries,  
117.8 the state library under section 480.09, and the Legislative Reference Library.

117.9 (b) This exemption does not apply to the sales of the following products and services:

117.10 (1) building, construction, or reconstruction materials purchased by a contractor or a  
117.11 subcontractor as a part of a lump-sum contract or similar type of contract with a guaranteed  
117.12 maximum price covering both labor and materials for use in the construction, alteration, or  
117.13 repair of a building or facility;

117.14 (2) construction materials purchased by tax exempt entities or their contractors to be  
117.15 used in constructing buildings or facilities which will not be used principally by the tax  
117.16 exempt entities;

117.17 (3) the leasing of a motor vehicle as defined in section 297B.01, subdivision 11, except  
117.18 for leases entered into by the United States or its agencies or instrumentalities;

117.19 (4) lodging as defined under section 297A.61, subdivision 3, paragraph (g), clause (2),  
117.20 and prepared food, candy, soft drinks, and alcoholic beverages as defined in section 297A.67,  
117.21 subdivision 2, except for lodging, prepared food, candy, soft drinks, and alcoholic beverages  
117.22 purchased directly by the United States or its agencies or instrumentalities; or

117.23 (5) goods or services purchased by a local government as inputs to a liquor store, gas  
117.24 or electric utility, solid waste hauling service, solid waste recycling service, landfill, golf  
117.25 course, marina, campground, cafe, or laundromat.

117.26 (c) As used in this subdivision, "school districts" means public school entities and districts  
117.27 of every kind and nature organized under the laws of the state of Minnesota, and any  
117.28 instrumentality of a school district, as defined in section 471.59.

117.29 (d) For purposes of the exemption granted under this subdivision, "local governments"  
117.30 has the following meaning:

117.31 (1) for the period prior to January 1, 2017, local governments means statutory or home  
117.32 rule charter cities, counties, and townships; and

118.1 (2) beginning January 1, 2017, local governments means statutory or home rule charter  
118.2 cities, counties, and townships; special districts as defined under section 6.465; any  
118.3 instrumentality of a statutory or home rule charter city, county, or township as defined in  
118.4 section 471.59; and any joint powers board or organization created under section 471.59.

118.5 **EFFECTIVE DATE.** This section is effective June 30, 2022.

118.6 Sec. 10. Minnesota Statutes 2020, section 352.01, subdivision 2a, is amended to read:

118.7 Subd. 2a. **Included employees.** (a) "State employee" includes:

118.8 (1) employees of the Minnesota Historical Society;

118.9 (2) employees of the State Horticultural Society;

118.10 (3) employees of the Minnesota Crop Improvement Association;

118.11 (4) employees of the adjutant general whose salaries are paid from federal funds and  
118.12 who are not covered by any federal civilian employees retirement system;

118.13 (5) employees of the Minnesota State Colleges and Universities who are employed under  
118.14 the university or college activities program;

118.15 (6) currently contributing employees covered by the system who are temporarily  
118.16 employed by the legislature during a legislative session or any currently contributing  
118.17 employee employed for any special service as defined in subdivision 2b, clause (6);

118.18 (7) employees of the legislature who are appointed without a limit on the duration of  
118.19 their employment;

118.20 (8) trainees who are employed on a full-time established training program performing  
118.21 the duties of the classified position for which they will be eligible to receive immediate  
118.22 appointment at the completion of the training period;

118.23 (9) employees of the Minnesota Safety Council;

118.24 (10) any employees who are on authorized leave of absence from the Transit Operating  
118.25 Division of the former Metropolitan Transit Commission and who are employed by the  
118.26 labor organization which is the exclusive bargaining agent representing employees of the  
118.27 Transit Operating Division;

118.28 (11) employees of the Metropolitan Council, Metropolitan Parks and Open Space  
118.29 Commission, Metropolitan Sports Facilities Commission, or Metropolitan Mosquito Control  
118.30 Commission unless excluded under subdivision 2b or are covered by another public pension  
118.31 fund or plan under section 473.415, subdivision 3;

- 119.1 (12) judges of the Tax Court;
- 119.2 (13) personnel who were employed on June 30, 1992, by the University of Minnesota  
119.3 in the management, operation, or maintenance of its heating plant facilities, whose  
119.4 employment transfers to an employer assuming operation of the heating plant facilities, so  
119.5 long as the person is employed at the University of Minnesota heating plant by that employer  
119.6 or by its successor organization;
- 119.7 (14) personnel who are employed as seasonal employees in the classified or unclassified  
119.8 service;
- 119.9 (15) persons who are employed by the Department of Commerce as a peace officer in  
119.10 the Commerce Fraud Bureau under section 45.0135 who have attained the mandatory  
119.11 retirement age specified in section 43A.34, subdivision 4;
- 119.12 (16) employees of the University of Minnesota unless excluded under subdivision 2b,  
119.13 clause (3);
- 119.14 (17) employees of the Middle Management Association whose employment began after  
119.15 July 1, 2007, and to whom section 352.029 does not apply;
- 119.16 (18) employees of the Minnesota Government Engineers Council to whom section  
119.17 352.029 does not apply;
- 119.18 (19) employees of the Minnesota Sports Facilities Authority;
- 119.19 (20) employees of the Minnesota Association of Professional Employees;
- 119.20 (21) employees of the Minnesota State Retirement System;
- 119.21 (22) employees of the State Agricultural Society;
- 119.22 (23) employees of the Gillette Children's Hospital Board who were employed in the  
119.23 state unclassified service at the former Gillette Children's Hospital on March 28, 1974; and
- 119.24 (24) if approved for coverage by the Board of Directors of Conservation Corps Minnesota,  
119.25 employees of Conservation Corps Minnesota so employed on June 30, 2003; ~~and~~
- 119.26 ~~(25) employees of the Perpich Center for Arts Education who are covered by the general~~  
119.27 ~~state employees retirement plan of the Minnesota State Retirement System as of July 1,~~  
119.28 ~~2016.~~
- 119.29 (b) Employees specified in paragraph (a), clause (13), are included employees under  
119.30 paragraph (a) if employer and employee contributions are made in a timely manner in the  
119.31 amounts required by section 352.04. Employee contributions must be deducted from salary.

120.1 Employer contributions are the sole obligation of the employer assuming operation of the  
 120.2 University of Minnesota heating plant facilities or any successor organizations to that  
 120.3 employer.

120.4 **EFFECTIVE DATE.** This section is effective June 30, 2022.

120.5 Sec. 11. Minnesota Statutes 2020, section 354.05, subdivision 2, is amended to read:

120.6 Subd. 2. **Teacher.** (a) "Teacher" means:

120.7 (1) a person who renders service as a teacher, supervisor, principal, superintendent,  
 120.8 librarian, nurse, counselor, social worker, therapist, or psychologist in:

120.9 (i) a public school of the state other than in Independent School District No. 625; or

120.10 (ii) a charter school; ~~or~~

120.11 ~~(iii) the Perpich Center for Arts Education, except that any employee of the Perpich~~

120.12 ~~Center for Arts Education who was covered by the Minnesota State Retirement System~~

120.13 ~~general state employees retirement plan as of July 1, 2018, shall continue to be covered by~~

120.14 ~~that plan and not by the Teachers Retirement Association;~~

120.15 (2) a person who is engaged in educational administration in connection with the state  
 120.16 public school system, whether the position be a public office or as employment;

120.17 (3) a person who renders service as a charter school director or chief administrative  
 120.18 officer; provided, however, that if the charter school director or chief administrative officer  
 120.19 is covered by the Public Employees Retirement Association general employees retirement  
 120.20 plan on July 1, 2018, the charter school director or chief administrative officer shall continue  
 120.21 to be covered by that plan and not by the Teachers Retirement Association;

120.22 (4) an employee of the Teachers Retirement Association;

120.23 (5) a person who renders teaching service on a part-time basis and who also renders  
 120.24 other services for a single employing unit where the teaching service comprises at least 50  
 120.25 percent of the combined employment salary is a member of the association for all services  
 120.26 with the single employing unit or, if less than 50 percent of the combined employment  
 120.27 salary, the executive director determines all of the combined service is covered by the  
 120.28 association; or

