

1.1 moves to amend H.F. No. 1591, the delete everything amendment
1.2 (H1591DE1), as follows:

1.3 Page 1, delete article 1 and insert:

1.4 **"ARTICLE 1**

1.5 **EDUCATOR PREPARATION, LICENSURE, AND ACCOUNTABILITY**

1.6 Section 1. Minnesota Statutes 2014, section 122A.09, subdivision 4, is amended to read:

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

1.9 (b) The board must adopt rules requiring a person to pass a skills examination in
1.10 reading, writing, and mathematics or attain either a composite score composed of the
1.11 average of the scores in English and writing, reading, and mathematics on the ACT
1.12 Plus Writing recommended by the board, or an equivalent composite score composed
1.13 of the average of the scores in critical reading, mathematics, and writing on the SAT
1.14 recommended by the board, as a requirement for initial teacher licensure, except that the
1.15 board may issue up to two temporary, one-year teaching licenses to an otherwise qualified
1.16 candidate who has not yet passed the skills exam or attained the requisite composite score
1.17 on the ACT Plus Writing or SAT. Such rules must require college and universities offering
1.18 a board-approved teacher preparation program to provide remedial assistance to persons
1.19 who did not achieve a qualifying score on the skills examination or attain the requisite
1.20 composite score on the ACT Plus Writing or SAT, including those for whom English is
1.21 a second language. The requirement to pass a reading, writing, and mathematics skills
1.22 examination or attain the requisite composite score on the ACT Plus Writing or SAT does
1.23 not apply to nonnative English speakers, as verified by qualified Minnesota school district
1.24 personnel or Minnesota higher education faculty, who, after meeting the content and
1.25 pedagogy requirements under this subdivision, apply for a teaching license to provide direct
1.26 instruction in their native language or world language instruction under section 120B.022,

2.1 subdivision 1. A teacher candidate's official ACT Plus Writing or SAT composite score
2.2 report to the board must not be more than ten years old at the time of licensure.

2.3 (c) The board must adopt rules to approve teacher preparation programs. The board,
2.4 upon the request of a postsecondary student preparing for teacher licensure or a licensed
2.5 graduate of a teacher preparation program, shall assist in resolving a dispute between the
2.6 person and a postsecondary institution providing a teacher preparation program when the
2.7 dispute involves an institution's recommendation for licensure affecting the person or the
2.8 person's credentials. At the board's discretion, assistance may include the application
2.9 of chapter 14.

2.10 (d) The board must provide the leadership and adopt rules for the redesign of teacher
2.11 education programs to implement a research based, results-oriented curriculum that
2.12 focuses on the skills teachers need in order to be effective. Among other components,
2.13 teacher preparation programs are encouraged to provide a school year-long student
2.14 teaching program that combines clinical opportunities with academic course work and
2.15 in-depth student teaching experiences to offer students ongoing mentorship, coaching
2.16 and assessment, help to prepare a professional development plan, and structured
2.17 learning experiences. The board shall implement new systems of teacher preparation
2.18 program evaluation to assure program effectiveness based on proficiency of graduates in
2.19 demonstrating attainment of program outcomes. Teacher preparation programs including
2.20 alternative teacher preparation programs under section 122A.245, among other programs,
2.21 must include a content-specific, board-approved, performance-based assessment that
2.22 measures teacher candidates in three areas: planning for instruction and assessment;
2.23 engaging students and supporting learning; and assessing student learning. The board's
2.24 redesign rules must include creating flexible, specialized teaching licenses, credentials,
2.25 and other endorsement forms to increase students' participation in language immersion
2.26 programs, world language instruction, career development opportunities, work-based
2.27 learning, early college courses and careers, career and technical programs, Montessori
2.28 schools, and project and place-based learning, among other career and college ready
2.29 learning offerings.

2.30 (e) The board must adopt rules requiring candidates for initial licenses to pass an
2.31 examination of general pedagogical knowledge and examinations of licensure-specific
2.32 teaching skills. The rules shall be effective by September 1, 2001. The rules under this
2.33 paragraph also must require candidates for initial licenses to teach prekindergarten or
2.34 elementary students to pass, as part of the examination of licensure-specific teaching
2.35 skills, test items assessing the candidates' knowledge, skill, and ability in comprehensive,
2.36 scientifically based reading instruction under section 122A.06, subdivision 4, and their

3.1 knowledge and understanding of the foundations of reading development, the development
3.2 of reading comprehension, and reading assessment and instruction, and their ability to
3.3 integrate that knowledge and understanding.

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

3.7 (g) The board must grant licenses to interns and to candidates for initial licenses
3.8 based on appropriate professional competencies that are aligned with the board's licensing
3.9 system and students' diverse learning needs. All teacher candidates must have preparation
3.10 in English language development and content instruction for English learners in order to be
3.11 able to effectively instruct the English learners in their classrooms. The board must include
3.12 these licenses in a statewide differentiated licensing system that creates new leadership
3.13 roles for successful experienced teachers premised on a collaborative professional culture
3.14 dedicated to meeting students' diverse learning needs in the 21st century, recognizes the
3.15 importance of cultural and linguistic competencies, including the ability to teach and
3.16 communicate in culturally competent and aware ways, and formalizes mentoring and
3.17 induction for newly licensed teachers provided through a teacher support framework.

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

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

3.26 (j) The board must grant life licenses to those who qualify according to requirements
3.27 established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and
3.28 214.10. The board must not establish any expiration date for application for life licenses.

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

3.34 (l) In adopting rules to license public school teachers who provide health-related
3.35 services for disabled children, the board shall adopt rules consistent with license or

4.1 registration requirements of the commissioner of health and the health-related boards who
4.2 license personnel who perform similar services outside of the school.

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

4.9 (n) The board must adopt rules that require all licensed teachers who are renewing
4.10 their continuing license to include in their renewal requirements further preparation,
4.11 first, in understanding the key warning signs of early-onset mental illness in children
4.12 and adolescents and then, during subsequent licensure renewal periods, preparation may
4.13 include providing a more in-depth understanding of students' mental illness trauma,
4.14 accommodations for students' mental illness, parents' role in addressing students' mental
4.15 illness, Fetal Alcohol Spectrum Disorders, autism, the requirements of section 125A.0942
4.16 governing restrictive procedures, ~~and~~ de-escalation methods, and suicide prevention
4.17 training that is approved as a best practice, among other similar topics.

4.18 (o) The Board of Teaching, in collaboration with postsecondary teacher preparation
4.19 programs and institutions preparing underrepresented students and the Chicano Latino
4.20 Affairs Council, the Council on Asian-Pacific Minnesotans, the Council on Black
4.21 Minnesotans, the Minnesota Indian Affairs Council, the Minnesota State Council on
4.22 Disability, the Somali American Parent Association, the commissioner of the Minnesota
4.23 Department of Human Rights or the commissioner's designee, the Minnesota Humanities
4.24 Center, and the Mid-continent Research for Education and Learning, must create
4.25 partnerships to help recruit, educate, and license students underrepresented as teachers in
4.26 K-12 schools and as providers in early childhood education programs. These partnerships,
4.27 among other initiatives, must regularly review the content, instructional practices, and
4.28 student support services of board-approved teacher preparation programs as they affect
4.29 underrepresented student populations and disseminate the substance of the reviews to
4.30 interested education stakeholders.

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

4.32 Sec. 2. Minnesota Statutes 2014, section 122A.09, is amended by adding a subdivision
4.33 to read:

4.34 Subd. 4a. **Teacher and administrator preparation and performance data;**
4.35 **report.** (a) The Board of Teaching and the Board of School Administrators, in cooperation

5.1 with the Minnesota Association of Colleges of Teacher Education and Minnesota colleges
5.2 and universities offering board-approved teacher or administrator preparation programs,
5.3 annually must collect and report summary data on teacher and administrator preparation
5.4 and performance outcomes, consistent with this subdivision. The Board of Teaching
5.5 and the Board of School Administrators annually by June 1 must update and post the
5.6 reported summary preparation and performance data on teachers and administrators from
5.7 the preceding school years on a Web site hosted jointly by the boards.

5.8 (b) Publicly reported summary data on teacher preparation programs must include:
5.9 student entrance requirements for each Board of Teaching-approved program, including
5.10 grade point average for enrolling students in the preceding year; the average college-level
5.11 skills examination or ACT or SAT scores of students entering the program in the preceding
5.12 year; summary data on faculty qualifications, including at least the content areas of faculty
5.13 undergraduate and graduate degrees and their years of experience either as kindergarten
5.14 through grade 12 classroom teachers or school administrators; the average time resident
5.15 and nonresident program graduates in the preceding year needed to complete the program;
5.16 the current number and percent of students by program who graduated, received a standard
5.17 Minnesota teaching license, and were hired to teach full-time in their licensure field in a
5.18 Minnesota district or school in the preceding year; the number of content area credits and
5.19 other credits by undergraduate program that students in the preceding school year needed
5.20 to complete to graduate; students' pass rates on skills and subject matter exams required for
5.21 graduation in each program and licensure area in the preceding school year; survey results
5.22 measuring student and graduate satisfaction with the program in the preceding school
5.23 year; a standard measure of the satisfaction of school principals or supervising teachers
5.24 with the student teachers assigned to a school or supervising teacher; and information
5.25 under paragraphs (d) and (e). Program reporting must be consistent with subdivision 11.

5.26 (c) Publicly reported summary data on administrator preparation programs
5.27 approved by the Board of School Administrators must include: summary data on faculty
5.28 qualifications, including at least the content areas of faculty undergraduate and graduate
5.29 degrees and their years of experience either as kindergarten through grade 12 classroom
5.30 teachers or school administrators; the average time program graduates in the preceding
5.31 year needed to complete the program; the current number and percent of students who
5.32 graduated, received a standard Minnesota administrator license, and were employed as an
5.33 administrator in a Minnesota school district or school in the preceding year; the number of
5.34 credits by graduate program that students in the preceding school year needed to complete
5.35 to graduate; survey results measuring student, graduate, and employer satisfaction with

6.1 the program in the preceding school year; and information under paragraphs (f) and (g).
6.2 Program reporting must be consistent with section 122A.14, subdivision 10.

6.3 (d) School districts annually by October 1 must report to the Board of Teaching
6.4 the following information for all teachers who finished the probationary period and
6.5 accepted a continuing contract position with the district from September 1 of the previous
6.6 year through August 31 of the current year: the effectiveness category or rating of the
6.7 teacher on the summative evaluation under section 122A.40, subdivision 8, or 122A.41,
6.8 subdivision 5; the licensure area in which the teacher primarily taught during the
6.9 three-year evaluation cycle; and the teacher preparation program preparing the teacher in
6.10 the teacher's primary areas of instruction and licensure.

6.11 (e) School districts annually by October 1 must report to the Board of Teaching the
6.12 following information for all probationary teachers in the district who were released or
6.13 whose contracts were not renewed from September 1 of the previous year through August
6.14 31 of the current year: the licensure areas in which the probationary teacher taught; and
6.15 the teacher preparation program preparing the teacher in the teacher's primary areas of
6.16 instruction and licensure.

6.17 (f) School districts annually by October 1 must report to the Board of School
6.18 Administrators the following information for all school principals and vice principals
6.19 who finished the probationary period and accepted a continuing contract position with
6.20 the district from September 1 of the previous year through August 31 of the current year:
6.21 the effectiveness category or rating of the principal or vice principal on the summative
6.22 evaluation under section 123B.147, subdivision 3; and the principal preparation program
6.23 providing instruction to the principal or vice principal.

6.24 (g) School districts annually by October 1 must report to the Board of School
6.25 Administrators all probationary school principals and vice principals in the district who
6.26 were released or whose contracts were not renewed from September 1 of the previous
6.27 year through August 31 of the current year.

6.28 **EFFECTIVE DATE.** This section is effective July 1, 2016.

6.29 Sec. 3. Minnesota Statutes 2014, section 122A.09, is amended by adding a subdivision
6.30 to read:

6.31 **Subd. 11. Teacher preparation program reporting.** By December 31, 2018, and
6.32 annually thereafter, the Board of Teaching shall report and publish on its Web site the
6.33 cumulative summary results of at least three consecutive years of data reported to the board
6.34 under subdivision 4a, paragraph (b). Where the data are sufficient to yield statistically

7.1 reliable information and the results would not reveal personally identifiable information
7.2 about an individual teacher, the board shall report the data by teacher preparation program.

