

**SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH SESSION**

S.F. No. 1889

(SENATE AUTHORS: TORRES RAY, Kent and Wiger)

DATE	D-PG	OFFICIAL STATUS
02/25/2014	5844	Introduction and first reading Referred to Education
02/27/2014	5901	Author added Wiger
03/24/2014	6531a	Comm report: To pass as amended
	6801	Second reading
04/08/2014	7823	HF substituted on General Orders HF2397

A bill for an act

1.1 relating to education; providing for policy and technical modifications in early
1.2 childhood and family, kindergarten through grade 12, and adult education
1.3 including general education, education excellence, special programs, nutrition,
1.4 libraries, English learners, and interstate compact on educational opportunity
1.5 for military children; unsession changes; amending Minnesota Statutes 2012,
1.6 sections 13.32, subdivision 6; 119A.50, subdivision 3; 120A.22, subdivision 2;
1.7 120A.32; 120B.022; 120B.12; 121A.36; 121A.582, subdivision 1; 122A.06,
1.8 subdivision 4; 122A.09, subdivision 7; 122A.14, subdivisions 2, 3; 122A.18,
1.9 subdivisions 2a, 4; 122A.19; 122A.413, subdivision 2; 122A.414, subdivision
1.10 2; 122A.60, subdivisions 1a, 2, 3; 122A.68, subdivision 3; 122A.74; 123A.06,
1.11 subdivisions 2, 4; 123B.04, subdivision 4; 123B.147, subdivision 3; 123B.88,
1.12 subdivision 1; 124D.03, subdivisions 3, 4, 5, 6, by adding a subdivision; 124D.08,
1.13 by adding a subdivision; 124D.111, subdivision 3; 124D.13, subdivision 2;
1.14 124D.141, subdivisions 2, 3; 124D.15, subdivision 3; 124D.49, subdivision
1.15 3; 124D.52, as amended; 124D.522; 124D.59, subdivision 2, by adding a
1.16 subdivision; 124D.895; 124D.8955; 125A.023, subdivisions 3, 4; 125A.027,
1.17 subdivisions 1, 4; 125A.03; 125A.08; 125A.22; 127A.065; 127A.41, subdivision
1.18 7; 127A.70, subdivision 1; 134.355, subdivision 8; 260D.06, subdivision
1.19 2; Minnesota Statutes 2013 Supplement, sections 120B.021, subdivision 4;
1.20 120B.11; 120B.115; 120B.125; 120B.35, subdivision 3; 120B.36, subdivision
1.21 1; 122A.09, subdivision 4; 122A.18, subdivision 2; 122A.40, subdivision 8;
1.22 122A.41, subdivision 5; 124D.165, subdivisions 2, 4, 5; 124D.4531, subdivisions
1.23 1, 3, 3a; 124D.861, subdivision 3; 125A.0942, subdivision 2; 125A.30;
1.24 127A.70, subdivision 2; 626.556, subdivision 2; proposing coding for new law
1.25 in Minnesota Statutes, chapters 124D; 127A; repealing Minnesota Statutes
1.26 2012, sections 119A.04, subdivision 3; 120A.30; 120B.19; 120B.24; 120B.35,
1.27 subdivision 4; 121A.17, subdivision 9; 122A.19, subdivision 3; 122A.52;
1.28 122A.53; 122A.61, subdivision 2; 122A.71; 124D.24; 124D.25; 124D.26;
1.29 124D.27; 124D.28; 124D.29; 124D.30; 124D.31; 125A.027, subdivision 3.

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

ARTICLE 1

GENERAL EDUCATION

1.34 Section 1. Minnesota Statutes 2012, section 123B.88, subdivision 1, is amended to read:

2.1 Subdivision 1. **Providing transportation.** The board may provide for the
2.2 transportation of pupils to and from school and for any other purpose. The board may
2.3 also provide for the transportation of pupils to schools in other districts for grades and
2.4 departments not maintained in the district, including high school, at the expense of
2.5 the district, when funds are available therefor and if agreeable to the district to which
2.6 it is proposed to transport the pupils, for the whole or a part of the school year, as it
2.7 may deem advisable, and subject to its rules. In any district, the board must arrange
2.8 for the attendance of all pupils living two miles or more from the school, except pupils
2.9 whose transportation privileges have been voluntarily surrendered under subdivision 2,
2.10 or whose privileges have been revoked under section 123B.91, subdivision 1, clause
2.11 (6), or 123B.90, subdivision 2. The district may provide for the transportation of or the
2.12 boarding and rooming of the pupils who may be more economically and conveniently
2.13 provided for by that means. Arrangements for attendance may include a requirement
2.14 that parents or guardians request transportation before it is provided. The board must
2.15 provide transportation to and from the home of a child with a disability not yet enrolled in
2.16 kindergarten when special instruction and services under sections 125A.03 to 125A.24,
2.17 125A.26 to 125A.48, and 125A.65 are provided in a ~~location other than in the child's home~~
2.18 district facility, a placement contracted for by the district, or a Head Start program if the
2.19 Head Start program does not otherwise provide transportation. When transportation is
2.20 provided, scheduling of routes, establishment of the location of bus stops, manner and
2.21 method of transportation, control and discipline of school children, the determination of
2.22 fees, and any other matter relating thereto must be within the sole discretion, control, and
2.23 management of the board. The district may provide for the transportation of pupils or
2.24 expend a reasonable amount for room and board of pupils whose attendance at school can
2.25 more economically and conveniently be provided for by that means or who attend school
2.26 in a building rented or leased by a district within the confines of an adjacent district.

2.27 Sec. 2. Minnesota Statutes 2012, section 124D.08, is amended by adding a subdivision
2.28 to read:

2.29 Subd. 2b. **Continued enrollment for students placed in foster care.**
2.30 Notwithstanding subdivision 2, a pupil who has been enrolled in a district who is placed
2.31 in foster care in another district may continue to enroll in the prior district without the
2.32 approval of the board of the prior district. The approval of the board where the pupil's
2.33 foster home is located is not required.

3.1 **ARTICLE 2**3.2 **EDUCATION EXCELLENCE**

3.3 Section 1. Minnesota Statutes 2012, section 13.32, subdivision 6, is amended to read:

3.4 Subd. 6. **Admissions forms; remedial instruction.** (a) Minnesota postsecondary
3.5 education institutions, for purposes of reporting and research, may collect on the
3.6 1986-1987 admissions form, and disseminate to any public educational agency or
3.7 institution the following data on individuals: student sex, ethnic background, age, and
3.8 disabilities. The data shall not be required of any individual and shall not be used for
3.9 purposes of determining the person's admission to an institution.

3.10 (b) A school district that receives information under subdivision 3, paragraph
3.11 (h) from a postsecondary institution about an identifiable student shall maintain the
3.12 data as educational data and use that data to conduct studies to improve instruction.
3.13 Public postsecondary systems ~~annually shall provide summary data to the Department~~
3.14 ~~of Education indicating as part of their participation in the Statewide Longitudinal~~
3.15 Education Data System shall provide data on the extent and content of the remedial
3.16 instruction received in each system during the prior academic year by individual students,
3.17 and the results of assessment testing and the academic performance of, students who
3.18 graduated from a Minnesota school district within two years before receiving the remedial
3.19 instruction. The ~~department~~ Office of Higher Education, in collaboration with the
3.20 Department of Education, shall evaluate the data and annually report its findings to the
3.21 education committees of the legislature.

3.22 (c) This section supersedes any inconsistent provision of law.

3.23 Sec. 2. Minnesota Statutes 2013 Supplement, section 120B.021, subdivision 4, is
3.24 amended to read:

3.25 Subd. 4. **Revisions and reviews required.** (a) The commissioner of education must
3.26 revise and appropriately embed technology and information literacy standards consistent
3.27 with recommendations from school media specialists into the state's academic standards
3.28 and graduation requirements and implement a ten-year cycle to review and revise state
3.29 academic standards and related benchmarks, consistent with this subdivision. During each
3.30 ten-year review and revision cycle, the commissioner also must examine the alignment
3.31 of each required academic standard and related benchmark with the knowledge and
3.32 skills students need for career and college readiness and advanced work in the particular
3.33 subject area. The commissioner must include the contributions of Minnesota American

4.1 Indian tribes and communities as related to the academic standards during the review and
4.2 revision of the required academic standards.

4.3 (b) The commissioner must ensure that the statewide mathematics assessments
4.4 administered to students in grades 3 through 8 and 11 are aligned with the state academic
4.5 standards in mathematics, consistent with section 120B.30, subdivision 1, paragraph
4.6 (b). The commissioner must implement a review of the academic standards and related
4.7 benchmarks in mathematics beginning in the 2015-2016 school year and every ten years
4.8 thereafter.

4.9 (c) The commissioner must implement a review of the academic standards and related
4.10 benchmarks in arts beginning in the 2016-2017 school year and every ten years thereafter.

4.11 (d) The commissioner must implement a review of the academic standards and
4.12 related benchmarks in science beginning in the 2017-2018 school year and every ten
4.13 years thereafter.

4.14 (e) The commissioner must implement a review of the academic standards and
4.15 related benchmarks in language arts beginning in the 2018-2019 school year and every
4.16 ten years thereafter.

4.17 (f) The commissioner must implement a review of the academic standards and
4.18 related benchmarks in social studies beginning in the 2019-2020 school year and every
4.19 ten years thereafter.

4.20 (g) School districts and charter schools must revise and align local academic
4.21 standards and high school graduation requirements in health, world languages, and career
4.22 and technical education to require students to complete the revised standards beginning
4.23 in a school year determined by the school district or charter school. School districts and
4.24 charter schools must formally establish a periodic review cycle for the academic standards
4.25 and related benchmarks in health, world languages, and career and technical education.

4.26 Sec. 3. Minnesota Statutes 2012, section 120B.022, is amended to read:

4.27 **120B.022 ELECTIVE STANDARDS.**

4.28 Subdivision 1. **Elective standards.** ~~(a)~~ A district must establish its own standards in
4.29 the following subject areas:

4.30 (1) career and technical education; and

4.31 (2) world languages.

4.32 A school district must offer courses in all elective subject areas.

4.33 Subd. 1a. **Foreign language and culture; proficiency certificates.** ~~(b)~~ (a) World
4.34 languages teachers and other school staff should develop and implement world languages
4.35 programs that acknowledge and reinforce the language proficiency and cultural awareness

5.1 that non-English language speakers already possess, and encourage students' proficiency
5.2 in multiple world languages. Programs under this ~~paragraph~~ section must encompass
5.3 indigenous American Indian languages and cultures, among other world languages and
5.4 cultures. The department shall consult with postsecondary institutions in developing
5.5 related professional development opportunities for purposes of this section.

5.6 (e) (b) Any Minnesota public, charter, or nonpublic school may award Minnesota
5.7 World Language Proficiency Certificates or Minnesota World Language Proficiency High
5.8 Achievement Certificates, consistent with this subdivision.

5.9 (c) The Minnesota World Language Proficiency Certificate recognizes students who
5.10 demonstrate listening, speaking, reading, and writing language skills at the American
5.11 Council on the Teaching of Foreign Languages' Intermediate-Low level on a valid and
5.12 reliable assessment tool. For languages listed as Category 3 by the United States Foreign
5.13 Service Institute or Category 4 by the United States Defense Language Institute, the
5.14 standard is Intermediate-Low for listening and speaking and Novice-High for reading
5.15 and writing.

5.16 (d) The Minnesota World Language Proficiency High Achievement Certificate
5.17 recognizes students who demonstrate listening, speaking, reading, and writing language
5.18 skills at the American Council on the Teaching of Foreign Languages' Pre-Advanced level
5.19 for K-12 learners on a valid and reliable assessment tool. For languages listed as Category
5.20 3 by the United States Foreign Service Institute or Category 4 by the United States
5.21 Defense Language Institute, the standard is Pre-Advanced for listening and speaking and
5.22 Intermediate-Mid for reading and writing.

5.23 Subd. 1b. State bilingual and multilingual seals. (a) Consistent with efforts to
5.24 strive for the world's best workforce under sections 120B.11 and 124D.10, subdivision 8,
5.25 paragraph (u), and close the academic achievement and opportunity gap under sections
5.26 124D.861 and 124D.862, voluntary state bilingual and multilingual seals are established
5.27 to recognize high school graduates who demonstrate level 5 functional native proficiency
5.28 in speaking and reading on the Foreign Services Institute language proficiency tests or on
5.29 equivalent valid and reliable assessments in one or more languages in addition to English.
5.30 American Sign Language is a language other than English for purposes of this subdivision
5.31 and a world language for purposes of subdivision 1a.

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

5.33 (1) students must satisfactorily complete all required English language arts credits;
5.34 and

5.35 (2) students whose primary language is other than English must demonstrate mastery
5.36 of Minnesota's English language proficiency standards.

6.1 (c) Consistent with this subdivision, a high school graduate who demonstrates
6.2 functional native proficiency in one language in addition to English is eligible to receive
6.3 the state bilingual seal. A high school graduate who demonstrates functional native
6.4 proficiency in more than one language in addition to English is eligible to receive the
6.5 state multilingual seal.

6.6 (d) School districts and charter schools, in consultation with regional centers
6.7 of excellence under section 120B.115, must give students periodic opportunities to
6.8 demonstrate their level of proficiency in speaking and reading in a language in addition
6.9 to English. Where valid and reliable assessments are unavailable, a school district or
6.10 charter school may rely on a licensed foreign language immersion teacher or a nonlicensed
6.11 community expert under section 122A.25 to assess a student's level of foreign, heritage, or
6.12 indigenous language proficiency under this section. School districts and charter schools
6.13 must maintain appropriate records to identify high school graduates eligible to receive the
6.14 state bilingual or multilingual seal. The school district or charter school must affix the
6.15 appropriate seal to the transcript of each high school graduate who meets the requirements
6.16 of this subdivision and may affix the seal to the student's diploma. A school district or
6.17 charter school must not charge the high school graduate a fee for this seal.

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

6.21 (f) A school district or charter school may award community service credit to a
6.22 student who demonstrates level 5 functional native proficiency in speaking and reading
6.23 in a language other than English and who participates in community service activities
6.24 that are integrated into the curriculum, involve the participation of teachers, and support
6.25 biliteracy in the school or local community.

6.26 (g) The commissioner must develop a Web page for the electronic delivery of these
6.27 seals. The commissioner must list on the Web page those assessments that are equivalent
6.28 to the Foreign Services Institute language proficiency tests.

6.29 (h) The colleges and universities of the Minnesota State Colleges and Universities
6.30 system must award foreign language credits to a student who receives a state bilingual seal
6.31 or a state multilingual seal under this subdivision and may award foreign language credits to
6.32 a student who receives a Minnesota World Language Proficiency Certificate or a Minnesota
6.33 World Language Proficiency High Achievement Certificate under subdivision 1a.

6.34 **Subd. 2. Local assessments.** A district must use a locally selected assessment to
6.35 determine if a student has achieved an elective standard.

7.1 **EFFECTIVE DATE.** This section is effective for the 2014-2015 school year and
7.2 later, except subdivision 1b, paragraph (h) is effective for students enrolling in a MnSCU
7.3 system college or university in the 2015-2016 school year or later.

7.4 Sec. 4. Minnesota Statutes 2013 Supplement, section 120B.11, subdivision 3, is
7.5 amended to read:

7.6 Subd. 3. **District advisory committee.** Each school board shall establish an
7.7 advisory committee to ensure active community participation in all phases of planning and
7.8 improving the instruction and curriculum affecting state and district academic standards,
7.9 consistent with subdivision 2. A district advisory committee, to the extent possible, shall
7.10 reflect the diversity of the district and its school sites, and shall include teachers, parents,
7.11 support staff, students, and other community residents. The district may establish site
7.12 teams as subcommittees of the district advisory committee under subdivision 4. The
7.13 district advisory committee shall recommend to the school board rigorous academic
7.14 standards, student achievement goals and measures consistent with subdivision 1a and
7.15 sections 120B.022, ~~subdivision 1, paragraphs (b) and (c)~~ subdivisions 1a and 1b, and
7.16 120B.35, district assessments, and program evaluations. School sites may expand upon
7.17 district evaluations of instruction, curriculum, assessments, or programs. Whenever
7.18 possible, parents and other community residents shall comprise at least two-thirds of
7.19 advisory committee members.

7.20 **EFFECTIVE DATE.** This section is effective for the 2014-2015 school year and
7.21 later.

7.22 Sec. 5. Minnesota Statutes 2013 Supplement, section 120B.115, is amended to read:

7.23 **120B.115 REGIONAL CENTERS OF EXCELLENCE.**

7.24 (a) Regional centers of excellence are established to assist and support school
7.25 boards, school districts, school sites, and charter schools in implementing research-based
7.26 interventions and practices to increase the students' achievement within a region.
7.27 The centers must develop partnerships with local and regional service cooperatives,
7.28 postsecondary institutions, integrated school districts, the department, children's mental
7.29 health providers, or other local or regional entities interested in providing a cohesive
7.30 and consistent regional delivery system that serves all schools equitably. Centers must
7.31 assist school districts, school sites, and charter schools in developing similar partnerships.
7.32 Center support may include assisting school districts, school sites, and charter schools
7.33 with common principles of effective practice, including:

8.1 (1) defining measurable education goals under ~~section~~ sections 120B.11, subdivision
8.2 2, and 120B.022, subdivisions 1a and 1b;

8.3 (2) implementing evidence-based practices;

8.4 (3) engaging in data-driven decision-making;

8.5 (4) providing multilayered levels of support;

8.6 (5) supporting culturally responsive teaching and learning aligning state and local
8.7 academic standards and career and college readiness benchmarks; and

8.8 (6) engaging parents, families, youth, and local community members in programs
8.9 and activities at the school district, school site, or charter school.

8.10 Centers must work with school site leadership teams to build capacity to implement
8.11 programs that close the achievement gap, increase students' progress and growth toward
8.12 career and college readiness, and increase student graduation rates.

8.13 (b) The department must assist the regional centers of excellence to meet staff,
8.14 facilities, and technical needs, provide the centers with programmatic support, and work
8.15 with the centers to establish a coherent statewide system of regional support, including
8.16 consulting, training, and technical support, to help school boards, school districts, school
8.17 sites, and charter schools effectively and efficiently implement the world's best workforce
8.18 goals under section 120B.11 and other state and federal education initiatives.

8.19 **EFFECTIVE DATE.** This section is effective for the 2014-2015 school year and
8.20 later.

8.21 Sec. 6. Minnesota Statutes 2012, section 123A.06, subdivision 4, is amended to read:

8.22 Subd. 4. **Granting a diploma.** Upon successful completion of the area learning
8.23 center program, a pupil is entitled to receive a high school diploma. The pupil may elect
8.24 to receive a diploma from either the district of residence or the district in which the
8.25 area learning center is located or the intermediate district or educational cooperative
8.26 responsible for the area learning center program.

8.27 Sec. 7. Minnesota Statutes 2012, section 124D.03, subdivision 3, is amended to read:

8.28 Subd. 3. **Pupil application procedures.** In order that a pupil may attend a school or
8.29 program in a nonresident district, the pupil's parent or guardian must submit an application
8.30 to the nonresident district. ~~Before submitting an application, the pupil and the pupil's~~
8.31 ~~parent or guardian must explore with a school guidance counselor, or other appropriate~~
8.32 ~~staff member employed by the district the pupil is currently attending, the pupil's academic~~
8.33 ~~or other reason for applying to enroll in a nonresident district.~~ The pupil's application must

9.1 identify ~~the~~ a reason for enrolling in the nonresident district. The parent or guardian of a
 9.2 pupil must submit ~~an~~ a signed application by January 15 for initial enrollment beginning
 9.3 the following school year. The application must be on a form provided by the Department
 9.4 of Education. A particular school or program may be requested by the parent. Once
 9.5 enrolled in a nonresident district, the pupil may remain enrolled and is not required to
 9.6 submit annual or periodic applications. If the student moves to a new resident district,
 9.7 the student retains the seat in the nonresident district, but must submit a new enrollment
 9.8 options form to update the student's information. To return to the resident district or to
 9.9 transfer to a different nonresident district, the parent or guardian of the pupil must provide
 9.10 notice to the resident district or apply to a different nonresident district by January 15 for
 9.11 enrollment beginning the following school year.

9.12 Sec. 8. Minnesota Statutes 2012, section 124D.03, subdivision 4, is amended to read:

9.13 Subd. 4. **Desegregation Achievement and integration district transfers.** (a)

9.14 This subdivision applies to a transfer into or out of a district that has ~~a desegregation~~ an
 9.15 achievement and integration plan approved by the commissioner of education.

9.16 (b) An application to transfer may be submitted at any time for enrollment beginning
 9.17 at any time.

9.18 (c) A pupil enrolled in a nonresident district under ~~a desegregation~~ an achievement
 9.19 and integration plan approved by the commissioner of education is not required to make
 9.20 annual or periodic application for enrollment but may remain enrolled in the same district.
 9.21 A pupil may transfer to the resident district at any time.

9.22 (d) Subdivision 2 applies to a transfer into or out of a district with ~~a desegregation~~ an
 9.23 achievement and integration plan.

9.24 Sec. 9. Minnesota Statutes 2012, section 124D.03, subdivision 5, is amended to read:

9.25 Subd. 5. **Nonresident district procedures.** A district shall notify the parent or
 9.26 guardian in writing by February 15 or within 90 days for applications submitted after
 9.27 January 15 in the case of achievement and integration district transfers whether the
 9.28 application has been accepted or rejected. If an application is rejected, the district must
 9.29 state in the notification the reason for rejection. The parent or guardian must notify the
 9.30 nonresident district by March 1 or within 45 days whether the pupil intends to enroll in the
 9.31 nonresident district. Notice of intent to enroll in the nonresident district obligates the pupil
 9.32 to attend the nonresident district during the following school year, unless the boards of
 9.33 the resident and the nonresident districts agree in writing to allow the pupil to transfer
 9.34 back to the resident district, ~~or~~ or. If the pupil's parents or guardians change residence to

10.1 another district, the student does not lose the seat in the nonresident district but the parent
10.2 or guardian must complete an updated enrollment options form. If a parent or guardian
10.3 does not notify the nonresident district by the January 15 deadline, if it applies, the pupil
10.4 may not enroll in that nonresident district during the following school year, unless the
10.5 boards of the resident and nonresident district agree otherwise. The nonresident district
10.6 must notify the resident district by March 15 or 30 days later of the pupil's intent to enroll
10.7 in the nonresident district. The same procedures apply to a pupil who applies to transfer
10.8 from one participating nonresident district to another participating nonresident district.

10.9 Sec. 10. Minnesota Statutes 2012, section 124D.03, is amended by adding a
10.10 subdivision to read:

10.11 Subd. 5a. **Lotteries.** If a school district has more applications than available seats at
10.12 a specific grade level, it must hold an impartial lottery following the January 15 deadline
10.13 to determine which students will receive seats. Siblings of currently enrolled students and
10.14 applications related to an approved integration and achievement plan must receive priority
10.15 in the lottery. The process for the school district lottery must be established in school
10.16 district policy, approved by the school board, and be posted on the school district's Web site.

10.17 Sec. 11. Minnesota Statutes 2012, section 124D.03, subdivision 6, is amended to read:

10.18 Subd. 6. **Basis for decisions.** The board must adopt, by resolution, specific
10.19 standards for acceptance and rejection of applications. Standards may include the capacity
10.20 of a program, excluding special education services; class;₂ or school building. The
10.21 school board may not reject applications for enrollment in a particular grade level if the
10.22 nonresident enrollment at that grade level does not exceed the limit set by the board under
10.23 subdivision 2. Standards may not include previous academic achievement, athletic or
10.24 other extracurricular ability, disabling conditions, proficiency in the English language,
10.25 previous disciplinary proceedings, or the student's district of residence, except where the
10.26 district of residence is directly included in an enrollment options strategy included in an
10.27 approved achievement and integration program.

10.28 Sec. 12. Minnesota Statutes 2013 Supplement, section 124D.4531, subdivision 1,
10.29 is amended to read:

10.30 Subdivision 1. **Career and technical revenue.** (a) A district with a career and
10.31 technical program approved under this section for the fiscal year in which the levy is
10.32 certified is eligible for career and technical revenue equal to 35 percent of approved
10.33 expenditures in the fiscal year in which the levy is certified for the following:

11.1 (1) salaries paid to essential, licensed personnel providing direct instructional
 11.2 services to students in that fiscal year, including extended contracts, for services rendered
 11.3 in the district's approved career and technical education programs, excluding salaries
 11.4 reimbursed by another school district under clause (2);

11.5 (2) amounts paid to another Minnesota school district for salaries of essential,
 11.6 licensed personnel providing direct instructional services to students in that fiscal year for
 11.7 services rendered in the district's approved career and technical education programs;

11.8 (3) contracted services provided by a public or private agency other than a Minnesota
 11.9 school district or cooperative center under ~~subdivision 7~~ chapter 123A or 136D;

11.10 (4) necessary travel between instructional sites by licensed career and technical
 11.11 education personnel;

11.12 (5) necessary travel by licensed career and technical education personnel for
 11.13 vocational student organization activities held within the state for instructional purposes;

11.14 (6) curriculum development activities that are part of a five-year plan for
 11.15 improvement based on program assessment;

11.16 (7) necessary travel by licensed career and technical education personnel for
 11.17 noncollegiate credit-bearing professional development; and

11.18 (8) specialized vocational instructional supplies.

11.19 ~~(b) Up to ten percent of a district's career and technical revenue may be spent on
 11.20 equipment purchases. Districts using the career and technical revenue for equipment
 11.21 purchases must report to the department on the improved learning opportunities for
 11.22 students that result from the investment in equipment.~~

11.23 ~~(e)~~ (b) The district must recognize the full amount of this levy as revenue for the
 11.24 fiscal year in which it is certified.

11.25 ~~(d)~~ (c) The amount of the revenue calculated under this subdivision may not exceed
 11.26 \$17,850,000 for taxes payable in 2012, \$15,520,000 for taxes payable in 2013, and
 11.27 \$20,657,000 for taxes payable in 2014.

11.28 ~~(e)~~ (d) If the estimated revenue exceeds the amount in paragraph ~~(d)~~ (c), the
 11.29 commissioner must reduce the percentage in paragraph (a) until the estimated revenue no
 11.30 longer exceeds the limit in paragraph ~~(d)~~ (c).

11.31 Sec. 13. Minnesota Statutes 2013 Supplement, section 124D.4531, subdivision 3,
 11.32 is amended to read:

11.33 Subd. 3. **Revenue guarantee.** Notwithstanding subdivision 1, paragraph (a), the
 11.34 career and technical education revenue for a district is not less than the lesser of:

11.35 (1) the district's career and technical education revenue for the previous fiscal year; or

12.1 (2) 100 percent of the approved expenditures for career and technical programs
12.2 included in subdivision 1, paragraph ~~(b)~~ (a), for the fiscal year in which the levy is certified.

12.3 Sec. 14. Minnesota Statutes 2013 Supplement, section 124D.4531, subdivision 3a,
12.4 is amended to read:

12.5 Subd. 3a. **Revenue adjustments.** Notwithstanding subdivisions 1, 1a, and 3, for
12.6 taxes payable in 2012 to 2014 only, the department must calculate the career and technical
12.7 revenue for each district according to Minnesota Statutes 2010, section 124D.4531, and
12.8 adjust the revenue for each district proportionately to meet the statewide revenue target
12.9 under subdivision 1, paragraph ~~(d)~~ (c). For purposes of calculating the revenue guarantee
12.10 under subdivision 3, the career and technical education revenue for the previous fiscal
12.11 year is the revenue according to Minnesota Statutes 2010, section 124D.4531, before
12.12 adjustments to meet the statewide revenue target.

12.13 Sec. 15. Minnesota Statutes 2013 Supplement, section 124D.861, subdivision 3,
12.14 is amended to read:

12.15 Subd. 3. **Public engagement; progress report and budget process.** (a) To
12.16 receive revenue under section 124D.862, the school board of an eligible district must
12.17 incorporate school and district plan components under section 120B.11 into the district's
12.18 comprehensive integration plan.

12.19 (b) A school board must hold at least one formal annual hearing to publicly report its
12.20 progress in realizing the goals identified in its plan. At the hearing, the board must provide
12.21 the public with longitudinal data demonstrating district and school progress in reducing
12.22 the disparities in student academic performance among the specified categories of students
12.23 and in realizing racial and economic integration, consistent with the district plan and the
12.24 measures in paragraph (a). At least 30 days before the formal hearing under this paragraph,
12.25 the board must post its plan, its preliminary analysis, relevant student performance data,
12.26 and other longitudinal data on the district's Web site. A district must hold one hearing to
12.27 meet the hearing requirements of both this section and section 120B.11.

12.28 (c) The district must submit a detailed budget to the commissioner by March 15 in
12.29 the year before it implements its plan. The commissioner must review, and approve or
12.30 disapprove the district's budget by June 1 of that year.

12.31 (d) The longitudinal data required under paragraph (a) must be based on student
12.32 growth and progress in reading and mathematics, as defined under section 120B.30,
12.33 subdivision 1, and student performance data and achievement reports from fully adaptive
12.34 reading and mathematics assessments for grades 3 through 7 beginning in the 2015-2016

13.1 school year under section 120B.30, subdivision 1a, and either (i) school enrollment
 13.2 choices, (ii) the number of world language proficiency or high achievement certificates
 13.3 awarded under section 120B.022, subdivision 1, ~~paragraphs (b) and (e)~~ 1a, or the number
 13.4 of state bilingual and multilingual seals issued under section 120B.022, subdivision 1b,
 13.5 or (iii) school safety and students' engagement and connection at school under section
 13.6 120B.35, subdivision 3, paragraph (d). Additional longitudinal data may be based on:
 13.7 students' progress toward career and college readiness under section 120B.30, subdivision
 13.8 1; or rigorous coursework completed under section 120B.35, subdivision 3, paragraph
 13.9 (c), clause (2).

13.10 **EFFECTIVE DATE.** This section is effective for the 2014-2015 school year and
 13.11 later.

13.12 Sec. 16. Minnesota Statutes 2013 Supplement, section 127A.70, subdivision 2, is
 13.13 amended to read:

13.14 Subd. 2. **Powers and duties; report.** (a) The partnership shall develop
 13.15 recommendations to the governor and the legislature designed to maximize the achievement
 13.16 of all P-20 students while promoting the efficient use of state resources, thereby helping
 13.17 the state realize the maximum value for its investment. These recommendations may
 13.18 include, but are not limited to, strategies, policies, or other actions focused on:

13.19 (1) improving the quality of and access to education at all points from preschool
 13.20 through graduate education;

13.21 (2) improving preparation for, and transitions to, postsecondary education and
 13.22 work; ~~and~~

13.23 (3) ensuring educator quality by creating rigorous standards for teacher recruitment,
 13.24 teacher preparation, induction and mentoring of beginning teachers, and continuous
 13.25 professional development for career teachers; and

13.26 (4) realigning the governance and administrative structures of early education,
 13.27 kindergarten through grade 12, and postsecondary systems in Minnesota.

13.28 (b) Under the direction of the P-20 Education Partnership Statewide Longitudinal
 13.29 Education Data System Governance Committee, the Office of Higher Education and the
 13.30 Departments of Education and Employment and Economic Development shall improve
 13.31 and expand the Statewide Longitudinal Education Data System (SLEDS) to provide
 13.32 policymakers, education and workforce leaders, researchers, and members of the public
 13.33 with data, research, and reports to:

13.34 (1) expand reporting on students' educational outcomes;

13.35 (2) evaluate the effectiveness of educational and workforce programs; and

14.1 (3) evaluate the relationship between education and workforce outcomes.

14.2 To the extent possible under federal and state law, research and reports should be
14.3 accessible to the public on the Internet, and disaggregated by demographic characteristics,
14.4 organization or organization characteristics, and geography.

14.5 It is the intent of the legislature that the Statewide Longitudinal Education Data
14.6 System inform public policy and decision-making. The SLEDS governance committee,
14.7 with assistance from staff of the Office of Higher Education, the Department of Education,
14.8 and the Department of Employment and Economic Development, shall respond to
14.9 legislative committee and agency requests on topics utilizing data made available through
14.10 the Statewide Longitudinal Education Data System as resources permit. Any analysis of
14.11 or report on the data must contain only summary data.

14.12 (c) By January 15 of each year, the partnership shall submit a report to the governor
14.13 and to the chairs and ranking minority members of the legislative committees and
14.14 divisions with jurisdiction over P-20 education policy and finance that summarizes the
14.15 partnership's progress in meeting its goals and identifies the need for any draft legislation
14.16 when necessary to further the goals of the partnership to maximize student achievement
14.17 while promoting efficient use of resources.

14.18 **Sec. 17. MNSCU REVIEW OF WORLD LANGUAGE COMPETENCIES.**

14.19 The Minnesota State Colleges and Universities (MnSCU) chancellor, after
14.20 consulting with the world language faculty, must review the specific competencies a
14.21 K-12 student masters in attaining a state bilingual seal, multilingual seal, Minnesota
14.22 World Language Proficiency Certificate, or Minnesota World Language Proficiency High
14.23 Achievement Certificate under section 3, subdivisions 1a and 1b, and determine credit
14.24 and course equivalencies for each seal or certificate. The chancellor, or the chancellor's
14.25 designee, must report findings, determinations, and any recommendations to the education
14.26 policy and finance committees of the legislature by February 15, 2015.