120.29 (6) a person who is not covered by the plans established under chapter 352D, 354A, or  
 120.30 354B and who is employed by the Board of Trustees of the Minnesota State Colleges and  
 120.31 Universities system in an unclassified position as:



- 121.1 (i) a president, vice-president, or dean;
- 121.2 (ii) a manager or a professional in an academic or an academic support program other  
121.3 than specified in item (i);
- 121.4 (iii) an administrative or a service support faculty position; or
- 121.5 (iv) a teacher or a research assistant.
- 121.6 (b) "Teacher" does not mean:
- 121.7 (1) a person who works for a school or institution as an independent contractor as defined  
121.8 by the Internal Revenue Service;
- 121.9 (2) annuitants of the teachers retirement plan who are employed after retirement by an  
121.10 employing unit that participates in the teachers retirement plan during the course of that  
121.11 reemployment;
- 121.12 (3) a person who is employed by the University of Minnesota;
- 121.13 (4) a member or an officer of any general governing or managing board or body of an  
121.14 employing unit that participates in the teachers retirement plan; or
- 121.15 (5) a person employed by Independent School District No. 625 as a teacher as defined  
121.16 in section 354A.011, subdivision 27.

121.17 **EFFECTIVE DATE.** This section is effective June 30, 2022.

121.18 Sec. 12. Minnesota Statutes 2020, section 609A.03, subdivision 7a, is amended to read:

121.19 Subd. 7a. **Limitations of order effective January 1, 2015, and later.** (a) Upon issuance  
121.20 of an expungement order related to a charge supported by probable cause, the DNA samples  
121.21 and DNA records held by the Bureau of Criminal Apprehension and collected under authority  
121.22 other than section 299C.105 shall not be sealed, returned to the subject of the record, or  
121.23 destroyed.

121.24 (b) Notwithstanding the issuance of an expungement order:

121.25 (1) except as provided in clause (2), an expunged record may be opened, used, or  
121.26 exchanged between criminal justice agencies without a court order for the purposes of  
121.27 initiating, furthering, or completing a criminal investigation or prosecution or for sentencing  
121.28 purposes or providing probation or other correctional services;

121.29 (2) when a criminal justice agency seeks access to a record that was sealed under section  
121.30 609A.02, subdivision 3, paragraph (a), clause (1), after an acquittal or a court order dismissing  
121.31 for lack of probable cause, for purposes of a criminal investigation, prosecution, or

122.1 sentencing, the requesting agency must obtain an ex parte court order after stating a  
122.2 good-faith basis to believe that opening the record may lead to relevant information;

122.3 (3) an expunged record of a conviction may be opened for purposes of evaluating a  
122.4 prospective employee in a criminal justice agency without a court order;

122.5 (4) an expunged record of a conviction may be opened for purposes of a background  
122.6 study under section 245C.08 unless the commissioner had been properly served with notice  
122.7 of the petition for expungement and the court order for expungement is directed specifically  
122.8 to the commissioner of human services;

122.9 (5) an expunged record of a conviction may be opened for purposes of a background  
122.10 check required under section 122A.18, subdivision 8, unless the court order for expungement  
122.11 is directed specifically to the Professional Educator Licensing and Standards Board ~~or the~~  
122.12 ~~licensing division of the Department of Education~~; and

122.13 (6) the court may order an expunged record opened upon request by the victim of the  
122.14 underlying offense if the court determines that the record is substantially related to a matter  
122.15 for which the victim is before the court.

122.16 (c) An agency or jurisdiction subject to an expungement order shall maintain the record  
122.17 in a manner that provides access to the record by a criminal justice agency under paragraph  
122.18 (b), clause (1) or (2), but notifies the recipient that the record has been sealed. The Bureau  
122.19 of Criminal Apprehension shall notify the commissioner of human services, or the  
122.20 Professional Educator Licensing and Standards Board, ~~or the licensing division of the~~  
122.21 ~~Department of Education~~ of the existence of a sealed record and of the right to obtain access  
122.22 under paragraph (b), clause (4) or (5). Upon request, the agency or jurisdiction subject to  
122.23 the expungement order shall provide access to the record to the commissioner of human  
122.24 services, or the Professional Educator Licensing and Standards Board, ~~or the licensing~~  
122.25 ~~division of the Department of Education~~ under paragraph (b), clause (4) or (5).

122.26 (d) An expunged record that is opened or exchanged under this subdivision remains  
122.27 subject to the expungement order in the hands of the person receiving the record.

122.28 (e) A criminal justice agency that receives an expunged record under paragraph (b),  
122.29 clause (1) or (2), must maintain and store the record in a manner that restricts the use of the  
122.30 record to the investigation, prosecution, or sentencing for which it was obtained.

122.31 (f) For purposes of this section, a "criminal justice agency" means a court or government  
122.32 agency that performs the administration of criminal justice under statutory authority.

123.1 (g) This subdivision applies to expungement orders subject to its limitations and effective  
 123.2 on or after January 1, 2015.

123.3 Sec. 13. Laws 2019, First Special Session chapter 11, article 10, section 5, subdivision 2,  
 123.4 as amended by Laws 2020, chapter 116, article 5, section 4, is amended to read:

123.5 Subd. 2. **Department.** (a) For the Department of Education:

123.6 ~~29,196,000~~  
 123.7 \$ 27,196,000 ..... 2020

123.8 ~~24,911,000~~  
 123.9 \$ 23,659,000 ..... 2021

123.10 Of these amounts:

123.11 (1) \$319,000 each year is for the Board of School Administrators;

123.12 (2) \$1,000,000 each year is for regional centers of excellence under Minnesota Statutes,  
 123.13 section 120B.115;

123.14 (3) \$250,000 each year is for the School Finance Division to enhance financial data  
 123.15 analysis;

123.16 (4) \$720,000 each year is for implementing Minnesota's Learning for English Academic  
 123.17 Proficiency and Success Act under Laws 2014, chapter 272, article 1, as amended;

123.18 (5) \$123,000 each year is for a dyslexia specialist;

123.19 (6) \$4,700,000 in fiscal year 2020 only is for legal fees and costs associated with  
 123.20 litigation; and

123.21 (7) \$400,000 in fiscal year 2020 and \$480,000 in fiscal year 2021 and later are for the  
 123.22 Department of Education's mainframe update.

123.23 (b) None of the amounts appropriated under this subdivision may be used for Minnesota's  
 123.24 Washington, D.C. office.

123.25 (c) The expenditures of federal grants and aids as shown in the biennial budget document  
 123.26 and its supplements are approved and appropriated and shall be spent as indicated.

123.27 (d) This appropriation includes funds for information technology project services and  
 123.28 support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing  
 123.29 information technology costs will be incorporated into the service level agreement and will  
 123.30 be paid to the Office of MN.IT Services by the Department of Education under the rates  
 123.31 and mechanism specified in that agreement.

124.1 (e) To account for the base adjustments provided in Laws 2018, chapter 211, article 21,  
124.2 section 1, paragraph (a), and section 3, paragraph (a), the base for fiscal year 2022 is  
124.3 \$24,591,000. The base for fiscal year 2023 is \$24,611,000. The base for fiscal year 2024 is  
124.4 \$24,629,000.

124.5 (f) \$2,000,000 from the fiscal year 2020 appropriation for legal fees and costs associated  
124.6 with litigation is canceled to the general fund.

124.7 (g) \$1,252,000 from the fiscal year 2021 appropriation for agency operations is canceled  
124.8 to the general fund.

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

124.10 Sec. 14. **PERPICH CENTER FOR ARTS EDUCATION CLOSURE.**

124.11 **Subdivision 1. Perpich Center for Arts Education abolished.** (a) The Perpich Center  
124.12 for Arts Education (Perpich Center) is abolished effective June 30, 2022. Abolishment under  
124.13 this section does not reduce or otherwise limit the powers and authority of the Perpich Center  
124.14 during the concluding duration of its existence.