7.3 Sec. 4. Minnesota Statutes 2014, section 122A.14, subdivision 3, is amended to read:

7.4 Subd. 3. **Rules for continuing education requirements.** The board shall
7.5 adopt rules establishing continuing education requirements that promote continuous
7.6 improvement and acquisition of new and relevant skills by school administrators.
7.7 Continuing education programs, among other things, must provide school administrators
7.8 with information and training about building coherent and effective English learner
7.9 strategies that include relevant professional development, accountability for student
7.10 progress, students' access to the general curriculum, and sufficient staff capacity to effect
7.11 these strategies. ~~A retired school principal who serves as a substitute principal or assistant~~
7.12 ~~principal for the same person on a day-to-day basis for no more than 15 consecutive~~
7.13 ~~school days is not subject to continuing education requirements as a condition of serving~~
7.14 ~~as a substitute principal or assistant principal.~~

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

7.16 Sec. 5. Minnesota Statutes 2014, section 122A.14, is amended by adding a subdivision
7.17 to read:

7.18 Subd. 10. **Principal preparation program reporting.** By December 31, 2018, and
7.19 annually thereafter, the Board of School Administrators shall report and publish on its
7.20 Web site the cumulative summary results of three years of data reported to the board under
7.21 section 122A.09, subdivision 4a, paragraph (c), for each principal preparation program.

7.22 Sec. 6. **[122A.185] TEACHER TRAINING GRANTS FOR**
7.23 **UNDERREPRESENTED POPULATIONS CURRENTLY EMPLOYED AS**
7.24 **DISTRICT PARAPROFESSIONALS.**

7.25 Subdivision 1. **Establishment.** A teacher training grant program is established to
7.26 provide grants to underrepresented populations currently employed in a school district as
7.27 a paraprofessional or other nonlicensed employee to help offset the employee's cost of
7.28 becoming a licensed teacher or early childhood educator.

7.29 Subd. 2. **Eligibility; application.** (a) A school district, intermediate school district,
7.30 cooperative school district, or special education district may apply to the commissioner of
7.31 education for a grant to help underrepresented student populations currently employed by
7.32 the district as a paraprofessional or other nonlicensed employee and enrolled in a Board of

8.1 Teaching approved teacher preparation program with funding to help offset the employee's
8.2 teacher preparation costs if the commissioner determines that the district:

8.3 (1) established appropriate goals for diversifying its workforce; and

8.4 (2) employs at least one paraprofessional or other nonlicensed employee making
8.5 satisfactory progress in a Board of Teaching approved teacher preparation program or
8.6 completing other coursework needed to meet teacher licensure requirements.

8.7 (b) An interested district under paragraph (a), after verifying its employee's status
8.8 as an enrolled student making satisfactory progress, must apply to the commissioner in
8.9 the form and manner determined by the commissioner. The application must include
8.10 the number of affected employees in the district, the licenses the employees anticipate
8.11 receiving upon completion, the name and address of the postsecondary institution
8.12 providing the instruction, the period of time the employees need to complete the
8.13 preparation program or course, and the tuition cost. The commissioner may require a
8.14 district to provide additional information.

8.15 Subd. 3. **Grant criteria and amount.** (a) The commissioner must consider the
8.16 following criteria in awarding grants under this section and may consider other posted
8.17 criteria established by the commissioner in consultation with the Board of Teaching:

8.18 (1) the aggregate need for underrepresented populations employed as licensed
8.19 teachers in the district, region, and state;

8.20 (2) the educational benefits to elementary and secondary students enrolled in the
8.21 district;

8.22 (3) the per-employee cost of the preparation program or course; and

8.23 (4) additional employment opportunities and benefits for employees who receive
8.24 a teaching license.

8.25 (b) The commissioner, after consulting with those districts awarded a grant, must
8.26 make payments to the postsecondary institution enrolling the district's eligible employees
8.27 in order to offset the employee's program or course costs. The grant amount must not
8.28 exceed the employee's actual program or course costs minus any federal Pell grant or state
8.29 grant amount the employee is eligible to receive.

8.30 Subd. 4. **Employment terms.** Notwithstanding other law to the contrary, a district
8.31 awarded a grant under this section, upon the request of an eligible employee, must
8.32 provide the employee with a paid leave of absence to enable the employee to complete
8.33 the employee's student teaching requirement. Employees under this section currently
8.34 -serving as a school readiness or preschool teacher are deemed to have completed their
8.35 student teaching requirement.

9.1 Subd. 5. **Report.** The commissioner of education, each year beginning February
 9.2 1, 2017, must report to the chairs of the legislative committees with jurisdiction over
 9.3 workforce policy, education, and finance. The report must, at a minimum, include:

9.4 (1) research and analysis on the costs, return on investment, and benefits of the
 9.5 grants for employees, employers, teacher preparation institutions, and the state;

9.6 (2) the number of employees who began a teacher preparation program;

9.7 (3) the number of underrepresented students who began a teacher preparation
 9.8 program and the number who received initial licensure; and

9.9 (4) recommendations, if any, for amending the grant program.

9.10 **EFFECTIVE DATE.** This section is effective July 1, 2015.

9.11 Sec. 7. Minnesota Statutes 2014, section 122A.20, subdivision 1, is amended to read:

9.12 Subdivision 1. **Grounds for revocation, suspension, or denial.** (a) The Board of
 9.13 Teaching or Board of School Administrators, whichever has jurisdiction over a teacher's
 9.14 licensure, may, on the written complaint of the school board employing a teacher, a teacher
 9.15 organization, or any other interested person, refuse to issue, refuse to renew, suspend, or
 9.16 revoke a teacher's license to teach for any of the following causes:

9.17 (1) immoral character or conduct;

9.18 (2) failure, without justifiable cause, to teach for the term of the teacher's contract;

9.19 (3) gross inefficiency or willful neglect of duty;

9.20 (4) failure to meet licensure requirements; or

9.21 (5) fraud or misrepresentation in obtaining a license.

9.22 The written complaint must specify the nature and character of the charges.

9.23 (b) The Board of Teaching or Board of School Administrators, whichever
 9.24 has jurisdiction over a teacher's licensure, shall refuse to issue, refuse to renew, or
 9.25 automatically revoke a teacher's license to teach without the right to a hearing upon
 9.26 receiving a certified copy of a conviction showing that the teacher has been convicted
 9.27 of child abuse, as defined in section 609.185, sex trafficking in the first degree under
 9.28 section 609.322, subdivision 1, sex trafficking in the second degree under section 609.322,
 9.29 subdivision 1a, engaging in hiring, or agreeing to hire a minor to engage in prostitution
 9.30 under section 609.324, subdivision 1, sexual abuse under section 609.342, 609.343,
 9.31 609.344, 609.345, 609.3451, subdivision 3, or 617.23, subdivision 3, solicitation of
 9.32 children to engage in sexual conduct or communication of sexually explicit materials
 9.33 to children under section 609.352, interference with privacy under section 609.746 or
 9.34 stalking under section 609.749 and the victim was a minor, using minors in a sexual
 9.35 performance under section 617.246, or possessing pornographic works involving a minor

10.1 under section 617.247, or any other offense not listed in this paragraph that requires the
10.2 person to register as a predatory offender under section 243.166, or a crime under a similar
10.3 law of another state or the United States. The board shall send notice of this licensing
10.4 action to the district in which the teacher is currently employed.

10.5 (c) A person whose license to teach has been revoked, not issued, or not renewed
10.6 under paragraph (b), may petition the board to reconsider the licensing action if the
10.7 person's conviction for child abuse or sexual abuse is reversed by a final decision of the
10.8 Court of Appeals or the Supreme Court or if the person has received a pardon for the
10.9 offense. The petitioner shall attach a certified copy of the appellate court's final decision or
10.10 the pardon to the petition. Upon receiving the petition and its attachment, the board shall
10.11 schedule and hold a disciplinary hearing on the matter under section 214.10, subdivision 2,
10.12 unless the petitioner waives the right to a hearing. If the board finds that, notwithstanding
10.13 the reversal of the petitioner's criminal conviction or the issuance of a pardon, the
10.14 petitioner is disqualified from teaching under paragraph (a), clause (1), the board shall
10.15 affirm its previous licensing action. If the board finds that the petitioner is not disqualified
10.16 from teaching under paragraph (a), clause (1), it shall reverse its previous licensing action.

10.17 (d) For purposes of this subdivision, the Board of Teaching is delegated the authority
10.18 to suspend or revoke coaching licenses.

10.19 Sec. 8. Minnesota Statutes 2014, section 122A.40, subdivision 8, is amended to read:

10.20 Subd. 8. **Development, evaluation, and peer coaching for continuing contract**
10.21 **teachers.** (a) To improve student learning and success, a school board and an exclusive
10.22 representative of the teachers in the district, consistent with paragraph (b), may develop
10.23 a teacher evaluation and peer review process for probationary and continuing contract
10.24 teachers through joint agreement. If a school board and the exclusive representative of the
10.25 teachers do not agree to an annual teacher evaluation and peer review process, then the
10.26 school board and the exclusive representative of the teachers must implement the state
10.27 teacher evaluation plan under paragraph (c). The process must include having trained
10.28 observers serve as peer coaches or having teachers participate in professional learning
10.29 communities, consistent with paragraph (b).

10.30 (b) To develop, improve, and support qualified teachers and effective teaching
10.31 practices and improve student learning and success, the annual evaluation process for
10.32 teachers:

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

- 11.1 (2) must establish a three-year professional review cycle for each teacher that
11.2 includes an individual growth and development plan, a peer review process, and at least
11.3 one summative evaluation performed by a qualified and trained evaluator such as a school
11.4 administrator. For the years when a tenured teacher is not evaluated by a qualified and
11.5 trained evaluator, the teacher must be evaluated by a peer review;
- 11.6 (3) must be based on professional teaching standards established in rule;
- 11.7 (4) must coordinate staff development activities under sections 122A.60 and
11.8 122A.61 with this evaluation process and teachers' evaluation outcomes;
- 11.9 (5) may provide time during the school day and school year for peer coaching and
11.10 teacher collaboration;
- 11.11 (6) may include job-embedded learning opportunities such as professional learning
11.12 communities;
- 11.13 (7) may include mentoring under section 122A.70 and induction programs;
- 11.14 (8) must include an option for teachers to develop and present a portfolio
11.15 demonstrating evidence of reflection and professional growth, consistent with section
11.16 122A.18, subdivision 4, paragraph (b), and include teachers' own performance assessment
11.17 based on student work samples and examples of teachers' work, which may include video
11.18 among other activities for the summative evaluation;
- 11.19 (9) must use data from valid and reliable assessments aligned to state and local
11.20 academic standards and must use state and local measures of student growth and literacy
11.21 that may include value-added models or student learning goals to determine 35 percent of
11.22 teacher evaluation results;
- 11.23 (10) must use longitudinal data on student engagement and connection, and other
11.24 student outcome measures explicitly aligned with the elements of curriculum for which
11.25 teachers are responsible, including academic literacy, oral academic language, and
11.26 achievement of content areas of English learners;
- 11.27 (11) must require qualified and trained evaluators such as school administrators to
11.28 perform summative evaluations and ensure school districts and charter schools provide for
11.29 effective evaluator training specific to teacher development and evaluation;
- 11.30 (12) must give teachers not meeting professional teaching standards under clauses
11.31 (3) through (11) support to improve through a teacher improvement process that includes
11.32 established goals and timelines; and
- 11.33 (13) must discipline a teacher for not making adequate progress in the teacher
11.34 improvement process under clause (12) that may include a last chance warning,
11.35 termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or
11.36 other discipline a school administrator determines is appropriate.