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

14.28 **Sec. 18. REPEALER.**

14.29 Minnesota Statutes 2012, sections 120B.35, subdivision 4; and 122A.61, subdivision
14.30 2, are repealed.

15.1 **ARTICLE 3**

15.2 **SPECIAL PROGRAMS**

15.3 Section 1. Minnesota Statutes 2012, section 121A.582, subdivision 1, is amended to
15.4 read:

15.5 Subdivision 1. **Reasonable force standard.** (a) A teacher or school principal, in
15.6 exercising the person's lawful authority, may use reasonable force when it is necessary
15.7 under the circumstances to correct or restrain a student or prevent bodily harm or death
15.8 to another.

15.9 (b) A school employee, school bus driver, or other agent of a district, in exercising
15.10 the person's lawful authority, may use reasonable force when it is necessary under the
15.11 circumstances to restrain a student or prevent bodily harm or death to another.

15.12 (c) Paragraphs (a) and (b) do not authorize conduct prohibited under ~~sections~~
15.13 ~~121A.58 and 121A.67~~ section 125A.0942.

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

15.15 Sec. 2. Minnesota Statutes 2012, section 125A.023, subdivision 3, is amended to read:

15.16 Subd. 3. **Definitions.** For purposes of this section and section 125A.027, the
15.17 following terms have the meanings given them:

15.18 (a) "Health plan" means:

15.19 (1) a health plan under section 62Q.01, subdivision 3;

15.20 (2) a county-based purchasing plan under section 256B.692;

15.21 (3) a self-insured health plan established by a local government under section
15.22 471.617; or

15.23 (4) self-insured health coverage provided by the state to its employees or retirees.

15.24 (b) For purposes of this section, "health plan company" means an entity that issues
15.25 a health plan as defined in paragraph (a).

15.26 ~~(e) "Individual interagency intervention plan" means a standardized written plan~~
15.27 ~~describing those programs or services and the accompanying funding sources available to~~
15.28 ~~eligible children with disabilities.~~

15.29 ~~(d)~~ (c) "Interagency intervention service system" means a system that coordinates
15.30 services and programs required in state and federal law to meet the needs of eligible
15.31 children with disabilities ages birth through 21, including:

15.32 (1) services provided under the following programs or initiatives administered
15.33 by state or local agencies:

15.34 (i) the maternal and child health program under title V of the Social Security Act;

16.1 (ii) the Minnesota children with special health needs program under sections 144.05
16.2 and 144.07;

16.3 (iii) the Individuals with Disabilities Education Act, Part B, section 619, and Part
16.4 C as amended;

16.5 (iv) medical assistance under title 42, chapter 7, of the Social Security Act;

16.6 (v) developmental disabilities services under chapter 256B;

16.7 (vi) the Head Start Act under title 42, chapter 105, of the Social Security Act;

16.8 (vii) vocational rehabilitation services provided under chapters 248 and 268A and
16.9 the Rehabilitation Act of 1973;

16.10 (viii) Juvenile Court Act services provided under sections 260.011 to 260.91;
16.11 260B.001 to 260B.446; and 260C.001 to 260C.451;

16.12 (ix) Minnesota Comprehensive Children's Mental Health Act under section 245.487;

16.13 (x) the community health services grants under sections 145.88 to 145.9266;

16.14 (xi) the Local Public Health Act under chapter 145A; and

16.15 (xii) the Vulnerable Children and Adults Act, sections 256M.60 to 256M.80;

16.16 (2) service provision and funding that can be coordinated through:

16.17 (i) the children's mental health collaborative under section 245.493;

16.18 (ii) the family services collaborative under section 124D.23;

16.19 (iii) the community transition interagency committees under section 125A.22; and

16.20 (iv) the interagency early intervention committees under section 125A.259;

16.21 (3) financial and other funding programs to be coordinated including medical
16.22 assistance under title 42, chapter 7, of the Social Security Act, the MinnesotaCare program
16.23 under chapter 256L, Supplemental Social Security Income, Developmental Disabilities
16.24 Assistance, and any other employment-related activities associated with the Social
16.25 Security Administration; and services provided under a health plan in conformity with an
16.26 individual family service plan or an individualized education program or an individual
16.27 interagency intervention plan; and

16.28 (4) additional appropriate services that local agencies and counties provide on
16.29 an individual need basis upon determining eligibility and receiving a request from the
16.30 interagency early intervention committee and the child's parent.

16.31 ~~(e)~~ (d) "Children with disabilities" has the meaning given in section 125A.02.

16.32 ~~(f)~~ (e) A "standardized written plan" means those individual services or programs,
16.33 with accompanying funding sources, available through the interagency intervention
16.34 service system to an eligible child other than the services or programs described in the
16.35 child's individualized education program or the child's individual family service plan.

17.1 Sec. 3. Minnesota Statutes 2012, section 125A.023, subdivision 4, is amended to read:

17.2 Subd. 4. **State Interagency Committee.** (a) The commissioner of education, on
17.3 behalf of the governor, shall convene ~~a 19-member~~ an interagency committee to develop
17.4 and implement a coordinated, multidisciplinary, interagency intervention service system
17.5 for children ages three to 21 with disabilities. The commissioners of commerce, education,
17.6 health, human rights, human services, employment and economic development, and
17.7 corrections shall each appoint two committee members from their departments; ~~the~~
17.8 ~~Association of Minnesota Counties shall appoint two county representatives, one of whom~~
17.9 ~~must be an elected official, as committee members;~~ and the Association of Minnesota
17.10 Counties, Minnesota School Boards Association, the Minnesota Administrators of Special
17.11 Education, and the School Nurse Association of Minnesota shall each appoint one
17.12 committee member. The committee shall select a chair from among its members.

17.13 (b) The committee shall:

17.14 (1) identify and assist in removing state and federal barriers to local coordination of
17.15 services provided to children with disabilities;

17.16 (2) identify adequate, equitable, and flexible funding sources to streamline these
17.17 services;

17.18 (3) develop guidelines for implementing policies that ensure a comprehensive and
17.19 coordinated system of all state and local agency services, including multidisciplinary
17.20 assessment practices for children with disabilities ages three to 21; including:

17.21 ~~(4)~~ (i) develop, consistent with federal law, a standardized written plan for providing
17.22 services to a child with disabilities;

17.23 ~~(5)~~ (ii) identify how current systems for dispute resolution can be coordinated ~~and~~
17.24 ~~develop guidelines for that coordination;~~

17.25 ~~(6)~~ (iii) develop an evaluation process to measure the success of state and local
17.26 interagency efforts in improving the quality and coordination of services to children with
17.27 disabilities ages three to 21; and

17.28 ~~(7)~~ (iv) develop guidelines to assist the governing boards of the interagency
17.29 early intervention committees in carrying out the duties assigned in section 125A.027,
17.30 subdivision 1, paragraph (b); and

17.31 ~~(8)~~ (4) carry out other duties necessary to develop and implement within
17.32 communities a coordinated, multidisciplinary, interagency intervention service system for
17.33 children with disabilities.

17.34 (c) The committee shall consult on an ongoing basis with the state Special Education
17.35 ~~Advisory Committee for Special Education Panel~~ and the governor's Interagency

18.1 Coordinating Council in carrying out its duties under this section, including assisting the
 18.2 governing boards of the interagency early intervention committees.

18.3 Sec. 4. Minnesota Statutes 2012, section 125A.027, subdivision 1, is amended to read:

18.4 Subdivision 1. **Additional duties.** (a) The governing boards of the interagency early
 18.5 intervention committees are responsible for developing and implementing interagency
 18.6 policies and procedures to coordinate services at the local level for children with
 18.7 disabilities ages three to 21 under guidelines established by the state interagency
 18.8 committee under section 125A.023, subdivision 4. Consistent with the requirements
 18.9 in this section and section 125A.023, the governing boards of the interagency early
 18.10 intervention committees ~~shall~~ may organize as a joint powers board under section 471.59
 18.11 or enter into an interagency agreement that establishes a governance structure.

18.12 (b) The governing board of each interagency early intervention committee as defined
 18.13 in section 125A.30, paragraph (a), which may include a juvenile justice professional, shall:

18.14 (1) identify ~~and assist in removing~~ state and federal barriers to local coordination of
 18.15 services provided to children with disabilities;

18.16 (2) ~~identify adequate, equitable, and flexible use of funding by local agencies for~~
 18.17 ~~these services;~~

18.18 (3) implement policies that ensure a comprehensive and coordinated system of
 18.19 all state and local agency services, including practices on multidisciplinary assessment
 18.20 practices, standardized written plans, dispute resolution, and system evaluation for
 18.21 children with disabilities ages three to 21;

18.22 (4) ~~use a standardized written plan for providing services to a child with disabilities~~
 18.23 ~~developed under section 125A.023;~~

18.24 (5) ~~access the coordinated dispute resolution system and incorporate the guidelines~~
 18.25 ~~for coordinating services at the local level, consistent with section 125A.023;~~

18.26 (6) ~~use the evaluation process to measure the success of the local interagency effort~~
 18.27 ~~in improving the quality and coordination of services to children with disabilities ages~~
 18.28 ~~three to 21 consistent with section 125A.023;~~

18.29 (7) ~~develop a transitional plan for children moving from the interagency early~~
 18.30 ~~childhood intervention system under sections 125A.259 to 125A.48 into the interagency~~
 18.31 ~~intervention service system under this section;~~

18.32 (8) (3) coordinate services and facilitate payment for services from public and
 18.33 private institutions, agencies, and health plan companies; and

18.34 (9) (4) share needed information consistent with state and federal data practices
 18.35 requirements.

19.1 Sec. 5. Minnesota Statutes 2012, section 125A.027, subdivision 4, is amended to read:

19.2 Subd. 4. **Responsibilities of school and county boards.** (a) It is the joint
 19.3 responsibility of school and county boards to coordinate, provide, and pay for appropriate
 19.4 services, and to facilitate payment for services from public and private sources. Appropriate
 19.5 service for children eligible under section 125A.02 and receiving service from two or more
 19.6 public agencies of which one is the public school must be determined in consultation with
 19.7 parents, physicians, and other education, medical health, and human services providers.
 19.8 The services provided must be in conformity with ~~an Individual Interagency Intervention~~
 19.9 ~~Plan (HHP)~~ a standardized written plan for each eligible child ages 3 to 21.

19.10 (b) Appropriate services include those services listed on a child's HHP standardized
 19.11 written plan. These services are those that are required to be documented on a plan under
 19.12 federal and state law or rule.

19.13 (c) School and county boards shall coordinate interagency services. Service
 19.14 responsibilities for eligible children, ages 3 to 21, ~~shall~~ may be established in interagency
 19.15 agreements or joint powers board agreements. In addition, interagency agreements or joint
 19.16 powers board agreements ~~shall~~ may be developed to establish agency responsibility that
 19.17 assures that coordinated interagency services are coordinated, provided, and paid for, and
 19.18 that payment is facilitated from public and private sources. School boards must provide,
 19.19 pay for, and facilitate payment for special education services as required under sections
 19.20 125A.03 and 125A.06. County boards must provide, pay for, and facilitate payment for
 19.21 those programs over which they have service and fiscal responsibility as referenced in
 19.22 section 125A.023, subdivision 3, paragraph ~~(d)~~ (c), clause (1).

19.23 Sec. 6. Minnesota Statutes 2012, section 125A.03, is amended to read:

19.24 **125A.03 SPECIAL INSTRUCTION FOR CHILDREN WITH A DISABILITY.**

19.25 (a) As defined in paragraph (b), every district must provide special instruction and
 19.26 services, either within the district or in another district, for all children with a disability,
 19.27 including providing required services under Code of Federal Regulations, title 34, section
 19.28 300.121, paragraph (d), to those children suspended or expelled from school for more than
 19.29 ten school days in that school year, who are residents of the district and who are disabled
 19.30 as set forth in section 125A.02. For purposes of state and federal special education
 19.31 laws, the phrase "special instruction and services" in the state Education Code means a
 19.32 free and appropriate public education provided to an eligible child with disabilities ~~and~~
 19.33 ~~includes special education and related services defined in the Individuals with Disabilities~~
 19.34 ~~Education Act, subpart A, section 300.24.~~ "Free appropriate public education" means
 19.35 special education and related services that:

20.1 (1) are provided at public expense, under public supervision and direction, and
 20.2 without charge;

20.3 (2) meet the standards of the state, including the requirements of the Individuals
 20.4 with Disabilities Education Act, Part B or C;

20.5 (3) include an appropriate preschool, elementary school, or secondary school
 20.6 education; and

20.7 (4) are provided to children ages three through 21 in conformity with an
 20.8 individualized education program that meets the requirements of the Individuals with
 20.9 Disabilities Education Act, subpart A, sections 300.320 to 300.324, and provided to
 20.10 infants and toddlers in conformity with an individualized family service plan that meets
 20.11 the requirements of the Individuals with Disabilities Education Act, subpart A, sections
 20.12 303.300 to 303.346.

20.13 ~~(b) Notwithstanding any age limits in laws to the contrary, special instruction and~~
 20.14 ~~services must be provided from birth until July 1 after the child with a disability becomes~~
 20.15 ~~21 years old but shall not extend beyond secondary school or its equivalent, except as~~
 20.16 ~~provided in section 124D.68, subdivision 2. Local health, education, and social service~~
 20.17 ~~agencies must refer children under age five who are known to need or suspected of~~
 20.18 ~~needing special instruction and services to the school district. Districts with less than the~~
 20.19 ~~minimum number of eligible children with a disability as determined by the commissioner~~
 20.20 ~~must cooperate with other districts to maintain a full range of programs for education~~
 20.21 ~~and services for children with a disability. This section does not alter the compulsory~~
 20.22 ~~attendance requirements of section 120A.22.~~

20.23 Sec. 7. Minnesota Statutes 2012, section 125A.08, is amended to read:

20.24 **125A.08 INDIVIDUALIZED EDUCATION PROGRAMS.**

20.25 (a) At the beginning of each school year, each school district shall have in effect, for
 20.26 each child with a disability, an individualized education program.

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

20.28 (1) all students with disabilities are provided the special instruction and services
 20.29 which are appropriate to their needs. Where the individualized education program team
 20.30 has determined appropriate goals and objectives based on the student's needs, including
 20.31 the extent to which the student can be included in the least restrictive environment,
 20.32 and where there are essentially equivalent and effective instruction, related services, or
 20.33 assistive technology devices available to meet the student's needs, cost to the district may
 20.34 be among the factors considered by the team in choosing how to provide the appropriate
 20.35 services, instruction, or devices that are to be made part of the student's individualized

21.1 education program. The individualized education program team shall consider and
21.2 may authorize services covered by medical assistance according to section 256B.0625,
21.3 subdivision 26. The student's needs and the special education instruction and services to
21.4 be provided must be agreed upon through the development of an individualized education
21.5 program. The program must address the student's need to develop skills to live and work
21.6 as independently as possible within the community. The individualized education program
21.7 team must consider positive behavioral interventions, strategies, and supports that address
21.8 behavior for children with attention deficit disorder or attention deficit hyperactivity
21.9 disorder. During grade 9, the program must address the student's needs for transition from
21.10 secondary services to postsecondary education and training, employment, community
21.11 participation, recreation, and leisure and home living. In developing the program, districts
21.12 must inform parents of the full range of transitional goals and related services that should
21.13 be considered. The program must include a statement of the needed transition services,
21.14 including a statement of the interagency responsibilities or linkages or both before
21.15 secondary services are concluded;

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

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

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

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

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

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

22.1 (c) For paraprofessionals employed to work in programs for students with
22.2 disabilities, the school board in each district shall ensure that:

22.3 (1) before or immediately upon employment, each paraprofessional develops
22.4 sufficient knowledge and skills in emergency procedures, building orientation, roles and
22.5 responsibilities, confidentiality, vulnerability, and reportability, among other things, to
22.6 begin meeting the needs of the students with whom the paraprofessional works;

22.7 (2) annual training opportunities are available to enable the paraprofessional to
22.8 continue to further develop the knowledge and skills that are specific to the students with
22.9 whom the paraprofessional works, including understanding disabilities, following lesson
22.10 plans, and implementing follow-up instructional procedures and activities; and

22.11 (3) a districtwide process obligates each paraprofessional to work under the ongoing
22.12 direction of a licensed teacher and, where appropriate and possible, the supervision of a
22.13 school nurse.

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

22.15 Sec. 8. Minnesota Statutes 2013 Supplement, section 125A.0942, subdivision 2,
22.16 is amended to read:

22.17 Subd. 2. **Restrictive procedures.** (a) Restrictive procedures may be used only
22.18 by a licensed special education teacher, school social worker, school psychologist,
22.19 behavior analyst certified by the National Behavior Analyst Certification Board, a person
22.20 with a master's degree in behavior analysis, other licensed education professional,
22.21 paraprofessional under section 120B.363, or mental health professional under section
22.22 245.4871, subdivision 27, who has completed the training program under subdivision 5.

22.23 (b) A school shall make reasonable efforts to notify the parent on the same day a
22.24 restrictive procedure is used on the child, or if the school is unable to provide same-day
22.25 notice, notice is sent within two days by written or electronic means or as otherwise
22.26 indicated by the child's parent under paragraph ~~(d)~~ (f).

22.27 (c) The district must hold a meeting of the individualized education program team,
22.28 conduct or review a functional behavioral analysis, review data, consider developing
22.29 additional or revised positive behavioral interventions and supports, consider actions to
22.30 reduce the use of restrictive procedures, and modify the individualized education program
22.31 or behavior intervention plan as appropriate. The district must hold the meeting: within
22.32 ten calendar days after district staff use restrictive procedures on two separate school
22.33 days within 30 calendar days or a pattern of use emerges and the child's individualized
22.34 education program or behavior intervention plan does not provide for using restrictive
22.35 procedures in an emergency; or at the request of a parent or the district after restrictive

23.1 procedures are used. The district must review use of restrictive procedures at a child's
 23.2 annual individualized education program meeting when the child's individualized
 23.3 education program provides for using restrictive procedures in an emergency.

23.4 (d) If the individualized education program team under paragraph (c) determines
 23.5 that existing interventions and supports are ineffective in reducing the use of restrictive
 23.6 procedures or the district uses restrictive procedures on a child on ten or more school days
 23.7 during the same school year, the team, as appropriate, either must consult with other
 23.8 professionals working with the child; consult with experts in behavior analysis, mental
 23.9 health, communication, or autism; consult with culturally competent professionals;
 23.10 review existing evaluations, resources, and successful strategies; or consider whether to
 23.11 reevaluate the child.

23.12 (e) At the individualized education program meeting under paragraph (c), the team
 23.13 must review any known medical or psychological limitations, including any medical
 23.14 information the parent provides voluntarily, that contraindicate the use of a restrictive
 23.15 procedure, consider whether to prohibit that restrictive procedure, and document any
 23.16 prohibition in the individualized education program or behavior intervention plan.

23.17 (f) An individualized education program team may plan for using restrictive
 23.18 procedures and may include these procedures in a child's individualized education
 23.19 program or behavior intervention plan; however, the restrictive procedures may be used
 23.20 only in response to behavior that constitutes an emergency, consistent with this section.
 23.21 The individualized education program or behavior intervention plan shall indicate how the
 23.22 parent wants to be notified when a restrictive procedure is used.

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

23.24 Sec. 9. Minnesota Statutes 2012, section 125A.22, is amended to read:

23.25 **125A.22 COMMUNITY TRANSITION INTERAGENCY COMMITTEE.**

23.26 A district, group of districts, or special education cooperative, in cooperation with
 23.27 the county or counties in which the district or cooperative is located, ~~must~~ may establish
 23.28 a community transition interagency committee for youth with disabilities, beginning at
 23.29 grade 9 or age equivalent, and their families. Members of the committee ~~must consist of~~
 23.30 may include representatives from special education, vocational and regular education,
 23.31 community education, postsecondary education and training institutions, mental health,
 23.32 adults with disabilities who have received transition services if such persons are available,
 23.33 parents of youth with disabilities, local business or industry, rehabilitation services, county
 23.34 social services, health agencies, and additional public or private adult service providers as

24.1 appropriate. ~~The committee must elect a chair and must meet regularly.~~ The committee
 24.2 ~~must~~ may:

24.3 (1) identify current services, programs, and funding sources provided within
 24.4 the community for secondary and postsecondary aged youth with disabilities and their
 24.5 families that prepare them for further education; employment, including integrated
 24.6 competitive employment; and independent living;

24.7 (2) facilitate the development of multiagency teams to address present and future
 24.8 transition needs of individual students on their individualized education programs;

24.9 (3) develop a community plan to include mission, goals, and objectives, and an
 24.10 implementation plan to assure that transition needs of individuals with disabilities are met;

24.11 (4) recommend changes or improvements in the community system of transition
 24.12 services; and

24.13 (5) exchange agency information such as appropriate data, effectiveness studies,
 24.14 special projects, exemplary programs, and creative funding of programs; and

24.15 ~~(6) following procedures determined by the commissioner, prepare a yearly summary~~
 24.16 ~~assessing the progress of transition services in the community including follow-up of~~
 24.17 ~~individuals with disabilities who were provided transition services to determine postschool~~
 24.18 ~~outcomes. The summary must be disseminated to all adult services agencies involved in~~
 24.19 ~~the planning and to the commissioner by October 1 of each year.~~

24.20 Sec. 10. Minnesota Statutes 2013 Supplement, section 125A.30, is amended to read:

24.21 **125A.30 INTERAGENCY EARLY INTERVENTION COMMITTEES.**

24.22 (a) A ~~school district~~, group of school districts; or special education ~~cooperative~~
 24.23 cooperatives, in cooperation with the health and human service agencies located in
 24.24 the county or counties in which the ~~district~~ districts or ~~cooperative~~ cooperatives are
 24.25 located, must establish an Interagency Early Intervention Committee for children with
 24.26 disabilities under age five and their families under this section, and for children with
 24.27 disabilities ages three to 22 consistent with the requirements under sections 125A.023
 24.28 and 125A.027. Committees must include representatives of local health, education, and
 24.29 county human service agencies, ~~county boards~~, ~~school boards~~, early childhood family
 24.30 education programs, Head Start, parents of young children with disabilities under age 12,
 24.31 child care resource and referral agencies, school readiness programs, current service
 24.32 providers, and agencies that serve families experiencing homelessness, and may also
 24.33 include representatives from other private or public agencies and school nurses. The
 24.34 committee must elect a chair from among its members and must meet at least quarterly.

25.1 (b) The committee must develop and implement interagency policies and procedures
25.2 concerning the following ongoing duties:

25.3 (1) develop public awareness systems designed to inform potential recipient families,
25.4 especially parents with premature infants, or infants with other physical risk factors
25.5 associated with learning or development complications, of available programs and services;

25.6 (2) to reduce families' need for future services, and especially parents with premature
25.7 infants, or infants with other physical risk factors associated with learning or development
25.8 complications, implement interagency child find systems designed to actively seek out,
25.9 identify, and refer infants and young children with, or at risk of, disabilities, including
25.10 a child under the age of three who: (i) is the subject of a substantiated case of abuse or
25.11 neglect or (ii) is identified as directly affected by illegal substance abuse, or withdrawal
25.12 symptoms resulting from prenatal drug exposure;

25.13 ~~(3) establish and evaluate the identification, referral, screening, evaluation, child-~~
25.14 ~~and family-directed assessment systems, procedural safeguard process, and community~~
25.15 ~~learning systems to recommend, where necessary, alterations and improvements;~~

25.16 ~~(4) assure the development of individualized family service plans for all eligible~~
25.17 ~~infants and toddlers with disabilities from birth through age two, and their families,~~
25.18 ~~and individualized education programs and individual service plans when necessary to~~
25.19 ~~appropriately serve children with disabilities, age three and older, and their families and~~
25.20 ~~recommend assignment of financial responsibilities to the appropriate agencies;~~

25.21 ~~(5)~~ (3) implement a process for assuring that services involve cooperating agencies
25.22 at all steps leading to individualized programs;

25.23 ~~(6) facilitate the development of a transition plan in the individual family service~~
25.24 ~~plan by the time a child is two years and nine months old;~~

25.25 ~~(7)~~ (4) identify the current services and funding being provided within the
25.26 community for children with disabilities under age five and their families; and

25.27 ~~(8)~~ (5) develop a plan for the allocation and expenditure of federal early intervention
25.28 funds under United States Code, title 20, section 1471 et seq. (Part C, Public Law 108-446)
25.29 and United States Code, title 20, section 631, et seq. (Chapter I, Public Law 89-313); and

25.30 ~~(9) develop a policy that is consistent with section 13.05, subdivision 9, and federal~~
25.31 ~~law to enable a member of an interagency early intervention committee to allow another~~
25.32 ~~member access to data classified as not public.~~

25.33 (c) The local committee shall also participate in needs assessments and program
25.34 planning activities conducted by local social service, health and education agencies for
25.35 young children with disabilities and their families.

26.1 Sec. 11. Minnesota Statutes 2012, section 127A.065, is amended to read:

26.2 **127A.065 CROSS-SUBSIDY REPORT.**

26.3 By ~~January 10~~ March 30, the commissioner of education shall submit an annual
26.4 report to the legislative committees having jurisdiction over kindergarten through grade
26.5 12 education on the amount each district is cross-subsidizing special education costs
26.6 with general education revenue.

26.7 Sec. 12. Minnesota Statutes 2012, section 260D.06, subdivision 2, is amended to read:

26.8 Subd. 2. **Agency report to court; court review.** The agency shall obtain judicial
26.9 review by reporting to the court according to the following procedures:

26.10 (a) A written report shall be forwarded to the court within 165 days of the date of the
26.11 voluntary placement agreement. The written report shall contain or have attached:

26.12 (1) a statement of facts that necessitate the child's foster care placement;

26.13 (2) the child's name, date of birth, race, gender, and current address;

26.14 (3) the names, race, date of birth, residence, and post office addresses of the child's
26.15 parents or legal custodian;

26.16 (4) a statement regarding the child's eligibility for membership or enrollment in an
26.17 Indian tribe and the agency's compliance with applicable provisions of sections 260.751 to
26.18 260.835;

26.19 (5) the names and addresses of the foster parents or chief administrator of the facility
26.20 in which the child is placed, if the child is not in a family foster home or group home;

26.21 (6) a copy of the out-of-home placement plan required under section 260C.212,
26.22 subdivision 1;

26.23 (7) a written summary of the proceedings of any administrative review required
26.24 under section 260C.203; and

26.25 (8) any other information the agency, parent or legal custodian, the child or the foster
26.26 parent, or other residential facility wants the court to consider.

26.27 (b) In the case of a child in placement due to emotional disturbance, the written
26.28 report shall include as an attachment, the child's individual treatment plan developed by
26.29 the child's treatment professional, as provided in section 245.4871, subdivision 21, or the
26.30 child's ~~individual interagency intervention~~ standard written plan, as provided in section
26.31 125A.023, subdivision 3, paragraph ~~(e)~~ (e).

26.32 (c) In the case of a child in placement due to developmental disability or a related
26.33 condition, the written report shall include as an attachment, the child's individual service
26.34 plan, as provided in section 256B.092, subdivision 1b; the child's individual program plan,
26.35 as provided in Minnesota Rules, part 9525.0004, subpart 11; the child's waiver care plan;

27.1 or the child's ~~individual interagency intervention~~ standard written plan, as provided in
27.2 section 125A.023, subdivision 3, paragraph ~~(e)~~ (e).

27.3 (d) The agency must inform the child, age 12 or older, the child's parent, and the
27.4 foster parent or foster care facility of the reporting and court review requirements of this
27.5 section and of their right to submit information to the court:

27.6 (1) if the child or the child's parent or the foster care provider wants to send
27.7 information to the court, the agency shall advise those persons of the reporting date and the
27.8 date by which the agency must receive the information they want forwarded to the court so
27.9 the agency is timely able submit it with the agency's report required under this subdivision;

27.10 (2) the agency must also inform the child, age 12 or older, the child's parent, and
27.11 the foster care facility that they have the right to be heard in person by the court and
27.12 how to exercise that right;

27.13 (3) the agency must also inform the child, age 12 or older, the child's parent, and
27.14 the foster care provider that an in-court hearing will be held if requested by the child,
27.15 the parent, or the foster care provider; and

27.16 (4) if, at the time required for the report under this section, a child, age 12 or
27.17 older, disagrees about the foster care facility or services provided under the out-of-home
27.18 placement plan required under section 260C.212, subdivision 1, the agency shall include
27.19 information regarding the child's disagreement, and to the extent possible, the basis for the
27.20 child's disagreement in the report required under this section.

27.21 (e) After receiving the required report, the court has jurisdiction to make the
27.22 following determinations and must do so within ten days of receiving the forwarded
27.23 report, whether a hearing is requested:

27.24 (1) whether the voluntary foster care arrangement is in the child's best interests;

27.25 (2) whether the parent and agency are appropriately planning for the child; and

27.26 (3) in the case of a child age 12 or older, who disagrees with the foster care facility
27.27 or services provided under the out-of-home placement plan, whether it is appropriate to
27.28 appoint counsel and a guardian ad litem for the child using standards and procedures
27.29 under section 260C.163.

27.30 (f) Unless requested by a parent, representative of the foster care facility, or the
27.31 child, no in-court hearing is required in order for the court to make findings and issue an
27.32 order as required in paragraph (e).

27.33 (g) If the court finds the voluntary foster care arrangement is in the child's best
27.34 interests and that the agency and parent are appropriately planning for the child, the
27.35 court shall issue an order containing explicit, individualized findings to support its
27.36 determination. The individualized findings shall be based on the agency's written report

28.1 and other materials submitted to the court. The court may make this determination
28.2 notwithstanding the child's disagreement, if any, reported under paragraph (d).

28.3 (h) The court shall send a copy of the order to the county attorney, the agency,
28.4 parent, child, age 12 or older, and the foster parent or foster care facility.

28.5 (i) The court shall also send the parent, the child, age 12 or older, the foster parent, or
28.6 representative of the foster care facility notice of the permanency review hearing required
28.7 under section 260D.07, paragraph (e).

28.8 (j) If the court finds continuing the voluntary foster care arrangement is not in the
28.9 child's best interests or that the agency or the parent are not appropriately planning for the
28.10 child, the court shall notify the agency, the parent, the foster parent or foster care facility,
28.11 the child, age 12 or older, and the county attorney of the court's determinations and the
28.12 basis for the court's determinations. In this case, the court shall set the matter for hearing
28.13 and appoint a guardian ad litem for the child under section 260C.163, subdivision 5.

28.14 Sec. 13. Minnesota Statutes 2013 Supplement, section 626.556, subdivision 2, is
28.15 amended to read:

28.16 Subd. 2. **Definitions.** As used in this section, the following terms have the meanings
28.17 given them unless the specific content indicates otherwise:

28.18 (a) "Family assessment" means a comprehensive assessment of child safety, risk
28.19 of subsequent child maltreatment, and family strengths and needs that is applied to a
28.20 child maltreatment report that does not allege substantial child endangerment. Family
28.21 assessment does not include a determination as to whether child maltreatment occurred
28.22 but does determine the need for services to address the safety of family members and the
28.23 risk of subsequent maltreatment.

28.24 (b) "Investigation" means fact gathering related to the current safety of a child
28.25 and the risk of subsequent maltreatment that determines whether child maltreatment
28.26 occurred and whether child protective services are needed. An investigation must be used
28.27 when reports involve substantial child endangerment, and for reports of maltreatment in
28.28 facilities required to be licensed under chapter 245A or 245B; under sections 144.50 to
28.29 144.58 and 241.021; in a school as defined in sections 120A.05, subdivisions 9, 11, and
28.30 13, and 124D.10; or in a nonlicensed personal care provider association as defined in
28.31 sections 256B.04, subdivision 16, and 256B.0625, subdivision 19a.

28.32 (c) "Substantial child endangerment" means a person responsible for a child's care,
28.33 and in the case of sexual abuse includes a person who has a significant relationship to the
28.34 child as defined in section 609.341, or a person in a position of authority as defined in

29.1 section 609.341, who by act or omission commits or attempts to commit an act against a
29.2 child under their care that constitutes any of the following:

29.3 (1) egregious harm as defined in section 260C.007, subdivision 14;

29.4 (2) sexual abuse as defined in paragraph (d);

29.5 (3) abandonment under section 260C.301, subdivision 2;

29.6 (4) neglect as defined in paragraph (f), clause (2), that substantially endangers the
29.7 child's physical or mental health, including a growth delay, which may be referred to as
29.8 failure to thrive, that has been diagnosed by a physician and is due to parental neglect;

29.9 (5) murder in the first, second, or third degree under section 609.185, 609.19, or
29.10 609.195;

29.11 (6) manslaughter in the first or second degree under section 609.20 or 609.205;

29.12 (7) assault in the first, second, or third degree under section 609.221, 609.222, or
29.13 609.223;

29.14 (8) solicitation, inducement, and promotion of prostitution under section 609.322;

29.15 (9) criminal sexual conduct under sections 609.342 to 609.3451;

29.16 (10) solicitation of children to engage in sexual conduct under section 609.352;

29.17 (11) malicious punishment or neglect or endangerment of a child under section
29.18 609.377 or 609.378;

29.19 (12) use of a minor in sexual performance under section 617.246; or

29.20 (13) parental behavior, status, or condition which mandates that the county attorney
29.21 file a termination of parental rights petition under section 260C.503, subdivision 2.