124.15 (b) Notwithstanding any other law, any unexpended and unencumbered appropriations  
124.16 to the Perpich Center lapse to the fund or account from which they were appropriated on  
124.17 June 30, 2022. All money in a dedicated fund or account of the Perpich Center on June 30,  
124.18 2022, must be transferred to the general fund.

124.19 **Subd. 2. Library.** All property in the Perpich Arts Library is transferred to the State  
124.20 Library Services Division of the Department of Education, in accordance with Minnesota  
124.21 Statutes, section 15.039, subdivisions 5 and 8, effective June 1, 2022.

124.22 **Subd. 3. Student enrollment.** Students enrolled in the Perpich Arts High School during  
124.23 the 2020-2021 school year may continue to enroll in the school for the 2021-2022 school  
124.24 year. No student may enroll in the Perpich Arts High School after the 2021-2022 school  
124.25 year.

124.26 **Subd. 4. Perpich Center property conveyance.** The Perpich Center must submit to the  
124.27 legislature by January 15, 2022, a proposal to convey or sell, for no less than fair market  
124.28 value, the real and personal property of the Perpich Arts High School to a school district or  
124.29 nonprofit institution organized under Minnesota Statutes, chapter 317A. If the Perpich  
124.30 Center does not submit a proposal to the legislature, all property of the Perpich Arts High  
124.31 School shall be transferred to the Department of Administration in accordance with Minnesota  
124.32 Statutes, section 15.039, subdivisions 5 and 8, effective June 30, 2022.

125.1 Subd. 5. **Education records.** The Perpich Center must transfer the education records  
 125.2 of each student of the Perpich Arts High School according to Minnesota Statutes, section  
 125.3 120A.22, subdivision 7.

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

125.5 Sec. 15. **WAIVER REQUEST.**

125.6 The commissioner of education shall request the waivers from maintenance of effort  
 125.7 requirements permitted under Section 317(b) of the Consolidated Appropriations Act, 2021,  
 125.8 as provided by Public Law 116-260, and Section 2004(a)(2) of the American Rescue Plan  
 125.9 Act, as provided by Public Law 117-2.

125.10 Sec. 16. **APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

125.11 Subdivision 1. **Department of Education.** (a) Unless otherwise indicated, the sums  
 125.12 indicated in this section are appropriated from the general fund to the Department of  
 125.13 Education for the fiscal years designated. Any balance in the first year does not cancel but  
 125.14 is available in the second year.

125.15 Subd. 2. **Department.** (a) For the Department of Education:

125.16 \$ 25,427,000 ..... 2022

125.17 \$ 23,603,000 ..... 2023

125.18 Of these amounts:

125.19 (1) \$319,000 each year is for the Board of School Administrators;

125.20 (2) \$1,000,000 each year is for regional centers of excellence under Minnesota Statutes,  
 125.21 section 120B.115;

125.22 (3) \$250,000 each year is for the School Finance Division to enhance financial data  
 125.23 analysis;

125.24 (4) \$720,000 each year is for implementing Minnesota's Learning for English Academic  
 125.25 Proficiency and Success Act under Laws 2014, chapter 272, article 1, as amended;

125.26 (5) \$123,000 each year is for a dyslexia specialist;

125.27 (6) \$480,000 each year is for the Department of Education's mainframe update;

125.28 (7) \$2,000,000 in fiscal year 2022 only is for legal fees and costs associated with  
 125.29 litigation; and

126.1 (8) \$169,000 in fiscal year 2023 and later is for an arts education specialist under  
 126.2 Minnesota Statutes, section 127A.155.

126.3 (b) None of the amounts appropriated under this subdivision may be used for Minnesota's  
 126.4 Washington, D.C., office.

126.5 (c) This appropriation includes funds for information technology project services and  
 126.6 support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing  
 126.7 information technology costs will be incorporated into the service level agreement and will  
 126.8 be paid to the Office of MN.IT Services by the Department of Education under the rates  
 126.9 and mechanisms specified in that agreement.

126.10 (d) To account for the base adjustments provided in Laws 2018, chapter 211, article 21,  
 126.11 section 1, paragraph (a), and section 3, paragraph (a), the base for fiscal year 2024 is  
 126.12 \$23,665,000 and the base for fiscal year 2025 is \$23,711,000.

126.13 **Sec. 17. APPROPRIATIONS; MINNESOTA STATE ACADEMIES.**

126.14 (a) The sums indicated in this section are appropriated from the general fund to the  
 126.15 Minnesota State Academies for the Deaf and the Blind for the fiscal years designated:

126.16 \$ 13,794,000 ..... 2022

126.17 \$ 13,801,000 ..... 2023

126.18 (b) Any balance in the first year does not cancel but is available in the second year.

126.19 (c) To account for the base adjustments provided in Laws 2018, chapter 211, article 21,  
 126.20 section 1, paragraph (a), and section 3, paragraph (b), the base for fiscal year 2024 and later  
 126.21 is \$13,807,000.

126.22 **Sec. 18. APPROPRIATIONS; PERPICH CENTER FOR ARTS EDUCATION.**

126.23 (a) The sums in this section are appropriated from the general fund to the Perpich Center  
 126.24 for Arts Education for the fiscal years designated:

126.25 \$ 7,344,000 ..... 2022

126.26 \$ 3,436,000 ..... 2023

126.27 (b) Any balance in the first year does not cancel but is available in the second year.

126.28 (c) \$56,000 in fiscal year 2022 and \$1,082,000 in fiscal year 2023 are for transfer to the  
 126.29 Department of Administration for costs associated with the closure and sale of Perpich  
 126.30 Center facilities.

127.1 (d) \$86,000 in fiscal year 2023 is for transfer to the Department of Education for  
 127.2 rehousing the Perpich Center library.

127.3 (e) \$2,268,000 in fiscal year 2023 is for severance payments and other costs related to  
 127.4 the closure of the Perpich Center.

127.5 (f) The base for fiscal year 2024 is \$989,000 for a transfer to the Department of  
 127.6 Administration for costs associated with the closure and sale of Perpich Center facilities.  
 127.7 The base for fiscal year 2025 and later is \$0.

127.8 **Sec. 19. APPROPRIATIONS; PROFESSIONAL EDUCATOR LICENSING AND**  
 127.9 **STANDARDS BOARD.**

127.10 Subdivision 1. **Professional Educator Licensing and Standards Board.** (a) The sums  
 127.11 indicated in this section are appropriated from the general fund to the Professional Educator  
 127.12 Licensing and Standards Board for the fiscal years designated:

127.13 \$ 2,719,000 ..... 2022

127.14 \$ 2,719,000 ..... 2023

127.15 (b) Any balance in the first year does not cancel but is available in the second year.

127.16 (c) This appropriation includes funds for information technology project services and  
 127.17 support subject to Minnesota Statutes, section 16E.0466. Any ongoing information  
 127.18 technology costs will be incorporated into an interagency agreement and will be paid to the  
 127.19 Office of MN.IT Services by the Professional Educator Licensing and Standards Board  
 127.20 under the mechanism specified in that agreement.

127.21 Subd. 2. **Licensure by portfolio.** For licensure by portfolio:

127.22 \$ 34,000 ..... 2022

127.23 \$ 34,000 ..... 2023

127.24 This appropriation is from the education licensure portfolio account in the special revenue  
 127.25 fund.

127.26 **Sec. 20. REPEALER.**

127.27 (a) Minnesota Statutes 2020, sections 124D.8957, subdivision 30; 129C.10, subdivisions  
 127.28 1, 2, 3, 3a, 3b, 4, 4a, 6, 7, and 8; 129C.105; 129C.15; 129C.20; 129C.25; 129C.26; and  
 127.29 129C.27, are repealed.