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

12.4 (c) The department, in consultation with parents who may represent parent
12.5 organizations and teacher and administrator representatives appointed by their respective
12.6 organizations, representing the Board of Teaching, the Minnesota Association of School
12.7 Administrators, the Minnesota School Boards Association, the Minnesota Elementary
12.8 and Secondary Principals Associations, Education Minnesota, and representatives of
12.9 the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota
12.10 Chamber of Commerce, and Minnesota postsecondary institutions with research expertise
12.11 in teacher evaluation, must create and publish a teacher evaluation process that complies
12.12 with the requirements in paragraph (b) and applies to all teachers under this section and
12.13 section 122A.41 for whom no agreement exists under paragraph (a) for an annual teacher
12.14 evaluation and peer review process. The teacher evaluation process created under this
12.15 subdivision does not create additional due process rights for probationary teachers under
12.16 subdivision 5.

12.17 **EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and
12.18 later.

12.19 Sec. 9. Minnesota Statutes 2014, section 122A.40, subdivision 13, is amended to read:

12.20 Subd. 13. **Immediate discharge.** (a) Except as otherwise provided in paragraph
12.21 (b), a board may discharge a continuing-contract teacher, effective immediately, upon any
12.22 of the following grounds:

12.23 (1) immoral conduct, insubordination, or conviction of a felony;

12.24 (2) conduct unbecoming a teacher which requires the immediate removal of the
12.25 teacher from classroom or other duties;

12.26 (3) failure without justifiable cause to teach without first securing the written release
12.27 of the school board;

12.28 (4) gross inefficiency which the teacher has failed to correct after reasonable written
12.29 notice;

12.30 (5) willful neglect of duty; or

12.31 (6) continuing physical or mental disability subsequent to a 12 months leave of
12.32 absence and inability to qualify for reinstatement in accordance with subdivision 12.

12.33 For purposes of this paragraph, conduct unbecoming a teacher includes an unfair
12.34 discriminatory practice described in section 363A.13.

13.1 Prior to discharging a teacher under this paragraph, the board must notify the teacher
13.2 in writing and state its ground for the proposed discharge in reasonable detail. Within
13.3 ten days after receipt of this notification the teacher may make a written request for a
13.4 hearing before the board and it shall be granted before final action is taken. The board
13.5 may suspend a teacher with pay pending the conclusion of the hearing and determination
13.6 of the issues raised in the hearing after charges have been filed which constitute ground for
13.7 discharge. If a teacher has been charged with a felony and the underlying conduct that
13.8 is the subject of the felony charge is a ground for a proposed immediate discharge, the
13.9 suspension pending the conclusion of the hearing and determination of the issues may be
13.10 without pay. If a hearing under this paragraph is held, the board must reimburse the teacher
13.11 for any salary or compensation withheld if the final decision of the board or the arbitrator
13.12 does not result in a penalty to or suspension, termination, or discharge of the teacher.

13.13 (b) A board must discharge a continuing-contract teacher, effective immediately,
13.14 upon receipt of notice under section 122A.20, subdivision 1, paragraph (b), that the
13.15 teacher's license has been revoked due to a conviction for child abuse ~~or~~, as defined in
13.16 section 609.185; sex trafficking in the first degree under section 609.322, subdivision 1;
13.17 sex trafficking in the second degree under section 609.322, subdivision 1a; engaging
13.18 in hiring or agreeing to hire a minor to engage in prostitution under section 609.324,
13.19 subdivision 1; sexual abuse under section 609.342, 609.343, 609.344, 609.345, 609.3451,
13.20 subdivision 3, or 617.23, subdivision 3; solicitation of children to engage in sexual
13.21 conduct or communication of sexually explicit materials to children under section
13.22 609.352; interference with privacy under section 609.746 or stalking under section
13.23 609.749 and the victim was a minor; using minors in a sexual performance under section
13.24 617.246; possessing pornographic works involving a minor under section 617.247; or
13.25 any other offense not listed in this paragraph that requires the person to register as a
13.26 predatory offender under section 243.166, or a crime under a similar law of another state
13.27 or the United States.

13.28 (c) When a teacher is discharged under paragraph (b) or when the commissioner
13.29 makes a final determination of child maltreatment involving a teacher under section
13.30 626.556, subdivision 11, the school principal or other person having administrative
13.31 control of the school must include in the teacher's employment record the information
13.32 contained in the record of the disciplinary action or the final maltreatment determination,
13.33 consistent with the definition of public data under section 13.41, subdivision 5, and must
13.34 provide the Board of Teaching and the licensing division at the department with the
13.35 necessary and relevant information to enable the Board of Teaching and the department's
13.36 licensing division to fulfill their statutory and administrative duties related to issuing,

14.1 renewing, suspending, or revoking a teacher's license. Information received by the Board
14.2 of Teaching or the licensing division at the department under this paragraph is governed
14.3 by section 13.41 or other applicable law governing data of the receiving entity. In addition
14.4 to the background check required under section 123B.03, a school board or other school
14.5 hiring authority must contact the Board of Teaching and the department to determine
14.6 whether the teacher's license has been suspended or revoked, consistent with the discharge
14.7 and final maltreatment determinations identified in this paragraph. Unless restricted by
14.8 federal or state data practices law or by the terms of a collective bargaining agreement,
14.9 the responsible authority for a school district must disseminate to another school district
14.10 private personnel data on a current or former teacher employee or contractor of the district,
14.11 including the results of background investigations, if the requesting school district seeks
14.12 the information because the subject of the data has applied for employment with the
14.13 requesting school district.

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

14.15 Sec. 10. Minnesota Statutes 2014, section 122A.41, subdivision 5, is amended to read:

14.16 Subd. 5. **Development, evaluation, and peer coaching for continuing contract**
14.17 **teachers.** (a) To improve student learning and success, a school board and an exclusive
14.18 representative of the teachers in the district, consistent with paragraph (b), may develop an
14.19 annual teacher evaluation and peer review process for probationary and nonprobationary
14.20 teachers through joint agreement. If a school board and the exclusive representative of
14.21 the teachers in the district do not agree to an annual teacher evaluation and peer review
14.22 process, then the school board and the exclusive representative of the teachers must
14.23 implement the state teacher evaluation plan developed under paragraph (c). The process
14.24 must include having trained observers serve as peer coaches or having teachers participate
14.25 in professional learning communities, consistent with paragraph (b).

14.26 (b) To develop, improve, and support qualified teachers and effective teaching
14.27 practices and improve student learning and success, the annual evaluation process for
14.28 teachers:

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

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

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

15.1 (4) must coordinate staff development activities under sections 122A.60 and
15.2 122A.61 with this evaluation process and teachers' evaluation outcomes;

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

15.5 (6) may include job-embedded learning opportunities such as professional learning
15.6 communities;

15.7 (7) may include mentoring under section 122A.70 and induction programs;

15.8 (8) must include an option for teachers to develop and present a portfolio
15.9 demonstrating evidence of reflection and professional growth, consistent with section
15.10 122A.18, subdivision 4, paragraph (b), and include teachers' own performance assessment
15.11 based on student work samples and examples of teachers' work, which may include video
15.12 among other activities for the summative evaluation;

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

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

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

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

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

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

15.34 (c) The department, in consultation with parents who may represent parent
15.35 organizations and teacher and administrator representatives appointed by their respective
15.36 organizations, representing the Board of Teaching, the Minnesota Association of School

16.1 Administrators, the Minnesota School Boards Association, the Minnesota Elementary
 16.2 and Secondary Principals Associations, Education Minnesota, and representatives of
 16.3 the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota
 16.4 Chamber of Commerce, and Minnesota postsecondary institutions with research expertise
 16.5 in teacher evaluation, must create and publish a teacher evaluation process that complies
 16.6 with the requirements in paragraph (b) and applies to all teachers under this section and
 16.7 section 122A.40 for whom no agreement exists under paragraph (a) for an annual teacher
 16.8 evaluation and peer review process. The teacher evaluation process created under this
 16.9 subdivision does not create additional due process rights for probationary teachers under
 16.10 subdivision 2.

16.11 **EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and
 16.12 later.

16.13 Sec. 11. Minnesota Statutes 2014, section 122A.41, subdivision 6, is amended to read:

16.14 Subd. 6. **Grounds for discharge or demotion.** (a) Except as otherwise provided
 16.15 in paragraph (b), causes for the discharge or demotion of a teacher either during or after
 16.16 the probationary period must be:

- 16.17 (1) immoral character, conduct unbecoming a teacher, or insubordination;
 16.18 (2) failure without justifiable cause to teach without first securing the written release
 16.19 of the school board having the care, management, or control of the school in which the
 16.20 teacher is employed;
 16.21 (3) inefficiency in teaching or in the management of a school, consistent with
 16.22 subdivision 5, paragraph (b);
 16.23 (4) affliction with a communicable disease must be considered as cause for removal
 16.24 or suspension while the teacher is suffering from such disability; or
 16.25 (5) discontinuance of position or lack of pupils.

16.26 For purposes of this paragraph, conduct unbecoming a teacher includes an unfair
 16.27 discriminatory practice described in section 363A.13.

16.28 (b) A probationary or continuing-contract teacher must be discharged immediately
 16.29 upon receipt of notice under section 122A.20, subdivision 1, paragraph (b), that the
 16.30 teacher's license has been revoked due to a conviction for child abuse or, as defined in
 16.31 section 609.185; sex trafficking in the first degree under section 609.322, subdivision 1;
 16.32 sex trafficking in the second degree under section 609.322, subdivision 1a; engaging
 16.33 in hiring or agreeing to hire a minor to engage in prostitution under section 609.324,
 16.34 subdivision 1; sexual abuse under section 609.342, 609.343, 609.344, 609.345, 609.3451,
 16.35 subdivision 3, or 617.23, subdivision 3; solicitation of children to engage in sexual

17.1 conduct or communication of sexually explicit materials to children under section
17.2 609.352; interference with privacy under section 609.746 or stalking under section
17.3 609.749 and the victim was a minor; using minors in a sexual performance under section
17.4 617.246; possessing pornographic works involving a minor under section 617.247; or
17.5 any other offense not listed in this paragraph that requires the person to register as a
17.6 predatory offender under section 243.166, or a crime under a similar law of another state
17.7 or the United States.

17.8 (c) When a teacher is discharged under paragraph (b) or when the commissioner
17.9 makes a final determination of child maltreatment involving a teacher under section
17.10 626.556, subdivision 11, the school principal or other person having administrative
17.11 control of the school must include in the teacher's employment record the information
17.12 contained in the record of the disciplinary action or the final maltreatment determination,
17.13 consistent with the definition of public data under section 13.41, subdivision 5, and must
17.14 provide the Board of Teaching and the licensing division at the department with the
17.15 necessary and relevant information to enable the Board of Teaching and the department's
17.16 licensing division to fulfill their statutory and administrative duties related to issuing,
17.17 renewing, suspending, or revoking a teacher's license. Information received by the Board
17.18 of Teaching or the licensing division at the department under this paragraph is governed
17.19 by section 13.41 or other applicable law governing data of the receiving entity. In addition
17.20 to the background check required under section 123B.03, a school board or other school
17.21 hiring authority must contact the Board of Teaching and the department to determine
17.22 whether the teacher's license has been suspended or revoked, consistent with the discharge
17.23 and final maltreatment determinations identified in this paragraph. Unless restricted by
17.24 federal or state data practices law or by the terms of a collective bargaining agreement,
17.25 the responsible authority for a school district must disseminate to another school district
17.26 private personnel data on a current or former teacher employee or contractor of the district,
17.27 including the results of background investigations, if the requesting school district seeks
17.28 the information because the subject of the data has applied for employment with the
17.29 requesting school district.

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

17.31 Sec. 12. Minnesota Statutes 2014, section 122A.414, subdivision 2, is amended to read:

17.32 Subd. 2. **Alternative teacher professional pay system.** (a) To participate in this
17.33 program, a school district, intermediate school district, school site, or charter school must
17.34 have an educational improvement plan under section 122A.413 and an alternative teacher

18.1 professional pay system agreement under paragraph (b). A charter school participant also
18.2 must comply with subdivision 2a.