29.22 (d) "Sexual abuse" means the subjection of a child by a person responsible for the
29.23 child's care, by a person who has a significant relationship to the child, as defined in
29.24 section 609.341, or by a person in a position of authority, as defined in section 609.341,
29.25 subdivision 10, to any act which constitutes a violation of section 609.342 (criminal sexual
29.26 conduct in the first degree), 609.343 (criminal sexual conduct in the second degree),
29.27 609.344 (criminal sexual conduct in the third degree), 609.345 (criminal sexual conduct
29.28 in the fourth degree), or 609.3451 (criminal sexual conduct in the fifth degree). Sexual
29.29 abuse also includes any act which involves a minor which constitutes a violation of
29.30 prostitution offenses under sections 609.321 to 609.324 or 617.246. Sexual abuse includes
29.31 threatened sexual abuse which includes the status of a parent or household member
29.32 who has committed a violation which requires registration as an offender under section
29.33 243.166, subdivision 1b, paragraph (a) or (b), or required registration under section
29.34 243.166, subdivision 1b, paragraph (a) or (b).

29.35 (e) "Person responsible for the child's care" means (1) an individual functioning
29.36 within the family unit and having responsibilities for the care of the child such as a

30.1 parent, guardian, or other person having similar care responsibilities, or (2) an individual
30.2 functioning outside the family unit and having responsibilities for the care of the child
30.3 such as a teacher, school administrator, other school employees or agents, or other lawful
30.4 custodian of a child having either full-time or short-term care responsibilities including,
30.5 but not limited to, day care, babysitting whether paid or unpaid, counseling, teaching,
30.6 and coaching.

30.7 (f) "Neglect" means the commission or omission of any of the acts specified under
30.8 clauses (1) to (9), other than by accidental means:

30.9 (1) failure by a person responsible for a child's care to supply a child with necessary
30.10 food, clothing, shelter, health, medical, or other care required for the child's physical or
30.11 mental health when reasonably able to do so;

30.12 (2) failure to protect a child from conditions or actions that seriously endanger the
30.13 child's physical or mental health when reasonably able to do so, including a growth delay,
30.14 which may be referred to as a failure to thrive, that has been diagnosed by a physician and
30.15 is due to parental neglect;

30.16 (3) failure to provide for necessary supervision or child care arrangements
30.17 appropriate for a child after considering factors as the child's age, mental ability, physical
30.18 condition, length of absence, or environment, when the child is unable to care for the
30.19 child's own basic needs or safety, or the basic needs or safety of another child in their care;

30.20 (4) failure to ensure that the child is educated as defined in sections 120A.22 and
30.21 260C.163, subdivision 11, which does not include a parent's refusal to provide the parent's
30.22 child with sympathomimetic medications, consistent with section 125A.091, subdivision 5;

30.23 (5) nothing in this section shall be construed to mean that a child is neglected solely
30.24 because the child's parent, guardian, or other person responsible for the child's care in
30.25 good faith selects and depends upon spiritual means or prayer for treatment or care of
30.26 disease or remedial care of the child in lieu of medical care; except that a parent, guardian,
30.27 or caretaker, or a person mandated to report pursuant to subdivision 3, has a duty to report
30.28 if a lack of medical care may cause serious danger to the child's health. This section does
30.29 not impose upon persons, not otherwise legally responsible for providing a child with
30.30 necessary food, clothing, shelter, education, or medical care, a duty to provide that care;

30.31 (6) prenatal exposure to a controlled substance, as defined in section 253B.02,
30.32 subdivision 2, used by the mother for a nonmedical purpose, as evidenced by withdrawal
30.33 symptoms in the child at birth, results of a toxicology test performed on the mother at
30.34 delivery or the child at birth, medical effects or developmental delays during the child's
30.35 first year of life that medically indicate prenatal exposure to a controlled substance, or the
30.36 presence of a fetal alcohol spectrum disorder;

31.1 (7) "medical neglect" as defined in section 260C.007, subdivision 6, clause (5);

31.2 (8) chronic and severe use of alcohol or a controlled substance by a parent or
31.3 person responsible for the care of the child that adversely affects the child's basic needs
31.4 and safety; or

31.5 (9) emotional harm from a pattern of behavior which contributes to impaired
31.6 emotional functioning of the child which may be demonstrated by a substantial and
31.7 observable effect in the child's behavior, emotional response, or cognition that is not
31.8 within the normal range for the child's age and stage of development, with due regard to
31.9 the child's culture.

31.10 (g) "Physical abuse" means any physical injury, mental injury, or threatened injury,
31.11 inflicted by a person responsible for the child's care on a child other than by accidental
31.12 means, or any physical or mental injury that cannot reasonably be explained by the child's
31.13 history of injuries, or any aversive or deprivation procedures, or regulated interventions,
31.14 that have not been authorized under section ~~121A.67~~ 125A.0942 or 245.825.

31.15 Abuse does not include reasonable and moderate physical discipline of a child
31.16 administered by a parent or legal guardian which does not result in an injury. Abuse does
31.17 not include the use of reasonable force by a teacher, principal, or school employee as
31.18 allowed by section 121A.582. Actions which are not reasonable and moderate include,
31.19 but are not limited to, any of the following that are done in anger or without regard to the
31.20 safety of the child:

31.21 (1) throwing, kicking, burning, biting, or cutting a child;

31.22 (2) striking a child with a closed fist;

31.23 (3) shaking a child under age three;

31.24 (4) striking or other actions which result in any nonaccidental injury to a child
31.25 under 18 months of age;

31.26 (5) unreasonable interference with a child's breathing;

31.27 (6) threatening a child with a weapon, as defined in section 609.02, subdivision 6;

31.28 (7) striking a child under age one on the face or head;

31.29 (8) purposely giving a child poison, alcohol, or dangerous, harmful, or controlled
31.30 substances which were not prescribed for the child by a practitioner, in order to control or
31.31 punish the child; or other substances that substantially affect the child's behavior, motor
31.32 coordination, or judgment or that results in sickness or internal injury, or subjects the
31.33 child to medical procedures that would be unnecessary if the child were not exposed
31.34 to the substances;

31.35 (9) unreasonable physical confinement or restraint not permitted under section
31.36 609.379, including but not limited to tying, caging, or chaining; or

32.1 (10) in a school facility or school zone, an act by a person responsible for the child's
32.2 care that is a violation under section 121A.58.

32.3 (h) "Report" means any report received by the local welfare agency, police
32.4 department, county sheriff, or agency responsible for assessing or investigating
32.5 maltreatment pursuant to this section.

32.6 (i) "Facility" means:

32.7 (1) a licensed or unlicensed day care facility, residential facility, agency, hospital,
32.8 sanitarium, or other facility or institution required to be licensed under sections 144.50 to
32.9 144.58, 241.021, or 245A.01 to 245A.16, or chapter 245D;

32.10 (2) a school as defined in sections 120A.05, subdivisions 9, 11, and 13; and
32.11 124D.10; or

32.12 (3) a nonlicensed personal care provider organization as defined in sections 256B.04,
32.13 subdivision 16, and 256B.0625, subdivision 19a.

32.14 (j) "Operator" means an operator or agency as defined in section 245A.02.

32.15 (k) "Commissioner" means the commissioner of human services.

32.16 (l) "Practice of social services," for the purposes of subdivision 3, includes but is
32.17 not limited to employee assistance counseling and the provision of guardian ad litem and
32.18 parenting time expeditor services.

32.19 (m) "Mental injury" means an injury to the psychological capacity or emotional
32.20 stability of a child as evidenced by an observable or substantial impairment in the child's
32.21 ability to function within a normal range of performance and behavior with due regard to
32.22 the child's culture.

32.23 (n) "Threatened injury" means a statement, overt act, condition, or status that
32.24 represents a substantial risk of physical or sexual abuse or mental injury. Threatened
32.25 injury includes, but is not limited to, exposing a child to a person responsible for the
32.26 child's care, as defined in paragraph (e), clause (1), who has:

32.27 (1) subjected a child to, or failed to protect a child from, an overt act or condition
32.28 that constitutes egregious harm, as defined in section 260C.007, subdivision 14, or a
32.29 similar law of another jurisdiction;

32.30 (2) been found to be palpably unfit under section 260C.301, subdivision 1, paragraph
32.31 (b), clause (4), or a similar law of another jurisdiction;

32.32 (3) committed an act that has resulted in an involuntary termination of parental rights
32.33 under section 260C.301, or a similar law of another jurisdiction; or

32.34 (4) committed an act that has resulted in the involuntary transfer of permanent
32.35 legal and physical custody of a child to a relative under Minnesota Statutes 2010, section

33.1 260C.201, subdivision 11, paragraph (d), clause (1), section 260C.515, subdivision 4, or a
33.2 similar law of another jurisdiction.

33.3 A child is the subject of a report of threatened injury when the responsible social
33.4 services agency receives birth match data under paragraph (o) from the Department of
33.5 Human Services.

33.6 (o) Upon receiving data under section 144.225, subdivision 2b, contained in a
33.7 birth record or recognition of parentage identifying a child who is subject to threatened
33.8 injury under paragraph (n), the Department of Human Services shall send the data to the
33.9 responsible social services agency. The data is known as "birth match" data. Unless the
33.10 responsible social services agency has already begun an investigation or assessment of the
33.11 report due to the birth of the child or execution of the recognition of parentage and the
33.12 parent's previous history with child protection, the agency shall accept the birth match
33.13 data as a report under this section. The agency may use either a family assessment or
33.14 investigation to determine whether the child is safe. All of the provisions of this section
33.15 apply. If the child is determined to be safe, the agency shall consult with the county
33.16 attorney to determine the appropriateness of filing a petition alleging the child is in need
33.17 of protection or services under section 260C.007, subdivision 6, clause (16), in order to
33.18 deliver needed services. If the child is determined not to be safe, the agency and the county
33.19 attorney shall take appropriate action as required under section 260C.503, subdivision 2.

33.20 (p) Persons who conduct assessments or investigations under this section shall take
33.21 into account accepted child-rearing practices of the culture in which a child participates
33.22 and accepted teacher discipline practices, which are not injurious to the child's health,
33.23 welfare, and safety.

33.24 (q) "Accidental" means a sudden, not reasonably foreseeable, and unexpected
33.25 occurrence or event which:

33.26 (1) is not likely to occur and could not have been prevented by exercise of due
33.27 care; and

33.28 (2) if occurring while a child is receiving services from a facility, happens when the
33.29 facility and the employee or person providing services in the facility are in compliance
33.30 with the laws and rules relevant to the occurrence or event.

33.31 (r) "Nonmaltreatment mistake" means:

33.32 (1) at the time of the incident, the individual was performing duties identified in the
33.33 center's child care program plan required under Minnesota Rules, part 9503.0045;

33.34 (2) the individual has not been determined responsible for a similar incident that
33.35 resulted in a finding of maltreatment for at least seven years;

34.1 (3) the individual has not been determined to have committed a similar
 34.2 nonmaltreatment mistake under this paragraph for at least four years;

34.3 (4) any injury to a child resulting from the incident, if treated, is treated only with
 34.4 remedies that are available over the counter, whether ordered by a medical professional or
 34.5 not; and

34.6 (5) except for the period when the incident occurred, the facility and the individual
 34.7 providing services were both in compliance with all licensing requirements relevant to the
 34.8 incident.

34.9 This definition only applies to child care centers licensed under Minnesota
 34.10 Rules, chapter 9503. If clauses (1) to (5) apply, rather than making a determination of
 34.11 substantiated maltreatment by the individual, the commissioner of human services shall
 34.12 determine that a nonmaltreatment mistake was made by the individual.

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

34.14 Sec. 14. **RULEMAKING AUTHORITY; SPECIAL EDUCATION TASK FORCE**
 34.15 **RECOMMENDATIONS.**

34.16 The commissioner of education must use the expedited rulemaking process under
 34.17 Minnesota Statutes, section 14.389, to make the rule changes recommended by the
 34.18 Special Education Case Load and Rule Alignment Task Force in its 2014 report entitled
 34.19 "Recommendations for Special Education Case Load and Rule Alignment" submitted
 34.20 to the legislature on February 15, 2014.

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

34.22 Sec. 15. **REPEALER.**

34.23 Minnesota Statutes 2012, section 125A.027, subdivision 3, is repealed.

34.24 **ARTICLE 4**

34.25 **NUTRITION**

34.26 Section 1. Minnesota Statutes 2012, section 124D.111, subdivision 3, is amended to
 34.27 read:

34.28 Subd. 3. **School food service fund.** (a) The expenses described in this subdivision
 34.29 must be recorded as provided in this subdivision.

34.30 (b) In each district, the expenses for a school food service program for pupils must
 34.31 be attributed to a school food service fund. Under a food service program, the school

35.1 food service may prepare or serve milk, meals, or snacks in connection with school or
35.2 community service activities.

35.3 (c) Revenues and expenditures for food service activities must be recorded in the
35.4 food service fund. The costs of processing applications, accounting for meals, preparing
35.5 and serving food, providing kitchen custodial services, and other expenses involving the
35.6 preparing of meals or the kitchen section of the lunchroom may be charged to the food
35.7 service fund or to the general fund of the district. The costs of lunchroom supervision,
35.8 lunchroom custodial services, lunchroom utilities, and other administrative costs of the
35.9 food service program must be charged to the general fund.

35.10 That portion of superintendent and fiscal manager costs that can be documented as
35.11 attributable to the food service program may be charged to the food service fund provided
35.12 that the school district does not employ or contract with a food service director or other
35.13 individual who manages the food service program, or food service management company.
35.14 If the cost of the superintendent or fiscal manager is charged to the food service fund,
35.15 the charge must be at a wage rate not to exceed the statewide average for food service
35.16 directors as determined by the department.

35.17 (d) Capital expenditures for the purchase of food service equipment must be made
35.18 from the general fund and not the food service fund, unless the ~~unreserved~~ restricted
35.19 balance in the food service fund at the end of the last fiscal year is greater than the cost of
35.20 the equipment to be purchased.

35.21 (e) If the condition set out in paragraph (d) applies, the equipment may be purchased
35.22 from the food service fund.

35.23 (f) If a deficit in the food service fund exists at the end of a fiscal year, and the deficit
35.24 is not eliminated by revenues from food service operations in the next fiscal year, then the
35.25 deficit must be eliminated by a permanent fund transfer from the general fund at the end of
35.26 that second fiscal year. However, if a district contracts with a food service management
35.27 company during the period in which the deficit has accrued, the deficit must be eliminated
35.28 by a payment from the food service management company.

35.29 (g) Notwithstanding paragraph (f), a district may incur a deficit in the food service
35.30 fund for up to three years without making the permanent transfer if the district submits
35.31 to the commissioner by January 1 of the second fiscal year a plan for eliminating that
35.32 deficit at the end of the third fiscal year.

35.33 (h) If a surplus in the food service fund exists at the end of a fiscal year for three
35.34 successive years, a district may recode for that fiscal year the costs of lunchroom
35.35 supervision, lunchroom custodial services, lunchroom utilities, and other administrative
35.36 costs of the food service program charged to the general fund according to paragraph (c)

36.1 and charge those costs to the food service fund in a total amount not to exceed the amount
36.2 of surplus in the food service fund.

36.3 **Sec. 2. [124D.1191] DONATIONS TO FOOD SHELF PROGRAMS.**

36.4 Schools and community organizations participating in any federal child nutrition
36.5 meal program may donate unused food to food shelf programs, provided that the food shelf:

36.6 (1) is a nonprofit corporation or is affiliated with a nonprofit corporation, as defined
36.7 in section 501(c)(3) of the Internal Revenue Code of 1986;

36.8 (2) distributes food without charge to needy individuals;

36.9 (3) does not limit food distributions to individuals of a particular religious affiliation,
36.10 race, or other criteria unrelated to need; and

36.11 (4) has a stable address and directly serves individuals.

36.12 **ARTICLE 5**

36.13 **EARLY CHILDHOOD EDUCATION, SELF-SUFFICIENCY, AND**
36.14 **LIFELONG LEARNING**

36.15 Section 1. Minnesota Statutes 2012, section 123A.06, subdivision 2, is amended to read:

36.16 Subd. 2. **People to be served.** A state-approved alternative program shall provide
36.17 programs for secondary pupils ~~and adults~~. A center may also provide programs and
36.18 services for elementary and secondary pupils who are not attending the state-approved
36.19 alternative program to assist them in being successful in school. A center shall use
36.20 research-based best practices for serving English learners and their parents. An
36.21 individualized education program team may identify a state-approved alternative program
36.22 as an appropriate placement to the extent a state-approved alternative program can provide
36.23 the student with the appropriate special education services described in the student's plan.
36.24 Pupils eligible to be served are those who qualify under the graduation incentives program
36.25 in section 124D.68, subdivision 2, those enrolled under section 124D.02, subdivision
36.26 2, or those pupils who are eligible to receive special education services under sections
36.27 125A.03 to 125A.24, and 125A.65.

36.28 Sec. 2. Minnesota Statutes 2013 Supplement, section 124D.165, subdivision 2, is
36.29 amended to read:

36.30 Subd. 2. **Family eligibility.** (a) For a family to receive an early ~~childhood education~~
36.31 learning scholarship, parents or guardians must meet the following eligibility requirements:

36.32 (1) have a child three or four years of age on September 1 of the current school year,
36.33 who has not yet started kindergarten; and

37.1 (2) have income equal to or less than 185 percent of federal poverty level income
37.2 in the current calendar year, or be able to document their child's current participation in
37.3 the free and reduced-price lunch program or child and adult care food program, National
37.4 School Lunch Act, United States Code, title 42, sections 1751 and 1766; the Food
37.5 Distribution Program on Indian Reservations, Food and Nutrition Act, United States
37.6 Code, title 7, sections 2011-2036; Head Start under the federal Improving Head Start for
37.7 School Readiness Act of 2007; Minnesota family investment program under chapter 256J;
37.8 child care assistance programs under chapter 119B; the supplemental nutrition assistance
37.9 program; or placement in foster care under section 260C.212.

37.10 (b) Notwithstanding the other provisions of this section, a parent under age 21 who
37.11 is pursuing a high school or general education equivalency diploma is eligible for an early
37.12 learning scholarship if the parent has a child age zero to five years old and meets the
37.13 income eligibility guidelines in this subdivision.

37.14 (c) Any siblings between the ages zero to five years old of a child who has been
37.15 awarded a scholarship under this section must be awarded a scholarship upon request,
37.16 provided the sibling attends the same program as long as funds are available.

37.17 (d) A child who has received a scholarship under this section must continue to
37.18 receive a scholarship each year until that child is eligible for kindergarten under section
37.19 120A.20 and as long as funds are available.

37.20 (e) Early learning scholarships may not be counted as earned income for the
37.21 purposes of medical assistance under chapter 256B, MinnesotaCare under chapter 256L,
37.22 Minnesota family investment program under chapter 256J, child care assistance programs
37.23 under chapter 119B, or Head Start under the federal Improving Head Start for School
37.24 Readiness Act of 2007.

37.25 Sec. 3. Minnesota Statutes 2013 Supplement, section 124D.165, subdivision 4, is
37.26 amended to read:

37.27 Subd. 4. **Early childhood program eligibility.** (a) In order to be eligible to accept
37.28 an early ~~childhood education~~ learning scholarship, a program must:

37.29 (1) participate in the quality rating and improvement system under section
37.30 124D.142; and

37.31 (2) beginning July 1, 2016, have a three- or four-star rating in the quality rating
37.32 and improvement system.

37.33 (b) Any program accepting scholarships must use the revenue to supplement and not
37.34 supplant federal funding.

38.1 Sec. 4. Minnesota Statutes 2013 Supplement, section 124D.165, subdivision 5, is
38.2 amended to read:

38.3 Subd. 5. **Report required.** The commissioner shall contract with an independent
38.4 contractor to evaluate the early learning scholarship program. The evaluation must
38.5 include recommendations regarding the appropriate scholarship amount, efficiency, and
38.6 effectiveness of the administration, and impact on kindergarten readiness and student
38.7 outcomes by program setting, including Head Start programs, school-based prekindergarten
38.8 and preschool programs, and other early education and child care programs. The report
38.9 must also include the number of scholarship recipients in school-based, home-based,
38.10 and center-based programs as well as a geographic summary of scholarship recipients
38.11 by county. By January 15, 2016, the commissioner shall submit a written copy of the
38.12 evaluation to the chairs and ranking minority members of the legislative committees and
38.13 divisions with primary jurisdiction over kindergarten through grade 12 education.

38.14 ARTICLE 6

38.15 LIBRARIES

38.16 Section 1. Minnesota Statutes 2012, section 134.355, subdivision 8, is amended to read:

38.17 Subd. 8. **Eligibility.** A regional public library system may apply for regional library
38.18 telecommunications aid. The aid must be used for data and video access maintenance,
38.19 equipment, or installation of telecommunication lines. To be eligible, a regional public
38.20 library system must be officially designated by the commissioner of education as a
38.21 regional public library system as defined in section 134.34, subdivision 3, and each of its
38.22 participating cities and counties must meet local support levels defined in section 134.34,
38.23 subdivision 1. A public library building that receives aid under this section must be open a
38.24 minimum of 20 hours per week. Exceptions to the minimum open hours requirement may
38.25 be granted by the Department of Education on request of the regional public library system
38.26 for the following circumstances: short-term closing for emergency maintenance and
38.27 repairs following a natural disaster; in response to exceptional economic circumstances;
38.28 building repair or maintenance that requires public services areas to be closed; or to adjust
38.29 hours of public service to respond to documented seasonal use patterns.

38.30 ARTICLE 7

38.31 ENGLISH LEARNERS

38.32 Section 1. Minnesota Statutes 2012, section 119A.50, subdivision 3, is amended to read:

39.1 Subd. 3. **Early childhood literacy programs.** (a) A research-based early childhood
 39.2 literacy program premised on actively involved parents, ongoing professional staff
 39.3 development, and high quality early literacy program standards is established to increase
 39.4 the literacy skills of children participating in Head Start to prepare them to be successful
 39.5 readers and to increase families' participation in providing early literacy experiences to
 39.6 their children. Program providers must:

39.7 (1) work to prepare children to be successful learners;

39.8 (2) work to close the achievement gap for at-risk children;

39.9 (3) use ~~an~~ a culturally relevant integrated approach to early literacy that daily offers
 39.10 a literacy-rich classroom learning environment composed of books, writing materials,
 39.11 writing centers, labels, rhyming, and other related literacy materials and opportunities;

39.12 (4) support children's home language while helping the children master English and
 39.13 use multiple literacy strategies to provide a cultural bridge between home and school;

39.14 (5) use literacy mentors, ongoing literacy groups, and other teachers and staff to
 39.15 provide appropriate, extensive professional development opportunities in early literacy
 39.16 and classroom strategies for preschool teachers and other preschool staff;

39.17 (6) use ongoing data-based assessments that enable preschool teachers to understand,
 39.18 plan, and implement literacy strategies, activities, and curriculum that meet children's
 39.19 literacy needs and continuously improve children's literacy; ~~and~~

39.20 (7) foster participation by parents, community stakeholders, literacy advisors, and
 39.21 evaluation specialists; and

39.22 (8) provide parents of English learners with oral and written information to monitor
 39.23 the program's impact on their children's English language development, to know whether
 39.24 their children are progressing in developing their English proficiency and, where
 39.25 practicable, their native language proficiency, and to actively engage with their children in
 39.26 developing their English and native language proficiency.

39.27 Program providers are encouraged to collaborate with qualified, community-based
 39.28 early childhood providers in implementing this program and to seek nonstate funds to
 39.29 supplement the program.

39.30 (b) Program providers under paragraph (a) interested in extending literacy programs
 39.31 to children in kindergarten through grade 3 may elect to form a partnership with an
 39.32 eligible organization under section 124D.38, subdivision 2, or 124D.42, subdivision 6,
 39.33 clause (3), schools enrolling children in kindergarten through grade 3, and other interested
 39.34 and qualified community-based entities to provide ongoing literacy programs that offer
 39.35 seamless literacy instruction focused on closing the literacy achievement gap. To close the
 39.36 literacy achievement gap by the end of third grade, partnership members must agree to use

40.1 best efforts and practices and to work collaboratively to implement a seamless literacy
 40.2 model from age three to grade 3, consistent with paragraph (a). Literacy programs under
 40.3 this paragraph must collect and use literacy data to:

40.4 (1) evaluate children's literacy skills; ~~and~~

40.5 (2) monitor the progress and provide reading instruction appropriate to the specific
 40.6 needs of English learners; and

40.7 (3) formulate specific intervention strategies to provide reading instruction to
 40.8 children premised on the outcomes of formative and summative assessments and
 40.9 research-based indicators of literacy development.

40.10 The literacy programs under this paragraph also must train teachers and other
 40.11 providers working with children to use the assessment outcomes under clause (2) to
 40.12 develop and use effective, long-term literacy coaching models that are specific to the
 40.13 program providers.

40.14 Sec. 2. Minnesota Statutes 2013 Supplement, section 120B.11, is amended to read:

40.15 **120B.11 SCHOOL DISTRICT PROCESS FOR REVIEWING CURRICULUM,**
 40.16 **INSTRUCTION, AND STUDENT ACHIEVEMENT; STRIVING FOR THE**
 40.17 **WORLD'S BEST WORKFORCE.**

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

40.20 (a) "Instruction" means methods of providing learning experiences that enable a
 40.21 ~~student~~ students to meet state and district academic standards and graduation requirements,
 40.22 including providing English learners with appropriate, full, effective, and meaningful
 40.23 access to regular classroom instruction in core curriculum.

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

40.27 (c) "World's best workforce" means striving to: meet school readiness goals; have
 40.28 all third grade students achieve grade-level literacy; close the academic achievement gap
 40.29 among all racial and ethnic groups of students and between students living in poverty and
 40.30 students not living in poverty; ensure all English learners have the appropriate English
 40.31 learner instruction and content area support to achieve academic language proficiency,
 40.32 including oral academic language proficiency, in English and are taught the same state
 40.33 and local academic standards as native English-speaking students; have all students attain
 40.34 career and college readiness before graduating from high school; and have all students
 40.35 graduate from high school.

41.1 (d) "Cultural competence," "cultural competency," or "culturally competent"
 41.2 means the ability and will to interact effectively with people of different cultures, native
 41.3 languages, and socioeconomic backgrounds.

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

41.6 (1) student performance on the National ~~Association~~ Assessment of Education
 41.7 Progress;

41.8 (2) the size of the academic achievement gap and rigorous course taking and
 41.9 enrichment experiences by student subgroup;

41.10 (3) student performance on the Minnesota Comprehensive Assessments;

41.11 (4) high school graduation rates; ~~and~~

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

41.13 (6) the English language development and academic progress, including the oral
 41.14 academic development, of English learners and their native language development if the
 41.15 native language is used as a language of instruction.

41.16 (b) When administering formative or summative assessments used to measure
 41.17 the academic progress, including the oral academic development, of English learners
 41.18 and inform their instruction, schools must ensure that the assessments are accessible to
 41.19 the students and students have the modifications and supports they need to sufficiently
 41.20 understand the assessments.

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

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

41.27 (2) a process for assessing and evaluating each student's progress toward meeting state
 41.28 and local academic standards and identifying the strengths and weaknesses of instruction
 41.29 in pursuit of student and school success and curriculum affecting students' progress and
 41.30 growth toward career and college readiness and leading to the world's best workforce;

41.31 (3) a system to periodically review and evaluate the effectiveness of all instruction
 41.32 and curriculum, taking into account strategies and best practices, student outcomes, school
 41.33 principal evaluations under section 123B.147, subdivision 3, and teacher evaluations
 41.34 under section 122A.40, subdivision 8, or 122A.41, subdivision 5;

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

42.4 (5) education effectiveness practices that integrate high-quality instruction, rigorous
42.5 curriculum, technology, and a collaborative professional culture that develops and
42.6 supports teacher quality, performance, and effectiveness; and

42.7 (6) an annual budget for continuing to implement the district plan.

42.8 Subd. 3. **District advisory committee.** Each school board shall establish an
42.9 advisory committee to ensure active community participation in all phases of planning and
42.10 improving the instruction and curriculum affecting state and district academic standards,
42.11 consistent with subdivision 2. A district advisory committee, to the extent possible,
42.12 shall reflect the diversity of the district and its school sites, ~~and shall~~ include teachers,
42.13 parents, support staff, students, and other community residents, and provide translation
42.14 to the extent appropriate and practicable. The district advisory committee shall pursue
42.15 community support to accelerate the academic and native literacy and achievement of
42.16 English learners with varied needs, from young children to adults, consistent with section
42.17 124D.59, subdivisions 2 and 2a. The district may establish site teams as subcommittees
42.18 of the district advisory committee under subdivision 4. The district advisory committee
42.19 shall recommend to the school board rigorous academic standards, student achievement
42.20 goals and measures consistent with subdivision 1a and sections 120B.022, subdivision
42.21 1, paragraphs (b) and (c), and 120B.35, district assessments, and program evaluations.
42.22 School sites may expand upon district evaluations of instruction, curriculum, assessments,
42.23 or programs. Whenever possible, parents and other community residents shall comprise at
42.24 least two-thirds of advisory committee members.

42.25 Subd. 4. **Site team.** A school may establish a site team to develop and implement
42.26 strategies and education effectiveness practices to improve instruction, curriculum,
42.27 cultural competencies, including cultural awareness and cross-cultural communication,
42.28 and student achievement at the school site, consistent with subdivision 2. The team advises
42.29 the board and the advisory committee about developing the annual budget and revising an
42.30 instruction and curriculum improvement plan that aligns curriculum, assessment of student
42.31 progress, and growth in meeting state and district academic standards and instruction.

42.32 Subd. 5. **Report.** Consistent with requirements for school performance reports
42.33 under section 120B.36, subdivision 1, the school board shall publish a report in the local
42.34 newspaper with the largest circulation in the district, by mail, or by electronic means on
42.35 the district Web site. The school board shall hold an annual public meeting to review,
42.36 and revise where appropriate, student achievement goals, local assessment outcomes,

43.1 plans, strategies, and practices for improving curriculum and instruction and cultural
 43.2 responsiveness, including cultural awareness and cross-cultural communication, and to
 43.3 review district success in realizing the previously adopted student achievement goals and
 43.4 related benchmarks and the improvement plans leading to the world's best workforce. The
 43.5 school board must transmit an electronic summary of its report to the commissioner in the
 43.6 form and manner the commissioner determines.

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

43.11 Subd. 9. **Annual evaluation.** (a) The commissioner must identify effective
 43.12 strategies, practices, and use of resources by districts and school sites in striving for the
 43.13 world's best workforce. The commissioner must assist districts and sites throughout the
 43.14 state in implementing these effective strategies, practices, and use of resources.

43.15 (b) The commissioner must identify those districts in any consecutive three-year
 43.16 period not making sufficient progress toward improving teaching and learning for all
 43.17 students, including English learners with varied needs, consistent with section 124D.59,
 43.18 subdivisions 2 and 2a, and striving for the world's best workforce. The commissioner, in
 43.19 collaboration with the identified district, may require the district to use up to two percent
 43.20 of its basic general education revenue per fiscal year during the proximate three school
 43.21 years to implement commissioner-specified strategies and practices, consistent with
 43.22 paragraph (a), to improve and accelerate its progress in realizing its goals under this
 43.23 section. In implementing this section, the commissioner must consider districts' budget
 43.24 constraints and legal obligations.

43.25 Sec. 3. Minnesota Statutes 2013 Supplement, section 120B.115, is amended to read:

43.26 **120B.115 REGIONAL CENTERS OF EXCELLENCE.**

43.27 (a) Regional centers of excellence are established to assist and support school
 43.28 boards, school districts, school sites, and charter schools in implementing research-based
 43.29 interventions and practices to increase the students' achievement within a region.
 43.30 The centers must develop partnerships with local and regional service cooperatives,
 43.31 postsecondary institutions, integrated school districts, the department, children's mental
 43.32 health providers, or other local or regional entities interested in providing a cohesive
 43.33 and consistent regional delivery system that serves all schools equitably. Centers must
 43.34 assist school districts, school sites, and charter schools in developing similar partnerships.