128.1 (b) Minnesota Rules, parts 3600.0010, subparts 1, 2, 2a, 2b, 3, and 6; 3600.0020;  
 128.2 3600.0030, subparts 1, 2, 4, and 6; 3600.0045, subparts 1 and 2; 3600.0055; 3600.0065;  
 128.3 3600.0075; and 3600.0085, are repealed.

128.4 **EFFECTIVE DATE.** This section is effective June 30, 2022.

128.5 **ARTICLE 11**

128.6 **FORECAST**

128.7 **A. GENERAL EDUCATION**

128.8 Section 1. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision  
 128.9 2, as amended by Laws 2020, chapter 116, article 6, section 1, is amended to read:

128.10 Subd. 2. **General education aid.** For general education aid under Minnesota Statutes,  
 128.11 section 126C.13, subdivision 4:

128.12 \$ 7,347,424,000 ..... 2020

128.13 ~~7,509,639,000~~

128.14 \$ 7,408,986,000 ..... 2021

128.15 The 2020 appropriation includes \$700,383,000 for 2019 and \$6,647,041,000 for 2020.

128.16 The 2021 appropriation includes \$711,885,000 for 2020 and ~~\$6,797,754,000~~

128.17 \$6,697,100,000 for 2021.

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

128.19 Sec. 2. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 3,  
 128.20 as amended by Laws 2020, chapter 116, article 6, section 2, is amended to read:

128.21 Subd. 3. **Enrollment options transportation.** For transportation of pupils attending  
 128.22 postsecondary institutions under Minnesota Statutes, section 124D.09, or for transportation  
 128.23 of pupils attending nonresident districts under Minnesota Statutes, section 124D.03:

128.24 \$ 19,000 ..... 2020

128.25 ~~20,000~~

128.26 \$ 11,000 ..... 2021

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



129.1 Sec. 3. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 4,  
129.2 as amended by Laws 2020, chapter 116, article 6, section 3, is amended to read:

129.3 Subd. 4. **Abatement aid.** For abatement aid under Minnesota Statutes, section 127A.49:

129.4 \$ 1,770,000 ..... 2020

129.5 ~~2,827,000~~

129.6 \$ 2,595,000 ..... 2021

129.7 The 2020 appropriation includes \$274,000 for 2019 and \$1,496,000 for 2020.

129.8 The 2021 appropriation includes \$166,000 for 2020 and ~~\$2,661,000~~ \$2,429,000 for  
129.9 2021.

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

129.11 Sec. 4. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 6,  
129.12 as amended by Laws 2020, chapter 116, article 6, section 4, is amended to read:

129.13 Subd. 6. **Nonpublic pupil education aid.** For nonpublic pupil education aid under  
129.14 Minnesota Statutes, sections 123B.40 to 123B.43 and 123B.87:

129.15 \$ 17,925,000 ..... 2020

129.16 ~~18,917,000~~

129.17 \$ 18,918,000 ..... 2021

129.18 The 2020 appropriation includes \$1,806,000 for 2019 and \$16,119,000 for 2020.

129.19 The 2021 appropriation includes \$1,790,000 for 2020 and ~~\$17,127,000~~ \$17,128,000 for  
129.20 2021.

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

129.22 Sec. 5. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 7,  
129.23 as amended by Laws 2020, chapter 116, article 6, section 5, is amended to read:

129.24 Subd. 7. **Nonpublic pupil transportation.** For nonpublic pupil transportation aid under  
129.25 Minnesota Statutes, section 123B.92, subdivision 9:

129.26 \$ 19,168,000 ..... 2020

129.27 ~~20,100,000~~

129.28 \$ 19,106,000 ..... 2021

129.29 The 2020 appropriation includes \$1,961,000 for 2019 and \$17,207,000 for 2020.

129.30 The 2021 appropriation includes \$1,911,000 for 2020 and ~~\$18,189,000~~ \$17,195,000 for  
129.31 2021.

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

130.2 Sec. 6. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 9,  
130.3 as amended by Laws 2020, chapter 116, article 6, section 6, is amended to read:

130.4 Subd. 9. **Career and technical aid.** For career and technical aid under Minnesota  
130.5 Statutes, section 124D.4531, subdivision 1b:

130.6 \$ 3,857,000 ..... 2020

130.7 ~~3,433,000~~

130.8 \$ 3,288,000 ..... 2021

130.9 The 2020 appropriation includes \$422,000 for 2019 and \$3,435,000 for 2020.

130.10 The 2021 appropriation includes \$378,000 for 2020 and ~~\$3,055,000~~ \$2,910,000 for  
130.11 2021.

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

130.13 **B. EDUCATION EXCELLENCE**

130.14 Sec. 7. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 2,  
130.15 as amended by Laws 2020, chapter 116, article 3, section 2, is amended to read:

130.16 Subd. 2. **Achievement and integration aid.** For achievement and integration aid under  
130.17 Minnesota Statutes, section 124D.862:

130.18 \$ 77,247,000 ..... 2020

130.19 ~~81,233,000~~

130.20 \$ 87,574,000 ..... 2021

130.21 The 2020 appropriation includes \$7,058,000 for 2019 and \$70,189,000 for 2020.

130.22 The 2021 appropriation includes \$7,763,000 for 2020 and ~~\$73,470,000~~ \$79,811,000 for  
130.23 2021.

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

130.25 Sec. 8. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 3,  
130.26 as amended by Laws 2020, chapter 116, article 6, section 7, is amended to read:

130.27 Subd. 3. **Interdistrict desegregation or integration transportation grants.** For  
130.28 interdistrict desegregation or integration transportation grants under Minnesota Statutes,  
130.29 section 124D.87:

131.1 \$ 14,231,000 ..... 2020  
131.2 ~~14,962,000~~  
131.3 \$ 15,670,000 ..... 2021

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

131.5 Sec. 9. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 5,  
131.6 as amended by Laws 2020, chapter 116, article 6, section 9, is amended to read:

131.7 Subd. 5. **Tribal contract school aid.** For tribal contract school aid under Minnesota  
131.8 Statutes, section 124D.83:

131.9 \$ 2,766,000 ..... 2020  
131.10 ~~3,106,000~~  
131.11 \$ 2,435,000 ..... 2021

131.12 The 2020 appropriation includes \$299,000 for 2019 and \$2,467,000 for 2020.

131.13 The 2021 appropriation includes \$274,000 for 2020 and ~~\$2,832,000~~ \$2,161,000 for  
131.14 2021.

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

131.16 Sec. 10. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 6,  
131.17 as amended by Laws 2020, chapter 116, article 6, section 10, is amended to read:

131.18 Subd. 6. **American Indian education aid.** For American Indian education aid under  
131.19 Minnesota Statutes, section 124D.81, subdivision 2a:

131.20 \$ 10,113,000 ..... 2020  
131.21 ~~10,696,000~~  
131.22 \$ 10,939,000 ..... 2021

131.23 The 2020 appropriation includes \$960,000 for 2019 and \$9,153,000 for 2020.

131.24 The 2021 appropriation includes \$1,016,000 for 2020 and ~~\$9,680,000~~ \$9,923,000 for  
131.25 2021.

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

131.27 Sec. 11. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision  
131.28 16, as amended by Laws 2020, chapter 116, article 6, section 11, is amended to read:

131.29 Subd. 16. **Charter school building lease aid.** For building lease aid under Minnesota  
131.30 Statutes, section 124E.22:

132.1 \$ 83,214,000 ..... 2020

132.2 ~~88,454,000~~

132.3 \$ 85,916,000 ..... 2021

132.4 The 2020 appropriation includes \$8,021,000 for 2019 and \$75,193,000 for 2020.

132.5 The 2021 appropriation includes \$8,354,000 for 2020 and ~~\$80,100,000~~ \$77,562,000 for

132.6 2021.

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

132.8 Sec. 12. Laws 2019, First Special Session chapter 11, article 3, section 23, subdivision 3,

132.9 as amended by Laws 2020, chapter 116, article 6, section 12, is amended to read:

132.10 Subd. 3. **Alternative teacher compensation aid.** (a) For alternative teacher compensation

132.11 aid under Minnesota Statutes, section 122A.415, subdivision 4:

132.12 \$ 89,166,000 ..... 2020

132.13 ~~88,851,000~~

132.14 \$ 88,788,000 ..... 2021

132.15 (b) The 2020 appropriation includes \$8,974,000 for 2019 and \$80,192,000 for 2020.