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

18.4 (1) describe how teachers can achieve career advancement and additional
18.5 compensation;

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

18.10 (3) reform the "steps and lanes" salary schedule, which may include a hiring bonus
18.11 or other added compensation for teachers identified as effective or highly effective
18.12 under the local teacher professional review cycle who work in a hard-to-fill position or
18.13 hard-to-staff school setting such as a school with a majority of students whose families
18.14 meet federal poverty guidelines, a geographically isolated school, or a school identified by
18.15 the state as eligible for targeted programs or services for its students. The salary schedule
18.16 must prevent any teacher's compensation paid before implementing the pay system from
18.17 being reduced as a result of participating in this system, base at least 60 percent of any
18.18 compensation increase on teacher performance using:

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

18.21 (ii) measures of student growth and literacy that may include value-added models
18.22 or student learning goals, consistent with section 122A.40, subdivision 8, clause (9), or
18.23 122A.41, subdivision 5, clause (9), and other measures that include the academic literacy,
18.24 oral academic language, and achievement of English learners under section 122A.40,
18.25 subdivision 8, clause (10), or 122A.41, subdivision 5, clause (10); and

18.26 (iii) an objective evaluation program under section 122A.40, subdivision 8,
18.27 paragraph (b), clause (2), or 122A.41, subdivision 5, paragraph (b), clause (2);

18.28 (4) provide for participation in job-embedded learning opportunities such as
18.29 professional learning communities to improve instructional skills and learning that are
18.30 aligned with student needs under section 122A.413, consistent with the staff development
18.31 plan under section 122A.60 and led during the school day by trained teacher leaders
18.32 such as master or mentor teachers;

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

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

19.1 **EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and
19.2 applies to an alternative teacher professional pay agreement entered into or modified
19.3 after that date.

19.4 Sec. 13. Minnesota Statutes 2014, section 122A.60, subdivision 1a, is amended to read:

19.5 Subd. 1a. **Effective staff development activities.** (a) Staff development activities
19.6 must:

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

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

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

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

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

19.17 (6) provide opportunities to build professional relationships, foster collaboration
19.18 among principals and staff who provide instruction, and provide opportunities for
19.19 teacher-to-teacher mentoring under section 122A.70 that may include a teacher mentor
19.20 stipend;

19.21 (7) align with the plan of the district or site for an alternative teacher professional
19.22 pay system;

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

19.28 (9) provide opportunities for staff to learn about current workforce trends, the
19.29 connections between workforce trends and postsecondary education, and training options,
19.30 including career and technical education options.

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

20.1 (b) Release time provided for teachers to supervise students on field trips and school
20.2 activities, or independent tasks not associated with enhancing the teacher's knowledge
20.3 and instructional skills, such as preparing report cards, calculating grades, or organizing
20.4 classroom materials, may not be counted as staff development time that is financed with
20.5 staff development reserved revenue under section 122A.61.

20.6 **EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and
20.7 later.

20.8 Sec. 14. Minnesota Statutes 2014, section 122A.61, subdivision 1, is amended to read:

20.9 Subdivision 1. **Staff development revenue.** A district is required to reserve
20.10 an amount equal to at least two percent of the basic revenue under section 126C.10,
20.11 subdivision 2, for in-service education for programs under section 120B.22, subdivision 2,
20.12 for staff development plans, including plans for challenging instructional activities and
20.13 experiences under section 122A.60, and for curriculum development and programs, other
20.14 in-service education, teachers' mentoring under section 122A.70 and evaluation, teachers'
20.15 workshops, teacher conferences, the cost of substitute teachers for staff development
20.16 purposes, preservice and in-service education for special education professionals and
20.17 paraprofessionals, and other related costs for staff development efforts. A district may
20.18 annually waive the requirement to reserve their basic revenue under this section if a
20.19 majority vote of the licensed teachers in the district and a majority vote of the school board
20.20 agree to a resolution to waive the requirement. A district in statutory operating debt is
20.21 exempt from reserving basic revenue according to this section. Districts may expend an
20.22 additional amount of unreserved revenue for staff development based on their needs.

20.23 **EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and
20.24 later.

20.25 Sec. 15. Minnesota Statutes 2014, section 122A.70, subdivision 1, is amended to read:

20.26 Subdivision 1. **Teacher mentoring programs.** (a) School districts are encouraged
20.27 to may develop teacher mentoring and implement programs for mentoring teachers new
20.28 to the profession or district, including and may, at a minimum, include in the mentoring
20.29 program teaching residents, teachers of color, teachers with special needs, or and
20.30 experienced teachers under section 122A.40, subdivision 8, paragraph (b), clause (12), or
20.31 section 122A.41, subdivision 5, paragraph (b), clause (12), in need of peer coaching.

20.32 (b) Teacher mentoring programs must support districts' teacher evaluation and peer
20.33 review processes under section 122A.40, subdivision 8, or 122A.41, subdivision 5.

21.1 A district may use staff development revenue under sections 122A.60 and 122A.61 or
 21.2 another funding source to pay a stipend to a mentor who may be a district employee or
 21.3 a third-party contractor.

21.4 Sec. 16. **TEACHER PREPARATION PROGRAMS FOCUSED ON**
 21.5 **PROJECT-BASED LEARNING.**

21.6 (a) The Board of Teaching, in collaboration with education faculty at the
 21.7 Minnesota State University, Mankato; licensed career and technical education teachers;
 21.8 employers participating in cooperative career and technical education programs; other
 21.9 providers of project-based learning opportunities; and other interested education, teacher
 21.10 preparation, and work-related stakeholders, are encouraged to develop and submit to the
 21.11 education committees of the legislature by February 1, 2017, a proposal to implement a
 21.12 research-based, results-oriented teacher preparation curriculum focused on the knowledge
 21.13 and skills teachers need to effectively provide and facilitate project-based learning.

21.14 (b) The proposal under paragraph (a) must include, at least, the following program
 21.15 components:

21.16 (1) recruitment of fully engaged and qualified individuals;

21.17 (2) culturally responsive preparation, project-based learning assessments, engaged
 21.18 students, qualified postsecondary faculty and mentors, and a project-based learning focus;

21.19 (3) support for P-20 wrap-around services, scholarships, mentorships, access to
 21.20 technology, and professional learning opportunities; and

21.21 (4) multiple instruments that focus on and measure student learning and engagement,
 21.22 teacher performance, and program efficacy.

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

21.24 Page 32, delete article 2 and insert:

21.25 **"ARTICLE 2**

21.26 **STATEWIDE STANDARDS AND STUDENT ASSESSMENTS**

21.27 Section 1. Minnesota Statutes 2014, section 120B.021, subdivision 4, is amended to
 21.28 read:

21.29 Subd. 4. **Revisions and reviews required.** (a) The commissioner of education must
 21.30 revise and appropriately embed technology and information literacy standards consistent
 21.31 with recommendations from school media specialists into the state's academic standards
 21.32 and graduation requirements and implement a ten-year cycle to review and, consistent
 21.33 with the review, revise state academic standards and related benchmarks, consistent with
 21.34 this subdivision. During each ten-year review and revision cycle, the commissioner also

22.1 must examine the alignment of each required academic standard and related benchmark
22.2 with the knowledge and skills students need for career and college readiness and advanced
22.3 work in the particular subject area. The commissioner must include the contributions of
22.4 Minnesota American Indian tribes and communities as related to the academic standards
22.5 during the review and revision of the required academic standards.

22.6 (b) The commissioner must ensure that the statewide mathematics assessments
22.7 administered to students in grades 3 through 8 and 11 are aligned with the state academic
22.8 standards in mathematics, consistent with section 120B.30, subdivision 1, paragraph
22.9 (b). The commissioner must implement a review of the academic standards and related
22.10 benchmarks in mathematics beginning in the ~~2015-2016~~ 2020-2021 school year and
22.11 every ten years thereafter.

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

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

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

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

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

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

22.30 Sec. 2. Minnesota Statutes 2014, section 120B.022, subdivision 1, is amended to read:

22.31 Subdivision 1. **Elective standards.** A district must establish its own standards in the
22.32 following subject areas:

22.33 (1) career and technical education; ~~and~~

22.34 (2) A district must use the current world languages standards developed by the
22.35 American Council on the Teaching of Foreign Languages.

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

23.2 Sec. 3. Minnesota Statutes 2014, section 120B.024, subdivision 2, is amended to read:

23.3 Subd. 2. **Credit equivalencies.** (a) A one-half credit of economics taught in a
23.4 school's agriculture education or business department may fulfill a one-half credit in
23.5 social studies under subdivision 1, clause (5), if the credit is sufficient to satisfy all of the
23.6 academic standards in economics.

23.7 (b) An agriculture science or career and technical education credit may fulfill the
23.8 ~~credit in chemistry or physics~~ or the elective science credit required under subdivision 1,
23.9 clause (4), if the credit meets the state ~~chemistry or physics~~, or ~~district biology~~ physical
23.10 science, life science, earth and space science, chemistry, or physics academic standards or
23.11 a combination of these academic standards as approved by the district. An agriculture or
23.12 career and technical education credit may fulfill the credit in chemistry or physics required
23.13 under subdivision 1, clause (4), if the credit meets the state chemistry or physics academic
23.14 standards as approved by the district. A student must satisfy either all of the chemistry
23.15 academic standards or all of the physics academic standards prior to graduation. An
23.16 agriculture science or career and technical education credit may not fulfill the required
23.17 biology credit under subdivision 1, clause (4).

23.18 (c) A career and technical education credit may fulfill a mathematics or arts credit
23.19 requirement under subdivision 1, clause (2) or (6).

23.20 (d) An agriculture education teacher is not required to meet the requirements of
23.21 Minnesota Rules, part 3505.1150, subpart 1, item B, to meet the credit equivalency
23.22 requirements of paragraph (b) above.

23.23 (e) A computer science credit may fulfill a mathematics credit requirement under
23.24 subdivision 1, clause (2), if the credit meets state academic standards in mathematics.

23.25 **EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and
23.26 later.

23.27 Sec. 4. Minnesota Statutes 2014, section 120B.11, subdivision 2, is amended to read:

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

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

24.1 (2) a process for assessing and evaluating each student's progress toward meeting
 24.2 state and local academic standards and identifying the strengths and weaknesses of
 24.3 instruction in pursuit of student and school success and curriculum affecting students'
 24.4 progress and growth toward career and college readiness including the career and college
 24.5 readiness composite scores under section 120B.30, subdivision 3, paragraph (c), and
 24.6 leading to the world's best workforce;

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

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

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

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

24.18 Sec. 5. Minnesota Statutes 2014, section 120B.125, is amended to read:

24.19 **120B.125 PLANNING FOR STUDENTS' SUCCESSFUL TRANSITION**
 24.20 **TO POSTSECONDARY EDUCATION AND EMPLOYMENT; PERSONAL**
 24.21 **LEARNING PLANS.**

24.22 (a) Consistent with sections ~~120B.128~~, 120B.13, 120B.131, 120B.132, 120B.14,
 24.23 120B.15, 120B.30, subdivision 1, paragraph (c), 125A.08, and other related sections,
 24.24 school districts, beginning in the 2013-2014 school year, must assist all students by no
 24.25 later than grade 9 to explore their educational, college, and career interests, aptitudes, and
 24.26 aspirations and develop a plan for a smooth and successful transition to postsecondary
 24.27 education or employment. All students' plans must:

24.28 (1) provide a comprehensive plan to prepare for and complete a career and college
 24.29 ready curriculum by meeting state and local academic standards and developing career and
 24.30 employment-related skills such as team work, collaboration, creativity, communication,
 24.31 critical thinking, and good work habits;

24.32 (2) emphasize academic rigor and high expectations;

24.33 (3) help students identify interests, aptitudes, aspirations, and personal learning
 24.34 styles that may affect their career and college ready goals and postsecondary education
 24.35 and employment choices;

25.1 (4) set appropriate career and college ready goals with timelines that identify
25.2 effective means for achieving those goals;

25.3 (5) help students access education and career options;

25.4 (6) integrate strong academic content into career-focused courses and applied and
25.5 experiential learning opportunities and integrate relevant career-focused courses and
25.6 applied and experiential learning opportunities into strong academic content;

25.7 (7) help identify and access appropriate counseling and other supports and assistance
25.8 that enable students to complete required coursework, prepare for postsecondary education
25.9 and careers, and obtain information about postsecondary education costs and eligibility
25.10 for financial aid and scholarship;

25.11 (8) help identify collaborative partnerships among prekindergarten through grade
25.12 12 schools, postsecondary institutions, economic development agencies, and local and
25.13 regional employers that support students' transition to postsecondary education and
25.14 employment and provide students with applied and experiential learning opportunities; and

25.15 (9) be reviewed and revised at least annually by the student, the student's parent or
25.16 guardian, and the school or district to ensure that the student's course-taking schedule keeps
25.17 the student making adequate progress to meet state and local academic standards and high
25.18 school graduation requirements and with a reasonable chance to succeed with employment
25.19 or postsecondary education without the need to first complete remedial course work.