44.1 Center support may include assisting school districts, school sites, and charter schools
44.2 with common principles of effective practice, including:

44.3 (1) defining measurable education goals under section 120B.11, subdivision 2;

44.4 (2) implementing evidence-based practices;

44.5 (3) engaging in data-driven decision-making;

44.6 (4) providing multilayered levels of support;

44.7 (5) supporting culturally responsive teaching and learning aligning the development
44.8 of academic English proficiency, state and local academic standards, and career and
44.9 college readiness benchmarks; and

44.10 (6) engaging parents, families, youth, and local community members in programs
44.11 and activities at the school district, school site, or charter school that foster collaboration
44.12 and shared accountability for the achievement of all students; and

44.13 (7) translating district forms and other information such as a multilingual glossary of
44.14 commonly used education terms and phrases.

44.15 Centers must work with school site leadership teams to build ~~capacity~~ the expertise and
44.16 experience to implement programs that close the achievement gap, provide effective and
44.17 differentiated programs and instruction for different types of English learners, including
44.18 English learners with limited or interrupted formal schooling and long-term English
44.19 learners under section 124D.59, subdivisions 2 and 2a, increase students' progress and
44.20 growth toward career and college readiness, and increase student graduation rates.

44.21 (b) The department must assist the regional centers of excellence to meet staff,
44.22 facilities, and technical needs, provide the centers with programmatic support, and work
44.23 with the centers to establish a coherent statewide system of regional support, including
44.24 consulting, training, and technical support, to help school boards, school districts, school
44.25 sites, and charter schools effectively and efficiently implement the world's best workforce
44.26 goals under section 120B.11 and other state and federal education initiatives.

44.27 Sec. 4. Minnesota Statutes 2012, section 120B.12, is amended to read:

44.28 **120B.12 READING PROFICIENTLY NO LATER THAN THE END OF**
44.29 **GRADE 3.**

44.30 Subdivision 1. **Literacy goal.** The legislature seeks to have every child reading at or
44.31 above grade level no later than the end of grade 3, including English learners, and that
44.32 teachers provide comprehensive, scientifically based reading instruction consistent with
44.33 section 122A.06, subdivision 4.

44.34 Subd. 2. **Identification; report.** For the 2011-2012 school year and later, each
44.35 school district shall identify before the end of kindergarten, grade 1, and grade 2 students

45.1 who are not reading at grade level before the end of the current school year. Reading
 45.2 assessments in English, and in the predominant languages of district students where
 45.3 practicable, must identify and evaluate students' areas of academic need related to literacy.
 45.4 The district also must monitor the progress and provide reading instruction appropriate
 45.5 to the specific needs of English learners. The district must use a locally adopted,
 45.6 developmentally appropriate, and culturally responsive assessment and annually report
 45.7 summary assessment results to the commissioner by July 1.

45.8 Subd. 2a. **Parent notification and involvement.** Schools, at least annually,
 45.9 must give the parent of each student who is not reading at or above grade level timely
 45.10 information about:

45.11 (1) student's reading proficiency as measured by a locally adopted assessment;

45.12 (2) reading-related services currently being provided to the student; and

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

45.15 Subd. 3. **Intervention.** For each student identified under subdivision 2, the district
 45.16 shall provide reading intervention to accelerate student growth ~~in order to~~ and reach the
 45.17 goal of reading at or above grade level by the end of the current grade and school year.
 45.18 District intervention methods shall encourage ~~parental involvement~~ family engagement
 45.19 and, where possible, collaboration with appropriate school and community programs.
 45.20 Intervention methods may include, but are not limited to, requiring attendance in summer
 45.21 school, intensified reading instruction that may require that the student be removed from
 45.22 the regular classroom for part of the school day ~~or,~~ extended-day programs, or programs
 45.23 that strengthen students' cultural connections.

45.24 Subd. 4. **Staff development.** Each district shall use the data under subdivision 2 to
 45.25 identify the staff development needs so that:

45.26 (1) elementary teachers are able to implement comprehensive, scientifically based
 45.27 reading and oral language instruction in the five reading areas of phonemic awareness,
 45.28 phonics, fluency, vocabulary, and comprehension as defined in section 122A.06,
 45.29 subdivision 4, and other literacy-related areas including writing until the student achieves
 45.30 grade-level reading proficiency;

45.31 (2) elementary teachers have sufficient training to provide comprehensive,
 45.32 scientifically based reading and oral language instruction that meets students'
 45.33 developmental, linguistic, and literacy needs using the intervention methods or programs
 45.34 selected by the district for the identified students;

45.35 (3) licensed teachers employed by the district have regular opportunities to improve
 45.36 reading and writing instruction; ~~and~~

46.1 (4) licensed teachers recognize students' diverse needs in cross-cultural settings
 46.2 and are able to serve the oral language and linguistic needs of students who are English
 46.3 learners by maximizing strengths in their native languages in order to cultivate students'
 46.4 English language development, including oral academic language development, and
 46.5 build academic literacy; and

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

46.8 Subd. 4a. **Local literacy plan.** Consistent with this section, a school district must
 46.9 adopt a local literacy plan to have every child reading at or above grade level no later than
 46.10 the end of grade 3, including English learners. The plan must include a process to assess
 46.11 students' level of reading proficiency, notify and involve parents, intervene with students
 46.12 who are not reading at or above grade level, and identify and meet staff development
 46.13 needs. The district must post its literacy plan on the official school district Web site.

46.14 Subd. 5. **Commissioner.** The commissioner shall recommend to districts multiple
 46.15 assessment tools to assist districts and teachers with identifying students under subdivision
 46.16 2. The commissioner shall also make available examples of nationally recognized and
 46.17 research-based instructional methods or programs to districts to provide comprehensive,
 46.18 scientifically based reading instruction and intervention under this section.

46.19 Sec. 5. Minnesota Statutes 2013 Supplement, section 120B.125, is amended to read:

46.20 **120B.125 PLANNING FOR STUDENTS' SUCCESSFUL TRANSITION**
 46.21 **TO POSTSECONDARY EDUCATION AND EMPLOYMENT; INVOLUNTARY**
 46.22 **CAREER TRACKING PROHIBITED.**

46.23 (a) Consistent with sections 120B.128, 120B.13, 120B.131, 120B.132, 120B.14,
 46.24 120B.15, 120B.30, subdivision 1, paragraph (c), 125A.08, and other related sections,
 46.25 school districts, beginning in the 2013-2014 school year, must assist all students by no
 46.26 later than grade 9 to explore their college and career interests and aspirations and develop
 46.27 a plan for a smooth and successful transition to postsecondary education or employment.
 46.28 All students' plans must be designed to:

46.29 (1) provide a comprehensive academic plan for completing a college and
 46.30 career-ready curriculum premised on meeting state and local academic standards
 46.31 and developing 21st century skills such as team work, collaboration, creativity,
 46.32 communication, critical thinking, and good work habits;

46.33 (2) emphasize academic rigor and high expectations;

46.34 (3) help students identify personal learning styles that may affect their postsecondary
 46.35 education and employment choices;

47.1 (4) help students gain access to postsecondary education and career options;

47.2 (5) integrate strong academic content into career-focused courses and integrate
47.3 relevant career-focused courses into strong academic content;

47.4 (6) help students and families identify and gain access to appropriate counseling
47.5 and other supports and assistance that enable students to complete required coursework,
47.6 prepare for postsecondary education and careers, and obtain information about
47.7 postsecondary education costs and eligibility for financial aid and scholarship;

47.8 (7) help students and families identify collaborative partnerships of ~~kindergarten~~
47.9 prekindergarten through grade 12 schools, postsecondary institutions, economic
47.10 development agencies, and employers that support students' transition to postsecondary
47.11 education and employment and provide students with experiential learning opportunities;
47.12 and

47.13 (8) be reviewed and revised at least annually by the student, the student's parent or
47.14 guardian, and the school or district to ensure that the student's course-taking schedule
47.15 keeps the student making adequate progress to meet state and local high school graduation
47.16 requirements and with a reasonable chance to succeed with employment or postsecondary
47.17 education without the need to first complete remedial course work.

47.18 (b) A school district may develop grade-level curricula or provide instruction that
47.19 introduces students to various careers, but must not require any curriculum, instruction,
47.20 or employment-related activity that obligates an elementary or secondary student to
47.21 involuntarily select a career, career interest, employment goals, or related job training.

47.22 (c) Educators must possess the knowledge and skills to effectively teach all English
47.23 learners in their classrooms. School districts must provide appropriate curriculum,
47.24 targeted materials, professional development opportunities for educators, and sufficient
47.25 resources to enable English learners to become career- and college-ready.

47.26 Sec. 6. Minnesota Statutes 2013 Supplement, section 120B.35, subdivision 3, is
47.27 amended to read:

47.28 Subd. 3. **State growth target; other state measures.** (a) The state's educational
47.29 assessment system measuring individual students' educational growth is based on
47.30 indicators of achievement growth that show an individual student's prior achievement.
47.31 Indicators of achievement and prior achievement must be based on highly reliable
47.32 statewide or districtwide assessments.

47.33 (b) The commissioner, in consultation with a stakeholder group that includes
47.34 assessment and evaluation directors ~~and, district staff,~~ experts in culturally responsive
47.35 teaching, and researchers₂ must implement a model that uses a value-added growth

48.1 indicator and includes criteria for identifying schools and school districts that demonstrate
48.2 medium and high growth under section 120B.299, subdivisions 8 and 9, and may
48.3 recommend other value-added measures under section 120B.299, subdivision 3. The model
48.4 may be used to advance educators' professional development and replicate programs that
48.5 succeed in meeting students' diverse learning needs. Data on individual teachers generated
48.6 under the model are personnel data under section 13.43. The model must allow users to:

- 48.7 (1) report student growth consistent with this paragraph; and
48.8 (2) for all student categories, report and compare aggregated and disaggregated state
48.9 growth data using the nine student categories identified under the federal 2001 No Child
48.10 Left Behind Act and two student gender categories of male and female, respectively,
48.11 following appropriate reporting practices to protect nonpublic student data.

48.12 The commissioner must report measures of student growth, consistent with this
48.13 paragraph.

48.14 (c) When reporting student performance under section 120B.36, subdivision 1, the
48.15 commissioner annually, beginning July 1, 2011, must report two core measures indicating
48.16 the extent to which current high school graduates are being prepared for postsecondary
48.17 academic and career opportunities:

48.18 (1) a preparation measure indicating the number and percentage of high school
48.19 graduates in the most recent school year who completed course work important to
48.20 preparing them for postsecondary academic and career opportunities, consistent with
48.21 the core academic subjects required for admission to Minnesota's public colleges and
48.22 universities as determined by the Office of Higher Education under chapter 136A; and

48.23 (2) a rigorous coursework measure indicating the number and percentage of high
48.24 school graduates in the most recent school year who successfully completed one or more
48.25 college-level advanced placement, international baccalaureate, postsecondary enrollment
48.26 options including concurrent enrollment, other rigorous courses of study under section
48.27 120B.021, subdivision 1a, or industry certification courses or programs.

48.28 When reporting the core measures under clauses (1) and (2), the commissioner must also
48.29 analyze and report separate categories of information using the nine student categories
48.30 identified under the federal 2001 No Child Left Behind Act and two student gender
48.31 categories of male and female, respectively, following appropriate reporting practices to
48.32 protect nonpublic student data.

48.33 (d) When reporting student performance under section 120B.36, subdivision 1, the
48.34 commissioner annually, beginning July 1, 2014, must report summary data on school
48.35 safety and students' engagement and connection at school. The summary data under this
48.36 paragraph are separate from and must not be used for any purpose related to measuring

49.1 or evaluating the performance of classroom teachers. The commissioner, in consultation
 49.2 with qualified experts on student engagement and connection and classroom teachers,
 49.3 must identify highly reliable variables that generate summary data under this paragraph.
 49.4 The summary data may be used at school, district, and state levels only. Any data on
 49.5 individuals received, collected, or created that are used to generate the summary data
 49.6 under this paragraph are nonpublic data under section 13.02, subdivision 9.

49.7 (e) For purposes of statewide educational accountability, the commissioner must
 49.8 identify and report measures that demonstrate the success of learning year program
 49.9 providers under sections 123A.05 and 124D.68, among other such providers, in improving
 49.10 students' graduation outcomes. The commissioner, beginning July 1, 2015, must annually
 49.11 report summary data on:

49.12 (1) the four- and six-year graduation rates of students under this paragraph;

49.13 (2) the percent of students under this paragraph whose progress and performance
 49.14 levels are meeting career and college readiness benchmarks under section 120B.30,
 49.15 subdivision 1; and

49.16 (3) the success that learning year program providers experience in:

49.17 (i) identifying at-risk and off-track student populations by grade;

49.18 (ii) providing successful prevention and intervention strategies for at-risk students;

49.19 (iii) providing successful recuperative and recovery or reenrollment strategies for
 49.20 off-track students; and

49.21 (iv) improving the graduation outcomes of at-risk and off-track students.

49.22 The commissioner may include in the annual report summary data on other education
 49.23 providers serving a majority of students eligible to participate in a learning year program.

49.24 (f) The commissioner, in consultation with recognized experts with knowledge and
 49.25 experience in assessing the language proficiency and academic performance of English
 49.26 learners, must identify and report appropriate and effective measures to improve current
 49.27 categories of language difficulty and assessments, and monitor and report data on students'
 49.28 English proficiency levels, program placement, and academic language development,
 49.29 including oral academic language.

49.30 Sec. 7. Minnesota Statutes 2013 Supplement, section 120B.36, subdivision 1, is
 49.31 amended to read:

49.32 Subdivision 1. **School performance reports.** (a) The commissioner shall report
 49.33 student academic performance under section 120B.35, subdivision 2; the percentages of
 49.34 students showing low, medium, and high growth under section 120B.35, subdivision
 49.35 3, paragraph (b); school safety and student engagement and connection under section

50.1 120B.35, subdivision 3, paragraph (d); rigorous coursework under section 120B.35,
 50.2 subdivision 3, paragraph (c); the percentage of students under section 120B.35,
 50.3 subdivision 3, paragraph (b), clause (2), whose progress and performance levels are
 50.4 meeting career and college readiness benchmarks under sections 120B.30, subdivision 1,
 50.5 and 120B.35, subdivision 3, paragraph (e); longitudinal data on the progress of eligible
 50.6 districts in reducing disparities in students' academic achievement and realizing racial and
 50.7 economic integration under section 124D.861; the acquisition of English, and where
 50.8 practicable, native language academic literacy, including oral academic language, and
 50.9 the academic progress of English learners under section 124D.59, subdivisions 2 and
 50.10 2a; two separate student-to-teacher ratios that clearly indicate the definition of teacher
 50.11 consistent with sections 122A.06 and 122A.15 for purposes of determining these ratios;
 50.12 staff characteristics excluding salaries; student enrollment demographics; district mobility;
 50.13 and extracurricular activities. The report also must indicate a school's adequate yearly
 50.14 progress status under applicable federal law, and must not set any designations applicable
 50.15 to high- and low-performing schools due solely to adequate yearly progress status.

50.16 (b) The commissioner shall develop, annually update, and post on the department
 50.17 Web site school performance reports.

50.18 (c) The commissioner must make available performance reports by the beginning
 50.19 of each school year.

50.20 (d) A school or district may appeal its adequate yearly progress status in writing to
 50.21 the commissioner within 30 days of receiving the notice of its status. The commissioner's
 50.22 decision to uphold or deny an appeal is final.

50.23 (e) School performance data are nonpublic data under section 13.02, subdivision 9,
 50.24 until the commissioner publicly releases the data. The commissioner shall annually post
 50.25 school performance reports to the department's public Web site no later than September 1,
 50.26 except that in years when the reports reflect new performance standards, the commissioner
 50.27 shall post the school performance reports no later than October 1.

50.28 Sec. 8. Minnesota Statutes 2012, section 122A.06, subdivision 4, is amended to read:

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

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

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

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

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

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

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

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

51.27 Sec. 9. Minnesota Statutes 2013 Supplement, section 122A.09, subdivision 4, is
51.28 amended to read:

51.29 Subd. 4. **License and rules.** (a) The board must adopt rules to license public school
51.30 teachers and interns subject to chapter 14.

51.31 (b) The board must adopt rules requiring a person to pass a skills examination in
51.32 reading, writing, and mathematics as a requirement for initial teacher licensure, except
51.33 that the board may issue up to two additional temporary, one-year teaching licenses to an
51.34 otherwise qualified candidate who has not yet passed the skills exam. Such rules must
51.35 require college and universities offering a board-approved teacher preparation program to

52.1 provide remedial assistance to persons who did not achieve a qualifying score on the skills
52.2 examination, including those for whom English is a second language.

52.3 (c) The board must adopt rules to approve teacher preparation programs. The board,
52.4 upon the request of a postsecondary student preparing for teacher licensure or a licensed
52.5 graduate of a teacher preparation program, shall assist in resolving a dispute between the
52.6 person and a postsecondary institution providing a teacher preparation program when the
52.7 dispute involves an institution's recommendation for licensure affecting the person or the
52.8 person's credentials. At the board's discretion, assistance may include the application
52.9 of chapter 14.

52.10 (d) The board must provide the leadership and adopt rules for the redesign of teacher
52.11 education programs to implement a research based, results-oriented curriculum that
52.12 focuses on the skills teachers need in order to be effective. The board shall implement new
52.13 systems of teacher preparation program evaluation to assure program effectiveness based
52.14 on proficiency of graduates in demonstrating attainment of program outcomes. Teacher
52.15 preparation programs including alternative teacher preparation programs under section
52.16 122A.245, among other programs, must include a content-specific, board-approved,
52.17 performance-based assessment that measures teacher candidates in three areas: planning
52.18 for instruction and assessment; engaging students and supporting learning; and assessing
52.19 student learning.

52.20 (e) The board must adopt rules requiring candidates for initial licenses to pass an
52.21 examination of general pedagogical knowledge and examinations of licensure-specific
52.22 teaching skills. The rules shall be effective by September 1, 2001. The rules under this
52.23 paragraph also must require candidates for initial licenses to teach prekindergarten or
52.24 elementary students to pass, as part of the examination of licensure-specific teaching
52.25 skills, test items assessing the candidates' knowledge, skill, and ability in comprehensive,
52.26 scientifically based reading instruction under section 122A.06, subdivision 4, and their
52.27 knowledge and understanding of the foundations of reading development, the development
52.28 of reading comprehension, and reading assessment and instruction, and their ability to
52.29 integrate that knowledge and understanding.

52.30 (f) The board must adopt rules requiring teacher educators to work directly with
52.31 elementary or secondary school teachers in elementary or secondary schools to obtain
52.32 periodic exposure to the elementary or secondary teaching environment.

52.33 (g) The board must grant licenses to interns and to candidates for initial licenses
52.34 based on appropriate professional competencies that are aligned with the board's licensing
52.35 system and students' diverse learning needs. All teacher candidates must have preparation
52.36 in English language development and content instruction for English learners in order to be

53.1 able to effectively instruct the English learners in their classrooms. The board must include
53.2 these licenses in a statewide differentiated licensing system that creates new leadership
53.3 roles for successful experienced teachers premised on a collaborative professional culture
53.4 dedicated to meeting students' diverse learning needs in the 21st century, recognizes the
53.5 importance of cultural and linguistic competencies, including the ability to teach and
53.6 communicate in culturally competent and aware ways, and formalizes mentoring and
53.7 induction for newly licensed teachers ~~that is~~ provided through a teacher support framework.

53.8 (h) The board must design and implement an assessment system which requires a
53.9 candidate for an initial license and first continuing license to demonstrate the abilities
53.10 necessary to perform selected, representative teaching tasks at appropriate levels.

53.11 (i) The board must receive recommendations from local committees as established
53.12 by the board for the renewal of teaching licenses. The board must require licensed teachers
53.13 who are renewing a continuing license to include in the renewal requirements further
53.14 preparation in English language development and specially designed content instruction
53.15 in English for English learners.

53.16 (j) The board must grant life licenses to those who qualify according to requirements
53.17 established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and
53.18 214.10. The board must not establish any expiration date for application for life licenses.

53.19 (k) The board must adopt rules that require all licensed teachers who are renewing
53.20 their continuing license to include in their renewal requirements further preparation in
53.21 the areas of using positive behavior interventions and in accommodating, modifying, and
53.22 adapting curricula, materials, and strategies to appropriately meet the needs of individual
53.23 students and ensure adequate progress toward the state's graduation rule.

53.24 (l) In adopting rules to license public school teachers who provide health-related
53.25 services for disabled children, the board shall adopt rules consistent with license or
53.26 registration requirements of the commissioner of health and the health-related boards who
53.27 license personnel who perform similar services outside of the school.

53.28 (m) The board must adopt rules that require all licensed teachers who are renewing
53.29 their continuing license to include in their renewal requirements further reading
53.30 preparation, consistent with section 122A.06, subdivision 4. The rules do not take effect
53.31 until they are approved by law. Teachers who do not provide direct instruction including, at
53.32 least, counselors, school psychologists, school nurses, school social workers, audiovisual
53.33 directors and coordinators, and recreation personnel are exempt from this section.

53.34 (n) The board must adopt rules that require all licensed teachers who are renewing
53.35 their continuing license to include in their renewal requirements further preparation,
53.36 first, in understanding the key warning signs of early-onset mental illness in children

54.1 and adolescents and then, during subsequent licensure renewal periods, preparation may
 54.2 include providing a more in-depth understanding of students' mental illness trauma,
 54.3 accommodations for students' mental illness, parents' role in addressing students' mental
 54.4 illness, Fetal Alcohol Spectrum Disorders, autism, the requirements of section 125A.0942
 54.5 governing restrictive procedures, and de-escalation methods, among other similar topics.

54.6 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to
 54.7 individuals entering a teacher preparation program after that date.

54.8 Sec. 10. Minnesota Statutes 2012, section 122A.14, subdivision 2, is amended to read:

54.9 Subd. 2. **Preparation programs.** The board shall review and approve or
 54.10 disapprove preparation programs for school administrators and alternative preparation
 54.11 programs for administrators under section 122A.27, and must consider other alternative
 54.12 competency-based preparation programs leading to licensure. Among other requirements,
 54.13 preparation programs must include instruction on meeting the varied needs of English
 54.14 learners, from young children to adults, in English and, where practicable, in students'
 54.15 native language.

54.16 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to
 54.17 individuals entering a school administrator preparation program after that date.

54.18 Sec. 11. Minnesota Statutes 2012, section 122A.14, subdivision 3, is amended to read:

54.19 Subd. 3. **Rules for continuing education requirements.** The board shall
 54.20 adopt rules establishing continuing education requirements that promote continuous
 54.21 improvement and acquisition of new and relevant skills by school administrators.
 54.22 Continuing education programs, among other things, must provide school administrators
 54.23 with information and training about building coherent and effective English learner
 54.24 strategies that include relevant professional development, accountability for student
 54.25 progress, students' access to the general curriculum, and sufficient staff capacity to effect
 54.26 these strategies. A retired school principal who serves as a substitute principal or assistant
 54.27 principal for the same person on a day-to-day basis for no more than 15 consecutive
 54.28 school days is not subject to continuing education requirements as a condition of serving
 54.29 as a substitute principal or assistant principal.

54.30 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to school
 54.31 administrators renewing an administrator's license after that date.

55.1 Sec. 12. Minnesota Statutes 2013 Supplement, section 122A.18, subdivision 2, is
55.2 amended to read:

55.3 Subd. 2. **Teacher and support personnel qualifications.** (a) The Board of
55.4 Teaching must issue licenses under its jurisdiction to persons the board finds to be
55.5 qualified and competent for their respective positions.

55.6 (b) The board must require a person to pass an examination of skills in reading,
55.7 writing, and mathematics before being granted an initial teaching license to provide direct
55.8 instruction to pupils in prekindergarten, elementary, secondary, or special education
55.9 programs, except that the board may issue up to two additional temporary, one-year
55.10 teaching licenses to an otherwise qualified candidate who has not yet passed the skills
55.11 exam. The board must require colleges and universities offering a board approved teacher
55.12 preparation program to make available upon request remedial assistance that includes a
55.13 formal diagnostic component to persons enrolled in their institution who did not achieve a
55.14 qualifying score on the skills examination, including those for whom English is a second
55.15 language. The colleges and universities must make available assistance in the specific
55.16 academic areas of deficiency in which the person did not achieve a qualifying score.
55.17 School districts may make available upon request similar, appropriate, and timely remedial
55.18 assistance that includes a formal diagnostic component to those persons employed by the
55.19 district who completed their teacher education program, who did not achieve a qualifying
55.20 score on the skills examination, including those persons for whom English is a second
55.21 language and persons under section 122A.23, subdivision 2, paragraph (h), who completed
55.22 their teacher's education program outside the state of Minnesota, and who received a
55.23 temporary license to teach in Minnesota. The Board of Teaching shall report annually
55.24 to the education committees of the legislature on the total number of teacher candidates
55.25 during the most recent school year taking the skills examination, the number who achieve
55.26 a qualifying score on the examination, the number who do not achieve a qualifying score
55.27 on the examination, the distribution of all candidates' scores, the number of candidates
55.28 who have taken the examination at least once before, and the number of candidates who
55.29 have taken the examination at least once before and achieve a qualifying score.

55.30 (c) The Board of Teaching must grant continuing licenses only to those persons who
55.31 have met board criteria for granting a continuing license, which includes passing the
55.32 skills examination in reading, writing, and mathematics consistent with paragraph (b) and
55.33 section 122A.09, subdivision 4, paragraph (b).

55.34 (d) All colleges and universities approved by the board of teaching to prepare persons
55.35 for teacher licensure must include in their teacher preparation programs a common core
55.36 of teaching knowledge and skills to be acquired by all persons recommended for teacher

56.1 licensure. Among other requirements, teacher candidates must demonstrate the knowledge
 56.2 and skills needed to provide appropriate instruction to English learners to support and
 56.3 accelerate their academic literacy, including oral academic language, and achievement in
 56.4 content areas in a regular classroom setting. This common core shall meet the standards
 56.5 developed by the interstate new teacher assessment and support consortium in its 1992
 56.6 "model standards for beginning teacher licensing and development." Amendments to
 56.7 standards adopted under this paragraph are covered by chapter 14. The board of teaching
 56.8 shall report annually to the education committees of the legislature on the performance
 56.9 of teacher candidates on common core assessments of knowledge and skills under this
 56.10 paragraph during the most recent school year.

56.11 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to
 56.12 individuals entering a teacher preparation program after that date.

56.13 Sec. 13. Minnesota Statutes 2012, section 122A.18, subdivision 2a, is amended to read:

56.14 Subd. 2a. **Reading strategies.** (a) All colleges and universities approved by the
 56.15 Board of Teaching to prepare persons for classroom teacher licensure must include in
 56.16 their teacher preparation programs research-based best practices in reading, consistent
 56.17 with section 122A.06, subdivision 4, that enable the licensure candidate to know how to
 56.18 teach reading in the candidate's content areas. Teacher candidates must be instructed
 56.19 in using students' native languages as a resource in creating effective differentiated
 56.20 instructional strategies for English learners developing literacy skills. These colleges and
 56.21 universities also must prepare candidates for initial licenses to teach prekindergarten or
 56.22 elementary students for the assessment of reading instruction portion of the examination
 56.23 of licensure-specific teaching skills under section 122A.09, subdivision 4, paragraph (e).

56.24 (b) Board-approved teacher preparation programs for teachers of elementary
 56.25 education must require instruction in the application of comprehensive, scientifically
 56.26 based, and balanced reading instruction programs that:

56.27 (1) teach students to read using foundational knowledge, practices, and strategies
 56.28 consistent with section 122A.06, subdivision 4, so that all students will achieve continuous
 56.29 progress in reading; and

56.30 (2) teach specialized instruction in reading strategies, interventions, and remediations
 56.31 that enable students of all ages and proficiency levels to become proficient readers.

56.32 (c) Nothing in this section limits the authority of a school district to select a school's
 56.33 reading program or curriculum.

57.1 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to
57.2 individuals entering a teacher preparation program after that date.

57.3 Sec. 14. Minnesota Statutes 2012, section 122A.18, subdivision 4, is amended to read:

57.4 Subd. 4. **Expiration and renewal.** (a) Each license the Department of Education
57.5 issues through its licensing section must bear the date of issue. Licenses must expire
57.6 and be renewed according to the respective rules the Board of Teaching, the Board
57.7 of School Administrators, or the commissioner of education adopts. Requirements for
57.8 renewing a license must include showing satisfactory evidence of successful teaching or
57.9 administrative experience for at least one school year during the period covered by the
57.10 license in grades or subjects for which the license is valid or completing such additional
57.11 preparation as the Board of Teaching prescribes. The Board of School Administrators
57.12 shall establish requirements for renewing the licenses of supervisory personnel except
57.13 athletic coaches. The State Board of Teaching shall establish requirements for renewing
57.14 the licenses of athletic coaches.

57.15 (b) Relicensure applicants who have been employed as a teacher during the renewal
57.16 period of their expiring license, as a condition of relicensure, must present to their local
57.17 continuing education and relicensure committee or other local relicensure committee
57.18 evidence of work that demonstrates professional reflection and growth in best teaching
57.19 practices, including among other things, practices in meeting the varied needs of English
57.20 learners, from young children to adults under section 124D.59, subdivisions 2 and 2a. The
57.21 applicant must include a reflective statement of professional accomplishment and the
57.22 applicant's own assessment of professional growth showing evidence of:

57.23 (1) support for student learning;

57.24 (2) use of best practices techniques and their applications to student learning;

57.25 (3) collaborative work with colleagues that includes examples of collegiality such as
57.26 attested-to committee work, collaborative staff development programs, and professional
57.27 learning community work; or

57.28 (4) continual professional development that may include (i) job-embedded or other
57.29 ongoing formal professional learning or (ii) for teachers employed for only part of the
57.30 renewal period of their expiring license, other similar professional development efforts
57.31 made during the relicensure period.

57.32 The Board of Teaching must ensure that its teacher relicensing requirements also include
57.33 this paragraph.

57.34 (c) The Board of Teaching shall offer alternative continuing relicensure options for
57.35 teachers who are accepted into and complete the National Board for Professional Teaching

58.1 Standards certification process, and offer additional continuing relicensure options for
 58.2 teachers who earn National Board for Professional Teaching Standards certification.
 58.3 Continuing relicensure requirements for teachers who do not maintain National Board for
 58.4 Professional Teaching Standards certification are those the board prescribes, consistent
 58.5 with this section.

58.6 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to
 58.7 licensed teachers renewing a teaching license after that date.

58.8 Sec. 15. Minnesota Statutes 2012, section 122A.19, is amended to read:

58.9 **122A.19 BILINGUAL AND ENGLISH AS A SECOND LANGUAGE**
 58.10 **TEACHERS; LICENSES.**

58.11 Subdivision 1. **Bilingual and English as a second language licenses.** The Board of
 58.12 Teaching, hereinafter the board, must grant teaching licenses in bilingual education and
 58.13 English as a second language to persons who present satisfactory evidence that they:

58.14 (a) Possess competence and communicative skills in English and in another language;

58.15 (b) Possess a bachelor's degree or other academic degree approved by the board,
 58.16 and meet such requirements as to course of study and training as the board may prescribe,
 58.17 consistent with subdivision 4.

58.18 Subd. 2. **Persons holding general teaching licenses.** The board may license a
 58.19 person ~~holding~~ who holds a general teaching license and who presents the board with
 58.20 satisfactory evidence of competence and communicative skills in a language other than
 58.21 English may be licensed under this section.

58.22 ~~Subd. 3. **Employment of teachers.** Teachers employed in a bilingual education~~
 58.23 ~~or English as a second language program established pursuant to sections 124D.58 to~~
 58.24 ~~124D.64 shall not be employed to replace any presently employed teacher who otherwise~~
 58.25 ~~would not be replaced.~~

58.26 Subd. 4. **Teacher preparation programs.** For the purpose of licensing bilingual
 58.27 and English as a second language teachers, the board may approve programs at colleges
 58.28 or universities designed for their training. These programs must provide instruction in
 58.29 implementing research-based practices designed specifically for English learners. The
 58.30 programs must focus on developing English learners' academic language proficiency in
 58.31 English, including oral academic language, giving English learners meaningful access to
 58.32 the full school curriculum, developing culturally relevant teaching practices appropriate
 58.33 for immigrant students, and providing more intensive instruction and resources to English

59.1 learners with lower levels of academic English proficiency and varied needs, consistent
 59.2 with section 124D.59, subdivisions 2 and 2a.

59.3 Subd. 5. **Persons eligible for employment.** Any person licensed under this section
 59.4 ~~shall be~~ is eligible for employment by a school board as a teacher in a bilingual education
 59.5 or English as a second language program in which the language for which the person is
 59.6 licensed is taught or used as a medium of instruction. A board may prescribe only those
 59.7 additional qualifications for teachers licensed under this section as that are approved
 59.8 by the board of teaching.

59.9 Subd. 6. **Affirmative efforts in hiring.** In hiring for all ~~positions in~~ bilingual
 59.10 education ~~programs~~ program positions, districts must give preference to and make
 59.11 affirmative efforts to seek, recruit, and employ persons who (1) are (a) native speakers of
 59.12 the language which is the medium of instruction in the bilingual education program or share
 59.13 a native language with the majority of their students, and (b)(2) ~~who~~ share the culture of the
 59.14 English learners ~~who are~~ enrolled in the program. The district shall provide procedures for
 59.15 ~~the involvement of~~ involving the parent advisory committees in designing the procedures
 59.16 for ~~the recruitment~~ recruiting, screening, and ~~selection of~~ selecting applicants. This section
 59.17 must not be construed to limit the school board's authority to hire and discharge personnel.