132.16 (c) The 2021 appropriation includes \$8,887,000 for 2020 and ~~\$79,964,000~~ \$79,901,000

132.17 for 2021.

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

### 132.19 C. SPECIAL EDUCATION

132.20 Sec. 13. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 2,

132.21 as amended by Laws 2020, chapter 116, article 6, section 13, is amended to read:

132.22 Subd. 2. **Special education; regular.** For special education aid under Minnesota Statutes,

132.23 section 125A.75:

132.24 \$ 1,600,889,000 ..... 2020

132.25 ~~1,747,701,000~~

132.26 \$ 1,727,596,000 ..... 2021

132.27 The 2020 appropriation includes \$184,363,000 for 2019 and \$1,416,526,000 for 2020.

132.28 The 2021 appropriation includes \$199,406,000 for 2020 and ~~\$1,548,295,000~~

132.29 \$1,528,190,000 for 2021.

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

133.1 Sec. 14. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 3,  
133.2 as amended by Laws 2020, chapter 116, article 6, section 14, is amended to read:

133.3 Subd. 3. **Aid for children with disabilities.** For aid under Minnesota Statutes, section  
133.4 125A.75, subdivision 3, for children with disabilities placed in residential facilities within  
133.5 the district boundaries for whom no district of residence can be determined:

133.6 \$ 1,109,000 ..... 2020

133.7 ~~1,267,000~~

133.8 \$ 1,644,000 ..... 2021

133.9 If the appropriation for either year is insufficient, the appropriation for the other year is  
133.10 available.

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

133.12 Sec. 15. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 4,  
133.13 as amended by Laws 2020, chapter 116, article 6, section 15, is amended to read:

133.14 Subd. 4. **Travel for home-based services.** For aid for teacher travel for home-based  
133.15 services under Minnesota Statutes, section 125A.75, subdivision 1:

133.16 \$ 445,000 ..... 2020

133.17 ~~467,000~~

133.18 \$ 254,000 ..... 2021

133.19 The 2020 appropriation includes \$40,000 for 2019 and \$405,000 for 2020.

133.20 The 2021 appropriation includes \$44,000 for 2020 and ~~\$423,000~~ \$210,000 for 2021.

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

133.22 Sec. 16. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 5,  
133.23 as amended by Laws 2020, chapter 116, article 6, section 16, is amended to read:

133.24 Subd. 5. **Court-placed special education revenue.** For reimbursing serving school  
133.25 districts for unreimbursed eligible expenditures attributable to children placed in the serving  
133.26 school district by court action under Minnesota Statutes, section 125A.79, subdivision 4:

133.27 \$ -0- ..... 2020

133.28 ~~23,000~~

133.29 \$ -0- ..... 2021

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

134.1

**D. FACILITIES AND TECHNOLOGY**

134.2 Sec. 17. Laws 2019, First Special Session chapter 11, article 6, section 7, subdivision 2,  
 134.3 as amended by Laws 2020, chapter 116, article 6, section 17, and Laws 2020, Fifth Special  
 134.4 Session chapter 3, article 5, section 36, is amended to read:

134.5 Subd. 2. **Debt service equalization aid.** For debt service equalization aid under  
 134.6 Minnesota Statutes, section 123B.53, subdivision 6:

134.7 \$ 20,684,000 ..... 2020

134.8 ~~25,380,000~~

134.9 \$ 25,335,000 ..... 2021

134.10 The 2020 appropriation includes \$2,292,000 for 2019 and \$18,392,000 for 2020.

134.11 The 2021 appropriation includes \$2,043,000 for 2020 and ~~\$23,337,000~~ \$23,292,000 for  
 134.12 2021.

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

134.14 Sec. 18. Laws 2019, First Special Session chapter 11, article 6, section 7, subdivision 3,  
 134.15 as amended by Laws 2020, chapter 116, article 6, section 18, is amended to read:

134.16 Subd. 3. **Long-term facilities maintenance equalized aid.** For long-term facilities  
 134.17 maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

134.18 \$ 104,690,000 ..... 2020

134.19 ~~107,820,000~~

134.20 \$ 106,356,000 ..... 2021

134.21 The 2020 appropriation includes \$10,464,000 for 2019 and \$94,226,000 for 2020.

134.22 The 2021 appropriation includes \$10,412,000 for 2020 and ~~\$97,408,000~~ \$95,944,000  
 134.23 for 2021.

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

134.25

**E. NUTRITION**

134.26 Sec. 19. Laws 2019, First Special Session chapter 11, article 7, section 1, subdivision 2,  
 134.27 as amended by Laws 2020, chapter 116, article 6, section 20, is amended to read:

134.28 Subd. 2. **School lunch.** For school lunch aid under Minnesota Statutes, section 124D.111,  
 134.29 and Code of Federal Regulations, title 7, section 210.17:

135.1 \$ 16,245,000 ..... 2020

135.2 ~~16,514,000~~

135.3 \$ 4,796,000 ..... 2021

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

135.5 Sec. 20. Laws 2019, First Special Session chapter 11, article 7, section 1, subdivision 3,  
135.6 as amended by Laws 2020, chapter 116, article 6, section 21, is amended to read:

135.7 Subd. 3. **School breakfast.** For traditional school breakfast aid under Minnesota Statutes,  
135.8 section 124D.1158:

135.9 \$ 11,428,000 ..... 2020

135.10 ~~11,846,000~~

135.11 \$ 3,242,000 ..... 2021

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

135.13 Sec. 21. Laws 2019, First Special Session chapter 11, article 7, section 1, subdivision 4,  
135.14 as amended by Laws 2020, chapter 116, article 6, section 22, is amended to read:

135.15 Subd. 4. **Kindergarten milk.** For kindergarten milk aid under Minnesota Statutes,  
135.16 section 124D.118:

135.17 \$ 658,000 ..... 2020

135.18 ~~658,000~~

135.19 \$ 494,000 ..... 2021

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

## 135.21 F. EARLY CHILDHOOD AND FAMILY SUPPORT

135.22 Sec. 22. Laws 2019, First Special Session chapter 11, article 8, section 13, subdivision 5,  
135.23 as amended by Laws 2020, chapter 116, article 6, section 23, is amended to read:

135.24 Subd. 5. **Early childhood family education aid.** (a) For early childhood family education  
135.25 aid under Minnesota Statutes, section 124D.135:

135.26 \$ 32,151,000 ..... 2020

135.27 ~~33,540,000~~

135.28 \$ 33,204,000 ..... 2021

135.29 (b) The 2020 appropriation includes \$3,098,000 for 2019 and \$29,053,000 for 2020.

135.30 (c) The 2021 appropriation includes \$3,133,000 for 2020 and ~~\$30,407,000~~ \$30,071,000  
135.31 for 2021.

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

136.2 Sec. 23. Laws 2019, First Special Session chapter 11, article 8, section 13, subdivision  
136.3 14, as amended by Laws 2020, chapter 116, article 6, section 24, is amended to read:

136.4 Subd. 14. **Home visiting aid.** (a) For home visiting aid under Minnesota Statutes, section  
136.5 124D.135:

136.6 \$ 521,000 ..... 2020

136.7 ~~528,000~~

136.8 \$ 481,000 ..... 2021

136.9 (b) The 2020 appropriation includes \$54,000 for 2019 and \$467,000 for 2020.

136.10 (c) The 2021 appropriation includes \$51,000 for 2020 and ~~\$477,000~~ \$430,000 for 2021.