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

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

25.29 (d) When assisting students in developing a plan for a smooth and successful
25.30 transition to postsecondary education and employment, districts must recognize the unique
25.31 possibilities of each student and ensure that the contents of each student's plan reflect the
25.32 student's unique talents, skills, and abilities as the student grows, develops, and learns.

25.33 Sec. 6. Minnesota Statutes 2014, section 120B.30, subdivision 1, is amended to read:

25.34 Subdivision 1. **Statewide testing.** (a) The commissioner, with advice from experts
25.35 with appropriate technical qualifications and experience and stakeholders, consistent with

26.1 subdivision 1a, shall include in the comprehensive assessment system, for each grade
26.2 level to be tested, state-constructed tests ~~developed as computer-adaptive reading and~~
26.3 ~~mathematics assessments for students that are~~ aligned with the state's required academic
26.4 standards under section 120B.021, include multiple choice questions, and are administered
26.5 annually to all students:

26.6 (1) in mathematics grades 3 5 through 7. 8 and 11;

26.7 (2) in reading, grades 3 through 5, 8, and 10; and

26.8 (3) in science, grades 5, 8, and once in high school. The high school test shall
26.9 assess the life science standards.

26.10 Assessments under this section must comply with the requirements under the federal No
26.11 Child Left Behind flexibility waiver. Before any change to state standardized assessment
26.12 is effective, the Department of Education must attain a corresponding amendment to its
26.13 federal flexibility waiver.

26.14 (b) Reading and mathematics assessments for all students in grade 8 must be aligned
26.15 with the state's required reading and mathematics standards, be administered annually,
26.16 and include multiple choice questions. State-developed high school tests aligned with the
26.17 state's required academic standards under section 120B.021 and administered to all high
26.18 school students in a subject other than writing must include multiple choice questions. The
26.19 commissioner shall establish one or more months during which schools shall administer
26.20 the tests to students each school year. The commissioner shall determine the testing
26.21 process and order of administration.

26.22 (c) The state assessment system must be aligned to the most recent version of
26.23 academic standards as described in section 120B.023 three school years from the effective
26.24 date of the academic standards rule. The commissioner must not develop statewide
26.25 assessments for academic standards in social studies, health and physical education, and
26.26 the arts.

26.27 (d) For purposes of conforming with existing federal educational accountability
26.28 requirements, the commissioner must develop and implement computer-adaptive reading
26.29 and mathematics assessments for grades 3 through 8 and high school reading and
26.30 mathematics tests aligned with state academic standards, and science assessments under
26.31 paragraph (a), clause (2), that districts and sites must use to monitor student growth
26.32 toward achieving those standards.

26.33 (e) The commissioner must ensure that for annual computer-adaptive assessments:

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

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

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

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

27.11 Subd. 1c. **Assessment graduation requirements.** (†) (a) Students enrolled in
 27.12 grade 8 through the 2009-2010 school year are eligible to be assessed under (†) (1) the
 27.13 graduation-required assessment for diploma in reading, mathematics, or writing under
 27.14 Minnesota Statutes 2012, section 120B.30, subdivision 1, paragraphs (c), clauses (1) and
 27.15 (2), and (d), (††) (2) the WorkKeys job skills assessment, (†††) (3) the Compass college
 27.16 placement test, (††††) (4) the ACT assessment for college admission, or (†††††) (5) a nationally
 27.17 recognized armed services vocational aptitude test.

27.18 (2) (b) Students enrolled in grade 8 in the 2010-2011 or 2011-2012 school year
 27.19 are eligible to be assessed under (†) (1) the graduation-required assessment for diploma
 27.20 in reading, mathematics, or writing under Minnesota Statutes 2012, section 120B.30,
 27.21 subdivision 1, paragraph (c), clauses (1) and (2), (††) (2) the WorkKeys job skills
 27.22 assessment, (†††) (3) the Compass college placement test, (††††) (4) the ACT assessment for
 27.23 college admission, or (†††††) (5) a nationally recognized armed services vocational aptitude test.

27.24 (3) (c) For students under clause (1) or (2) paragraph (a) or (b), a school district may
 27.25 substitute a score from an alternative, equivalent assessment to satisfy the requirements of
 27.26 this paragraph.

27.27 (b) The state assessment system must be aligned to the most recent revision of
 27.28 academic standards as described in section 120B.023 in the following manner:

27.29 (1) mathematics;

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

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

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

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

28.1 ~~(e)~~ (d) For students enrolled in grade 8 in the 2012-2013 school year and later,
 28.2 students' state graduation requirements, based on a longitudinal, systematic approach to
 28.3 student education and career planning, assessment, instructional support, and evaluation,
 28.4 include the following:

28.5 (1) ~~demonstrate understanding of required academic standards~~ participation on a
 28.6 nationally normed college entrance exam, in grade 11 or 12;

28.7 ~~(2) achievement and career and college readiness tests in mathematics, reading, and~~
 28.8 ~~writing, consistent with paragraph (e) and to the extent available, to monitor students'~~
 28.9 ~~continuous development of and growth in requisite knowledge and skills; analyze~~
 28.10 ~~students' progress and performance levels, identifying students' academic strengths and~~
 28.11 ~~diagnosing areas where students require curriculum or instructional adjustments, targeted~~
 28.12 ~~interventions, or remediation; and, based on analysis of students' progress and performance~~
 28.13 ~~data, determine students' learning and instructional needs and the instructional tools and~~
 28.14 ~~best practices that support academic rigor for the student; and~~

28.15 ~~(3)~~ (2) consistent with this paragraph and section 120B.125, age-appropriate
 28.16 exploration and planning activities and career assessments to encourage students to identify
 28.17 personally relevant career interests and aptitudes and help students and their families
 28.18 develop a regularly reexamined transition plan for postsecondary education or employment
 28.19 without need for postsecondary remediation. Districts and schools, on an annual basis,
 28.20 must use the career exploration elements to help students, beginning no later than grade 9,
 28.21 and their families explore and plan for postsecondary education or careers based on the
 28.22 students' interests, aptitudes, and aspirations. Districts and schools must use timely regional
 28.23 labor market information and partnerships, among other resources, to help students and
 28.24 their families successfully develop, pursue, review, and revise an individualized plan for
 28.25 postsecondary education or a career. This process must help increase students' engagement
 28.26 in and connection to school, improve students' knowledge and skills, and deepen students'
 28.27 understanding of career pathways as a sequence of academic and career courses that lead
 28.28 to an industry-recognized credential, an associate's degree, or a bachelor's degree and are
 28.29 available to all students, whatever their interests and career goals.

28.30 (e) Based on appropriate state guidelines, students with an individualized education
 28.31 program may satisfy state graduation requirements by achieving an individual score on
 28.32 the state-identified alternative assessments.

28.33 ~~Expectations of schools, districts, and the state for career or college readiness under this~~
 28.34 ~~subdivision must be comparable in rigor, clarity of purpose, and rates of student completion.~~

28.35 (f) A high school student under clause (2) not yet ready for career and college must
 28.36 receive targeted, relevant, academically rigorous, and resourced instruction, which may

29.1 include a targeted instruction and intervention plan focused on improving the student's
29.2 knowledge and skills in core subjects so that the student has a reasonable chance to succeed
29.3 in a career or college without need for postsecondary remediation. Consistent with sections
29.4 120B.13, 124D.09, 124D.091, 124D.49, and related sections, an enrolling school or district
29.5 must actively encourage a student in grade 11 or 12 who is identified as academically
29.6 ready for a career or college to participate in courses and programs awarding college credit
29.7 to high school students. Students are not required to achieve a specified score or level of
29.8 proficiency on an assessment under this subdivision to graduate from high school.

29.9 ~~(d)~~ (g) To improve the secondary and postsecondary outcomes of all students, the
29.10 alignment between secondary and postsecondary education programs and Minnesota's
29.11 workforce needs, and the efficiency and cost-effectiveness of secondary and postsecondary
29.12 programs, the commissioner, after consulting with the chancellor of the Minnesota State
29.13 Colleges and Universities and using a request for proposal process, shall contract for
29.14 ~~a series of assessments that are consistent with this subdivision, aligned with state~~
29.15 ~~academic standards, and include career and college readiness benchmarks. Mathematics,~~
29.16 ~~reading, and writing assessments for students in grades 8 and 10 must be predictive of a~~
29.17 ~~nationally normed assessment for career and college readiness. This nationally recognized~~
29.18 ~~assessment must be a college entrance exam and given to students in grade 11. This~~
29.19 ~~series of assessments must include a college placement diagnostic exam and contain~~
29.20 ~~career exploration elements. The commissioner and the chancellor of the Minnesota~~
29.21 ~~State Colleges and Universities must collaborate in aligning instruction and assessments~~
29.22 ~~for adult basic education students and English learners to provide the students with~~
29.23 ~~diagnostic information about any targeted interventions, accommodations, modifications,~~
29.24 ~~and supports they need so that assessments and other performance measures are accessible~~
29.25 ~~to them and they may seek postsecondary education or employment without need for~~
29.26 ~~postsecondary remediation. When administering formative or summative assessments~~
29.27 ~~used to measure the academic progress, including the oral academic development, of~~
29.28 ~~English learners and inform their instruction, schools must ensure that the assessments are~~
29.29 ~~accessible to the students and students have the modifications and supports they need to~~
29.30 ~~sufficiently understand the assessments.~~

29.31 ~~(f)~~ (h) ~~Districts and schools, on an annual basis, must use the career exploration~~
29.32 ~~elements in these assessments to help students, beginning no later than grade 9, and their~~
29.33 ~~families explore and plan for postsecondary education or careers based on the students'~~
29.34 ~~interests, aptitudes, and aspirations. Districts and schools must use timely regional labor~~
29.35 ~~market information and partnerships, among other resources, to help students and their~~
29.36 ~~families successfully develop, pursue, review, and revise an individualized plan for~~

30.1 ~~postsecondary education or a career. This process must help increase students' engagement~~
30.2 ~~in and connection to school, improve students' knowledge and skills, and deepen students'~~
30.3 ~~understanding of career pathways as a sequence of academic and career courses that lead~~
30.4 ~~to an industry-recognized credential, an associate's degree, or a bachelor's degree and are~~
30.5 ~~available to all students, whatever their interests and career goals.~~

30.6 ~~(2) Students in grade 10 or 11 not yet academically ready for a career or college based~~
30.7 ~~on their growth in academic achievement between grades 8 and 10 must take the college~~
30.8 ~~placement diagnostic exam before taking the college entrance exam under clause (3).~~
30.9 ~~Students, their families, the school, and the district can then use the results of the college~~
30.10 ~~placement diagnostic exam for targeted instruction, intervention, or remediation and~~
30.11 ~~improve students' knowledge and skills in core subjects sufficient for a student to graduate~~
30.12 ~~and have a reasonable chance to succeed in a career or college without remediation.~~

30.13 ~~(3) All students except those eligible for alternative assessments must be given the~~
30.14 ~~college entrance part of these assessments in grade 11. A student under this clause who~~
30.15 ~~demonstrates attainment of required state academic standards, which include career and~~
30.16 ~~college readiness benchmarks, on these assessments is academically ready for a career or~~
30.17 ~~college and is encouraged to participate in courses awarding college credit to high school~~
30.18 ~~students. Such courses and programs may include sequential courses of study within~~
30.19 ~~broad career areas and technical skill assessments that extend beyond course grades.~~

30.20 ~~(4) (h) As appropriate, students through grade 12 must continue to participate in~~
30.21 ~~targeted instruction, intervention, or remediation and be encouraged to participate in~~
30.22 ~~courses awarding college credit to high school students.~~

30.23 ~~(5) A study to determine the alignment between these assessments and state~~
30.24 ~~academic standards under this chapter must be conducted. Where alignment exists, the~~
30.25 ~~commissioner must seek federal approval to, and immediately upon receiving approval,~~
30.26 ~~replace the federally required assessments referenced under subdivision 1a and section~~
30.27 ~~120B.35, subdivision 2, with assessments under this paragraph.~~

30.28 ~~(e) In developing, supporting, and improving students' academic readiness for a~~
30.29 ~~career or college, schools, districts, and the state must have a continuum of empirically~~
30.30 ~~derived, clearly defined benchmarks focused on students' attainment of knowledge and~~
30.31 ~~skills so that students, their parents, and teachers know how well students must perform to~~
30.32 ~~have a reasonable chance to succeed in a career or college without need for postsecondary~~
30.33 ~~remediation. The commissioner, in consultation with local school officials and educators,~~
30.34 ~~and Minnesota's public postsecondary institutions must ensure that the foundational~~
30.35 ~~knowledge and skills for students' successful performance in postsecondary employment~~

31.1 ~~or education and an articulated series of possible targeted interventions are clearly~~
31.2 ~~identified and satisfy Minnesota's postsecondary admissions requirements.~~

31.3 ~~(f) (i)~~ For students in grade 8 in the 2012-2013 school year and later, a school,
31.4 district, or charter school must record on the high school transcript a student's progress
31.5 toward career and college readiness, and for other students as soon as practicable.