59.18 **EFFECTIVE DATE.** Subdivisions 1, 2, 5, and 6 are effective August 1, 2015.
 59.19 Subdivision 3 is effective the day following final enactment. Subdivision 4 is effective
 59.20 August 1, 2015, and applies to an individual entering a teacher preparation program after
 59.21 that date.

59.22 Sec. 16. Minnesota Statutes 2013 Supplement, section 122A.40, subdivision 8, is
 59.23 amended to read:

59.24 Subd. 8. **Development, evaluation, and peer coaching for continuing contract**
 59.25 **teachers.** (a) To improve student learning and success, a school board and an exclusive
 59.26 representative of the teachers in the district, consistent with paragraph (b), may develop
 59.27 a teacher evaluation and peer review process for probationary and continuing contract
 59.28 teachers through joint agreement. If a school board and the exclusive representative of the
 59.29 teachers do not agree to an annual teacher evaluation and peer review process, then the
 59.30 school board and the exclusive representative of the teachers must implement the plan
 59.31 for evaluation and review under paragraph (c). The process must include having trained
 59.32 observers serve as peer coaches or having teachers participate in professional learning
 59.33 communities, consistent with paragraph (b).

60.1 (b) To develop, improve, and support qualified teachers and effective teaching
60.2 practices and improve student learning and success, the annual evaluation process for
60.3 teachers:

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

60.6 (2) must establish a three-year professional review cycle for each teacher that
60.7 includes an individual growth and development plan, a peer review process, the
60.8 opportunity to participate in a professional learning community under paragraph (a), and
60.9 at least one summative evaluation performed by a qualified and trained evaluator such as a
60.10 school administrator. For the years when a tenured teacher is not evaluated by a qualified
60.11 and trained evaluator, the teacher must be evaluated by a peer review;

60.12 (3) must be based on professional teaching standards established in rule;

60.13 (4) must coordinate staff development activities under sections 122A.60 and
60.14 122A.61 with this evaluation process and teachers' evaluation outcomes;

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

60.17 (6) may include mentoring and induction programs;

60.18 (7) must include an option for teachers to develop and present a portfolio
60.19 demonstrating evidence of reflection and professional growth, consistent with section
60.20 122A.18, subdivision 4, paragraph (b), and include teachers' own performance assessment
60.21 based on student work samples and examples of teachers' work, which may include video
60.22 among other activities for the summative evaluation;

60.23 (8) must use data from valid and reliable assessments aligned to state and local
60.24 academic standards and must use state and local measures of student growth and literacy
60.25 that may include value-added models or student learning goals to determine 35 percent of
60.26 teacher evaluation results;

60.27 (9) must use longitudinal data on student engagement and connection, the academic
60.28 literacy, including oral academic language, and achievement of content areas of English
60.29 learners, and other student outcome measures explicitly aligned with the elements of
60.30 curriculum for which teachers are responsible;

60.31 (10) must require qualified and trained evaluators such as school administrators to
60.32 perform summative evaluations;

60.33 (11) must give teachers not meeting professional teaching standards under clauses
60.34 (3) through (10) support to improve through a teacher improvement process that includes
60.35 established goals and timelines; and

61.1 (12) must discipline a teacher for not making adequate progress in the teacher
61.2 improvement process under clause (11) that may include a last chance warning,
61.3 termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or
61.4 other discipline a school administrator determines is appropriate.

61.5 Data on individual teachers generated under this subdivision are personnel data
61.6 under section 13.43.

61.7 (c) The department, in consultation with parents who may represent parent
61.8 organizations and teacher and administrator representatives appointed by their respective
61.9 organizations, representing the Board of Teaching, the Minnesota Association of School
61.10 Administrators, the Minnesota School Boards Association, the Minnesota Elementary
61.11 and Secondary Principals Associations, Education Minnesota, and representatives of
61.12 the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota
61.13 Chamber of Commerce, and Minnesota postsecondary institutions with research expertise
61.14 in teacher evaluation, must create and publish a teacher evaluation process that complies
61.15 with the requirements in paragraph (b) and applies to all teachers under this section and
61.16 section 122A.41 for whom no agreement exists under paragraph (a) for an annual teacher
61.17 evaluation and peer review process. The teacher evaluation process created under this
61.18 subdivision does not create additional due process rights for probationary teachers under
61.19 subdivision 5.

61.20 Sec. 17. Minnesota Statutes 2013 Supplement, section 122A.41, subdivision 5, is
61.21 amended to read:

61.22 Subd. 5. **Development, evaluation, and peer coaching for continuing contract**
61.23 **teachers.** (a) To improve student learning and success, a school board and an exclusive
61.24 representative of the teachers in the district, consistent with paragraph (b), may develop an
61.25 annual teacher evaluation and peer review process for probationary and nonprobationary
61.26 teachers through joint agreement. If a school board and the exclusive representative of
61.27 the teachers in the district do not agree to an annual teacher evaluation and peer review
61.28 process, then the school board and the exclusive representative of the teachers must
61.29 implement the plan for evaluation and review developed under paragraph (c). The process
61.30 must include having trained observers serve as peer coaches or having teachers participate
61.31 in professional learning communities, consistent with paragraph (b).

61.32 (b) To develop, improve, and support qualified teachers and effective teaching
61.33 practices and improve student learning and success, the annual evaluation process for
61.34 teachers:

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

62.3 (2) must establish a three-year professional review cycle for each teacher that
62.4 includes an individual growth and development plan, a peer review process, the
62.5 opportunity to participate in a professional learning community under paragraph (a), and
62.6 at least one summative evaluation performed by a qualified and trained evaluator such
62.7 as a school administrator;

62.8 (3) must be based on professional teaching standards established in rule;

62.9 (4) must coordinate staff development activities under sections 122A.60 and
62.10 122A.61 with this evaluation process and teachers' evaluation outcomes;

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

62.13 (6) may include mentoring and induction programs;

62.14 (7) must include an option for teachers to develop and present a portfolio
62.15 demonstrating evidence of reflection and professional growth, consistent with section
62.16 122A.18, subdivision 4, paragraph (b), and include teachers' own performance assessment
62.17 based on student work samples and examples of teachers' work, which may include video
62.18 among other activities for the summative evaluation;

62.19 (8) must use data from valid and reliable assessments aligned to state and local
62.20 academic standards and must use state and local measures of student growth and literacy
62.21 that may include value-added models or student learning goals to determine 35 percent of
62.22 teacher evaluation results;

62.23 (9) must use longitudinal data on student engagement and connection, the academic
62.24 literacy, including oral academic language, and achievement of English learners, and
62.25 other student outcome measures explicitly aligned with the elements of curriculum for
62.26 which teachers are responsible;

62.27 (10) must require qualified and trained evaluators such as school administrators to
62.28 perform summative evaluations;

62.29 (11) must give teachers not meeting professional teaching standards under clauses
62.30 (3) through (10) support to improve through a teacher improvement process that includes
62.31 established goals and timelines; and

62.32 (12) must discipline a teacher for not making adequate progress in the teacher
62.33 improvement process under clause (11) that may include a last chance warning,
62.34 termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or
62.35 other discipline a school administrator determines is appropriate.

63.1 Data on individual teachers generated under this subdivision are personnel data
63.2 under section 13.43.

63.3 (c) The department, in consultation with parents who may represent parent
63.4 organizations and teacher and administrator representatives appointed by their respective
63.5 organizations, representing the Board of Teaching, the Minnesota Association of School
63.6 Administrators, the Minnesota School Boards Association, the Minnesota Elementary
63.7 and Secondary Principals Associations, Education Minnesota, and representatives of
63.8 the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota
63.9 Chamber of Commerce, and Minnesota postsecondary institutions with research expertise
63.10 in teacher evaluation, must create and publish a teacher evaluation process that complies
63.11 with the requirements in paragraph (b) and applies to all teachers under this section and
63.12 section 122A.40 for whom no agreement exists under paragraph (a) for an annual teacher
63.13 evaluation and peer review process. The teacher evaluation process created under this
63.14 subdivision does not create additional due process rights for probationary teachers under
63.15 subdivision 2.

63.16 Sec. 18. Minnesota Statutes 2012, section 122A.413, subdivision 2, is amended to read:

63.17 Subd. 2. **Plan components.** The educational improvement plan must be approved
63.18 by the school board and have at least these elements:

63.19 (1) assessment and evaluation tools to measure student performance and progress,
63.20 including the academic literacy, oral academic language, and achievement of English
63.21 learners, among other measures;

63.22 (2) performance goals and benchmarks for improvement;

63.23 (3) measures of student attendance and completion rates;

63.24 (4) a rigorous research and practice-based professional development system, based
63.25 on national and state standards of effective teaching practice applicable to all students
63.26 including English learners with varied needs under section 124D.59, subdivisions 2 and
63.27 2a, and consistent with section 122A.60, that is aligned with educational improvement and
63.28 designed to achieve ongoing and schoolwide progress and growth in teaching practice;

63.29 (5) measures of student, family, and community involvement and satisfaction;

63.30 (6) a data system about students and their academic progress that provides parents
63.31 and the public with understandable information;

63.32 (7) a teacher induction and mentoring program for probationary teachers that
63.33 provides continuous learning and sustained teacher support; and

63.34 (8) substantial participation by the exclusive representative of the teachers in
63.35 developing the plan.

64.1 **EFFECTIVE DATE.** This section is effective August 1, 2014, and applies to plans
64.2 approved after that date.

64.3 Sec. 19. Minnesota Statutes 2012, section 122A.414, subdivision 2, is amended to read:

64.4 Subd. 2. **Alternative teacher professional pay system.** (a) To participate in this
64.5 program, a school district, intermediate school district, school site, or charter school must
64.6 have an educational improvement plan under section 122A.413 and an alternative teacher
64.7 professional pay system agreement under paragraph (b). A charter school participant also
64.8 must comply with subdivision 2a.

64.9 (b) The alternative teacher professional pay system agreement must:

64.10 (1) describe how teachers can achieve career advancement and additional
64.11 compensation;

64.12 (2) describe how the school district, intermediate school district, school site, or
64.13 charter school will provide teachers with career advancement options that allow teachers
64.14 to retain primary roles in student instruction and facilitate site-focused professional
64.15 development that helps other teachers improve their skills;

64.16 (3) reform the "steps and lanes" salary schedule, prevent any teacher's compensation
64.17 paid before implementing the pay system from being reduced as a result of participating
64.18 in this system, and base at least 60 percent of any compensation increase on teacher
64.19 performance using:

64.20 (i) schoolwide student achievement gains under section 120B.35 or locally selected
64.21 standardized assessment outcomes, or both;

64.22 (ii) measures of student achievement, including the academic literacy, oral academic
64.23 language, and achievement of English learners, among other measures; and

64.24 (iii) an objective evaluation program that includes:

64.25 (A) individual teacher evaluations aligned with the educational improvement plan
64.26 under section 122A.413 and the staff development plan under section 122A.60; and

64.27 (B) objective evaluations using multiple criteria conducted by a locally selected and
64.28 periodically trained evaluation team that understands teaching and learning;

64.29 (4) provide integrated ongoing site-based professional development activities to
64.30 improve instructional skills and learning that are aligned with student needs under section
64.31 122A.413, consistent with the staff development plan under section 122A.60 and led
64.32 during the school day by trained teacher leaders such as master or mentor teachers;

64.33 (5) allow any teacher in a participating school district, intermediate school district,
64.34 school site, or charter school that implements an alternative pay system to participate in
64.35 that system without any quota or other limit; and

65.1 (6) encourage collaboration rather than competition among teachers.

65.2 **EFFECTIVE DATE.** This section is effective August 1, 2014, and applies to
65.3 agreements approved after that date.

65.4 Sec. 20. Minnesota Statutes 2012, section 122A.60, subdivision 1a, is amended to read:

65.5 Subd. 1a. **Effective staff development activities.** (a) Staff development activities
65.6 must:

65.7 (1) focus on the school classroom and research-based strategies that improve student
65.8 learning;

65.9 (2) provide opportunities for teachers to practice and improve their instructional
65.10 skills over time;

65.11 (3) provide opportunities for teachers to use student data as part of their daily work
65.12 to increase student achievement;

65.13 (4) enhance teacher content knowledge and instructional skills, including to
65.14 accommodate the delivery of digital and blended learning and curriculum and engage
65.15 students with technology;

65.16 (5) align with state and local academic standards;

65.17 (6) provide opportunities to build professional relationships, foster collaboration
65.18 among principals and staff who provide instruction, and provide opportunities for
65.19 teacher-to-teacher mentoring; ~~and~~

65.20 (7) align with the plan of the district or site for an alternative teacher professional
65.21 pay system; and

65.22 (8) provide teachers of English learners, including English as a second language and
65.23 content teachers, with differentiated instructional strategies critical for ensuring students'
65.24 long-term academic success; the means to effectively use assessment data on the academic
65.25 literacy, oral academic language, and English language development of English learners;
65.26 and skills to support native and English language development across the curriculum.

65.27 Staff development activities may include curriculum development and curriculum training
65.28 programs, and activities that provide teachers and other members of site-based teams
65.29 training to enhance team performance. The school district also may implement other
65.30 staff development activities required by law and activities associated with professional
65.31 teacher compensation models.

65.32 (b) Release time provided for teachers to supervise students on field trips and school
65.33 activities, or independent tasks not associated with enhancing the teacher's knowledge
65.34 and instructional skills, such as preparing report cards, calculating grades, or organizing

66.1 classroom materials, may not be counted as staff development time that is financed with
66.2 staff development reserved revenue under section 122A.61.

66.3 Sec. 21. Minnesota Statutes 2012, section 122A.60, subdivision 2, is amended to read:

66.4 Subd. 2. **Contents of plan.** The plan must include the staff development outcomes
66.5 under subdivision 3, the means to achieve the outcomes, and procedures for evaluating
66.6 progress at each school site toward meeting education outcomes, consistent with
66.7 relicensure requirements under section 122A.18, subdivision 4. The plan also must:

66.8 (1) support stable and productive professional communities achieved through
66.9 ongoing and schoolwide progress and growth in teaching practice;

66.10 (2) emphasize coaching, professional learning communities, classroom action
66.11 research, and other job-embedded models;

66.12 (3) maintain a strong subject matter focus premised on students' learning goals;

66.13 (4) ensure specialized preparation and learning about issues related to teaching

66.14 English learners and students with special needs by focusing on long-term systemic efforts
66.15 to improve educational services and opportunities and raise student achievement; and

66.16 (5) reinforce national and state standards of effective teaching practice.

66.17 Sec. 22. Minnesota Statutes 2012, section 122A.60, subdivision 3, is amended to read:

66.18 Subd. 3. **Staff development outcomes.** The advisory staff development committee
66.19 must adopt a staff development plan for improving student achievement. The plan must
66.20 be consistent with education outcomes that the school board determines. The plan
66.21 must include ongoing staff development activities that contribute toward continuous
66.22 improvement in achievement of the following goals:

66.23 (1) improve student achievement of state and local education standards in all areas
66.24 of the curriculum by using research-based best practices methods;

66.25 (2) effectively meet the needs of a diverse student population, including at-risk
66.26 children, children with disabilities, English learners, and gifted children, within the
66.27 regular classroom and other settings;

66.28 (3) provide an inclusive curriculum for a racially, ethnically, linguistically, and
66.29 culturally diverse student population that is consistent with the state education diversity
66.30 rule and the district's education diversity plan;

66.31 (4) improve staff collaboration and develop mentoring and peer coaching programs
66.32 for teachers new to the school or district;

67.1 (5) effectively teach and model violence prevention policy and curriculum that
 67.2 address early intervention alternatives, issues of harassment, and teach nonviolent
 67.3 alternatives for conflict resolution;

67.4 (6) effectively deliver digital and blended learning and curriculum and engage
 67.5 students with technology; and

67.6 (7) provide teachers and other members of site-based management teams with
 67.7 appropriate management and financial management skills.

67.8 Sec. 23. Minnesota Statutes 2012, section 122A.68, subdivision 3, is amended to read:

67.9 Subd. 3. **Program components.** In order to be approved by the Board of Teaching,
 67.10 a school district's residency program must at minimum include:

67.11 (1) training to prepare teachers to serve as mentors to teaching residents;

67.12 (2) a team mentorship approach to expose teaching residents to a variety of
 67.13 teaching methods, philosophies, and classroom environments that includes differentiated
 67.14 instructional strategies, effective use of student achievement data, and support for native
 67.15 and English language development across the curriculum and grade levels, among other
 67.16 things;

67.17 (3) ongoing peer coaching and assessment;

67.18 (4) assistance to the teaching resident in preparing an individual professional
 67.19 development plan that includes goals, activities, and assessment methodologies; and

67.20 (5) collaboration with one or more teacher education institutions, career teachers,
 67.21 and other community experts to provide local or regional professional development
 67.22 seminars or other structured learning experiences for teaching residents.

67.23 A teaching resident's direct classroom supervision responsibilities shall not exceed
 67.24 80 percent of the instructional time required of a full-time equivalent teacher in the
 67.25 district. During the time a resident does not supervise a class, the resident shall participate
 67.26 in professional development activities according to the individual plan developed by the
 67.27 resident in conjunction with the school's mentoring team. Examples of development
 67.28 activities include observing other teachers, sharing experiences with other teaching
 67.29 residents, and professional meetings and workshops.

67.30 Sec. 24. Minnesota Statutes 2012, section 122A.74, is amended to read:

67.31 **122A.74 PRINCIPALS' LEADERSHIP INSTITUTE.**

67.32 Subdivision 1. **Establishment.** (a) The commissioner of education may contract
 67.33 with the regents of the University of Minnesota to establish a Principals' Leadership
 67.34 Institute to provide professional development to school principals by:

68.1 (1) creating a network of leaders in the educational and business communities to
68.2 communicate current and future trends in leadership techniques;

68.3 (2) helping to create a vision for the school that is aligned with the community
68.4 and district priorities; ~~and~~

68.5 (3) developing strategies to retain highly qualified teachers and ensure that diverse
68.6 student populations, including at-risk students, children with disabilities, English learners,
68.7 and gifted students, among others, have equal access to these highly qualified teachers; and

68.8 (4) providing training to analyze data using culturally competent tools.

68.9 (b) The University of Minnesota must cooperate with participating members of the
68.10 business community to provide funding and content for the institute.

68.11 (c) Participants must agree to attend the Principals' Leadership Institute for four
68.12 weeks during the academic summer.

68.13 (d) The Principals' Leadership Institute must incorporate program elements offered
68.14 by leadership programs at the University of Minnesota and program elements used by
68.15 the participating members of the business community to enhance leadership within their
68.16 businesses.

68.17 Subd. 2. **Method of selection and requirements.** (a) The board of each school
68.18 district in the state may select a principal, upon the recommendation of the district's
68.19 superintendent and based on the principal's leadership potential, to attend the institute.

68.20 (b) The school board annually shall forward its list of recommended participants to
68.21 the commissioner ~~of education~~ by February 1 ~~each year~~. In addition, a principal may submit
68.22 an application directly to the commissioner by February 1. The commissioner ~~of education~~
68.23 shall notify the school board, the principal candidates, and the University of Minnesota of
68.24 the principals selected to participate in the Principals' Leadership Institute each year.

68.25 Sec. 25. Minnesota Statutes 2012, section 123A.06, subdivision 2, is amended to read:

68.26 Subd. 2. **People to be served.** A state-approved alternative program shall provide
68.27 programs for secondary pupils and adults. A center may also provide programs and
68.28 services for elementary and secondary pupils who are not attending the state-approved
68.29 alternative program to assist them in being successful in school. A center shall use
68.30 research-based best practices for serving English learners and their parents, taking into
68.31 account the variations in students' backgrounds and needs and the amount of time and the
68.32 staff resources necessary for students to overcome gaps in their education and to develop
68.33 English proficiency and work-related skills. An individualized education program team
68.34 may identify a state-approved alternative program as an appropriate placement to the
68.35 extent a state-approved alternative program can provide the student with the appropriate

69.1 special education services described in the student's plan. Pupils eligible to be served are
69.2 those who qualify under the graduation incentives program in section 124D.68, subdivision
69.3 2, those enrolled under section 124D.02, subdivision 2, or those pupils who are eligible to
69.4 receive special education services under sections 125A.03 to 125A.24, and 125A.65.

69.5 Sec. 26. Minnesota Statutes 2012, section 123B.04, subdivision 4, is amended to read:

69.6 Subd. 4. **Achievement contract.** A school board may enter a written education site
69.7 achievement contract with each site decision-making team for: (1) setting individualized
69.8 learning and achievement measures and short- and long-term educational goals for each
69.9 student at that site that may include site-based strategies for English language instruction
69.10 targeting the teachers of English learners and all teachers and school administrators;
69.11 (2) recognizing each student's educational needs and aptitudes and levels of academic
69.12 attainment, whether on grade level or above or below grade level, so as to improve student
69.13 performance through such means as a cost-effective, research-based formative assessment
69.14 system designed to promote individualized learning and assessment; (3) using student
69.15 performance data to diagnose a student's academic strengths and weaknesses and indicate
69.16 to the student's teachers the specific skills and concepts that need to be introduced to
69.17 the student and developed through academic instruction or applied learning, organized
69.18 by strands within subject areas and linked to state and local academic standards during
69.19 the next year, consistent with the student's short- and long-term educational goals; and
69.20 (4) assisting the education site if progress in achieving student or contract goals or other
69.21 performance expectations or measures agreed to by the board and the site decision-making
69.22 team are not realized or implemented.

69.23 Sec. 27. Minnesota Statutes 2012, section 123B.147, subdivision 3, is amended to read:

69.24 Subd. 3. **Duties; evaluation.** (a) The principal shall provide administrative,
69.25 supervisory, and instructional leadership services, under the supervision of the
69.26 superintendent of schools of the district and according to the policies, rules, and
69.27 regulations of the school board, for the planning, management, operation, and evaluation
69.28 of the education program of the building or buildings to which the principal is assigned.

69.29 (b) To enhance a principal's leadership skills and support and improve teaching
69.30 practices, school performance, and student achievement for diverse student populations,
69.31 including at-risk students, children with disabilities, English learners, and gifted students,
69.32 among others, a district must develop and implement a performance-based system for
69.33 annually evaluating school principals assigned to supervise a school building within the
69.34 district. The evaluation must be designed to improve teaching and learning by supporting

70.1 the principal in shaping the school's professional environment and developing teacher
70.2 quality, performance, and effectiveness. The annual evaluation must:

70.3 (1) support and improve a principal's instructional leadership, organizational
70.4 management, and professional development, and strengthen the principal's capacity in the
70.5 areas of instruction, supervision, evaluation, and teacher development;

70.6 (2) include formative and summative evaluations based on multiple measures of
70.7 student progress toward career and college readiness;

70.8 (3) be consistent with a principal's job description, a district's long-term plans and
70.9 goals, and the principal's own professional multiyear growth plans and goals, all of which
70.10 must support the principal's leadership behaviors and practices, rigorous curriculum,
70.11 school performance, and high-quality instruction;

70.12 (4) include on-the-job observations and previous evaluations;

70.13 (5) allow surveys to help identify a principal's effectiveness, leadership skills and
70.14 processes, and strengths and weaknesses in exercising leadership in pursuit of school
70.15 success;

70.16 (6) use longitudinal data on student academic growth as 35 percent of the evaluation
70.17 and incorporate district achievement goals and targets;

70.18 (7) be linked to professional development that emphasizes improved teaching and
70.19 learning, curriculum and instruction, student learning, and a collaborative professional
70.20 culture; and

70.21 (8) for principals not meeting standards of professional practice or other criteria
70.22 under this subdivision, implement a plan to improve the principal's performance and
70.23 specify the procedure and consequence if the principal's performance is not improved.

70.24 The provisions of this paragraph are intended to provide districts with sufficient
70.25 flexibility to accommodate district needs and goals related to developing, supporting,
70.26 and evaluating principals.

70.27 Sec. 28. Minnesota Statutes 2012, section 124D.13, subdivision 2, is amended to read:

70.28 Subd. 2. **Program requirements.** (a) Early childhood family education programs
70.29 are programs for children in the period of life from birth to kindergarten, for the parents
70.30 and other relatives of these children, and for expectant parents. To the extent that funds
70.31 are insufficient to provide programs for all children, early childhood family education
70.32 programs should emphasize programming for a child from birth to age three and
70.33 encourage parents and other relatives to involve four- and five-year-old children in school
70.34 readiness programs, and other public and nonpublic early learning programs. A district

71.1 may not limit participation to school district residents. Early childhood family education
71.2 programs must provide:

71.3 (1) programs to educate parents and other relatives about the physical, mental, and
71.4 emotional development of children and to enhance the skills of parents and other relatives
71.5 in providing for their children's learning and development;

71.6 (2) structured learning activities requiring interaction between children and their
71.7 parents or relatives;

71.8 (3) structured learning activities for children that promote children's development
71.9 and positive interaction with peers, which are held while parents or relatives attend parent
71.10 education classes;

71.11 (4) information on related community resources;

71.12 (5) information, materials, and activities that support the safety of children, including
71.13 prevention of child abuse and neglect; and

71.14 (6) a community outreach plan to ensure participation by families who reflect the
71.15 racial, cultural, linguistic, and economic diversity of the school district.

71.16 Early childhood family education programs are encouraged to provide parents of
71.17 English learners with translated oral and written information to monitor the program's
71.18 impact on their children's English language development, to know whether their children
71.19 are progressing in developing their English and native language proficiency, and to
71.20 actively engage with and support their children in developing their English and native
71.21 language proficiency.

71.22 The programs must include learning experiences for children, parents, and other
71.23 relatives that promote children's early literacy and, where practicable, their native
71.24 language skills. ~~The program must not include and~~ activities for children that ~~do not~~
71.25 require substantial involvement of the children's parents or other relatives. Providers must
71.26 review the program ~~must be reviewed~~ periodically to assure the instruction and materials
71.27 are not racially, culturally, or sexually biased. The programs must encourage parents to be
71.28 aware of practices that may affect equitable development of children.

71.29 (b) For the purposes of this section, "relative" or "relatives" means noncustodial
71.30 grandparents or other persons related to a child by blood, marriage, adoption, or foster
71.31 placement, excluding parents.

71.32 Sec. 29. Minnesota Statutes 2012, section 124D.15, subdivision 3, is amended to read:

71.33 Subd. 3. **Program requirements.** A school readiness program provider must:

71.34 (1) assess each child's cognitive and language skills with a comprehensive child
71.35 assessment instrument when the child enters and again before the child leaves the program

72.1 to ~~inform~~ improve program planning and implementation, communicate with parents, and
 72.2 promote kindergarten readiness;

72.3 (2) provide comprehensive program content and intentional instructional practice
 72.4 aligned with the state early childhood learning guidelines and kindergarten standards and
 72.5 based on early childhood research and professional practice that is focused on children's
 72.6 cognitive, social, emotional, and physical skills and development and prepares children
 72.7 for the transition to kindergarten, including early literacy and language skills;

72.8 (3) coordinate appropriate kindergarten transition with parents and kindergarten
 72.9 teachers;

72.10 (4) involve parents in program planning and decision making;

72.11 (5) coordinate with relevant community-based services;

72.12 (6) cooperate with adult basic education programs and other adult literacy programs;

72.13 (7) ensure staff-child ratios of one-to-ten and maximum group size of 20 children
 72.14 with the first staff required to be a teacher; and

72.15 (8) have teachers knowledgeable in early childhood curriculum content, assessment,
 72.16 native and English language development programs, and instruction.

72.17 Sec. 30. Minnesota Statutes 2012, section 124D.49, subdivision 3, is amended to read:

72.18 Subd. 3. **Local education and employment transitions systems.** A local education
 72.19 and employment transitions partnership must assess the needs of employers, employees,
 72.20 and learners, and develop a plan for implementing and achieving the objectives of a local
 72.21 or regional education and employment transitions system. The plan must provide for a
 72.22 comprehensive local system for assisting learners and workers in making the transition
 72.23 from school to work or for retraining in a new vocational area. The objectives of a local
 72.24 education and employment transitions system include:

72.25 (1) increasing the effectiveness of the educational programs and curriculum of
 72.26 elementary, secondary, and postsecondary schools and the work site in preparing students
 72.27 in the skills and knowledge needed to be successful in the workplace;

72.28 (2) implementing learner outcomes for students in grades kindergarten through 12
 72.29 designed to introduce the world of work and to explore career opportunities, including
 72.30 nontraditional career opportunities;

72.31 (3) eliminating barriers to providing effective integrated applied learning,
 72.32 service-learning, or work-based curriculum;

72.33 (4) increasing opportunities to apply academic knowledge and skills, including
 72.34 skills needed in the workplace, in local settings which include the school, school-based
 72.35 enterprises, postsecondary institutions, the workplace, and the community;

- 73.1 (5) increasing applied instruction in the attitudes and skills essential for success in
73.2 the workplace, including cooperative working, leadership, problem-solving, English
73.3 language proficiency, and respect for diversity;
- 73.4 (6) providing staff training for vocational guidance counselors, teachers, and other
73.5 appropriate staff in the importance of preparing learners for the transition to work, and in
73.6 methods of providing instruction that incorporate applied learning, work-based learning,
73.7 English language proficiency, and service-learning experiences;
- 73.8 (7) identifying and enlisting local and regional employers who can effectively
73.9 provide work-based or service-learning opportunities, including, but not limited to,
73.10 apprenticeships, internships, and mentorships;
- 73.11 (8) recruiting community and workplace mentors including peers, parents, employers
73.12 and employed individuals from the community, and employers of high school students;
- 73.13 (9) identifying current and emerging educational, training, native and English
73.14 language development, and employment needs of the area or region, especially within
73.15 industries with potential for job growth;
- 73.16 (10) improving the coordination and effectiveness of local vocational and job training
73.17 programs, including vocational education, adult basic education, tech prep, apprenticeship,
73.18 service-learning, youth entrepreneur, youth training and employment programs
73.19 administered by the commissioner of employment and economic development, and local
73.20 job training programs under the Workforce Investment Act of 1998, Public Law 105-220;
- 73.21 (11) identifying and applying for federal, state, local, and private sources of funding
73.22 for vocational or applied learning programs;
- 73.23 (12) providing students with current information and counseling about career
73.24 opportunities, potential employment, educational opportunities in postsecondary
73.25 institutions, workplaces, and the community, and the skills and knowledge necessary to
73.26 succeed;
- 73.27 (13) providing educational technology, including interactive television networks
73.28 and other distance learning methods, to ensure access to a broad variety of work-based
73.29 learning opportunities;
- 73.30 (14) including students with disabilities in a district's vocational or applied learning
73.31 program and ways to serve at-risk learners through collaboration with area learning
73.32 centers under sections 123A.05 to 123A.09, or other alternative programs; and
- 73.33 (15) providing a warranty to employers, postsecondary education programs, and
73.34 other postsecondary training programs, that learners successfully completing a high school
73.35 work-based or applied learning program will be able to apply the knowledge and work
73.36 skills included in the program outcomes or graduation requirements. The warranty shall

74.1 require education and training programs to continue to work with those learners that need
 74.2 additional skill or English language development until they can demonstrate achievement
 74.3 of the program outcomes or graduation requirements.

74.4 Sec. 31. Minnesota Statutes 2012, section 124D.52, as amended by Laws 2013, chapter
 74.5 116, article 2, section 7, is amended to read:

74.6 **124D.52 ADULT BASIC EDUCATION.**

74.7 Subdivision 1. **Program requirements.** (a) An adult basic education program is a
 74.8 day or evening program offered by a district that is for people over 16 years of age who do
 74.9 not attend an elementary or secondary school. The program offers academic and English
 74.10 language instruction necessary to earn a high school diploma or equivalency certificate.

74.11 (b) Notwithstanding any law to the contrary, a school board or the governing body of
 74.12 a consortium offering an adult basic education program may adopt a sliding fee schedule
 74.13 based on a family's income, but must waive the fee for participants who are under the age
 74.14 of 21 or unable to pay. The fees charged must be designed to enable individuals of all
 74.15 socioeconomic levels to participate in the program. A program may charge a security
 74.16 deposit to assure return of materials, supplies, and equipment.

74.17 (c) Each approved adult basic education program must develop a memorandum of
 74.18 understanding with the local workforce development centers located in the approved
 74.19 program's service delivery area. The memorandum of understanding must describe how
 74.20 the adult basic education program and the workforce development centers will cooperate
 74.21 and coordinate services to provide unduplicated, efficient, and effective services to clients.

74.22 (d) Adult basic education aid must be spent for adult basic education purposes as
 74.23 specified in sections 124D.518 to 124D.531.