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

136.12 **G. COMMUNITY EDUCATION AND LIFELONG LEARNING**

136.13 Sec. 24. Laws 2019, First Special Session chapter 11, article 9, section 3, subdivision 2,  
136.14 as amended by Laws 2020, chapter 116, article 6, section 25, is amended to read:

136.15 Subd. 2. **Community education aid.** For community education aid under Minnesota  
136.16 Statutes, section 124D.20:

136.17 \$ 327,000 ..... 2020

136.18 ~~249,000~~

136.19 \$ 236,000 ..... 2021

136.20 The 2020 appropriation includes \$40,000 for 2019 and \$287,000 for 2020.

136.21 The 2021 appropriation includes \$31,000 for 2020 and ~~\$218,000~~ \$205,000 for 2021.

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



**124D.8957 PREKINDERGARTEN THROUGH GRADE 12 PARENTAL RIGHTS CODED ELSEWHERE.**

Subd. 30. **Appeal adverse school board decision.** The parental right to appeal a school board decision adversely affecting an academic program of an enrolled student is governed by section 129C.10, subdivision 3b.

**129C.10 PERPICH CENTER FOR ARTS EDUCATION.**

Subdivision 1. **Governance.** (a) The board of the Perpich Center for Arts Education shall consist of 16 persons, including the commissioner of education or a person designated by the commissioner of education who must serve as an ex officio member. The remaining 15 members of the board shall be appointed by the governor with the advice and consent of the senate. At least one member must be appointed from each congressional district.

(b) All board members must complete board training requirements consistent with section 127A.19.

Subd. 2. **Terms, compensation, and other.** The membership terms, compensation, removal of members, and filling of vacancies shall be as provided for in section 15.0575. A member may serve not more than two consecutive terms.

Subd. 3. **Powers and duties of board.** (a) The board has the powers necessary for the care, management, and control of the Perpich Center for Arts Education and any other school authorized in this chapter, and all their real and personal property. The powers shall include, but are not limited to, those listed in this subdivision.

(b) The board may employ and discharge necessary employees, and contract for other services to ensure the efficient operation of the Center for Arts Education and any other school authorized in this chapter.

(c) The board may receive and award grants. The board may establish a charitable foundation and accept, in trust or otherwise, any gift, grant, bequest, or devise for educational purposes and hold, manage, invest, and dispose of them and the proceeds and income of them according to the terms and conditions of the gift, grant, bequest, or devise and its acceptance. The board must adopt internal procedures to administer and monitor aids and grants.

(d) The board may establish or coordinate evening, continuing education, extension, and summer programs for teachers and pupils.

(e) The board may identify pupils who have artistic talent, either demonstrated or potential, in dance, literary arts, media arts, music, theater, and visual arts, or in more than one art form.

(f) The board must educate pupils with artistic talent by providing:

(1) an interdisciplinary academic and arts program for pupils in the 11th and 12th grades. The total number of pupils accepted under this clause and clause (2) shall not exceed 310;

(2) additional instruction to pupils for a 13th grade. Pupils eligible for this instruction are those enrolled in 12th grade who need extra instruction and who apply to the board, or pupils enrolled in the 12th grade who do not meet learner outcomes established by the board;

(3) intensive arts seminars for one or two weeks for pupils in grades 9 to 12;

(4) summer arts institutes for pupils in grades 9 to 12;

(5) artist mentor and extension programs in regional sites; and

(6) teacher education programs for indirect curriculum delivery.

(g) The board may determine the location for the Perpich Center for Arts Education and any additional facilities related to the center, including the authority to lease a temporary facility.

(h) The board must plan for the enrollment of pupils on an equal basis from each congressional district.

(i) The board may establish task forces as needed to advise the board on policies and issues. The task forces expire as provided in section 15.059, subdivision 6.

(j) The board may request the commissioner of education for assistance and services.

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(k) The board may enter into contracts with other public and private agencies and institutions for residential and building maintenance services if it determines that these services could be provided more efficiently and less expensively by a contractor than by the board itself. The board may also enter into contracts with public or private agencies and institutions, school districts or combinations of school districts, or service cooperatives to provide supplemental educational instruction and services.

(l) The board may provide or contract for services and programs by and for the Center for Arts Education, including a store, operating in connection with the center; theatrical events; and other programs and services that, in the determination of the board, serve the purposes of the center.

(m) The board may provide for transportation of pupils to and from the Center for Arts Education for all or part of the school year, as the board considers advisable and subject to its rules. Notwithstanding any other law to the contrary, the board may charge a reasonable fee for transportation of pupils. Every driver providing transportation of pupils under this paragraph must possess all qualifications required by the commissioner of education. The board may contract for furnishing authorized transportation under rules established by the commissioner of education and may purchase and furnish gasoline to a contract carrier for use in the performance of a contract with the board for transportation of pupils to and from the Center for Arts Education. When transportation is provided, scheduling of routes, establishment of the location of bus stops, the manner and method of transportation, the control and discipline of pupils, and any other related matter is within the sole discretion, control, and management of the board.

(n) The board may provide room and board for its pupils. If the board provides room and board, it shall charge a reasonable fee for the room and board. The fee is not subject to chapter 14 and is not a prohibited fee according to sections 123B.34 to 123B.39.

(o) The board may establish and set fees for services and programs. If the board sets fees not authorized or prohibited by the Minnesota public school fee law, it may do so without complying with the requirements of section 123B.38.

(p) The board may apply for all competitive grants administered by agencies of the state and other government or nongovernment sources.

Subd. 3a. **Center account.** A center for arts education account is established in the special revenue fund in the state treasury. All money collected by the board, including rental income, must be deposited in the account. Money in the account, including interest earned, is appropriated to the board for the operation of its services and programs.

Subd. 3b. **Appeal.** A parent who disagrees with a board action that adversely affects the academic program of an enrolled pupil may appeal the board's action to the commissioner of education within 30 days of the board's action. The decision of the commissioner shall be binding on the board. The board must inform each pupil and parent at the time of enrolling of a parent's right to appeal a board action affecting the pupil's academic program.

Subd. 4. **Employees.** (a)(1) The board must appoint a director of the Center for Arts Education who shall serve in the unclassified service. The director must hold a Minnesota superintendent license.

(2) The board must employ, upon recommendation of the director, a coordinator of resource programs who shall serve in the unclassified service.

(3) The board must employ, upon recommendation of the director, up to six department chairs who shall serve in the unclassified service. The chairs shall be licensed teachers unless no licensure exists for the subject area or discipline for which the chair is hired.

(4) The board may employ other necessary employees, upon recommendation of the director.

(5) The board must employ, upon recommendation of the director, an executive secretary for the director, who shall serve in the unclassified service.

(6) All persons employed as teachers must hold Minnesota teaching licenses in their respective fields or be approved by the Professional Educator Licensing and Standards Board.

(b) The employees hired under this subdivision and other necessary employees hired by the board shall be state employees in the executive branch.

Subd. 4a. **Admission and curriculum requirements.** (a) The board may adopt rules for admission to and discharge from the full-time programs for talented pupils, rules regarding discharge

from the dormitory, and rules regarding the operation of the center, including transportation of its pupils. Rules covering admission are governed by chapter 14. Rules covering discharge from the full-time program for talented pupils must be consistent with sections 121A.40 to 121A.56, the Pupil Fair Dismissal Act. Rules covering discharge from the dormitory are not governed by the Pupil Fair Dismissal Act as set forth in sections 121A.40 to 121A.56. Rules regarding discharge and the operation of the center are not governed by chapter 14.

(b) Proceedings concerning the full-time program for talented pupils, including admission, discharge, a pupil's program, and a pupil's progress, are governed by the rules adopted by the board and are not contested cases governed by chapter 14.

Subd. 6. **Public postsecondary institutions; providing space.** Public postsecondary institutions must provide space for programs offered by the Perpich Center for Arts Education at no cost or reasonable cost to the center to the extent that space is available at the public postsecondary institutions.

Subd. 7. **Purchasing instructional items.** Technical educational equipment may be procured for programs of the Perpich Center for Arts Education by the board either by brand designation or in accordance with standards and specifications the board may adopt, notwithstanding chapters 16B and 16C.