31.6 ~~(g) (j)~~ The school board granting students their diplomas may formally decide to
31.7 include a notation of high achievement on the high school diplomas of those graduating
31.8 seniors who, according to established school board criteria, demonstrate exemplary
31.9 academic achievement during high school.

31.10 ~~(h)~~ The 3rd through 7th grade computer-adaptive assessment results and grade 8
31.11 and high school test results shall be available to districts for diagnostic purposes affecting
31.12 student learning and district instruction and curriculum, and for establishing educational
31.13 accountability. The commissioner must establish empirically derived benchmarks on
31.14 adaptive assessments in grades 3 through 7 that reveal a trajectory toward career and
31.15 college readiness. The commissioner must disseminate to the public the computer-adaptive
31.16 assessments, grade 8, and high school test results upon receiving those results.

31.17 ~~(i)~~ The grades 3 through 7 computer-adaptive assessments and grade 8 and high
31.18 school tests must be aligned with state academic standards. The commissioner shall
31.19 determine the testing process and the order of administration. The statewide results shall
31.20 be aggregated at the site and district level, consistent with subdivision 1a.

31.21 ~~(j)~~ The commissioner shall include the following components in the statewide
31.22 public reporting system:

31.23 ~~(1)~~ uniform statewide computer-adaptive assessments of all students in grades 3
31.24 through 7 and testing at the grade 8 and high school levels that provides appropriate,
31.25 technically sound accommodations or alternate assessments;

31.26 ~~(2)~~ educational indicators that can be aggregated and compared across school
31.27 districts and across time on a statewide basis, including average daily attendance, high
31.28 school graduation rates, and high school drop-out rates by age and grade level;

31.29 ~~(3)~~ state results on the American College Test; and

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

31.34 (k) For purposes of statewide accountability, "career and college ready" means a
31.35 high school graduate has the knowledge, skills, and competencies to successfully pursue a
31.36 career pathway, including postsecondary credit leading to a degree, diploma, certificate, or

32.1 industry-recognized credential and employment. Students who are career and college ready
32.2 are able to successfully complete credit-bearing coursework at a two- or four-year college
32.3 or university or other credit-bearing postsecondary program without need for remediation.

32.4 ~~(f) For purposes of statewide accountability, "cultural competence," "cultural~~
32.5 ~~competency," or "culturally competent" means the ability and will to interact effectively~~
32.6 ~~with people of different cultures, native languages, and socioeconomic backgrounds.~~

32.7 (l) Students are not required to achieve a specific score or level of proficiency on an
32.8 assessment under this subdivision to graduate from high school.

32.9 Sec. 7. Minnesota Statutes 2014, section 120B.30, subdivision 1a, is amended to read:

32.10 Subd. 1a. **Statewide and local assessments; results.** (a) For purposes of this
32.11 section, the following definitions have the meanings given them.

32.12 (1) "Computer-adaptive assessments" means fully adaptive assessments.

32.13 (2) "Fully adaptive assessments" include test items that are on-grade level and items
32.14 that may be above or below a student's grade level.

32.15 (3) "On-grade level" test items contain subject area content that is aligned to state
32.16 academic standards for the grade level of the student taking the assessment.

32.17 (4) "Above-grade level" test items contain subject area content that is above the
32.18 grade level of the student taking the assessment and is considered aligned with state
32.19 academic standards to the extent it is aligned with content represented in state academic
32.20 standards above the grade level of the student taking the assessment. Notwithstanding
32.21 the student's grade level, administering above-grade level test items to a student does not
32.22 violate the requirement that state assessments must be aligned with state standards.

32.23 (5) "Below-grade level" test items contain subject area content that is below the
32.24 grade level of the student taking the test and is considered aligned with state academic
32.25 standards to the extent it is aligned with content represented in state academic standards
32.26 below the student's current grade level. Notwithstanding the student's grade level,
32.27 administering below-grade level test items to a student does not violate the requirement
32.28 that state assessments must be aligned with state standards.

32.29 (6) For purposes of statewide accountability, "cultural competence," "cultural
32.30 competency," or "culturally competent" means the ability and will to interact effectively
32.31 with people of different cultures, native languages, and socioeconomic backgrounds.

32.32 ~~(b) The commissioner must use fully adaptive mathematics and reading assessments~~
32.33 ~~for grades 3 through 7 beginning in the 2015-2016 school year and later.~~

32.34 ~~(c) For purposes of conforming with existing federal educational accountability~~
32.35 ~~requirements, the commissioner must develop and implement computer-adaptive reading~~

33.1 ~~and mathematics assessments for grades 3 through 7, state-developed grade 8 and high~~
 33.2 ~~school reading and mathematics tests aligned with state academic standards, and science~~
 33.3 ~~assessments under clause (2) that districts and sites must use to monitor student growth~~
 33.4 ~~toward achieving those standards. The commissioner must not develop statewide~~
 33.5 ~~assessments for academic standards in social studies, health and physical education, and~~
 33.6 ~~the arts. The commissioner must require:~~

33.7 ~~(1) annual computer-adaptive reading and mathematics assessments in grades 3~~
 33.8 ~~through 7, and grade 8 and high school reading and mathematics tests; and~~

33.9 ~~(2) annual science assessments in one grade in the grades 3 through 5 span, the~~
 33.10 ~~grades 6 through 8 span, and a life sciences assessment in the grades 9 through 12 span,~~
 33.11 ~~and the commissioner must not require students to achieve a passing score on high school~~
 33.12 ~~science assessments as a condition of receiving a high school diploma.~~

33.13 ~~(d) The commissioner must ensure that for annual computer-adaptive assessments:~~

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

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

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

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

33.27 ~~(e) (b) The commissioner must ensure that all state tests administered to elementary~~
 33.28 ~~and secondary students measure students' academic knowledge and skills and not students'~~
 33.29 ~~values, attitudes, and beliefs.~~

33.30 ~~(f) Reporting of state assessment results must:~~

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

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

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

33.35 ~~(g) (c) Consistent with applicable federal law, the commissioner must include~~
 33.36 ~~appropriate, technically sound accommodations or alternative assessments for the very~~

34.1 few students with disabilities for whom statewide assessments are inappropriate and
34.2 for English learners.

34.3 ~~(h) A school, school district, and charter school must administer statewide~~
34.4 ~~assessments under this section, as the assessments become available, to evaluate student~~
34.5 ~~progress toward career and college readiness in the context of the state's academic~~
34.6 ~~standards. A school, school district, or charter school may use a student's performance~~
34.7 ~~on a statewide assessment as one of multiple criteria to determine grade promotion or~~
34.8 ~~retention. A school, school district, or charter school may use a high school student's~~
34.9 ~~performance on a statewide assessment as a percentage of the student's final grade in a~~
34.10 ~~course, or place a student's assessment score on the student's transcript.~~

34.11 Sec. 8. Minnesota Statutes 2014, section 120B.30, is amended by adding a subdivision
34.12 to read:

34.13 Subd. 1b. **Special and extenuating circumstances.** The Department of Education
34.14 shall develop a list of circumstances in which a student may be unable to test. The list
34.15 shall include but not be limited to: students transferring to Minnesota from another state,
34.16 students transferring from nonpublic to public school, students hospitalized, and parental
34.17 opting out of the student's testing. Students unable to participate in statewide assessment
34.18 due to a circumstance on the list authorized under this subdivision shall not be penalized
34.19 for missing the opportunity to take a test.

34.20 Sec. 9. Minnesota Statutes 2014, section 120B.30, subdivision 3, is amended to read:

34.21 Subd. 3. **Reporting.** (a) The commissioner shall report test results publicly and
34.22 to stakeholders, including the performance achievement levels developed from students'
34.23 unweighted test scores in each tested subject and a listing of demographic factors that
34.24 strongly correlate with student performance. The test results must not include personally
34.25 identifiable information as defined in Code of Federal Regulations, title 34, section 99.3.
34.26 The commissioner shall also report data that compares performance results among school
34.27 sites, school districts, Minnesota and other states, and Minnesota and other nations. The
34.28 commissioner shall disseminate to schools and school districts a more comprehensive
34.29 report containing testing information that meets local needs for evaluating instruction and
34.30 curriculum. The commissioner shall disseminate to charter school authorizers a more
34.31 comprehensive report containing testing information that contains anonymized data where
34.32 cell count data are sufficient to protect student identity and that meets the authorizer's
34.33 needs in fulfilling its obligations under section 124D.10.

34.34 (b) Reporting of state assessment results must:

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

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

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

35.5 (c) The grade 3 through 7 computer-adaptive assessment results and grade 8 and
35.6 high school test results shall be available to districts for diagnostic purposes affecting
35.7 student learning and district instruction and curriculum, and for establishing educational
35.8 accountability. The commissioner must establish empirically derived benchmarks on
35.9 adaptive assessments in grades 3 through 7 that reveal a trajectory toward career and
35.10 college readiness. The commissioner shall establish composite career and college-ready
35.11 scores in grades 5, 8, and high school. The composite scores shall predict performance on
35.12 a college entrance exam. The commissioner must disseminate to the public test results
35.13 upon receiving those results.

35.14 (d) The commissioner shall include the following components in the statewide
35.15 public reporting system:

35.16 (1) uniform statewide computer-adaptive assessments of all students in grades
35.17 3 through 8 and high school levels that provide appropriate, technically sound
35.18 accommodations or alternate assessments;

35.19 (2) educational indicators that can be aggregated and compared across school
35.20 districts and across time on a statewide basis, including average daily attendance, high
35.21 school graduation rates, and high school drop-out rates by age and grade level;

35.22 (3) state results on the ACT; and

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

35.27 Sec. 10. Minnesota Statutes 2014, section 120B.30, is amended by adding a
35.28 subdivision to read:

35.29 Subd. 3a. **Administration and usage.** A school, school district, and charter school
35.30 must administer statewide assessments under this section, as the assessments become
35.31 available, to evaluate student progress toward career and college readiness in the context
35.32 of the state's academic standards. A school, school district, or charter school may use a
35.33 student's performance on a statewide assessment as one of multiple criteria to determine
35.34 grade promotion or retention. A school, school district, or charter school may use a high

36.1 school student's performance on a statewide assessment as a percentage of the student's
 36.2 final grade in a course, or place a student's assessment score on the student's transcript.

36.3 Sec. 11. Minnesota Statutes 2014, section 120B.30, subdivision 4, is amended to read:

36.4 Subd. 4. **Access to tests.** Consistent with section 13.34, the commissioner must
 36.5 adopt and publish a policy to provide public and parental access for review of ~~basic~~
 36.6 ~~skills tests, Minnesota Comprehensive Assessments, or any other such statewide test~~
 36.7 ~~and assessment~~ developed assessments which would not compromise the objectivity or
 36.8 fairness of the testing or examination process. Upon receiving a written request, the
 36.9 commissioner must make available to parents or guardians a copy of their student's actual
 36.10 responses to the test questions for their review.