74.24 (e) A state-approved adult basic education program must count and submit student
 74.25 contact hours for a program that offers high school credit toward an adult high school
 74.26 diploma according to student eligibility requirements and measures of student progress
 74.27 toward work-based competency demonstration requirements and, where appropriate,
 74.28 English language proficiency requirements established by the commissioner and posted on
 74.29 the department Web site in a readily accessible location and format.

74.30 Subd. 2. **Program approval.** (a) To receive aid under this section, a district, a
 74.31 consortium of districts, the Department of Corrections, or a private nonprofit organization
 74.32 must submit an application by June 1 describing the program, on a form provided by
 74.33 the department. The program must be approved by the commissioner according to the
 74.34 following criteria:

- 75.1 (1) how the needs of different levels of learning and English language proficiency
 75.2 will be met;
- 75.3 (2) for continuing programs, an evaluation of results;
- 75.4 (3) anticipated number and education level of participants;
- 75.5 (4) coordination with other resources and services;
- 75.6 (5) participation in a consortium, if any, and money available from other participants;
- 75.7 (6) management and program design;
- 75.8 (7) volunteer training and use of volunteers;
- 75.9 (8) staff development services;
- 75.10 (9) program sites and schedules;
- 75.11 (10) program expenditures that qualify for aid;
- 75.12 (11) program ability to provide data related to learner outcomes as required by
 75.13 law; and
- 75.14 (12) a copy of the memorandum of understanding described in subdivision 1
 75.15 submitted to the commissioner.
- 75.16 (b) Adult basic education programs may be approved under this subdivision for
 75.17 up to five years. Five-year program approval must be granted to an applicant who has
 75.18 demonstrated the capacity to:
- 75.19 (1) offer comprehensive learning opportunities and support service choices
 75.20 appropriate for and accessible to adults at all basic skill ~~need~~ and English language levels
 75.21 of need;
- 75.22 (2) provide a participatory and experiential learning approach based on the strengths,
 75.23 interests, and needs of each adult, that enables adults with basic skill needs to:
- 75.24 (i) identify, plan for, and evaluate their own progress toward achieving their defined
 75.25 educational and occupational goals;
- 75.26 (ii) master the basic academic reading, writing, and computational skills, as well
 75.27 as the problem-solving, decision making, interpersonal effectiveness, and other life and
 75.28 learning skills they need to function effectively in a changing society;
- 75.29 (iii) locate and be able to use the health, governmental, and social services and
 75.30 resources they need to improve their own and their families' lives; and
- 75.31 (iv) continue their education, if they desire, to at least the level of secondary school
 75.32 completion, with the ability to secure and benefit from continuing education that will
 75.33 enable them to become more employable, productive, and responsible citizens;
- 75.34 (3) plan, coordinate, and develop cooperative agreements with community resources
 75.35 to address the needs that the adults have for support services, such as transportation, English
 75.36 language learning, flexible course scheduling, convenient class locations, and child care;

76.1 (4) collaborate with business, industry, labor unions, and employment-training
76.2 agencies, as well as with family and occupational education providers, to arrange for
76.3 resources and services through which adults can attain economic self-sufficiency;

76.4 (5) provide sensitive and well trained adult education personnel who participate in
76.5 local, regional, and statewide adult basic education staff development events to master
76.6 effective adult learning and teaching techniques;

76.7 (6) participate in regional adult basic education peer program reviews and evaluations;

76.8 (7) submit accurate and timely performance and fiscal reports;

76.9 (8) submit accurate and timely reports related to program outcomes and learner
76.10 follow-up information; and

76.11 (9) spend adult basic education aid on adult basic education purposes only, which
76.12 are specified in sections 124D.518 to 124D.531.

76.13 (c) The commissioner shall require each district to provide notification by February
76.14 1, 2001, of its intent to apply for funds under this section as a single district or as part of
76.15 an identified consortium of districts. A district receiving funds under this section must
76.16 notify the commissioner by February 1 of its intent to change its application status for
76.17 applications due the following June 1.

76.18 Subd. 3. **Accounts; revenue; aid.** (a) Each district, group of districts, or private
76.19 nonprofit organization providing adult basic education programs must establish and
76.20 maintain a reserve account within the community service fund for ~~the receipt~~ receiving
76.21 ~~and disbursement of~~ disbursing all funds related to these programs. All revenue received
76.22 ~~pursuant to~~ under this section must be ~~utilized~~ used solely for the purposes of adult basic
76.23 education programs. State aid must not equal more than 100 percent of the unreimbursed
76.24 expenses of providing these programs, excluding in-kind costs.

76.25 (b) For purposes of paragraph (a), an adult basic education program may include as
76.26 valid expenditures for the previous fiscal year program spending that occurs from July
76.27 1 to September 30 of the following year. A program may carry over a maximum of 20
76.28 percent of its adult basic education aid revenue into the next fiscal year. Program spending
76.29 may only be counted for one fiscal year.

76.30 (c) Notwithstanding section 123A.26 or any other law to the contrary, an adult basic
76.31 education consortium providing an approved adult basic education program may be its own
76.32 fiscal agent and is eligible to receive state-aid payments directly from the commissioner.

76.33 Subd. 4. **English as a second language programs.** Persons may teach English
76.34 as a second language classes ~~conducted~~ at a worksite, if they meet the requirements
76.35 of section 122A.19, subdivision 1, clause (a), regardless of whether they are licensed
76.36 teachers. Persons teaching English as a second language for an approved adult basic

77.1 education program must possess a bachelor's or master's degree in English as a second
 77.2 language, applied linguistics, or bilingual education, or a related degree as approved by
 77.3 the commissioner.

77.4 Subd. 5. **Basic service level.** A district, or a consortium of districts, with a program
 77.5 approved by the commissioner under subdivision 2 must establish, in consultation with the
 77.6 commissioner, a basic level of service for every adult basic education site in the district
 77.7 or consortium. The basic service level must describe minimum levels of academic and
 77.8 English language instruction and support services to be provided at each site. The program
 77.9 must set a basic service level that promotes effective learning and student achievement
 77.10 with measurable results. Each district or consortium of districts must submit its basic
 77.11 service level to the commissioner for approval.

77.12 Subd. 6. **Cooperative English as a second language and adult basic education**
 77.13 **programs.** (a) A school district, or adult basic education consortium that receives revenue
 77.14 under section 124D.531, may deliver English as a second language, citizenship, or other
 77.15 adult education programming in collaboration with community-based and nonprofit
 77.16 organizations located within its district or region, and with correctional institutions. The
 77.17 organization or correctional institution must have the demonstrated capacity to offer
 77.18 education programs for adults. Community-based or nonprofit organizations must meet
 77.19 the criteria in paragraph (b), or have prior experience. A community-based or nonprofit
 77.20 organization or a correctional institution may be reimbursed for unreimbursed expenses
 77.21 as defined in section 124D.518, subdivision 5, for ~~the administration of~~ administering
 77.22 English as a second language or adult basic education programs, not to exceed eight
 77.23 percent of the total funds provided by a school district or adult basic education consortium.
 77.24 The administrative reimbursement for a school district or adult basic education consortium
 77.25 that delivers services cooperatively with a community-based or nonprofit organization
 77.26 or correctional institution is limited to five percent of the program aid, not to exceed the
 77.27 unreimbursed expenses of administering programs delivered by community-based or
 77.28 nonprofit organizations or correctional institutions.

77.29 (b) A community-based organization or nonprofit organization that delivers education
 77.30 services under this section must demonstrate that it has met the following criteria:

77.31 (1) be legally established as a nonprofit organization;

77.32 (2) have an established system for fiscal accounting and reporting that is consistent
 77.33 with the ~~Department of Education's~~ department's adult basic education completion report
 77.34 and reporting requirements under section 124D.531;

77.35 (3) require all instructional staff to complete a training course in teaching adult
 77.36 learners; and

78.1 (4) develop a learning plan for each student that identifies defined educational and
78.2 occupational goals with measures to evaluate progress.

78.3 Subd. 7. **Performance tracking system.** (a) By July 1, 2000, each approved adult
78.4 basic education program must develop and implement a performance tracking system to
78.5 provide information necessary to comply with federal law and serve as one means of
78.6 assessing the effectiveness of adult basic education programs. For required reporting,
78.7 longitudinal studies, and program improvement, the tracking system must be designed to
78.8 collect data on the following core outcomes for learners, including English learners, who
78.9 have completed participating in the adult basic education program:

78.10 (1) demonstrated improvements in literacy skill levels in reading, writing, speaking
78.11 the English language, numeracy, problem solving, English language acquisition, and
78.12 other literacy skills;

78.13 (2) placement in, retention in, or completion of postsecondary education, training,
78.14 unsubsidized employment, or career advancement;

78.15 (3) receipt of a secondary school diploma or its recognized equivalent; and

78.16 (4) reduction in participation in the diversionary work program, Minnesota family
78.17 investment program, and food support education and training program.

78.18 (b) A district, group of districts, state agency, or private nonprofit organization
78.19 providing an adult basic education program may meet this requirement by developing a
78.20 tracking system based on either or both of the following methodologies:

78.21 (1) conducting a reliable follow-up survey; or

78.22 (2) submitting student information, including Social Security numbers for data
78.23 matching.

78.24 Data related to obtaining employment must be collected in the first quarter following
78.25 program completion or can be collected while the student is enrolled, if known. Data
78.26 related to employment retention must be collected in the third quarter following program
78.27 exit. Data related to any other specified outcome may be collected at any time during a
78.28 program year.

78.29 (c) When a student in a program is requested to provide the student's Social Security
78.30 number, the student must be notified in a written form easily understandable to the student
78.31 that:

78.32 (1) providing the Social Security number is optional and no adverse action may be
78.33 taken against the student if the student chooses not to provide the Social Security number;

78.34 (2) the request is made under section 124D.52, subdivision 7;

78.35 (3) if the student provides the Social Security number, it will be used to assess the
78.36 effectiveness of the program by tracking the student's subsequent career; and

79.1 (4) the Social Security number will be shared with the Department of Education;
79.2 Minnesota State Colleges and Universities; Office of Higher Education; Department of
79.3 Human Services; and Department of Employment and Economic Development in order
79.4 to accomplish the purposes described in paragraph (a) and will not be used for any other
79.5 purpose or reported to any other governmental entities.

79.6 (d) Annually a district, group of districts, state agency, or private nonprofit
79.7 organization providing programs under this section must forward the tracking data
79.8 collected to the Department of Education. For the purposes of longitudinal studies on the
79.9 employment status of former students under this section, the Department of Education
79.10 must forward the Social Security numbers to the Department of Employment and
79.11 Economic Development to electronically match the Social Security numbers of former
79.12 students with wage detail reports filed under section 268.044. The results of data matches
79.13 must, for purposes of this section and consistent with the requirements of the United
79.14 States Code, title 29, section 2871, of the Workforce Investment Act of 1998, be compiled
79.15 in a longitudinal form by the Department of Employment and Economic Development
79.16 and released to the Department of Education in the form of summary data that does not
79.17 identify the individual students. The Department of Education may release this summary
79.18 data. State funding for adult basic education programs must not be based on the number or
79.19 percentage of students who decline to provide their Social Security numbers or on whether
79.20 the program is evaluated by means of a follow-up survey instead of data matching.

79.21 Subd. 8. **Standard high school diploma for adults.** (a) The commissioner shall
79.22 adopt rules for providing a standard adult high school diploma to persons who:

- 79.23 (1) are not eligible for kindergarten through grade 12 services;
79.24 (2) do not have a high school diploma; and
79.25 (3) successfully complete an adult basic education program of instruction approved
79.26 by the commissioner of education necessary to earn an adult high school diploma.

79.27 (b) Persons participating in an approved adult basic education program of instruction
79.28 must demonstrate the competencies, knowledge, and skills and, where appropriate,
79.29 English language proficiency, sufficient to ensure that postsecondary programs and
79.30 institutions and potential employers regard persons with a standard high school diploma
79.31 and persons with a standard adult high school diploma as equally well prepared and
79.32 qualified graduates. Approved adult basic education programs of instruction under this
79.33 subdivision must issue a standard adult high school diploma to persons who successfully
79.34 demonstrate the competencies, knowledge, and skills required by the program.

80.1 Sec. 32. Minnesota Statutes 2012, section 124D.522, is amended to read:

80.2 **124D.522 ADULT BASIC EDUCATION SUPPLEMENTAL SERVICE**
80.3 **GRANTS.**

80.4 (a) The commissioner, in consultation with the policy review task force under
80.5 section 124D.521, may make grants to nonprofit organizations to provide services that are
80.6 not offered by a district adult basic education program or that are supplemental to either
80.7 the statewide adult basic education program, or a district's adult basic education program.
80.8 The commissioner may make grants for: staff development for adult basic education
80.9 teachers and administrators; training for volunteer tutors; training, services, and materials
80.10 for serving disabled students through adult basic education programs; statewide promotion
80.11 of adult basic education services and programs; development and dissemination of
80.12 instructional and administrative technology for adult basic education programs; programs
80.13 which primarily serve communities of color; adult basic education distance learning
80.14 projects, including television instruction programs; initiatives to accelerate English
80.15 language acquisition and the achievement of career- and college-ready skills among
80.16 English learners; and other supplemental services to support the mission of adult basic
80.17 education and innovative delivery of adult basic education services.

80.18 (b) The commissioner must establish eligibility criteria and grant application
80.19 procedures. Grants under this section must support services throughout the state, focus
80.20 on educational results for adult learners, and promote outcome-based achievement
80.21 through adult basic education programs. Beginning in fiscal year 2002, the commissioner
80.22 may make grants under this section from the state total adult basic education aid set
80.23 aside for supplemental service grants under section 124D.531. Up to one-fourth of the
80.24 appropriation for supplemental service grants must be used for grants for adult basic
80.25 education programs to encourage and support innovations in adult basic education
80.26 instruction and service delivery. A grant to a single organization cannot exceed 20 percent
80.27 of the total supplemental services aid. Nothing in this section prevents an approved adult
80.28 basic education program from using state or federal aid to purchase supplemental services.

80.29 Sec. 33. Minnesota Statutes 2012, section 124D.59, subdivision 2, is amended to read:

80.30 Subd. 2. **English learner.** (a) "English learner" means a pupil in kindergarten through
80.31 grade 12 who meets the requirements under subdivision 2a or the following requirements:

80.32 (1) the pupil, as declared by a parent or guardian first learned a language other than
80.33 English, comes from a home where the language usually spoken is other than English, or
80.34 usually speaks a language other than English; and

81.1 (2) the pupil is determined by a valid assessment measuring the pupil's English
 81.2 language proficiency and by developmentally appropriate measures, which might include
 81.3 observations, teacher judgment, parent recommendations, or developmentally appropriate
 81.4 assessment instruments, to lack the necessary English skills to participate fully in
 81.5 academic classes taught in English.

81.6 (b) ~~Notwithstanding paragraph (a),~~ A pupil enrolled in a Minnesota public school
 81.7 in grades any grade 4 through 12 who was enrolled in a Minnesota public school on
 81.8 the dates during in the previous school year ~~when a commissioner provided~~ took a
 81.9 commissioner-provided assessment that measures measuring the pupil's emerging
 81.10 academic English ~~was administered~~, shall not be counted as an English learner in
 81.11 calculating English learner pupil units under section 126C.05, subdivision 17, and shall not
 81.12 generate state English learner aid under section 124D.65, subdivision 5, ~~unless if~~ the pupil
 81.13 scored below the state cutoff score or is otherwise counted as a nonproficient participant
 81.14 on ~~an~~ the assessment measuring the pupil's emerging academic English provided by the
 81.15 commissioner during the previous school year and in the judgment of the pupil's classroom
 81.16 teachers, consistent with section 124D.61, clause (1), the pupil is unable to demonstrate
 81.17 academic language proficiency in English, including oral academic language, sufficient to
 81.18 successfully and fully participate in the general core curriculum in the regular classroom.

81.19 (c) Notwithstanding paragraphs (a) and (b), a pupil in kindergarten through grade
 81.20 12 shall not be counted as an English learner in calculating English learner pupil units
 81.21 under section 126C.05, subdivision 17, and shall not generate state English learner aid
 81.22 under section 124D.65, subdivision 5, if:

81.23 (1) the pupil is not enrolled during the current fiscal year in an educational program
 81.24 for English learners ~~in accordance with~~ under sections 124D.58 to 124D.64; or

81.25 (2) the pupil has generated five or more years of average daily membership in
 81.26 Minnesota public schools since July 1, 1996.

81.27 Sec. 34. Minnesota Statutes 2012, section 124D.59, is amended by adding a
 81.28 subdivision to read:

81.29 Subd. 2a. **English learner; interrupted formal education.** Consistent with
 81.30 subdivision 2, an English learner includes an English learner with an interrupted formal
 81.31 education who:

81.32 (1) comes from a home where the language usually spoken is other than English, or
 81.33 usually speaks a language other than English;

81.34 (2) enters school in the United States after grade 6;

81.35 (3) has at least two years less schooling than the English learner's peers;

- 82.1 (4) functions at least two years below expected grade level in reading and
 82.2 mathematics; and
 82.3 (5) may be preliterate in the English learner's native language.

82.4 Sec. 35. Minnesota Statutes 2012, section 124D.895, is amended to read:

82.5 **124D.895 PARENTAL INVOLVEMENT PROGRAMS.**

82.6 Subdivision 1. **Program goals.** The department, in consultation with the state
 82.7 curriculum advisory committee, must develop guidelines and model plans for parental
 82.8 involvement programs that will:

82.9 (1) engage the interests and talents of parents or guardians in recognizing and
 82.10 meeting the emotional, intellectual, native and English language development, and
 82.11 physical needs of their school-age children;

82.12 (2) promote healthy self-concepts among parents or guardians and other family
 82.13 members;

82.14 (3) offer parents or guardians a chance to share and learn about educational skills,
 82.15 techniques, and ideas;

82.16 (4) provide creative learning experiences for parents or guardians and their
 82.17 school-age children, including involvement from parents or guardians of color;

82.18 (5) encourage parents to actively participate in their district's curriculum advisory
 82.19 committee under section 120B.11 in order to assist the school board in improving
 82.20 children's education programs; and

82.21 (6) encourage parents to help in promoting school desegregation/integration under
 82.22 sections 124D.861 and 124D.862.

82.23 Subd. 2. **Plan contents.** Model plans for a parental involvement program must
 82.24 include at least the following:

82.25 (1) program goals;

82.26 (2) means for achieving program goals;

82.27 (3) methods for informing parents or guardians, in a timely way, about the program;

82.28 (4) strategies for ensuring the full participation of parents or guardians, including
 82.29 those parents or guardians who lack literacy skills or whose native language is not English,
 82.30 including the involvement from of parents or guardians of color;

82.31 (5) procedures for coordinating the program with kindergarten through grade 12
 82.32 curriculum, with parental involvement programs currently available in the community,
 82.33 with the ~~process under sections 120B.10 to~~ world's best workforce under section 120B.11,
 82.34 and with other education facilities located in the community;

83.1 (6) strategies for training teachers and other school staff to work effectively with
83.2 parents and guardians;

83.3 (7) procedures for parents or guardians and educators to evaluate and report progress
83.4 toward program goals; and

83.5 (8) a mechanism for convening a local community advisory committee composed
83.6 primarily of parents or guardians to advise a district on implementing a parental
83.7 involvement program.

83.8 Subd. 3. **Plan activities.** Activities contained in the model plans must include:

83.9 (1) educational opportunities for families that enhance children's learning and native
83.10 and English language development;

83.11 (2) educational programs for parents or guardians on families' educational
83.12 responsibilities and resources;

83.13 (3) the hiring, training, and use of parental involvement liaison workers to
83.14 coordinate family involvement activities and to foster linguistic and culturally competent
83.15 communication among families, educators, and students, consistent with the definition of
83.16 culturally competent under section 120B.11, subdivision 1, paragraph (d);

83.17 (4) curriculum materials and assistance in implementing home and community-based
83.18 learning activities that reinforce and extend classroom instruction and student motivation;

83.19 (5) technical assistance, including training to design and carry out family
83.20 involvement programs;

83.21 (6) parent resource centers;

83.22 (7) parent training programs and reasonable and necessary expenditures associated
83.23 with parents' attendance at training sessions;

83.24 (8) reports to parents on children's progress;

83.25 (9) use of parents as classroom volunteers, or as volunteers in before and after
83.26 school programs for school-age children, tutors, and aides;

83.27 (10) soliciting parents' suggestions in planning, developing, and implementing
83.28 school programs;

83.29 (11) educational programs and opportunities for parents or guardians that are
83.30 multicultural, multilingual, gender fair, and disability sensitive;

83.31 (12) involvement in a district's curriculum advisory committee or a school building
83.32 team under section 120B.11; and

83.33 (13) opportunities for parent involvement in developing, implementing, or evaluating
83.34 school and district desegregation/integration plans under sections 124D.861 and 124D.862.

84.1 Sec. 36. Minnesota Statutes 2012, section 124D.8955, is amended to read:

84.2 **124D.8955 PARENT AND FAMILY INVOLVEMENT POLICY.**

84.3 (a) In order to promote and support student achievement, a local school board is
84.4 encouraged to formally adopt and implement a parent and family involvement policy that
84.5 promotes and supports:

84.6 (1) oral and written communication between home and school that is regular,
84.7 two-way, ~~and~~ meaningful, and in families' native language;

84.8 (2) parenting skills;

84.9 (3) parents and caregivers who play an integral role in assisting student learning and
84.10 learn about fostering students' academic success and learning at home and school;

84.11 (4) welcoming parents in the school and using networks that support families'
84.12 cultural connections, seeking their support and assistance;

84.13 (5) partnerships with parents in the decisions that affect children and families
84.14 in the schools; and

84.15 (6) providing community resources to strengthen schools, families, and student
84.16 learning.

84.17 (b) A school board that implements a parent and family involvement policy under
84.18 paragraph (a) must convene an advisory committee composed of an equal number of
84.19 resident parents who are not district employees and school staff to make recommendations
84.20 to the board on developing and evaluating the board's parent and family involvement
84.21 policy. If possible, the advisory committee must represent the diversity of the district. The
84.22 advisory committee must consider the district's demographic diversity and barriers to
84.23 parent involvement when developing its recommendations. The advisory committee must
84.24 present its recommendations to the board for board consideration.

84.25 (c) The board must consider research-based best practices when implementing
84.26 this policy.

84.27 (d) The board periodically must review this policy to determine whether it is aligned
84.28 with the most current research findings on parent involvement policies and practices and
84.29 how effective the policy is in supporting increased student achievement.

84.30 (e) Nothing in this section obligates a school district to exceed any parent or family
84.31 involvement requirement under federal law.

84.32 Sec. 37. Minnesota Statutes 2013 Supplement, section 127A.70, subdivision 2, is
84.33 amended to read:

84.34 Subd. 2. **Powers and duties; report.** (a) The partnership shall develop
84.35 recommendations to the governor and the legislature designed to maximize the achievement

85.1 of all P-20 students while promoting the efficient use of state resources, thereby helping
85.2 the state realize the maximum value for its investment. These recommendations may
85.3 include, but are not limited to, strategies, policies, or other actions focused on:

85.4 (1) improving the quality of and access to education at all points from preschool
85.5 through graduate education;

85.6 (2) improving preparation for, and transitions to, postsecondary education and
85.7 work; and

85.8 (3) ensuring educator quality by creating rigorous standards for teacher recruitment,
85.9 teacher preparation, induction and mentoring of beginning teachers, and continuous
85.10 professional development for career teachers.

85.11 (b) Under the direction of the P-20 Education Partnership Statewide Longitudinal
85.12 Education Data System Governance Committee, the Office of Higher Education and the
85.13 Departments of Education and Employment and Economic Development shall improve
85.14 and expand the Statewide Longitudinal Education Data System (SLEDS) to provide
85.15 policymakers, education and workforce leaders, researchers, and members of the public
85.16 with data, research, and reports to:

85.17 (1) expand reporting on students' educational outcomes for diverse student
85.18 populations including at-risk students, children with disabilities, English learners, and
85.19 gifted students, among others, and include formative and summative evaluations based on
85.20 multiple measures of student progress toward career and college readiness;

85.21 (2) evaluate the effectiveness of educational and workforce programs; and

85.22 (3) evaluate the relationship between education and workforce outcomes, consistent
85.23 with section 124D.49.

85.24 To the extent possible under federal and state law, research and reports should be
85.25 accessible to the public on the Internet, and disaggregated by demographic characteristics,
85.26 organization or organization characteristics, and geography.

85.27 It is the intent of the legislature that the Statewide Longitudinal Education Data
85.28 System inform public policy and decision-making. The SLEDS governance committee,
85.29 with assistance from staff of the Office of Higher Education, the Department of Education,
85.30 and the Department of Employment and Economic Development, shall respond to
85.31 legislative committee and agency requests on topics utilizing data made available through
85.32 the Statewide Longitudinal Education Data System as resources permit. Any analysis of
85.33 or report on the data must contain only summary data.

85.34 (c) By January 15 of each year, the partnership shall submit a report to the governor
85.35 and to the chairs and ranking minority members of the legislative committees and
85.36 divisions with jurisdiction over P-20 education policy and finance that summarizes the

86.1 partnership's progress in meeting its goals and identifies the need for any draft legislation
 86.2 when necessary to further the goals of the partnership to maximize student achievement
 86.3 while promoting efficient use of resources.

86.4 Sec. 38. **REPEALER.**

86.5 Minnesota Statutes 2012, section 122A.19, subdivision 3, is repealed effective the
 86.6 day following final enactment.

86.7 ARTICLE 8

86.8 INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY 86.9 FOR MILITARY CHILDREN

86.10 Section 1. Minnesota Statutes 2012, section 127A.70, subdivision 1, is amended to read:

86.11 Subdivision 1. **Establishment; membership.** (a) A P-20 education partnership is
 86.12 established to create a seamless system of education that maximizes achievements of
 86.13 all students, from early childhood through elementary, secondary, and postsecondary
 86.14 education, while promoting the efficient use of financial and human resources. The
 86.15 partnership shall consist of major statewide educational groups or constituencies or
 86.16 noneducational statewide organizations with a stated interest in P-20 education. The initial
 86.17 membership of the partnership includes the members serving on the Minnesota P-16
 86.18 Education Partnership and four legislators appointed as follows:

86.19 (1) one senator from the majority party and one senator from the minority party,
 86.20 appointed by the Subcommittee on Committees of the Committee on Rules and
 86.21 Administration; and

86.22 (2) one member of the house of representatives appointed by the speaker of the
 86.23 house and one member appointed by the minority leader of the house of representatives.

86.24 (b) The chair of the P-16 education partnership must convene the first meeting
 86.25 of the P-20 partnership. Prospective members may be nominated by any partnership
 86.26 member and new members will be added with the approval of a two-thirds majority of the
 86.27 partnership. The partnership will also seek input from nonmember organizations whose
 86.28 expertise can help inform the partnership's work.

86.29 (c) Partnership members shall be represented by the chief executives, presidents, or
 86.30 other formally designated leaders of their respective organizations, or their designees. The
 86.31 partnership shall meet at least three times during each calendar year.

86.32 (d) The P-20 education partnership shall be the state council for the Interstate
 86.33 Compact on Educational Opportunity for Military Children under section 127A.85 with
 86.34 the chair serving as the compact commissioner responsible for the administration and

87.1 management of the state's participation in the compact. When conducting business
 87.2 required under section 127A.85, the P-20 partnership shall include a representative from a
 87.3 military installation appointed by the adjutant general of the Minnesota National Guard.

87.4 Sec. 2. **[127A.85] INTERSTATE COMPACT ON EDUCATIONAL**
 87.5 **OPPORTUNITY FOR MILITARY CHILDREN.**

87.6 **ARTICLE I**

87.7 **PURPOSE**

87.8 It is the purpose of this compact to remove barriers to educational success imposed on
 87.9 children of military families because of frequent moves and deployment of their parents by:

87.10 A. facilitating the timely enrollment of children of military families and ensuring
 87.11 that they are not placed at a disadvantage due to difficulty in the transfer of education
 87.12 records from the previous school district(s) or variations in entrance/age requirements.

87.13 B. Facilitating the student placement process through which children of military
 87.14 families are not disadvantaged by variations in attendance requirements, scheduling,
 87.15 sequencing, grading, course content, or assessment.

87.16 C. Facilitating the qualification and eligibility for enrollment, educational programs,
 87.17 and participation in extracurricular academic, athletic, and social activities.

87.18 D. Facilitating the on-time graduation of children of military families.

87.19 E. Providing for the promulgation and enforcement of administrative rules
 87.20 implementing the provisions of this compact.

87.21 F. Providing for the uniform collection and sharing of information between and
 87.22 among member states, schools, and military families under this compact.

87.23 G. Promoting coordination between this compact and other compacts affecting
 87.24 military children.

87.25 H. Promoting flexibility and cooperation between the educational system, parents,
 87.26 and the student in order to achieve educational success for the student.

87.27 **ARTICLE II**

87.28 **DEFINITIONS**

87.29 As used in this compact, unless the context clearly requires a different construction:

87.30 A. "Active duty" means: full-time duty status in the active uniformed service of the
 87.31 United States, including members of the National Guard and Reserve on active duty orders
 87.32 pursuant to United States code, title 10, sections 1209 and 1211.

87.33 B. "Children of military families" means: a school-aged child(ren), enrolled in
 87.34 kindergarten through grade 12, in the household of an active duty member.

88.1 C. "Compact commissioner" means: the voting representative of each compacting
88.2 state appointed pursuant to Article VIII of this compact.

88.3 D. "Deployment" means: the period one month prior to the service members'
88.4 departure from their home station on military orders through six months after return to
88.5 their home station.

88.6 E. "Education(al) records" means: those official records, files, and data directly
88.7 related to a student and maintained by the school or local education agency, including but
88.8 not limited to records encompassing all the material kept in the student's cumulative
88.9 folder, such as general identifying data, records of attendance and of academic work
88.10 completed, records of achievement and results of evaluative tests, health data, disciplinary
88.11 status, test protocols, and individualized education programs.

88.12 F. "Extracurricular activities" means: a voluntary activity sponsored by the school
88.13 or local education agency or an organization sanctioned by the local education agency.
88.14 Extracurricular activities include, but are not limited to, preparation for and involvement
88.15 in public performances, contests, athletic competitions, demonstrations, displays, and
88.16 club activities.

88.17 G. "Interstate Commission on Educational Opportunity for Military Children"
88.18 means: the commission that is created under Article IX of this compact, which is generally
88.19 referred to as Interstate Commission.

88.20 H. "Local education agency" means: a public authority legally constituted by the
88.21 state as an administrative agency to provide control of and direction for kindergarten
88.22 through grade 12 public educational institutions.

88.23 I. "Member state" means: a state that has enacted this compact.

88.24 J. "Military installation" means: a base, camp, post, station, yard, center, homeport
88.25 facility for any ship, or other activity under the jurisdiction of the Department of Defence,
88.26 including any leased facility, which is located within any of the several states, the District
88.27 of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam,
88.28 American Samoa, the Northern Mariana Islands, and any other United States territory.
88.29 Such term does not include any facility used primarily for civil works, rivers and harbors
88.30 projects, or flood control projects.

88.31 K. "Nonmember state" means: a state that has not enacted this compact.

88.32 L. "Receiving state" means: the state to which a child of a military family is sent,
88.33 brought, or caused to be sent or brought.

88.34 M. "Rule" means: a written statement by the Interstate Commission promulgated
88.35 pursuant to Article XII of this compact that is of general applicability, implements,
88.36 interprets, or prescribes a policy or provision of the Compact, or an organizational,

89.1 procedural, or practice requirement of the Interstate Commission, and has the force
 89.2 and effect of statutory law in a member state, and includes the amendment, repeal, or
 89.3 suspension of an existing rule.

89.4 N. "Sending state" means: the state from which a child of a military family is sent,
 89.5 brought, or caused to be sent or brought.

89.6 O. "State" means: a state of the United States, the District of Columbia, the
 89.7 Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa,
 89.8 the Northern Mariana Islands, and any other United States territory.

89.9 P. "Student" means: the child of a military family for whom the local education
 89.10 agency receives public funding and who is formally enrolled in kindergarten through
 89.11 grade 12.

89.12 Q. "Transition" means: (1) the formal and physical process of transferring from
 89.13 school to school or (2) the period of time in which a student moves from one school in
 89.14 the sending state to another school in the receiving state.

89.15 R. "Uniformed service(s)" means: the Army, Navy, Air Force, Marine Corps, Coast
 89.16 Guard as well as the commissioned Corps of the National Oceanic and Atmospheric
 89.17 Administration, and Public Health Services.

89.18 S. "Veteran" means: a person who served in the uniformed services and who was
 89.19 discharged or released there from under conditions other than dishonorable.

89.20 ARTICLE III

89.21 APPLICABILITY

89.22 A. Except as otherwise provided in Section B, this compact shall apply to the
 89.23 children of:

89.24 1. active duty members of the uniformed services as defined in this compact,
 89.25 including members of the National Guard and Reserve on active duty orders pursuant to
 89.26 United States Code, title 10, sections 1209 and 1211;

89.27 2. members or veterans of the uniformed services who are severely injured and
 89.28 medically discharged or retired for a period of one year after medical discharge or
 89.29 retirement; and

89.30 3. members of the uniformed services who die on active duty or as a result of
 89.31 injuries sustained on active duty for a period of one year after death.

