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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 1773

02/15/2023 Authored by Clardy, Sencer-Mura, Her, Hussein, Frazier and others
The bill was read for the first time and referred to the Committee on Education Policy
03/06/2023 Adoption of Report: Re-referred to the Committee on Education Finance

1.1 A bill for an act
1.2 relating to education; requiring indexing of English learner programs revenue to
1.3 basic education revenue; establishing microcredentials for teachers and
1.4 administrators of English learners; authorizing rulemaking; appropriating money;
1.5 amending Minnesota Statutes 2022, sections 122A.14, by adding a subdivision;
1.6 122A.187, subdivision 3, by adding a subdivision; 122A.19, by adding a
1.7 subdivision; 124D.65, subdivision 5; 126C.10, subdivision 4.

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

1.9 Section 1. Minnesota Statutes 2022, section 122A.14, is amended by adding a subdivision
1.10 to read:

1.11 Subd. 3a. English learner microcredential. The board must adopt rules establishing a
1.12 voluntary administrative microcredential for English learner and emerging multilingual
1.13 learner directors and coordinators.

1.14 Sec. 2. Minnesota Statutes 2022, section 122A.187, subdivision 3, is amended to read:

1.15 Subd. 3. Professional growth. (a) Applicants for license renewal for a Tier 3 or Tier 4
1.16 license under sections 122A.183 and 122A.184, respectively, who have been employed as
1.17 a teacher during the renewal period of the expiring license, as a condition of license renewal,
1.18 must present to their local continuing education and relicensure committee or other local
1.19 relicensure committee evidence of work that demonstrates professional reflection and growth
1.20 in best teaching practices, including among other things, cultural competence in accordance
1.21 with section 120B.30, subdivision 1, paragraph (q), and practices in meeting the varied
1.22 needs of English learners, from young children to adults under section 124D.59, subdivisions
1.23 2 and 2a. A teacher may satisfy the requirements of this paragraph by submitting the teacher's

2.1 most recent summative evaluation or improvement plan under section 122A.40, subdivision
2.2 8, or 122A.41, subdivision 5.

2.3 (b) The Professional Educator Licensing and Standards Board must ensure that its teacher
2.4 relicensing requirements include paragraph (a).

2.5 Sec. 3. Minnesota Statutes 2022, section 122A.187, is amended by adding a subdivision
2.6 to read:

2.7 Subd. 7. **English learners.** The Professional Educator Licensing and Standards Board
2.8 must adopt rules that require all licensed teachers renewing a Tier 3 or Tier 4 teaching
2.9 license under sections 122A.183 and 122A.184, respectively, to include in their renewal
2.10 requirements further preparation in best practices in meeting the varied needs of English
2.11 learners, from young children to adults under section 124D.59, subdivisions 2 and 2a. The
2.12 rules must:

2.13 (1) require at least six hours of professional development training in content and pedagogy
2.14 associated with, at a minimum, the benefits of multilingualism and multiculturalism;

2.15 (2) establish qualifications for a person conducting the training; and

2.16 (3) require that the training include culturally validating diversity, equity, and inclusion
2.17 training.

2.18 Sec. 4. Minnesota Statutes 2022, section 122A.19, is amended by adding a subdivision to
2.19 read:

2.20 Subd. 7. **Microcredentials.** The board must adopt rules establishing best practices for
2.21 teaching English learners in specific content areas. The board must adopt rules establishing
2.22 a voluntary microcredential in communication arts and literature, math, science, and social
2.23 studies for teachers holding a license in bilingual or bicultural education or English as a
2.24 second language. To earn a microcredential, a teacher must demonstrate mastery of the best
2.25 practices established in rule for teaching English learners in a specific content area.

2.26 Sec. 5. Minnesota Statutes 2022, section 124D.65, subdivision 5, is amended to read:

2.27 Subd. 5. **School district EL revenue.** (a) A district's English learner programs revenue
2.28 equals the product of (1) \$704 the general education basic formula allowance divided by
2.29 9.75 times (2) the greater of 20 or the adjusted average daily membership of eligible English
2.30 learners enrolled in the district during the current fiscal year.

3.1 (b) A pupil ceases to generate state English learner aid in the school year following the
 3.2 school year in which the pupil attains the state cutoff score on a commissioner-provided
 3.3 assessment that measures the pupil's emerging academic English.

3.4 (c) Additional revenue generated by the indexing of English learner revenue under
 3.5 paragraph (a) must be distributed by providing:

3.6 (1) 25 percent of the revenue to school districts;

3.7 (2) 50 percent of the revenue to the Department of Education to provide for increased
 3.8 support and accountability for English learner staff and programs; and

3.9 (3) 25 percent of the revenue to the Department of Education to create and maintain an
 3.10 English learner parent and community advisory council to provide counsel and feedback
 3.11 to the Department of Education on English learner programs in addition to providing
 3.12 budgetary oversight of the 25 percent of the annual or biannual increases made to the English
 3.13 learner concentration revenue and the English learner basic revenue to support
 3.14 community-based grants to support innovative programming for English learners.

3.15 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

3.16 Sec. 6. Minnesota Statutes 2022, section 126C.10, subdivision 4, is amended to read:

3.17 Subd. 4. **Basic skills revenue.** (a) A school district's basic skills revenue equals the sum
 3.18 of:

3.19 (1) compensatory revenue under subdivision 3; plus

3.20 (2) English learner revenue under section 124D.65, subdivision 5; plus

3.21 (3) ~~\$250~~ the formula allowance divided by 27.45 times the English learner pupil units
 3.22 under section 126C.05, subdivision 17; plus

3.23 (4) the district's revenue for students with limited or interrupted formal education
 3.24 according to paragraph (b).

3.25 (b) A school district's students with limited or interrupted formal education (SLIFE)
 3.26 revenue equals the revenue under paragraph (a), clauses (1) and (2), times the ratio of SLIFE
 3.27 students to the total count of students eligible for English learner revenue for that year. A
 3.28 school district's SLIFE revenue must be used to support the unique learning needs of SLIFE
 3.29 students, as defined under section 124D.59, subdivision 2a.

3.30 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

4.1 Sec. 7. **APPROPRIATION; BOARD OF SCHOOL ADMINISTRATORS**
4.2 **RULEMAKING.**

4.3 \$30,000 in fiscal year 2024 is appropriated from the general fund to the Board of School
4.4 Administrators to support the rulemaking process required under Minnesota Statutes, section
4.5 122A.14, subdivision 3a. This is a onetime appropriation. This appropriation is available
4.6 until June 30, 2025.

4.7 Sec. 8. **APPROPRIATION; PROFESSIONAL EDUCATOR LICENSING AND**
4.8 **STANDARDS BOARD RULEMAKING.**

4.9 \$100,000 in fiscal year 2024 is appropriated from the general fund to the Professional
4.10 Educator Licensing and Standards Board to support the rulemaking process required under
4.11 Minnesota Statutes, section 122A.19, subdivision 7. This is a onetime appropriation. This
4.12 appropriation is available until June 30, 2025.