36.11 Sec. 12. Minnesota Statutes 2014, section 120B.31, subdivision 2, is amended to read:

36.12 Subd. 2. **Statewide testing.** Each school year, all school districts shall give a
 36.13 uniform statewide test to students at specified grades to provide information on the status,
 36.14 needs and performance of Minnesota students, consistent with section 120B.30.

36.15 Sec. 13. **REPEALER.**

36.16 Minnesota Statutes 2014, sections 120B.128; 120B.35, subdivision 5; and 126C.12,
 36.17 subdivision 6, are repealed."

36.18 Page 45, delete article 3 and insert:

36.19 "ARTICLE 3

36.20 EDUCATING STUDENTS AND YOUNG CHILDREN

36.21 Section 1. Minnesota Statutes 2014, section 120B.022, subdivision 1a, is amended to
 36.22 read:

36.23 Subd. 1a. **Foreign language and culture; proficiency certificates.** (a) World
 36.24 languages teachers and other school staff should develop and implement world languages
 36.25 programs that acknowledge and reinforce the language proficiency and cultural awareness
 36.26 that non-English language speakers already possess, and encourage students' proficiency
 36.27 in multiple world languages. Programs under this section must encompass indigenous
 36.28 American Indian languages and cultures, among other world languages and cultures. The
 36.29 department shall consult with postsecondary institutions in developing related professional
 36.30 development opportunities for purposes of this section.

37.1 (b) Any Minnesota public, charter, or nonpublic school may award Minnesota
 37.2 World Language Proficiency Certificates ~~or Minnesota World Language Proficiency High~~
 37.3 ~~Achievement Certificates~~, consistent with this subdivision.

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

37.11 (d) ~~The Minnesota World Language Proficiency High Achievement Certificate~~
 37.12 ~~recognizes students who demonstrate listening, speaking, reading, and writing language~~
 37.13 ~~skills at the American Council on the Teaching of Foreign Languages' Pre-Advanced level~~
 37.14 ~~for K-12 learners on a valid and reliable assessment tool. For languages listed as Category~~
 37.15 ~~3 by the United States Foreign Service Institute or Category 4 by the United States~~
 37.16 ~~Defense Language Institute, the standard is Pre-Advanced for listening and speaking and~~
 37.17 ~~Intermediate-Mid for reading and writing.~~

37.18 Sec. 2. Minnesota Statutes 2014, section 120B.022, subdivision 1b, is amended to read:

37.19 Subd. 1b. **State bilingual and multilingual seals.** (a) Consistent with efforts to
 37.20 strive for the world's best workforce under sections 120B.11 and 124D.10, subdivision 8,
 37.21 paragraph (u), and close the academic achievement and opportunity gap under sections
 37.22 124D.861 and 124D.862, voluntary state bilingual and multilingual seals are established
 37.23 to recognize high school ~~graduates~~ students who demonstrate ~~level 3~~ an advanced-low
 37.24 level or an intermediate-high level of functional native proficiency in listening, speaking,
 37.25 reading, and writing on either ~~the Foreign Services Institute language assessments aligned~~
 37.26 with American Council on the Teaching of Foreign Languages' (ACTFL) proficiency
 37.27 tests guidelines or on equivalent valid and reliable assessments in one or more languages
 37.28 in addition to English. American Sign Language is a language other than English for
 37.29 purposes of this subdivision and a world language for purposes of subdivision 1a.

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

37.31 (1) students must satisfactorily complete all required English language arts credits;
 37.32 and

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

38.1 (c) Consistent with this subdivision, a high school graduate who demonstrates an
38.2 intermediate-high ACTFL level of functional native proficiency in one language in
38.3 addition to English is eligible to receive the state bilingual gold seal. A high school
38.4 graduate who demonstrates an intermediate-high ACTFL level of functional native
38.5 proficiency in more than one language in addition to English is eligible to receive the
38.6 state multilingual gold seal. A high school graduate who demonstrates an advanced-low
38.7 ACTFL level of functional proficiency in one language in addition to English is eligible
38.8 to receive the state bilingual platinum seal. A high school graduate who demonstrates
38.9 an advanced-low ACTFL level of functional proficiency in more than one language in
38.10 addition to English is eligible to receive the state multilingual platinum seal.

38.11 (d) School districts and charter schools, ~~in consultation with regional centers of~~
38.12 ~~excellence under section 120B.115, must~~ may give students periodic opportunities to
38.13 demonstrate their level of proficiency in listening, speaking, reading, and writing in a
38.14 language in addition to English. Where valid and reliable assessments are unavailable, a
38.15 school district or charter school may rely on a ~~licensed foreign language immersion teacher~~
38.16 ~~or a nonlicensed community expert under section 122A.25~~ evaluators trained in assessing
38.17 under ACTFL proficiency guidelines to assess a student's level of foreign, heritage, or
38.18 indigenous language proficiency under this section. School districts and charter schools
38.19 must maintain appropriate records to identify high school graduates eligible to receive the
38.20 state bilingual or multilingual seal gold and platinum seals. The school district or charter
38.21 school must affix the appropriate seal to the transcript of each high school graduate who
38.22 meets the requirements of this subdivision and may affix the seal to the student's diploma. A
38.23 school district or charter school must not charge the high school graduate a fee for this seal.

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

38.27 (f) A school district or charter school may award community service credit to a
38.28 student who demonstrates ~~level 3~~ an intermediate-high or advanced-low ACTFL level of
38.29 functional native proficiency in listening, speaking, reading, and writing in a language
38.30 other than English and who participates in community service activities that are integrated
38.31 into the curriculum, involve the participation of teachers, and support biliteracy in the
38.32 school or local community.

38.33 (g) ~~The commissioner must develop a Web page for the electronic delivery of these~~
38.34 ~~seals~~. The commissioner must list on the Web page those assessments that are equivalent
38.35 to the Foreign Services Institute language aligned to ACTFL proficiency tests guidelines.

39.1 (h) By August 1, 2015, the colleges and universities of the Minnesota State Colleges
 39.2 and Universities system must award foreign language credits to a student who receives a
 39.3 state bilingual seal or a state multilingual seal under this subdivision and may establish
 39.4 criteria to translate the seals into college credits based on the World Language course
 39.5 equivalencies identified by the Minnesota State Colleges and Universities faculty and
 39.6 staff and, upon request from an enrolled student, the Minnesota State Colleges and
 39.7 Universities may award foreign language credits to a student who receives a Minnesota
 39.8 World Language Proficiency Certificate or a Minnesota World Language Proficiency
 39.9 High Achievement Certificate under subdivision 1a. Students enrolled in a Minnesota
 39.10 State Colleges and Universities institution must request college credits for their seal or
 39.11 proficiency certificate within three academic years after graduating from high school. The
 39.12 University of Minnesota is encouraged to award students foreign language academic
 39.13 credits consistent with this paragraph.

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

39.15 Sec. 3. Minnesota Statutes 2014, section 120B.13, subdivision 4, is amended to read:

39.16 Subd. 4. **Rigorous course taking information; AP, IB, and PSEO.** The
 39.17 commissioner shall submit the following information on rigorous course taking,
 39.18 disaggregated by student subgroup, school district, and postsecondary institution, to the
 39.19 education committees of the legislature each year by February 1:

39.20 (1) the number of pupils enrolled in postsecondary enrollment options under section
 39.21 124D.09, including concurrent enrollment, career and technical education courses offered
 39.22 as a concurrent enrollment course, advanced placement, and international baccalaureate
 39.23 courses in each school district;

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

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

39.28 (4) recent trends in the field of postsecondary enrollment options under section
 39.29 124D.09, including concurrent enrollment, advanced placement, and international
 39.30 baccalaureate programs;

39.31 (5) expenditures for each category in this section and under sections 124D.09 and
 39.32 124D.091, including career and technical education courses offered as a concurrent
 39.33 enrollment course; and

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

40.1 Sec. 4. Minnesota Statutes 2014, section 120B.30, subdivision 3, is amended to read:

40.2 Subd. 3. **Reporting.** The commissioner shall report test results publicly and to
40.3 stakeholders, including the performance achievement levels developed from students'
40.4 unweighted test scores in each tested subject and a listing of demographic factors that
40.5 strongly correlate with student performance, including student homelessness and highly
40.6 mobile students, among other factors. The test results must not include personally
40.7 identifiable information as defined in Code of Federal Regulations, title 34, section 99.3.
40.8 The commissioner shall also report data that compares performance results among school
40.9 sites, school districts, Minnesota and other states, and Minnesota and other nations. The
40.10 commissioner shall disseminate to schools and school districts a more comprehensive
40.11 report containing testing information that meets local needs for evaluating instruction and
40.12 curriculum. The commissioner shall disseminate to charter school authorizers a more
40.13 comprehensive report containing testing information that contains anonymized data where
40.14 cell count data are sufficient to protect student identity and that meets the authorizer's
40.15 needs in fulfilling its obligations under section 124D.10.

40.16 **EFFECTIVE DATE.** This section is effective the day following final enactment
40.17 and applies to school year reports for the 2015-2016 school year and later.

40.18 Sec. 5. Minnesota Statutes 2014, section 120B.31, subdivision 4, is amended to read:

40.19 Subd. 4. **Student performance data.** In developing policies and assessment
40.20 processes to hold schools and districts accountable for high levels of academic standards
40.21 under section 120B.021, the commissioner shall aggregate student data over time to
40.22 report student performance and growth levels measured at the school, school district, and
40.23 statewide level. When collecting and reporting the performance data, the commissioner
40.24 shall organize and report the data so that state and local policy makers can understand the
40.25 educational implications of changes in districts' demographic profiles over time, including
40.26 student homelessness and highly mobile students, among other demographic factors. Any
40.27 report the commissioner disseminates containing summary data on student performance
40.28 must integrate student performance and the demographic factors that strongly correlate
40.29 with that performance.

40.30 **EFFECTIVE DATE.** This section is effective the day following final enactment
40.31 and applies to school year reports for the 2015-2016 school year and later.

40.32 Sec. 6. Minnesota Statutes 2014, section 120B.36, subdivision 1, is amended to read:

41.1 Subdivision 1. **School performance reports.** (a) The commissioner shall report
41.2 student academic performance under section 120B.35, subdivision 2; the percentages of
41.3 students showing low, medium, and high growth under section 120B.35, subdivision
41.4 3, paragraph (b); school safety and student engagement and connection under section
41.5 120B.35, subdivision 3, paragraph (d); rigorous coursework under section 120B.35,
41.6 subdivision 3, paragraph (c); the percentage of students under section 120B.35,
41.7 subdivision 3, paragraph (b), clause (2), whose progress and performance levels are
41.8 meeting career and college readiness benchmarks under sections 120B.30, subdivision 1,
41.9 and 120B.35, subdivision 3, paragraph (e); longitudinal data on the progress of eligible
41.10 districts in reducing disparities in students' academic achievement and realizing racial
41.11 and economic integration under section 124D.861; the acquisition of English, and
41.12 where practicable, native language academic literacy, including oral academic language,
41.13 and the academic progress of English learners under section 124D.59, subdivisions
41.14 2 and 2a; two separate student-to-teacher ratios that clearly indicate the definition of
41.15 teacher consistent with sections 122A.06 and 122A.15 for purposes of determining these
41.16 ratios; staff characteristics excluding salaries; student enrollment demographics; student
41.17 homelessness and district mobility; and extracurricular activities. The report also must
41.18 indicate a school's adequate yearly progress status under applicable federal law, and must
41.19 not set any designations applicable to high- and low-performing schools due solely to
41.20 adequate yearly progress status.

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

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

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

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

41.33 **EFFECTIVE DATE.** This section is effective the day following final enactment
41.34 and applies to school year reports for the 2015-2016 school year and later.