89.32 B. The provisions of this interstate compact shall only apply to local education
 89.33 agencies as defined in this compact.

89.34 C. The provisions of this compact shall not apply to the children of:

89.35 1. inactive members of the national guard and military reserves;

89.36 2. members of the uniformed services now retired, except as provided in Section A;

- 90.1 3. veterans of the uniformed services, except as provided in Section A; and
90.2 4. other United States Department of Defense personnel and other federal agency
90.3 civilian and contract employees not defined as active duty members of the uniformed
90.4 services.

90.5 ARTICLE IV

90.6 EDUCATIONAL RECORDS AND ENROLLMENT

90.7 A. Unofficial or "hand-carried" education records - In the event that official
90.8 education records cannot be released to the parents for the purpose of transfer, the
90.9 custodian of the records in the sending state shall prepare and furnish to the parent
90.10 a complete set of unofficial educational records containing uniform information as
90.11 determined by the Interstate Commission. Upon receipt of the unofficial education records
90.12 by a school in the receiving state, the school shall enroll and appropriately place the
90.13 student based on the information provided in the unofficial records pending validation by
90.14 the official records, as quickly as possible.

90.15 B. Official education records/transcripts - Simultaneous with the enrollment and
90.16 conditional placement of the student, the school in the receiving state shall request the
90.17 student's official education record from the school in the sending state. Upon receipt of
90.18 this request, the school in the sending state will process and furnish the official education
90.19 records to the school in the receiving state within ten days or within such time as
90.20 reasonably determined under rules promulgated by the Interstate Commission.

90.21 C. Immunizations - Compacting states shall give 30 days from the date of enrollment
90.22 or within such time as is reasonably determined under the rules promulgated by the
90.23 Interstate Commission, for students to obtain any immunization(s) required by the
90.24 receiving state. For a series of immunizations, initial vaccinations must be obtained within
90.25 30 days or within such time as is reasonably determined under the rules promulgated by
90.26 the Interstate Commission.

90.27 D. Kindergarten and first grade entrance age - Students shall be allowed to continue
90.28 their enrollment at grade level in the receiving state commensurate with their grade level
90.29 (including kindergarten) from a local education agency in the sending state at the time of
90.30 transition, regardless of age. A student that has satisfactorily completed the prerequisite
90.31 grade level in the local education agency in the sending state shall be eligible for enrollment
90.32 in the next highest grade level in the receiving state, regardless of age. A student
90.33 transferring after the start of the school year in the receiving state shall enter the school in
90.34 the receiving state on their validated level from an accredited school in the sending state.

90.35 ARTICLE V

90.36 PLACEMENT AND ATTENDANCE

91.1 A. Course placement - When the student transfers before or during the school year,
91.2 the receiving state school shall initially honor placement of the student in educational
91.3 courses based on the student's enrollment in the sending state school and/or educational
91.4 assessments conducted at the school in the sending state if the courses are offered. Course
91.5 placement includes but is not limited to Honors, International Baccalaureate, Advanced
91.6 Placement, vocational, technical, and career pathways courses. Continuing the student's
91.7 academic program from the previous school and promoting placement in academically and
91.8 career challenging courses should be paramount when considering placement. This does
91.9 not preclude the school in the receiving state from performing subsequent evaluations to
91.10 ensure appropriate placement and continued enrollment of the student in the course(s).

91.11 B. Educational program placement - The receiving state school shall initially honor
91.12 placement of the student in educational programs based on the current educational
91.13 assessments conducted at the school in the sending state or participation/placement in
91.14 like programs in the sending state. Such programs include, but are not limited to: (1)
91.15 gifted and talented programs; and (2) English as a second language (ESL). This does not
91.16 preclude the school in the receiving state from performing subsequent evaluations to
91.17 ensure appropriate placement of the student.

91.18 C. Special education services - (1) in compliance with the federal requirements of the
91.19 Individuals with Disabilities Education Act (IDEA), United States Code Annotated, Title
91.20 20, section 1400 et seq., the receiving state shall initially provide comparable services to a
91.21 student with disabilities based on his/her current Individualized Education Program (IEP);
91.22 and (2) in compliance with the requirements of Section 504 of the Rehabilitation Act,
91.23 United States Code Annotated, title 29, section 794, and with Title II of the Americans
91.24 with Disabilities Act, United States Code Annotated, title 42, sections 12131 to 12165,
91.25 the receiving state shall make reasonable accommodations and modifications to address
91.26 the needs of incoming students with disabilities, subject to an existing 504 or Title II
91.27 Plan, to provide the student with equal access to education. This does not preclude the
91.28 school in the receiving state from performing subsequent evaluations to ensure appropriate
91.29 placement of the student.

91.30 D. Placement flexibility - Local education agency administrative officials shall have
91.31 flexibility in waiving course/program prerequisites, or other preconditions for placement
91.32 in courses/programs offered under the jurisdiction of the local education agency.

91.33 E. Absence as related to deployment activities - A student whose parent or legal
91.34 guardian is an active duty member of the uniformed services, as defined by the compact,
91.35 and has been called to duty for, is on leave from, or immediately returned from deployment
91.36 to a combat zone or combat support posting, shall be granted additional excused absences

92.1 at the discretion of the local education agency superintendent to visit with his or her parent
 92.2 or legal guardian relative to such leave or deployment of the parent or guardian.

92.3 **ARTICLE VI**

92.4 **ELIGIBILITY**

92.5 **A. Eligibility for enrollment**

92.6 1. Special power of attorney, relative to the guardianship of a child of a military
 92.7 family and executed under applicable law shall be sufficient for the purposes of enrollment
 92.8 and all other actions requiring parental participation and consent.

92.9 2. A local education agency shall be prohibited from charging local tuition to a
 92.10 transitioning military child placed in the care of a noncustodial parent or other person
 92.11 standing in loco parentis who lives in a jurisdiction other than that of the custodial parent.

92.12 3. A transitioning military child, placed in the care of a noncustodial parent or
 92.13 other person standing in loco parentis who lives in a jurisdiction other than that of the
 92.14 custodial parent, may continue to attend the school in which he/she was enrolled while
 92.15 residing with the custodial parent.

92.16 **B. Eligibility for extracurricular participation - State and local education**

92.17 agencies shall facilitate the opportunity for transitioning military children's inclusion
 92.18 in extracurricular activities, regardless of application deadlines, to the extent they are
 92.19 otherwise qualified.

92.20 **ARTICLE VII**

92.21 **GRADUATION**

92.22 In order to facilitate the on-time graduation of children of military families, states
 92.23 and local education agencies shall incorporate the following procedures:

92.24 **A. Waiver requirements - Local education agency administrative officials shall waive**
 92.25 specific courses required for graduation if similar coursework has been satisfactorily
 92.26 completed in another local education agency or shall provide reasonable justification for
 92.27 denial. Should a waiver not be granted to a student who would qualify to graduate from
 92.28 the sending school, the local education agency shall provide an alternative means of
 92.29 acquiring required coursework so that graduation may occur on time.

92.30 **B. Exit exams - States shall accept: (1) exit or end-of-course exams required for**
 92.31 graduation from the sending state, (2) national norm-referenced achievement tests, or (3)
 92.32 alternative testing, in lieu of testing requirements for graduation in the receiving state.
 92.33 In the event the above alternatives cannot be accommodated by the receiving state for a
 92.34 student transferring in his or her senior year, then the provisions of Article VII, Section
 92.35 C shall apply.

93.1 C. Transfers during senior year - Should a military student transferring at the
 93.2 beginning or during his or her senior year be ineligible to graduate from the receiving local
 93.3 education agency after all alternatives have been considered, the sending and receiving
 93.4 local education agencies shall ensure the receipt of a diploma from the sending local
 93.5 education agency, if the student meets the graduation requirements of the sending local
 93.6 education agency. In the event that one of the states in question is not a member of this
 93.7 compact, the member state shall use best efforts to facilitate the on-time graduation of the
 93.8 student in accordance with Sections A and B of this Article.

ARTICLE VIII

STATE COORDINATION

93.11 A. Each member state shall, through the creation of a State Council or use of an
 93.12 existing body or board, provide for the coordination among its agencies of government,
 93.13 local education agencies, and military installations concerning the state's participation in,
 93.14 and compliance with, this compact and Interstate Commission activities. While each
 93.15 member state may determine the membership of its own State Council, its membership
 93.16 must include at least: the state superintendent of education, superintendent of a school
 93.17 district with a high concentration of military children, representative from a military
 93.18 installation, one representative each from the legislative and executive branches of
 93.19 government, and other offices and stakeholder groups the State Council deems appropriate.
 93.20 A member state that does not have a school district deemed to contain a high concentration
 93.21 of military children may appoint a superintendent from another school district to represent
 93.22 local education agencies on the State Council.

93.23 B. The State Council of each member state shall appoint or designate a military
 93.24 family education liaison to assist military families and the state in facilitating the
 93.25 implementation of this compact.

93.26 C. The compact commissioner responsible for the administration and management
 93.27 of the state's participation in the compact shall be appointed by the governor or as
 93.28 otherwise determined by each member state.

93.29 D. The compact commissioner and the military family education liaison designated
 93.30 herein shall be ex-officio members of the State Council, unless either is already a full
 93.31 voting member of the State council.

ARTICLE IX

INTERSTATE COMMISSION ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN

93.35 The member states hereby create the "Interstate Commission on Educational
 93.36 Opportunity for Military Children." The activities of the Interstate Commission are

94.1 the formation of public policy and are a discretionary state function. The Interstate
94.2 Commission shall:

94.3 A. Be a body corporate and joint agency of the member states and shall have all the
94.4 responsibilities, powers, and duties set forth herein, and such additional powers as may be
94.5 conferred upon it by a subsequent concurrent action of the respective legislatures of the
94.6 member states in accordance with the terms of this compact.

94.7 B. Consist of one Interstate Commission voting representative from each member
94.8 state who shall be that state's compact commissioner.

94.9 1. Each member state represented at a meeting of the Interstate Commission is
94.10 entitled to one vote.

94.11 2. A majority of the total member states shall constitute a quorum for the transaction
94.12 of business, unless a larger quorum is required by the bylaws of the Interstate Commission.

94.13 3. A representative shall not delegate a vote to another member state. In the event
94.14 the compact commissioner is unable to attend a meeting of the Interstate Commission,
94.15 the Governor or State Council may delegate voting authority to another person from
94.16 their state for a specified meeting.

94.17 4. The bylaws may provide for meetings of the Interstate Commission to be
94.18 conducted by telecommunication or electronic communication.

94.19 C. Consist of ex-officio, nonvoting representatives who are members of interested
94.20 organizations. Such ex-officio members, as defined in the bylaws, may include, but not
94.21 be limited to, members of the representative organizations of military family advocates,
94.22 local education agency officials, parent and teacher groups, the United States Department
94.23 of Defense, the Education Commission of the States, the Interstate Agreement on the
94.24 Qualification of Educational Personnel, and other interstate compacts affecting the
94.25 education of children of military members.

94.26 D. Meet at least once each calendar year. The chairperson may call additional
94.27 meetings and, upon the request of a simple majority of the member states, shall call
94.28 additional meetings.

94.29 E. Establish an executive committee, whose members shall include the officers of the
94.30 Interstate Commission and such other members of the Interstate Commission as determined
94.31 by the bylaws. Members of the executive committee shall serve a one-year term. Members
94.32 of the executive committee shall be entitled to one vote each. The executive committee
94.33 shall have the power to act on behalf of the Interstate Commission, with the exception
94.34 of rulemaking, during periods when the Interstate Commission is not in session. The
94.35 executive committee shall oversee the day-to-day activities of the administration of the
94.36 compact, including enforcement and compliance with the provisions of the compact, its

95.1 bylaws and rules, and other such duties as deemed necessary. The U.S. Department of
95.2 Defense, shall serve as an ex-officio, nonvoting member of the executive committee.

95.3 F. Establish bylaws and rules that provide for conditions and procedures under which
95.4 the Interstate Commission shall make its information and official records available to the
95.5 public for inspection or copying. The Interstate Commission may exempt from disclosure
95.6 information or official records to the extent they would adversely affect personal privacy
95.7 rights or proprietary interests.

95.8 G. Public notice shall be given by the Interstate Commission of all meetings and
95.9 all meetings shall be open to the public, except as set forth in the rules or as otherwise
95.10 provided in the compact. The Interstate Commission and its committees may close a
95.11 meeting, or portion thereof, where it determines by two-thirds vote that an open meeting
95.12 would be likely to:

- 95.13 1. Relate solely to the Interstate Commission's internal personnel practices and
95.14 procedures;
- 95.15 2. Disclose matters specifically exempted from disclosure by federal and state statute;
- 95.16 3. Disclose trade secrets or commercial or financial information which is privileged
95.17 or confidential;
- 95.18 4. Involve accusing a person of a crime, or formally censuring a person;
- 95.19 5. Disclose information of a personal nature where disclosure would constitute a
95.20 clearly unwarranted invasion of personal privacy;
- 95.21 6. Disclose investigative records compiled for law enforcement purposes; or
- 95.22 7. Specifically relate to the Interstate Commission's participation in a civil action
95.23 or other legal proceeding.

95.24 H. For a meeting, or a portion of a meeting, closed pursuant to this provision, the
95.25 Interstate Commission's legal counsel or designee shall certify that the meeting may be
95.26 closed and shall reference each relevant exemptible provision. the Interstate Commission
95.27 shall keep minutes which shall fully and clearly describe all matters discussed in a meeting
95.28 and shall provide a full and accurate summary of actions taken, and the reasons therefore,
95.29 including a description of the views expressed and the record of a roll call vote. All
95.30 documents considered in connection with an action shall be identified in such minutes. All
95.31 minutes and documents of a closed meeting shall remain under seal, subject to release by a
95.32 majority vote of the Interstate Commission.

95.33 I. The Interstate Commission shall collect standardized data concerning the
95.34 educational transition of the children of military families under this compact as directed
95.35 through its rules which shall specify the data to be collected, the means of collection, and
95.36 data exchange and reporting requirements. Such methods of data collection, exchange,

96.1 and reporting shall, insofar as is reasonably possible, conform to current technology and
96.2 coordinate its information functions with the appropriate custodian of records as identified
96.3 in the bylaws and rules.

96.4 J. The Interstate Commission shall create a process that permits military officials,
96.5 education officials, and parents to inform the Interstate Commission if and when there
96.6 are alleged violations of the compact or its rules or when issues subject to the jurisdiction
96.7 of the compact or its rules are not addressed by the state or local education agency. This
96.8 section shall not be construed to create a private right of action against the Interstate
96.9 Commission or any member state.

96.10 ARTICLE X

96.11 POWERS AND DUTIES OF THE INTERSTATE COMMISSION

96.12 The Interstate commission shall have the following powers:

96.13 A. To provide for dispute resolution among member states.

96.14 B. To promulgate rules and take all necessary actions to effect the goals, purposes,
96.15 and obligations as enumerated in this compact. The rules shall have the force and effect of
96.16 statutory law and shall be binding in the compact states to the extent and in the manner
96.17 provided in this compact.

96.18 C. To issue, upon request of a member state, advisory opinions concerning the
96.19 meaning or interpretation of the interstate compact, its bylaws, rules, and actions.

96.20 D. To enforce compliance with the compact provisions, the rules promulgated by the
96.21 Interstate Commission, and the bylaws, using all necessary and proper means, including
96.22 but not limited to the use of judicial process.

96.23 E. To establish and maintain offices which shall be located within one or more of
96.24 the member states.

96.25 F. To purchase and maintain insurance and bonds.

96.26 G. To borrow, accept, hire, or contract for services of personnel.

96.27 H. To establish and appoint committees including, but not limited to, an executive
96.28 committee as required by Article IX, Section E, which shall have the power to act on
96.29 behalf of the Interstate Commission in carrying out its powers and duties hereunder.

96.30 I. To elect or appoint such officers, attorneys, employees, agents, or consultants, and
96.31 to fix their compensation, define their duties, and determine their qualifications; and to
96.32 establish the Interstate Commission's personnel policies and programs relating to conflicts
96.33 of interest, rates of compensation, and qualifications of personnel.

96.34 J. To accept any and all donations and grants of money, equipment, supplies,
96.35 materials, and services, and to receive, utilize, and dispose of it.

97.1 K. To lease, purchase, accept contributions or donations of, or otherwise to own,
97.2 hold, improve, or use any property, real, personal, or mixed.

97.3 L. To sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose
97.4 of any property, real, personal, or mixed.

97.5 M. To establish a budget and make expenditures.

97.6 N. To adopt a seal and bylaws governing the management and operation of the
97.7 Interstate Commission.

97.8 O. To report annually to the legislatures, governors, judiciary, and State Councils
97.9 of the member states concerning the activities of the Interstate Commission during the
97.10 preceding year. Such reports shall also include any recommendations that may have
97.11 been adopted by the Interstate Commission.

97.12 P. To coordinate education, training, and public awareness regarding the compact, its
97.13 implementation and operation for officials and parents involved in such activity.

97.14 Q. To establish uniform standards for the reporting, collecting, and exchanging of
97.15 data.

97.16 R. To maintain corporate books and records in accordance with the bylaws.

97.17 S. To perform such functions as may be necessary or appropriate to achieve the
97.18 purposes of this compact.

97.19 T. To provide for the uniform collection and sharing of information between and
97.20 among member states, schools, and military families under this compact.

97.21 ARTICLE XI

97.22 ORGANIZATION AND OPERATION OF THE INTERSTATE COMMISSION

97.23 A. The Interstate Commission shall, by a majority of the members present and
97.24 voting, within 12 months after the first interstate Commission meeting, adopt bylaws to
97.25 govern its conduct as may be necessary or appropriate to carry out the purposes of the
97.26 compact, including, but not limited to:

97.27 1. Establishing the fiscal year of the Interstate Commission;

97.28 2. Establishing an executive committee, and such other committees as may be
97.29 necessary;

97.30 3. Providing for the establishment of committees and for governing any general or
97.31 specific delegation of authority or function of the Interstate Commission;

97.32 4. Providing reasonable procedures for calling and conducting meetings of the
97.33 Interstate Commission, and ensuring reasonable notice of each such meeting;

97.34 5. Establishing the titles and responsibilities of the officers and staff of the Interstate
97.35 Commission;

98.1 6. Providing a mechanism for concluding the operations of the Interstate
98.2 Commission and the return of surplus funds that may exist upon the termination of the
98.3 compact after the payment and reserving of all of its debts and obligations.

98.4 7. Providing "start up" rules for initial administration of the compact.

98.5 B. The Interstate Commission shall, by a majority of the members, elect annually
98.6 from among its members a chairperson, a vice-chairperson, and a treasurer, each of whom
98.7 shall have such authority and duties as may be specified in the bylaws. The chairperson or,
98.8 in the chairperson's absence or disability, the vice-chairperson, shall preside at all meetings
98.9 of the Interstate Commission. The officers so elected shall serve without compensation or
98.10 remuneration from the Interstate Commission; provided that, subject to the availability
98.11 of budgeted funds, the officers shall be reimbursed for ordinary and necessary costs and
98.12 expenses incurred by them in the performance of their responsibilities as officers of the
98.13 Interstate Commission.

98.14 C. Executive Committee, Officers and Personnel

98.15 1. The executive committee shall have such authority and duties as may be set forth
98.16 in the bylaws, including but not limited to:

98.17 a. Managing the affairs of the Interstate Commission in a manner consistent with the
98.18 bylaws and purposes of the Interstate Commission;

98.19 b. Overseeing an organizational structure within, and appropriate procedures for,
98.20 the Interstate Commission to provide for the creation of rules, operating procedures, and
98.21 administrative and technical support functions; and

98.22 c. Planning, implementing, and coordinating communications and activities with
98.23 other state, federal, and local government organizations in order to advance the goals of
98.24 the Interstate Commission.

98.25 2. The executive committee may, subject to the approval of the Interstate
98.26 Commission, appoint or retain an executive director for such period, upon such terms and
98.27 conditions and for compensation, as the Interstate Commission may deem appropriate.
98.28 The executive director shall serve as secretary to the Interstate Commission, but shall not
98.29 be a member of the Interstate Commission. The executive director shall hire and supervise
98.30 such other persons as may be authorized by the Interstate Commission.

98.31 D. The Interstate Commission's executive director and its employees shall be
98.32 immune from suit and liability, either personally or in their official capacity, for a claim
98.33 for damage to or loss of property or personal injury or other civil liability caused or arising
98.34 out of or relating to an actual or alleged act, error, or omission that occurred, or that
98.35 such person had a reasonable basis for believing occurred, within the scope of Interstate
98.36 Commission employment, duties, or responsibilities; provided that such person shall

99.1 not be protected from suit or liability for damage, loss, injury, or liability caused by the
 99.2 intentional or willful and wanton misconduct of such person.

99.3 1. The liability of the Interstate Commission's executive director and employees
 99.4 or Interstate Commission representatives, acting within the scope of such person's
 99.5 employment or duties for acts, errors, or omissions occurring within such person's state
 99.6 may not exceed the limits of liability set forth under the Constitution and laws of that state
 99.7 for state officials, employees, and agents. The Interstate Commission is considered to be an
 99.8 instrumentality of the states for the purposes of any such action. Nothing in this subsection
 99.9 shall be construed to protect such person from suit or liability for damage, loss, injury, or
 99.10 liability caused by the intentional or willful and wanton misconduct of such person.

99.11 2. The Interstate Commission shall defend the executive director and its employees
 99.12 and, subject to the approval of the attorney general or other appropriate legal counsel of the
 99.13 member state represented by an Interstate Commission representative, shall defend such
 99.14 Interstate Commission representative in any civil action seeking to impose liability arising
 99.15 out of an actual or alleged act, error, or omission that occurred within the scope of Interstate
 99.16 Commission employment, duties or responsibilities, or that the defendant had a reasonable
 99.17 basis for believing occurred within the scope of the Interstate Commission employment,
 99.18 duties, or responsibilities, provided that the actual or alleged act, error, or omission did not
 99.19 result from intentional or willful and wanton misconduct on the part of such person.

99.20 3. To the extent not covered by the state involved, member state, or the Interstate
 99.21 Commission, the representatives or employees of the Interstate Commission shall be held
 99.22 harmless in the amount of a settlement or judgment, including attorney fees and costs,
 99.23 obtained against such persons arising out of an actual or alleged act, error, or omission
 99.24 that occurred within the scope of the Interstate Commission employment, duties, or
 99.25 responsibilities, or that such persons had a reasonable basis for believing occurred within
 99.26 the scope of Interstate Commission employment, duties, or responsibilities, provided that
 99.27 the actual or alleged act, error, or omission did not result from intentional or willful and
 99.28 wanton misconduct on the part of such persons.

99.29 ARTICLE XII

99.30 RULEMAKING FUNCTIONS OF THE INTERSTATE COMMISSION

99.31 A. Rulemaking Authority - The Interstate Commission shall promulgate reasonable
 99.32 rules in order to effectively and efficiently achieve the purposes of this Compact.
 99.33 Notwithstanding the foregoing, in the event the Interstate Commission exercises its
 99.34 rulemaking authority in a manner that is beyond the scope of the purposes of this Act, or
 99.35 the powers granted hereunder, then such an action by the Interstate Commission shall be
 99.36 invalid and have no force or effect.

100.1 B. Rulemaking Procedure - Rules shall be made pursuant to a rulemaking process
 100.2 that substantially conforms to the "Model State Administrative Procedure Act," of 1981
 100.3 Act, Uniform Laws Annotated, Vol. 15, p.1 (2000) as amended, as may be appropriate to
 100.4 the operations of the Interstate Commission.

100.5 C. Not later than 30 days after a rule is promulgated, any person may file a petition
 100.6 for judicial review of the rule; provided that the filing of such a petition shall not stay
 100.7 or otherwise prevent the rule from becoming effective unless the court finds that the
 100.8 petitioner has a substantial likelihood of success. The court shall give deference to
 100.9 the actions of the Interstate Commission consistent with applicable law and shall not
 100.10 find the rule to be unlawful if the rule represents a reasonable exercise of the Interstate
 100.11 Commission's authority.

100.12 D. If a majority of the legislatures of the compacting states reject a Rule by
 100.13 enactment of a statute or resolution in the same manner used to adopt the compact, then
 100.14 such rule shall have no further force and effect in any compacting state.

ARTICLE XIII

OVERSIGHT, ENFORCEMENT, AND DISPUTE RESOLUTION

A. Oversight

100.17 1. The executive, legislative, and judicial branches of state government in each
 100.18 member state shall enforce this compact and shall take all actions necessary and
 100.19 appropriate to effectuate the compact's purposes and intent. The provisions of this compact
 100.20 and the rules promulgated hereunder shall have standing as statutory law.

100.21 2. All courts shall take judicial notice of the compact and the rules in any judicial or
 100.22 administrative proceeding in a member state pertaining to the subject matter of this compact
 100.23 which may affect the powers, responsibilities, or actions of the Interstate Commission.

100.24 3. The Interstate Commission shall be entitled to receive all service of process in any
 100.25 such proceeding, and shall have standing to intervene in the proceeding for all purposes.
 100.26 Failure to provide service of process to the Interstate Commission shall render a judgment
 100.27 or order void as to the Interstate Commission, this compact, or promulgated rules.

100.28 B. Default, Technical Assistance, Suspension, and Termination - If the Interstate
 100.29 Commission determines that a member state has defaulted in the performance of its
 100.30 obligations or responsibilities under this compact, or the bylaws or promulgated rules,
 100.31 the Interstate Commission shall:

100.32 1. Provide written notice to the defaulting state and other member states of the
 100.33 nature of the default, the means of curing the default, and any action taken by the Interstate
 100.34 Commission. The Interstate Commission shall specify the conditions by which the
 100.35 defaulting state must cure its default.
 100.36

101.1 2. Provide remedial training and specific technical assistance regarding the default.

101.2 3. If the defaulting state fails to cure the default, the defaulting state shall be
101.3 terminated from the compact upon an affirmative vote of a majority of the member states
101.4 and all rights, privileges, and benefits conferred by this compact shall be terminated from
101.5 the effective date of termination. A cure of the default does not relieve the offending state
101.6 of obligations or liabilities incurred during the period of the default.

101.7 4. Suspension or termination of membership in the compact shall be imposed only
101.8 after all other means of securing compliance have been exhausted. Notice of intent
101.9 to suspend or terminate shall be given by the Interstate Commission to the governor,
101.10 the majority and minority leaders of the defaulting state's legislature, and each of the
101.11 member states.

101.12 5. The state which has been suspended or terminated is responsible for all
101.13 assessments, obligations, and liabilities incurred through the effective date of suspension
101.14 or termination, including obligations, the performance of which extends beyond the
101.15 effective date of suspension or termination.

101.16 6. The Interstate Commission shall not bear any costs relating to any state that has
101.17 been found to be in default or which has been suspended or terminated from the compact,
101.18 unless otherwise mutually agreed upon in writing between the Interstate Commission
101.19 and the defaulting state.

101.20 7. The defaulting state may appeal the action of the Interstate Commission by
101.21 petitioning the United States District Court for the District of Columbia or the federal
101.22 district where the Interstate Commission has its principle offices. The prevailing party
101.23 shall be awarded all costs of such litigation including reasonable attorney fees.

101.24 C. Dispute Resolution

101.25 1. The Interstate Commission shall attempt, upon the request of a member state, to
101.26 resolve disputes which are subject to the compact and which may arise among member
101.27 states and between member and nonmember states.

101.28 2. The Interstate Commission shall promulgate a rule providing for both mediation
101.29 and binding dispute resolution for disputes as appropriate.

101.30 D. Enforcement

101.31 1. The Interstate Commission, in the reasonable exercise of its discretion, shall
101.32 enforce the provisions and rules of this compact.

101.33 2. The Interstate Commission may, by majority vote of the members, initiate legal
101.34 action in the United States District Court for the District of Columbia or, at the discretion
101.35 of the Interstate Commission, in the federal district where the Interstate Commission has its
101.36 principal offices, to enforce compliance with the provisions of the compact, its promulgated

102.1 rules and bylaws, against a member state in default. The relief sought may include both
102.2 injunctive relief and damages. In the event judicial enforcement is necessary the prevailing
102.3 party shall be awarded all costs of such litigation including reasonable attorney fees.

102.4 3. The remedies herein shall not be the exclusive remedies of the Interstate
102.5 Commission. The Interstate Commission may avail itself of any other remedies available
102.6 under state law or the regulation of a profession.

102.7 ARTICLE XIV

102.8 FINANCING OF THE INTERSTATE COMMISSION

102.9 A. The Interstate Commission shall pay, or provide for the payment of the reasonable
102.10 expenses of its establishment, organization, and ongoing activities.

102.11 B. The Interstate Commission may levy on and collect an annual assessment from
102.12 each member state to cover the cost of the operations and activities of the Interstate
102.13 Commission and its staff which must be in a total amount sufficient to cover the Interstate
102.14 Commission's annual budget as approved each year. The aggregate annual assessment
102.15 amount shall be allocated based upon a formula to be determined by the Interstate
102.16 Commission, which shall promulgate a rule binding upon all member states.

102.17 C. The Interstate Commission shall not incur obligations of any kind prior to securing
102.18 the funds adequate to meet the same; nor shall the Interstate Commission pledge the credit
102.19 of any of the member states, except by and with the authority of the member state.

102.20 D. The Interstate Commission shall keep accurate accounts of all receipts and
102.21 disbursements. The receipts and disbursements of the Interstate Commission shall be
102.22 subject to the audit and accounting procedures established under its bylaws. However,
102.23 all receipts and disbursements of funds handled by the Interstate Commission shall be
102.24 audited yearly by a certified or licensed public accountant and the report of the audit shall
102.25 be included in and become part of the annual report of the Interstate Commission.

102.26 ARTICLE XV

102.27 MEMBER STATES, EFFECTIVE DATE, AND AMENDMENT

102.28 A. Any state is eligible to become a member state.

102.29 B. The compact shall become effective and binding upon legislative enactment of the
102.30 compact into law by no less than ten of the states. The effective date shall be no earlier than
102.31 December 1, 2007. Thereafter, it shall become effective and binding as to any other member
102.32 state upon enactment of the compact into law by that state. The governors of nonmember
102.33 states or their designees shall be invited to participate in the activities of the Interstate
102.34 Commission on a nonvoting basis prior to the adoption of the compact by all states.

102.35 C. The Interstate Commission may propose amendments to the compact for
102.36 enactment by the member states. No amendment shall become effective and binding upon

103.1 the Interstate Commission and the member states unless and until it is enacted into law by
103.2 unanimous consent of the member states.

103.3 ARTICLE XVI

103.4 WITHDRAWAL AND DISSOLUTION

103.5 A. Withdrawal

103.6 1. Once effective, the compact shall continue in force and remain binding upon each
103.7 and every member state; provided that a member state may withdraw from the compact
103.8 specifically repealing the statute, which enacted the compact into law.

103.9 2. Withdrawal from this compact shall be by the enactment of a statute repealing
103.10 the same, but shall not take effect until one year after the effective date of such statute
103.11 and until written notice of the withdrawal has been given by the withdrawing state to the
103.12 governor of each other member jurisdiction.

103.13 3. The withdrawing state shall immediately notify the chairperson of the Interstate
103.14 Commission in writing upon the introduction of legislation repealing this compact in the
103.15 withdrawing state. The Interstate Commission shall notify the other member states of the
103.16 withdrawing state's intent to withdraw within 60 days of its receipt thereof.

103.17 4. The withdrawing state is responsible for all assessments, obligations and liabilities
103.18 incurred through the effective date of withdrawal, including obligations, the performance
103.19 of which extend beyond the effective date of withdrawal.

103.20 5. Reinstatement following withdrawal of a member state shall occur upon the
103.21 withdrawing state reenacting the compact or upon such later date as determined by the
103.22 Interstate Commission.

103.23 B. Dissolution of Compact

103.24 1. This compact shall dissolve effective upon the date of the withdrawal or default
103.25 of the member state which reduces the membership in the compact to one member state.

103.26 2. Upon the dissolution of this compact, the compact becomes null and void and shall
103.27 be of no further force or effect, and the business and affairs of the Interstate Commission
103.28 shall be concluded and surplus funds shall be distributed in accordance with the bylaws.

103.29 ARTICLE XVII

103.30 SEVERABILITY AND CONSTRUCTION

103.31 A. The provisions of this compact shall be severable, and if any phrase, clause,
103.32 sentence, or provision is deemed unenforceable, the remaining provisions of the compact
103.33 shall be enforceable.

103.34 B. The provisions of this compact shall be liberally construed to effectuate its
103.35 purposes.

104.1 C. Nothing in this compact shall be construed to prohibit the applicability of other
 104.2 interstate compacts to which the states are members.

104.3 **ARTICLE XVIII**

104.4 **BINDING EFFECT OF COMPACT AND OTHER LAWS**

104.5 **A. Other Laws**

104.6 1. Nothing herein prevents the enforcement of any other law of a member state
 104.7 that is not inconsistent with this compact.