Subd. 8. **Exemption to September 1 school start restriction.** Notwithstanding section 120A.40, the Perpich Center for Arts Education may begin the school year any day prior to September 1.

#### **129C.105 BOARD MEETINGS BY TELEPHONE OR OTHER ELECTRONIC MEANS.**

(a) Notwithstanding section 13D.01 and if complying with section 13D.02 is impractical, the Board of the Perpich Center for Arts Education may conduct a meeting of its members by telephone or other electronic means when:

(1) all members of the board participating in the meeting, wherever the members' physical locations, can hear one another and all discussion and testimony;

(2) members of the public present at the regular meeting location of the board can hear all discussion and testimony and all votes of members of the board;

(3) at least one member of the board is physically present at the regular meeting location; and

(4) all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.

(b) Each member of the board participating in a meeting by telephone or other electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

(c) If telephone or other electronic means is used to conduct a meeting, the board, to the extent practical, shall allow a person to monitor the meeting electronically from a remote location. The board may require the person making such a connection to pay for documented marginal costs that the board incurs as a result of the additional connection.

(d) If telephone or other electronic means is used to conduct a regular, special, or emergency meeting, the board shall provide notice of the regular meeting location, of the fact that some members may participate by telephone or other electronic means, and of the provisions of paragraph (c). The timing and method of providing notice is governed by section 13D.04.

(e) The board must publish minutes of all meetings on the center's website.

#### **129C.15 RESOURCE, MAGNET, AND OUTREACH PROGRAMS.**

Subdivision 1. **Resource and outreach.** The center must offer resource and outreach programs and services statewide aimed at the enhancement of arts education opportunities for pupils in elementary and secondary school. The programs and services must include:

(1) developing and demonstrating exemplary curriculum, instructional practices, and assessment;

(2) disseminating information; and

(3) providing programs for pupils and teachers that develop technical and creative skills in art forms that are underrepresented and in geographic regions that are underserved.

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Subd. 2. **Magnet programs.** The center must identify at least one school district in each congressional district with interest and the potential to offer magnet arts programs using the curriculum developed by the Perpich Center for Arts Education.

Subd. 3. **Center responsibilities.** The center must:

(1) provide information and technical services to arts teachers, professional arts organizations, school districts, and the Department of Education;

(2) gather and conduct research in arts education;

(3) design and promote arts education opportunities for all Minnesota pupils in elementary and secondary schools; and

(4) serve as liaison for the Department of Education to national organizations for arts education.

**129C.20 MATERIALS, TRAINING, AND ASSISTANCE.**

The Perpich Center for Arts Education, in cooperation with the Minnesota Alliance for Arts in Education and the Minnesota State Arts Board must provide materials, training, and assistance to the arts education committees in the school districts. The center may contract with the Minnesota Alliance for Arts in Education for its involvement in providing services, including staff assistance, to the program.

**129C.25 COMPREHENSIVE ARTS PLANNING PROGRAM.**

The Perpich Center for Arts Education shall prescribe the form and manner of application by one or more districts to be designated as a site to participate in the comprehensive arts planning program. Up to 30 sites may be selected. The center shall designate sites in consultation with the Minnesota Alliance for Arts in Education and the Minnesota State Arts Board.

**129C.26 COMPREHENSIVE ARTS PLANNING PROGRAM SITES.**

Subdivision 1. **Funding.** Each site shall receive \$1,250 each year for two years. If fewer than 30 sites are selected, each site shall receive an additional proportionate share of money appropriated and not used. Before receiving money for the second year, a long-range plan for arts education must be submitted to the Perpich Center for Arts Education.

Subd. 2. **Criteria.** The center, in consultation with the Comprehensive Arts Planning Program State Steering Committee, must establish criteria for site selection. Criteria shall include at least the following:

(1) a willingness by the district or group of districts to designate a program chair for comprehensive arts planning with sufficient authority to implement the program;

(2) a willingness by the district or group of districts to create a committee comprised of school district and community people whose function is to promote comprehensive arts education in the district;

(3) commitment on the part of committee members to participate in training offered by the Department of Education;

(4) a commitment of the committee to conduct a needs assessment of arts education;

(5) commitment by the committee to evaluate its involvement in the program;

(6) a willingness by the district to adopt a long-range plan for arts education in the district; and

(7) location of the district or group of districts to assure representation of urban, suburban, and rural districts and distribution of sites throughout the state.

Subd. 3. **Program accounts.** A district receiving funds must maintain a separate account for the receipt and disbursement of all funds relating to the program. The funds must be spent only for the purpose of arts education programs, including teacher release time.

Subd. 4. **Additional funding.** A district receiving funds may receive funds for the program from private sources and from other governmental agencies, including any state or federal funds available for arts education.

**129C.27 ANNUAL DIRECTOR REPORT.**

The director must report the following to the education committees of the legislature by January 15 of each year in accordance with section 3.195:

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- (1) outreach activities, including the number of districts, teachers, and administrators that have participated in outreach programs;
- (2) the impact of the center's outreach activities;
- (3) enrollment trends, including the number of students from each congressional district admitted to the Perpich Arts High School and efforts to increase enrollment by 20 percent by 2019; and
- (4) students' academic achievement, including performance on standard assessments, graduation rates, and the number of students enrolled in postsecondary education.

### **3500.1000 EXPERIMENTAL AND FLEXIBLE SCHOOL YEAR PROGRAMS.**

Subpart 1. **Request.** A district may request approval from the commissioner of education for an experimental program of study, a four-day school week, or a flexible school year program. They shall be designed to accomplish at least one of the following:

- A. improve instructional quality;
- B. increase cost-effectiveness;
- C. make better use of community resources or available technology; or

D. establish an alternative eligibility criteria intended to identify pupils in need of special education services.

Subp. 2. **Exemption from state rules.** If the proposed program is approved, the commissioner of education shall provide an exemption to state rules that otherwise would apply.

Subp. 3. **Contents of proposal.** The proposal shall include: specific state rules from which the district requests exemption, the goals and objectives of the program, the activities to be used to accomplish the objectives, a definite time limit which may not exceed three years, and the evaluation procedures to be used.

Subp. 4. **Participation and approval.** The district shall provide evidence that the district staff, pupils, and parents who would be affected, participated in the development and will participate in the annual review of the proposal, and that the proposal has the approval of the district school board.

Parents whose children will be involved shall be fully informed at the IEP meeting and shall have the opportunity to approve or disapprove placement in the experimental program.

Subp. 5. **Criteria for continuation.** If the commissioner of education finds that the program has met the proposed goals and objectives, the commissioner shall authorize continuation of the program and specify the state rules from which the program is exempt and the period of time the program will be continued.

### **3600.0010 DEFINITIONS.**

Subpart 1. **Scope.** The terms used in parts 3600.0010 to 3600.0085 have the meanings given them in this part.

Subp. 2. **Board.** "Board" means the board of the Perpich Center for Arts Education established in Minnesota Statutes, section 129C.10, subdivision 1.

Subp. 2a. **Center.** "Center" means the full-time high school program offered at the Perpich Center for Arts Education established in Minnesota Statutes, section 129C.10, subdivision 3, paragraph (f), clause (1).

Subp. 2b. **Eligible applicant.** "Eligible applicant" means a student who resides in Minnesota at the time of the arts review process and at the time of enrollment, as determined by the executive director or the executive director's designee, and meets the following criteria:

A. is living with one or more parents who maintain a domicile and resides in Minnesota at the time of the arts review process and enrollment; or

B. is living with a legal guardian who maintains a domicile and resides in Minnesota at the time of the student's arts review process and enrollment, and the student is living with the guardian primarily for the purpose of care and support and not for the primary purpose of receiving an education in Minnesota.

Subp. 3. **Executive director.** "Executive director" means the individual appointed by the board under Minnesota Statutes, section 129C.10, subdivision 4, paragraph (a), clause (1), to administer the Perpich Center for Arts Education.