104.8 2. All member states' laws conflicting with this compact are superseded to the
 104.9 extent of the conflict.

104.10 **B. Binding Effect of the Compact**

104.11 1. All lawful actions of the Interstate Commission, including all rules and bylaws
 104.12 promulgated by the Interstate Commission, are binding upon the member states.

104.13 2. All agreements between the Interstate Commission and the member states are
 104.14 binding in accordance with their terms.

104.15 3. In the event any provision of this compact exceeds the constitutional limits
 104.16 imposed on the legislature of any member state, such provision shall be ineffective to the
 104.17 extent of the conflict with the constitutional provision in question in that member state.

104.18 **Sec. 3. MILITARY-CONNECTED YOUTH IDENTIFIER.**

104.19 (a) When a school district updates its enrollment forms in the ordinary course
 104.20 of business, the district must include a box on the enrollment form to allow students
 104.21 to self-identify as a military-connected youth. For purposes of this section, a
 104.22 "military-connected youth" means having an immediate family member, including a
 104.23 parent or sibling, who is currently in the armed forces either as a reservist or on active
 104.24 duty or has recently retired from the armed forces.

104.25 (b) Data collected under this section is private data, but summary data may be
 104.26 published by the Department of Education.

104.27 **ARTICLE 9**

104.28 **UNSESSION CHANGES**

104.29 Section 1. Minnesota Statutes 2012, section 121A.36, is amended to read:

104.30 **121A.36 MOTORCYCLE SAFETY EDUCATION PROGRAM.**

104.31 Subdivision 1. **Established; administration; rules.** A motorcycle safety education
 104.32 program is established. The program shall be administered by the ~~commissioners~~
 104.33 commissioner of public safety ~~and education~~. The program shall include but is not limited

105.1 to training and coordination of motorcycle safety instructors, motorcycle safety promotion
 105.2 and public information, and reimbursement for the cost of approved courses offered by
 105.3 schools and organizations.

105.4 Subd. 2. **Reimbursements.** The commissioner of ~~education~~ public safety, to the
 105.5 extent that funds are available, may reimburse schools and other approved organizations
 105.6 offering approved motorcycle safety education courses for up to 50 percent of the actual
 105.7 cost of the courses. If sufficient funds are not available, reimbursements shall be prorated.
 105.8 The commissioner may conduct audits and otherwise examine the records and accounts of
 105.9 schools and approved organizations offering the courses to insure the accuracy of the costs.

105.10 Subd. 3. **Appropriation.** (a) All funds in the motorcycle safety fund created by
 105.11 section 171.06, subdivision 2a, are hereby annually appropriated to the commissioner of
 105.12 public safety to carry out the purposes of subdivisions 1 and 2. ~~The commissioner of~~
 105.13 ~~public safety may make grants from the fund to the commissioner of education at such~~
 105.14 ~~times and in such amounts as the commissioner deems necessary to carry out the purposes~~
 105.15 ~~of subdivisions 1 and 2.~~

105.16 (b) Of the money appropriated under paragraph (a):

105.17 (1) not more than five percent shall be expended to defray the administrative costs
 105.18 of carrying out the purposes of subdivisions 1 and 2; and

105.19 (2) not more than 65 percent shall be expended for the combined purpose of
 105.20 training and coordinating the activities of motorcycle safety instructors and making
 105.21 reimbursements to schools and other approved organizations.

105.22 Sec. 2. Minnesota Statutes 2012, section 124D.141, subdivision 2, is amended to read:

105.23 Subd. 2. **Additional duties.** The following duties are added to those assigned
 105.24 to the council under federal law:

105.25 (1) make recommendations on the most efficient and effective way to leverage state
 105.26 and federal funding streams for early childhood and child care programs;

105.27 ~~(2) make recommendations on how to coordinate or colocate early childhood and~~
 105.28 ~~child care programs in one state Office of Early Learning. The council shall establish a task~~
 105.29 ~~force to develop these recommendations. The task force shall include two nonexecutive~~
 105.30 ~~branch or nonlegislative branch representatives from the council; six representatives from~~
 105.31 ~~the early childhood caucus; two representatives each from the Departments of Education,~~
 105.32 ~~Human Services, and Health; one representative each from a local public health agency, a~~
 105.33 ~~local county human services agency, and a school district; and two representatives from~~
 105.34 ~~the private nonprofit organizations that support early childhood programs in Minnesota.~~

- 106.1 ~~In developing recommendations in coordination with existing efforts of the council, the~~
106.2 ~~task force shall consider how to:~~
- 106.3 ~~(i) consolidate and coordinate resources and public funding streams for early~~
106.4 ~~childhood education and child care, and ensure the accountability and coordinated~~
106.5 ~~development of all early childhood education and child care services to children from birth~~
106.6 ~~to kindergarten entrance;~~
 - 106.7 ~~(ii) create a seamless transition from early childhood programs to kindergarten;~~
 - 106.8 ~~(iii) encourage family choice by ensuring a mixed system of high-quality public and~~
106.9 ~~private programs, with local points of entry, staffed by well-qualified professionals;~~
 - 106.10 ~~(iv) ensure parents a decisive role in the planning, operation, and evaluation of~~
106.11 ~~programs that aid families in the care of children;~~
 - 106.12 ~~(v) provide consumer education and accessibility to early childhood education~~
106.13 ~~and child care resources;~~
 - 106.14 ~~(vi) advance the quality of early childhood education and child care programs in order~~
106.15 ~~to support the healthy development of children and preparation for their success in school;~~
 - 106.16 ~~(vii) develop a seamless service delivery system with local points of entry for early~~
106.17 ~~childhood education and child care programs administered by local, state, and federal~~
106.18 ~~agencies;~~
 - 106.19 ~~(viii) ensure effective collaboration between state and local child welfare programs~~
106.20 ~~and early childhood mental health programs and the Office of Early Learning;~~
 - 106.21 ~~(ix) develop and manage an effective data collection system to support the necessary~~
106.22 ~~functions of a coordinated system of early childhood education and child care in order to~~
106.23 ~~enable accurate evaluation of its impact;~~
 - 106.24 ~~(x) respect and be sensitive to family values and cultural heritage; and~~
 - 106.25 ~~(xi) establish the administrative framework for and promote the development of~~
106.26 ~~early childhood education and child care services in order to provide that these services,~~
106.27 ~~staffed by well-qualified professionals, are available in every community for all families~~
106.28 ~~that express a need for them.~~
- 106.29 ~~In addition, the task force must consider the following responsibilities for transfer~~
106.30 ~~to the Office of Early Learning:~~
- 106.31 ~~(A) responsibilities of the commissioner of education for early childhood education~~
106.32 ~~programs and financing under sections 119A.50 to 119A.535, 121A.16 to 121A.19, and~~
106.33 ~~124D.129 to 124D.2211;~~
 - 106.34 ~~(B) responsibilities of the commissioner of human services for child care assistance,~~
106.35 ~~child care development, and early childhood learning and child protection facilities~~
106.36 ~~programs and financing under chapter 119B and section 256E.37; and~~

107.1 ~~(C) responsibilities of the commissioner of health for family home visiting programs~~
107.2 ~~and financing under section 145A.17.~~

107.3 ~~Any costs incurred by the council in making these recommendations must be paid~~
107.4 ~~from private funds. If no private funds are received, the council must not proceed in~~
107.5 ~~making these recommendations. The council must report its recommendations to the~~
107.6 ~~governor and the legislature by January 15, 2011;~~

107.7 ~~(3) (2) review program evaluations regarding high-quality early childhood programs;~~
107.8 ~~and~~

107.9 ~~(4) (3) make recommendations to the governor and legislature, including proposed~~
107.10 ~~legislation on how to most effectively create a high-quality early childhood system in~~
107.11 ~~Minnesota in order to improve the educational outcomes of children so that all children~~
107.12 ~~are school-ready by 2020;~~

107.13 ~~(5) make recommendations to the governor and the legislature by March 1, 2011, on~~
107.14 ~~the creation and implementation of a statewide school readiness report card to monitor~~
107.15 ~~progress toward the goal of having all children ready for kindergarten by the year 2020.~~
107.16 ~~The recommendations shall include what should be measured including both children and~~
107.17 ~~system indicators, what benchmarks should be established to measure state progress~~
107.18 ~~toward the goal, and how frequently the report card should be published. In making their~~
107.19 ~~recommendations, the council shall consider the indicators and strategies for Minnesota's~~
107.20 ~~early childhood system report, the Minnesota school readiness study, developmental~~
107.21 ~~assessment at kindergarten entrance, and the work of the council's accountability~~
107.22 ~~committee. Any costs incurred by the council in making these recommendations must be~~
107.23 ~~paid from private funds. If no private funds are received, the council must not proceed in~~
107.24 ~~making these recommendations; and~~

107.25 ~~(6) make recommendations to the governor and the legislature on how to screen~~
107.26 ~~earlier and comprehensively assess children for school readiness in order to provide~~
107.27 ~~increased early interventions and increase the number of children ready for kindergarten.~~
107.28 ~~In formulating their recommendations, the council shall consider (i) ways to interface~~
107.29 ~~with parents of children who are not participating in early childhood education or care~~
107.30 ~~programs, (ii) ways to interface with family child care providers, child care centers, and~~
107.31 ~~school-based early childhood and Head Start programs, (iii) if there are age-appropriate~~
107.32 ~~and culturally sensitive screening and assessment tools for three-, four-, and five-year-olds,~~
107.33 ~~(iv) the role of the medical community in screening, (v) incentives for parents to have~~
107.34 ~~children screened at an earlier age, (vi) incentives for early education and care providers~~
107.35 ~~to comprehensively assess children in order to improve instructional practice, (vii) how to~~
107.36 ~~phase in increases in screening and assessment over time, (viii) how the screening and~~

108.1 ~~assessment data will be collected and used and who will have access to the data, (ix)~~
108.2 ~~how to monitor progress toward the goal of having 50 percent of three-year-old children~~
108.3 ~~screened and 50 percent of entering kindergarteners assessed for school readiness by 2015~~
108.4 ~~and 100 percent of three-year-old children screened and entering kindergarteners assessed~~
108.5 ~~for school readiness by 2020, and (x) costs to meet these benchmarks. The council shall~~
108.6 ~~consider the screening instruments and comprehensive assessment tools used in Minnesota~~
108.7 ~~early childhood education and care programs and kindergarten. The council may survey~~
108.8 ~~early childhood education and care programs in the state to determine the screening and~~
108.9 ~~assessment tools being used or rely on previously collected survey data, if available. For~~
108.10 ~~purposes of this subdivision, "school readiness" is defined as the child's skills, knowledge,~~
108.11 ~~and behaviors at kindergarten entrance in these areas of child development: social;~~
108.12 ~~self-regulation; cognitive, including language, literacy, and mathematical thinking; and~~
108.13 ~~physical. For purposes of this subdivision, "screening" is defined as the activities used to~~
108.14 ~~identify a child who may need further evaluation to determine delay in development or~~
108.15 ~~disability. For purposes of this subdivision, "assessment" is defined as the activities used~~
108.16 ~~to determine a child's level of performance in order to promote the child's learning and~~
108.17 ~~development. Work on this duty will begin in fiscal year 2012. Any costs incurred by the~~
108.18 ~~council in making these recommendations must be paid from private funds. If no private~~
108.19 ~~funds are received, the council must not proceed in making these recommendations. The~~
108.20 ~~council must report its recommendations to the governor and legislature by January 15,~~
108.21 ~~2013, with an interim report on February 15, 2011.~~

108.22 Sec. 3. Minnesota Statutes 2012, section 124D.141, subdivision 3, is amended to read:

108.23 Subd. 3. **Administration.** ~~An amount up to \$12,500 from federal child care and~~
108.24 ~~development fund administrative funds and up to \$12,500 from prekindergarten exploratory~~
108.25 ~~project funds appropriated under Laws 2007, chapter 147, article 19, section 3, may be~~
108.26 ~~used to reimburse the parents on the council and for technical assistance and administrative~~
108.27 ~~support of the State Advisory Council on Early Childhood Education and Care. This~~
108.28 ~~funding stream is for fiscal year 2009. The council may pursue additional funds from state,~~
108.29 ~~federal, and private sources. If additional operational funds are received, the council must~~
108.30 ~~reduce the amount of prekindergarten exploratory project funds used in an equal amount.~~

108.31 Sec. 4. **REVISOR'S INSTRUCTION.**

108.32 The revisor of statutes shall renumber Minnesota Statutes, section 121A.36, as
108.33 section 171.335. The revisor of statutes shall also make cross-reference changes in
108.34 Minnesota Statutes and Minnesota Rules consistent with the renumbering.

109.1 Sec. 5. **REPEALER.**

109.2 Minnesota Statutes 2012, sections 119A.04, subdivision 3; 120A.30; 120B.19;
 109.3 120B.24; 121A.17, subdivision 9; 122A.52; 122A.53; 122A.61, subdivision 2; 122A.71;
 109.4 124D.24; 124D.25; 124D.26; 124D.27; 124D.28; 124D.29; 124D.30; and 124D.31, are
 109.5 repealed.

109.6 **ARTICLE 10**109.7 **UNSESSION CONFORMING CHANGES**

109.8 Section 1. Minnesota Statutes 2012, section 120A.22, subdivision 2, is amended to read:

109.9 Subd. 2. **Applicability.** This section and sections 120A.24; 120A.26; ~~120A.30;~~
 109.10 120A.32; and 120A.34 apply only to a child required to receive instruction according to
 109.11 subdivision 5 and to instruction that is intended to fulfill that requirement.

109.12 Sec. 2. Minnesota Statutes 2012, section 120A.32, is amended to read:

109.13 **120A.32 OFFICERS, TEACHERS; NEGLECT OF DUTY; PENALTY.**

109.14 Any school officer, truant officer, public or nonpublic school teacher, principal,
 109.15 district superintendent, or person providing instruction other than a parent refusing,
 109.16 willfully failing, or neglecting to perform any duty imposed by sections 120A.22 to
 109.17 ~~120A.30~~ 120A.26, 120A.35, 120A.41, and 123B.03 is guilty of a misdemeanor. All
 109.18 persons found guilty shall be punished for each offense by a fine of not more than \$10 or
 109.19 by imprisonment for not more than ten days. All fines, when collected, shall be paid into
 109.20 the county treasury for the benefit of the school district in which the offense is committed.

109.21 Sec. 3. Minnesota Statutes 2012, section 122A.09, subdivision 7, is amended to read:

109.22 Subd. 7. **Commissioner's assistance; board money.** The commissioner shall
 109.23 provide all necessary materials and assistance for the transaction of the business of the
 109.24 Board of Teaching and all moneys received by the Board of Teaching shall be paid into
 109.25 the state treasury as provided by law. The expenses of administering sections 122A.01,
 109.26 122A.05 to 122A.09, 122A.15, 122A.16, 122A.17, 122A.18, 122A.20, 122A.21, 122A.22,
 109.27 122A.23, 122A.26, 122A.30, 122A.40, 122A.41, 122A.42, 122A.45, 122A.49, ~~122A.52,~~
 109.28 ~~122A.53,~~ 122A.54, 122A.55, 122A.56, 122A.57, and 122A.58 which are incurred by the
 109.29 Board of Teaching shall be paid for from appropriations made to the Board of Teaching.

109.30 Sec. 4. Minnesota Statutes 2012, section 127A.41, subdivision 7, is amended to read:

110.1 Subd. 7. **Schedule adjustments.** (a) It is the intention of the legislature to encourage
110.2 efficient and effective use of staff and facilities by districts. Districts are encouraged to
110.3 consider both cost and energy saving measures.

110.4 (b) Any district operating a program pursuant to sections 124D.12 to 124D.127; or
110.5 124D.128, ~~or 124D.25 to 124D.29~~, or operating a commissioner-designated area learning
110.6 center program under section 123A.09, or that otherwise receives the approval of the
110.7 commissioner to operate its instructional program to avoid an aid reduction in any year,
110.8 may adjust the annual school schedule for that program throughout the calendar year.

APPENDIX
Article locations in S1889-1

ARTICLE 1	GENERAL EDUCATION	Page.Ln 1.32
ARTICLE 2	EDUCATION EXCELLENCE	Page.Ln 3.1
ARTICLE 3	SPECIAL PROGRAMS	Page.Ln 15.1
ARTICLE 4	NUTRITION	Page.Ln 34.24
ARTICLE 5	EARLY CHILDHOOD EDUCATION, SELF-SUFFICIENCY, AND LIFELONG LEARNING	Page.Ln 36.12
ARTICLE 6	LIBRARIES	Page.Ln 38.14
ARTICLE 7	ENGLISH LEARNERS	Page.Ln 38.30
ARTICLE 8	INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN	Page.Ln 86.7
ARTICLE 9	UNSESSION CHANGES	Page.Ln 104.27
ARTICLE 10	UNSESSION CONFORMING CHANGES	Page.Ln 109.6

119A.04 TRANSFERS FROM OTHER AGENCIES.

Subd. 3. **Office of Strategic and Long-Range Planning.** The powers and duties of the Office of Strategic and Long-Range Planning with respect to the following programs are transferred to the Department of Education under section 15.039. The programs needing federal approval to transfer shall be transferred when the federal government grants transfer authority to the commissioner:

- (1) the information redesign project under section 4A.01;
- (2) the action for children activity under section 4A.01;
- (3) the teen pregnancy prevention program under section 4A.01; and
- (4) the Minnesota children's initiative project under section 4A.01.

120A.30 ATTENDANCE OFFICERS.

The board of any district may authorize the employment of attendance officers, who must investigate truancy or nonattendance at school, make complaints, serve notice and process, and attend to the enforcement of all laws and district rules regarding school attendance. When any attendance officer learns of any case of habitual truancy or continued nonattendance of any child required to attend school the officer must immediately notify the person having control of the child to send and keep the child in school. The attendance officer must also refer a habitual truant child as defined in section 260C.007, subdivision 19, and the child's parent or legal guardian to appropriate services and procedures under chapter 260A, if available within the school district. Attendance officers or other designated school officials must ensure that the notice required by section 260A.03 for a child who is a continuing truant is sent. The officer must act under the general supervision of the superintendent.

120B.19 CHINESE LANGUAGE PROGRAMS; CURRICULUM DEVELOPMENT PROJECT.

Subdivision 1. **Project parameters.** (a) Notwithstanding other law to the contrary, the commissioner of education may contract with the Board of Regents of the University of Minnesota or other Minnesota public entity the commissioner determines is qualified to undertake the development of an articulated K-12 Chinese curriculum for Minnesota schools that involves:

- (1) creating a network of Chinese teachers and educators able to develop new and modify or expand existing world languages K-12 curricula, materials, assessments, and best practices needed to provide Chinese language instruction to students; and
- (2) coordinating statewide efforts to develop and expand Chinese language instruction so that it is uniformly available to students throughout the state, and making innovative use of media and technology, including television, distance learning, and online courses to broaden students' access to the instruction.

(b) The entity with which the commissioner contracts under paragraph (a) must have sufficient knowledge and expertise to ensure the professional development of appropriate, high-quality curricula, supplementary materials, aligned assessments, and best practices that accommodate different levels of student ability and types of programs.

(c) Project participants must:

- (1) work throughout the project to develop curriculum, supplementary materials, aligned assessments, and best practices; and
- (2) make curriculum, supplementary materials, aligned assessments, and best practices equitably available to Minnesota schools and students.

Subd. 2. **Project participants.** The entity with which the commissioner contracts must work with the network of Chinese teachers and educators to:

- (1) conduct an inventory of Chinese language curricula, supplementary materials, and professional development initiatives currently used in Minnesota or other states;
- (2) develop Chinese language curricula and benchmarks aligned to local world language standards and classroom-based assessments; and
- (3) review and recommend to the commissioner how best to build an educational infrastructure to provide more students with Chinese language instruction, including how to develop and provide: (i) an adequate supply of Chinese language teachers; (ii) an adequate number of high-quality school programs; (iii) appropriate curriculum, instructional materials, and aligned assessments that include technology-based delivery systems; (iv) teacher preparation programs to train Chinese language teachers; (v) expedited licensing of Chinese language

APPENDIX

Repealed Minnesota Statutes: S1889-1

teachers; (vi) best practices in existing educational programs that can be used to establish K-12 Chinese language programs; and (vii) technical assistance resources.

120B.24 ENDOWED CHAIR.

Subdivision 1. **Purpose.** The purpose of the endowed chair program is to increase curriculum offerings and learning experiences available to students.

Subd. 2. **Eligibility.** A school site, represented by the school site council or, if no site council exists, the principal or lead teacher, and the party interested in endowing a chair may enter into an agreement for an endowed chair for no longer than one year in length. The party endowing the chair and the school site may, at their discretion, renew annually.

Subd. 3. **Program.** An endowed chair program may be for a semester, a summer session, or a full school year. Curriculum developed or provided under the endowed chair program must supplement the existing curriculum offerings available at the school in the particular subject chosen.

Subd. 4. **Agreement.** The agreement must make available funds sufficient for the salary and benefit costs of the instructor, and necessary supplies for the course. The participating site must provide the classroom space and administer the program. The parties, in consultation with the school district and the exclusive representative of the teachers, jointly select the instructor for the endowed chair.

120B.35 STUDENT ACADEMIC ACHIEVEMENT AND GROWTH.

Subd. 4. **Improving schools.** Consistent with the requirements of this section, beginning June 20, 2012, the commissioner of education must annually report to the public and the legislature the organizational and curricular practices implemented in those schools that demonstrate medium and high growth compared to the state growth target.

121A.17 SCHOOL BOARD RESPONSIBILITIES.

Subd. 9. **Health care provider societies.** A board may consult with local societies of health care providers.

122A.19 BILINGUAL AND ENGLISH AS A SECOND LANGUAGE TEACHERS; LICENSES.

Subd. 3. **Employment of teachers.** Teachers employed in a bilingual education or English as a second language program established pursuant to sections 124D.58 to 124D.64 shall not be employed to replace any presently employed teacher who otherwise would not be replaced.

122A.52 TEACHERS' REPORTS.

An order must not be issued for the payment of the wages of any teacher while the teacher is in default in making reports or in returning the teacher's register. The teachers, principals, and superintendents shall make such reports as may be required by law or the rules of the state or local board under like penalty.

122A.53 KEEPING OF REGISTERS.

Each teacher shall keep a register, furnished by the clerk, showing the daily attendance of each pupil, and such other matters as may be required in such register. Each teacher shall also keep such record of deportment and scholarship as may be required by the board. The register shall show the names and ages of all pupils, the names and number of days' attendance of all pupils between the ages of five and eight years, between eight and 15 years, and between 15 and 21 years, and the names of all paying tuition. The teacher shall return such register, properly kept, to the clerk within ten days after the close of the school year.

122A.61 RESERVED REVENUE FOR STAFF DEVELOPMENT.

Subd. 2. **Career teacher staff development.** Of a district's basic revenue under section 126C.10, subdivision 2, an amount equal to \$5 times the number of resident pupil units must be reserved by a district operating a career teacher program according to sections 124D.25 to 124D.29. The revenue may be used only to provide staff development for the career teacher program.

APPENDIX

Repealed Minnesota Statutes: S1889-1

Subd. 2. **Career teacher staff development.** Of a district's basic revenue under section 126C.10, subdivision 2, an amount equal to \$5 times the number of resident pupil units must be reserved by a district operating a career teacher program according to sections 124D.25 to 124D.29. The revenue may be used only to provide staff development for the career teacher program.

122A.71 RESEARCH ON PROGRAM EFFECTIVENESS.

Subdivision 1. **Purpose.** The legislature recognizes a growing and substantial concern about the effectiveness and breadth of the existing undergraduate curriculum for teacher education students. It also recognizes the absence of definitive research about the most effective curricula to adequately prepare teachers for entrance into the teaching profession. The purpose of this section is to support research on the comparative effectiveness of different teacher education program structures, after new programs have been designed and implemented, and the first graduates are in service.

Subd. 2. **Responsibility.** By July 1, 1989, the Board of Teaching must begin to evaluate the effectiveness of prebaccalaureate, postbaccalaureate, and other alternative program structures for preparing candidates for entrance into the teaching profession. The evaluation shall be conducted by independent research centers or evaluators who are not associated with a Minnesota teacher education institution and shall be longitudinal in nature.

124D.24 CITATION; MINNESOTA FAMILY CONNECTIONS ACT.

Sections 124D.25 to 124D.29 may be cited as the "Minnesota Family Connections Act."

124D.25 PURPOSE OF FAMILY CONNECTIONS ACT.

The legislature recognizes the unique and lifelong learning and development process of all human beings. The legislature is committed to the goal of maximizing the individual growth potential of all learners. The purposes of the Family Connections Act are:

- (1) to offer family connections programs which emphasize learning and development based on learner outcomes;
- (2) to recognize and utilize the unique skills that teachers, students, family, and the community have in both the teaching process and the learning and development process; and
- (3) to provide an opportunity for maximum use of teachers, principals, and counselors.

124D.26 IMPROVED LEARNING PROGRAM.

Subdivision 1. **Authorization.** A district or group of districts may establish an improved learning program.

Subd. 2. **Rules and rights.** The commissioner of education may waive district compliance with its rules which would prevent implementation of an improved learning program. Participation in an improved learning program as a principal-teacher, counselor-teacher, or career teacher must not affect seniority in the district or rights under the applicable collective bargaining agreement.

Subd. 3. **Additional funding.** A district providing an improved learning program may receive funds for the program from private sources and governmental agencies, including state or federal funds.

124D.27 ADVISORY COUNCIL.

The board of a district providing a family connections program must appoint an advisory council. Council members must be selected from the school attendance area in which programs are provided. Members of the council may include students, teachers, principals, administrators and community members. A majority of the members must be parents with children participating in the local program. The local advisory council must advise the board in the development, coordination, supervision, and review of the career teacher program. The council must meet at least two times each year with any established community education advisory council in the district. Members of the council may be members of the community education advisory council. The council must report to the school board.

124D.28 FAMILY CONNECTIONS PROGRAM COMPONENTS.

Subdivision 1. **Mandatory components.** A family connections program must include:

APPENDIX

Repealed Minnesota Statutes: S1889-1

- (1) participation by a designated individual as a career teacher, principal-teacher, or counselor teacher;
- (2) an emphasis on each individual child's unique learning and development needs;
- (3) procedures to give the career teacher a major responsibility for leadership of the instructional and noninstructional activities of each child beginning with early childhood family education;
- (4) procedures to involve parents in the learning and development experiences of their children;
- (5) procedures to implement outcome-based education by focusing on the needs of the learner;
- (6) procedures to coordinate and integrate the instructional program with all community education programs;
- (7) procedures to concentrate career teacher programs at sites that provide early childhood family education and subsequent learning and development programs; and
- (8) procedures for the district to fund the program.

Subd. 2. **Optional components.** A family connections program may include:

- (1) efforts to improve curricula strategies, instructional strategies, and use of materials that respond to the individual educational needs and learning styles of each pupil in order to enable each pupil to make continuous progress and to learn at a rate appropriate to that pupil's abilities;
- (2) efforts to develop student abilities in basic skills; applied learning skills; and, when appropriate, arts; humanities; physical, natural, and social sciences; multicultural education; physical, emotional, and mental health; consumer economics; and career education;
- (3) use of community resources and communications media to pursue learning and development opportunities for pupils;
- (4) staff development for teachers and other school personnel;
- (5) improvements to the learning and development environment, including use of the community in general, to enhance the learning and development process;
- (6) cooperative efforts with other agencies involved with human services or child development and development of alternative community based learning and development experiences;
- (7) postsecondary education components for pupils who are able to accelerate or programs for pupils with special abilities and interests who are given advanced learning and development opportunities within existing programs;
- (8) use of volunteers in the learning and development program;
- (9) flexible attendance schedules for pupils;
- (10) adult education component;
- (11) coordination with early childhood family education and community education programs;
- (12) variable student/faculty ratios for special education students to provide for special programming;
- (13) inclusion of nonpublic pupils as part of the ratio in the career teacher, principal-teacher, and counselor teacher component;
- (14) application of educational research findings;
- (15) summer learning and development experiences for students as recommended by the career teacher, principal-teacher, and counselor teacher;
- (16) use of education assistants, teacher aides, or paraprofessionals as part of the career teacher program;
- (17) establishment of alternative criteria for high school graduation; and
- (18) variable age and learning size groupings of students.

124D.29 CAREER TEACHER.

Subdivision 1. **Status.** A family connections program may include a career teacher, principal-teacher, and counselor teacher component. The career teacher, principal-teacher, and counselor teacher must not be the exclusive teacher for students assigned to them but shall serve as a primary teacher and perform the function of developing and implementing a student's overall learning and development program. The career teacher, principal-teacher, and counselor teacher may be responsible for regular assignments as well as learning and development programs for other assigned students.

Subd. 2. **Qualifications.** (a) An individual employed as a career teacher must be licensed as a teacher and shall be considered a teacher as defined in section 179A.03, subdivision 18, for purposes of chapter 179A.

APPENDIX

Repealed Minnesota Statutes: S1889-1

(b) An individual employed as a principal teacher must be licensed as a principal and shall be considered a principal, as defined in section 179A.03, subdivision 12, for purposes of chapter 179A.

(c) An individual employed as a counselor teacher must be licensed as a counselor and shall be considered a teacher, as defined in section 179A.03, subdivision 18, for purposes of chapter 179A.

Subd. 3. **Staff/student ratio.** (a) Except as provided in paragraph (b), one career teacher, principal-teacher, or counselor teacher shall be assigned for every 125 students. For each special education student included in the assignment, the 1:125 ratio must be reduced by one.

(b) One principal-teacher shall be assigned for every 50 students when the principal-teacher is also the principal of the school.

Subd. 4. **Selection; renewal.** (a) The board must establish procedures for teachers, principals, and counselors to apply for the position of career teacher, principal-teacher, or counselor teacher. The authority for selection of career teachers, principal-teachers, and counselor teachers is vested in the board and no individual shall have a right to employment as a career teacher, principal-teacher, or counselor teacher based on seniority or order of employment in the district.

(b) Employment of the career teacher, principal-teacher, and counselor teacher may be on a 12-month basis with vacation time negotiated individually with the board. The annual contract of a career teacher, principal-teacher, or counselor teacher may not be renewed, as the board shall see fit. The board must give any teacher whose contract as a career teacher, principal-teacher, or counselor teacher it declines to renew for the following year written notice to that effect before April 15. If the board fails to renew the contract of a career teacher, principal-teacher, or counselor teacher, that individual must be reinstated to another position in the district if eligible pursuant to section 122A.40 or 122A.41.

Subd. 5. **Duties.** The career teacher, principal-teacher, and counselor teacher is responsible for:

(1) the overall education, learning, and development plan of assigned students. The career teacher, principal-teacher, and counselor teacher must design this plan with the student, parents, and other faculty, and must seek to maximize the learning and development potential and maturation level of each pupil;

(2) measuring the proficiency of the assigned students and assisting other staff in identifying pupil needs and making appropriate educational and subject groupings;

(3) when part of the district's plan, taking responsibility for the parent and early childhood education of assigned students;

(4) designing and being responsible for program components which meet special learning needs of high potential and talented students;

(5) coordinating the ongoing, year-to-year learning and development program for assigned students; and

(6) developing learning and development portfolios.

124D.30 FAMILY CONNECTIONS AID.

Subdivision 1. **Eligibility.** A district that has a family connections program, according to sections 124D.24 to 124D.29, for one or more of its teachers is eligible for aid to extend the teaching contract of a family connections teacher.

Subd. 2. **Aid.** A district with an approved plan shall receive \$30 per pupil served at the school site with the family connections program. The district must provide a match of \$15 per pupil served at the school site with the family connections program.

Subd. 3. **Commissioner approval.** The commissioner may approve plans and applications for districts throughout the state for family connections aid. The commissioner shall establish application procedures and deadlines.

Subd. 4. **Use of aid.** Family connections aid may be used only to implement a family connections program.

124D.31 RESERVED REVENUE FOR CERTAIN TEACHER PROGRAM.

APPENDIX

Repealed Minnesota Statutes: S1889-1

A district that has a family connections program or a mentor-teacher program may reserve part of the basic revenue under section 126C.10, subdivision 2, for the district's share, of the portion of the teaching contract that is in addition to the standard teaching contract of the district.

125A.027 INTERAGENCY EARLY INTERVENTION COMMITTEE RESPONSIBILITIES.

Subd. 3. **Implementation timeline.** By July 1, 2000, the individual interagency intervention plan must be available and by January 1, 2001, all governing boards of interagency early intervention committees statewide must implement a coordinated service system for children up to age five with disabilities consistent with the requirements of this section and section 125A.023 and the evaluation results from the demonstration projects under section 125A.023, subdivision 5. Children with disabilities up to the age of 21 shall be eligible for coordinated services and their eligibility to receive such services under this section shall be phased in over a four-year period as follows:

- (1) July 1, 2001, children up to age nine become eligible;
- (2) July 1, 2002, children up to age 14 become eligible; and
- (3) July 1, 2003, children up to age 21 become eligible.