Subp. 6. **School record.** "School record" means the information requested of the applicant by the center to help determine the appropriateness of the applicant's admission. The information requested must relate to the areas of review as described in part 3600.0030, subpart 6, and includes for example, a transcript of courses taken at the secondary level and their accompanying grades; secondary level attendance records; information about the high school content standards under chapter 3501 attempted or completed by the applicant; and a certified record from the applicant's previous secondary schools regarding grades and standards completed and recommendation. This recommendation must be completed by the applicant's school counselor or teacher of English, math, science, social studies, or world languages.

### **3600.0020 HOW THIS CHAPTER APPLIES.**

Parts 3600.0010 to 3600.0085 prescribe the application, arts review, and evaluation processes for students wanting admission to the center. Participants in other programs under Minnesota Statutes, section 129C.10, are not included in the application, arts review, and evaluation process in parts 3600.0010 to 3600.0085.

### **3600.0030 APPLICATION PROCESS.**

#### **Subpart 1. Eligible applicants.**

A. An eligible applicant for enrollment in the full-time high school program as an 11th grader must have:

(1) successfully completed the requirements of the sending school for grade 9 and be enrolled in grade 10 at the time of application and successfully completed the requirements of the sending school for grade 10 by the end of the grade 10 academic year; and

(2) completed the number of high school content standards as determined annually by the executive director or the executive director's designee. In order to make this determination, by September 1 of each academic year, the executive director or the executive director's designee must determine, for the following academic year, which standards and how many standards the eligible applicant must have completed. This determination will be based on:

(a) which content areas will not be offered by the center during the applicant's enrollment; and

(b) whether, given those standards being offered at the center, the student can complete the number of standards required so as to be able to graduate at the end of two years of enrollment.

B. An eligible applicant for enrollment in the center as a 12th grader must have:

(1) successfully completed the requirements of the sending school for grades 9 and 10 and be enrolled in grade 11 at the time of application and successfully completed the requirements of the sending school for grade 11 by the end of the grade 11 academic year;

(2) completed the number of high school content standards as determined annually by the executive director or the executive director's designee. In order to make this determination, by September 1 of each academic year, the executive director or the executive director's designee must determine, for the following academic year, which standards and how many standards the eligible applicant must have completed. This determination will be based on:

(a) which content areas will not be offered by the center during the applicant's enrollment; and

(b) whether, given those standards being offered at the center, the student can complete the number of standards required so as to be able to graduate at the end of one year of enrollment; and

(3) a "C" average in high school coursework.

Subp. 2. **Application process.** An eligible applicant must apply for admission to the center by completing application forms and supplying a school record. Students whose applications or school records are not complete by the deadline established annually by the executive director or the executive director's designee shall not be considered further for enrollment. The deadline established annually is stated on the yearly application form.

Subp. 4. **Number of applications.** Subject to the limitations in parts 3600.0045 to 3600.0085, an individual may apply no more than two times for admission into the center if the individual is an eligible applicant under part 3600.0030, subpart 1, at the time of the arts review process.

Subp. 6. **Areas of review.** An applicant shall be evaluated for admission into the center based on a review of the applicant in three areas:

- A. the arts review process in part 3600.0045;
- B. the academic interview process in part 3600.0055; and
- C. the final evaluation process in part 3600.0065.

The processes under this subpart shall occur at the location and times determined by the executive director or the executive director's designee.

### **3600.0045 ARTS REVIEW PROCESS.**

Subpart 1. **Arts activities.** An applicant may choose to be reviewed in up to two areas of specialty designated on the application, within the following categories: dance, literary arts, media arts, music, theater, and visual arts. Within each specialty area, the executive director or the executive director's designee shall evaluate the applicant's following arts activities:

A. The demonstration of an example or examples of the applicant's previous arts activities, products, and abilities. The executive director or the executive director's designee must evaluate an applicant's artistic abilities or potential with the following criteria:

(1) skills/proficiency, including the degree the applicant possesses potential for rapid acquisition of skills needed to effectively communicate the applicant's arts specialty area or areas;

(2) creativity/imagination, including the level at which the applicant demonstrates the ability to develop inventive, personal, concise, creative expressions within the applicant's arts specialty area or areas; and

(3) attitude, including the extent the applicant demonstrates commitment, energy, and motivation for activities within the applicant's arts specialty area or areas.

B. The spontaneous individual and group activities that highlight individual creativity and group interaction. These activities must be related to the applicant's specialty area or areas. The executive director or the executive director's designee must evaluate an applicant's artistic abilities or potential with the following criteria:

(1) skills/proficiency, including the degree the applicant possesses potential for rapid acquisition of skills needed to effectively communicate the applicant's arts specialty area or areas;

(2) creativity/imagination, including the level at which the applicant's responses demonstrate inventive, personal, concise, imaginative creative expressions; and



(3) attitude, including the extent the applicant demonstrates a willingness to participate with commitment, energy, and motivation.

C. The solution to an arts assignment. Two weeks before the arts review begins, the center shall send applicants an arts assignment specific to the applicants' specialty area or areas. An applicant must bring the solution to the assignment to the arts review and present it to the executive director or the executive director's designee who must evaluate the solution with the following criteria:

(1) the extent that the solution demonstrates skill and proficiency effectiveness including the ability to effectively communicate the arts specialty area or areas;

(2) the extent that the solution represents an imaginative, creative solution including the ability to develop inventive, personal, concise expression within the arts specialty area or areas; and

(3) attitude, including the extent the applicant demonstrates a willingness to participate with commitment, energy, and motivation.

D. Participation in an interview. The executive director or the executive director's designee shall interview an applicant using a list of questions prepared by the executive director or executive director's designee to assess the applicant's attitude, including motivation and commitment to the applicant's arts specialty area or areas.

Subp. 2. **Rating of arts review.** Applicants shall be given a rating of "strongly recommended," "recommended," or "not recommended" in each arts review within each specialty area or areas under subpart 1.

### **3600.0055 ACADEMIC INTERVIEW PROCESS.**

After the arts review, academic applicants shall be interviewed at a location designated by the executive director or the executive director's designee. The purpose of the interview is to comprehensively assess the applicant, including for example the applicant's maturity, the applicant's ability to handle the transition to the center, the applicant's attitude toward obtaining a comprehensive education in addition to an arts education, an explanation of past academic issues, including, for example, absences or low academic standing, and what the applicant will contribute to the community of students and faculty at the center.

### **3600.0065 FINAL EVALUATION PROCESS.**

A. After completing the arts review process under part 3600.0045 and the academic interview process under part 3600.0055, an administrative team designated by the executive director or the executive director's designee shall review the student's school record and the results of the arts review and the academic interview to determine whether to admit the applicant into the center. An applicant shall be assessed on the applicant's arts review, the strength of the applicant's overall school records, and the academic interview or interviews. An applicant shall be admitted if a majority of the team recommends admission.

B. An applicant shall be disqualified from further consideration prior to final evaluation if:

(1) the school record as requested by the center is not complete; and

(2) the academic interview process is not complete.

### **3600.0075 SECOND ROUND APPLICATIONS.**

If openings at the center remain unfilled after the final evaluations are completed, the executive director or the executive director's designee may reopen the entire application process under parts 3600.0030 to 3600.0065. Students who were not recommended in the process in the immediately preceding application round are not eligible to reapply for enrollment in the upcoming academic year.

**3600.0085 BASIS FOR DISQUALIFICATION FROM ENROLLMENT.**

A. An approved applicant for enrollment in grade 11 shall not be enrolled unless the following information has been provided by a date annually determined by the executive director or the executive director's designee:

(1) a certified record from each high school attended that demonstrates the applicant has successfully completed the requirements of grades 9 and 10; and

(2) a certified record from each high school attended that demonstrates the number and type of completed high school content standards.

B. An approved applicant for enrollment in grade 12 shall not be enrolled unless the following information has been provided by a date annually determined by the executive director or the executive director's designee:

(1) a certified record from each high school attended that demonstrates the applicant successfully completed the requirements of grades 9, 10, and 11; and

(2) a certified record from each high school attended that demonstrates the number and type of completed high school content standards.