41.35 Sec. 7. Minnesota Statutes 2014, section 121A.215, is amended to read:

42.1 **121A.215 LOCAL SCHOOL DISTRICT WELLNESS POLICIES; RECESS;**
42.2 **WEB SITE.**

42.3 (a) The legislature finds that students at the elementary level must have the
42.4 opportunity to participate in daily recess. The legislature also finds that recess provides
42.5 children with unstructured time to engage in physical activity that helps to develop healthy
42.6 minds and bodies. As childhood obesity rates rise, it is important to ensure that children
42.7 have the time for physical activity. Insufficient physical activity and excessive calories
42.8 consumed is well-known as a critical factor for this alarming increase in overweight and
42.9 obese children. As Minnesota strives to be the healthiest state in the nation, we must
42.10 continue to encourage our children to engage in physical activity so they can develop a
42.11 healthy mind and body.

42.12 (b) When available, a school district must post its current local school wellness
42.13 policy on its Web site. A school district must have a policy on the total number of minutes
42.14 of recess each day for its students in kindergarten through grade 5.

42.15 Sec. 8. Minnesota Statutes 2014, section 124D.09, subdivision 5, is amended to read:

42.16 Subd. 5. **Authorization; notification.** Notwithstanding any other law to the
42.17 contrary, an 11th or 12th grade pupil enrolled in a school or an American Indian-controlled
42.18 tribal contract or grant school eligible for aid under section 124D.83, except a foreign
42.19 exchange pupil enrolled in a district under a cultural exchange program, may apply to an
42.20 eligible institution, as defined in subdivision 3, to enroll in nonsectarian courses offered by
42.21 that postsecondary institution. Notwithstanding any other law to the contrary, a 9th or 10th
42.22 grade pupil enrolled in a district or an American Indian-controlled tribal contract or grant
42.23 school eligible for aid under section 124D.83, except a foreign exchange pupil enrolled in
42.24 a district under a cultural exchange program, may apply to enroll in nonsectarian courses
42.25 offered under subdivision 10, if (1) after all 11th and 12th grade students have applied
42.26 for a course, additional students are necessary to offer the course, and the school district
42.27 and the eligible postsecondary institution providing the course agree to the student's
42.28 enrollment, or (2) the course is a world language course currently available to 11th and
42.29 12th grade students, and consistent with section 120B.022 governing world language
42.30 standards, certificates, and seals. If an institution accepts a secondary pupil for enrollment
42.31 under this section, the institution shall send written notice to the pupil, the pupil's school
42.32 or school district, and the commissioner within ten days of acceptance. The notice must
42.33 indicate the course and hours of enrollment of that pupil. If the pupil enrolls in a course for
42.34 postsecondary credit, the institution must notify the pupil about payment in the customary
42.35 manner used by the institution.

43.1 Sec. 9. Minnesota Statutes 2014, section 124D.165, subdivision 2, is amended to read:

43.2 Subd. 2. **Family eligibility.** (a) For a family to receive an early learning scholarship,
43.3 parents or guardians must meet the following eligibility requirements:

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

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

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

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

43.22 (d) Beginning September 1, 2015, any child under the age of five years old on
43.23 September 1 of the current school year who has not started kindergarten and is a recipient
43.24 of an Early Learning Scholarship funded under the federal Race to the Top - Early Learning
43.25 Challenge Grant must receive a scholarship under this section at the end of the child's Race
43.26 to the Top - Early Learning Challenge Grant scholarship as long as funds are available.

43.27 ~~(d)~~ (e) A child who has received a scholarship under this section must continue to
43.28 receive a scholarship each year until that child is eligible for kindergarten under section
43.29 120A.20 and as long as funds are available.

43.30 ~~(e)~~ (f) Early learning scholarships may not be counted as earned income for the
43.31 purposes of medical assistance under chapter 256B, MinnesotaCare under chapter 256L,
43.32 Minnesota family investment program under chapter 256J, child care assistance programs
43.33 under chapter 119B, or Head Start under the federal Improving Head Start for School
43.34 Readiness Act of 2007.

43.35 Sec. 10. Minnesota Statutes 2014, section 124D.165, subdivision 3, is amended to read:

44.1 Subd. 3. **Administration.** (a) The commissioner shall establish application
44.2 timelines and determine the schedule for awarding scholarships that meets operational
44.3 needs of eligible families and programs.

44.4 (b) The commissioner may prioritize applications on factors including:

44.5 (1) family income;

44.6 (2) geographic location; and

44.7 (3) whether the ~~child's family~~ child:

44.8 (i) is in foster care;

44.9 (ii) is experiencing homelessness;

44.10 (iii) is on a waiting list for a publicly funded program providing early education
44.11 or child care services; or

44.12 (iv) has a parent under age 21 who is pursuing a high school or postsecondary
44.13 training or education.

44.14 ~~(b)~~ (c) For fiscal years 2014 and 2015 only, scholarships may not exceed \$5,000
44.15 per year for each eligible child. For fiscal year 2016 and later, the commissioner shall
44.16 establish a target for the average scholarship amount per child based on the results of the
44.17 rate survey conducted under section 119B.02.

44.18 ~~(e)~~ (d) A four-star rated program that has children eligible for a scholarship enrolled
44.19 in or on a waiting list for a program beginning in July, August, or September may notify
44.20 the commissioner, in the form and manner prescribed by the commissioner, each year
44.21 of the program's desire to enhance program services or to serve more children than
44.22 current funding provides. The commissioner may designate a predetermined number of
44.23 scholarship slots for that program and notify the program of that number. Beginning July
44.24 1, 2016, a school district or Head Start program qualifying under this paragraph may
44.25 use its established registration process to enroll scholarship recipients and may verify a
44.26 scholarship recipient's family income in the same manner as for other program participants.

44.27 ~~(d)~~ (e) A scholarship is awarded for a 12-month period. If the scholarship recipient
44.28 has not been accepted and subsequently enrolled in a rated program within ~~ten~~ six months
44.29 of the awarding of the scholarship, the scholarship cancels and the recipient must reapply
44.30 in order to be eligible for another scholarship. A child may not be awarded more than one
44.31 scholarship in a 12-month period.

44.32 ~~(e)~~ (f) A child who receives a scholarship who has not completed development
44.33 screening under sections 121A.16 to 121A.19 must complete that screening within 90
44.34 days of first attending an eligible program.

44.35 ~~(f)~~ (g) For fiscal year 2017 and later, a school district or Head Start program enrolling
44.36 scholarship recipients under paragraph ~~(e)~~ (d) may apply to the commissioner, in the form

45.1 and manner prescribed by the commissioner, for direct payment of state aid. Upon receipt
45.2 of the application, the commissioner must pay each program directly for each approved
45.3 scholarship recipient enrolled under paragraph ~~(e)~~ (d) according to the metered payment
45.4 system or another schedule established by the commissioner.

45.5 **EFFECTIVE DATE.** This section is effective for fiscal year 2016 and later.

45.6 Sec. 11. Minnesota Statutes 2014, section 124D.165, subdivision 4, is amended to read:

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

45.9 (1) participate in the quality rating and improvement system under section
45.10 124D.142; and

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

45.13 ~~(b) Any program accepting scholarships must use the revenue to supplement and not~~
45.14 ~~supplant federal funding.~~

45.15 ~~(e)~~ (b) Notwithstanding paragraph (a), all Minnesota early learning foundation
45.16 scholarship program pilot sites are eligible to accept an early learning scholarship under
45.17 this section.

45.18 (c) A provider is not eligible to participate in the scholarship program under this
45.19 section if:

45.20 (1) the provider has been disqualified from receiving payment for child care services
45.21 from the child care assistance program under chapter 119B due to wrongfully obtaining
45.22 child care assistance under section 256.98, subdivision 8, paragraph (c);

45.23 (2) the program or individual is currently on the national disqualified list for the
45.24 Child and Adult Care Food Program; or

45.25 (3) the program or provider has been convicted of any activity that occurred during
45.26 the past seven years indicating a lack of business integrity, including fraud, making false
45.27 statements, receiving stolen property, making false claims, or obstruction of justice.

45.28 **EFFECTIVE DATE.** This section is effective for fiscal year 2016 and later.

45.29 Sec. 12. Minnesota Statutes 2014, section 124D.165, is amended by adding a
45.30 subdivision to read:

45.31 Subd. 4a. **Record-keeping requirements.** A program participating under
45.32 this section must maintain and, at the commissioner's request, make available to the

46.1 commissioner the attendance records and records of charges and payments for all children
46.2 participating in this program, including payments from sources other than this program.

46.3 Sec. 13. Minnesota Statutes 2014, section 124D.165, is amended by adding a
46.4 subdivision to read:

46.5 Subd. 6. **Use of funds.** (a) Scholarships must be used to supplement and not
46.6 supplant federal funding.

46.7 (b) A scholarship must be used in a program the child regularly attends to ensure
46.8 the child's access to the general curriculum of the program, consistent with the program
46.9 schedule.

46.10 Sec. 14. Minnesota Statutes 2014, section 124D.73, subdivision 3, is amended to read:

46.11 Subd. 3. ~~Advisory task force~~ **Tribal Nations Education Committee.** "Advisory
46.12 task force" "Tribal Nations Education Committee" means the state advisory task force
46.13 committee established through tribal directive that the commissioner consults with
46.14 on American Indian education programs, policy, and all matters related to educating
46.15 Minnesota's American Indian students.

46.16 Sec. 15. Minnesota Statutes 2014, section 124D.73, subdivision 4, is amended to read:

46.17 Subd. 4. **Participating school; American Indian school.** "Participating school"
46.18 and "American Indian school" mean a school that:

46.19 (1) is not operated by a school district; and

46.20 (2) is eligible for a grant under federal Title IV of the Indian VII of the Elementary
46.21 and Secondary Education Act for the education of American Indian children.

46.22 Sec. 16. Minnesota Statutes 2014, section 124D.74, subdivision 1, is amended to read:

46.23 Subdivision 1. **Program described.** American Indian education programs are
46.24 programs in public elementary and secondary schools, nonsectarian nonpublic, community,
46.25 tribal, charter, or alternative schools enrolling American Indian children designed to:

46.26 (1) support postsecondary preparation for pupils;

46.27 (2) support the academic achievement of American Indian students ~~with identified~~
46.28 ~~focus to improve reading and mathematic skills;~~

46.29 (3) make the curriculum ~~more~~ relevant to the needs, interests, and cultural heritage
46.30 of American Indian pupils;

46.31 (4) provide positive reinforcement of the self-image of American Indian pupils;

46.32 (5) develop intercultural awareness among pupils, parents, and staff; and

47.1 (6) supplement, not supplant, state and federal educational and cocurricular programs.
47.2 Program ~~components may include:~~ development of support components for students in
47.3 ~~the areas~~ services designed to increase completion and graduation rates of American
47.4 Indian students must emphasize of academic achievement, retention, and attendance;
47.5 development of support ~~components~~ services for staff, including in-service training and
47.6 technical assistance in methods of teaching American Indian pupils; research projects,
47.7 including ~~experimentation with~~ innovative teaching approaches and evaluation of
47.8 methods of relating to American Indian pupils; provision of ~~personal and vocational~~
47.9 career counseling to American Indian pupils; modification of curriculum, instructional
47.10 methods, and administrative procedures to meet the needs of American Indian pupils; and
47.11 supplemental instruction in American Indian language, literature, history, and culture.
47.12 Districts offering programs may make contracts for the provision of program ~~components~~
47.13 services by establishing cooperative liaisons with tribal programs and American Indian
47.14 social service agencies. These programs may also be provided as components of early
47.15 childhood and family education programs.

47.16 Sec. 17. Minnesota Statutes 2014, section 124D.74, subdivision 3, is amended to read:

47.17 Subd. 3. **Enrollment of other children; shared time enrollment.** To the extent
47.18 it is economically feasible, a district or participating school may make provision for the
47.19 voluntary enrollment of non-American Indian children in the instructional components of
47.20 an American Indian education program in order that they may acquire an understanding of
47.21 the cultural heritage of the American Indian children for whom that particular program is
47.22 designed. However, in determining eligibility to participate in a program, priority must be
47.23 given to American Indian children. American Indian children and other children enrolled
47.24 in an existing nonpublic school system may be enrolled on a shared time basis in all
47.25 academic, targeted services, and American Indian education programs.

47.26 Sec. 18. Minnesota Statutes 2014, section 124D.74, subdivision 6, is amended to read:

47.27 Subd. 6. **Nonverbal courses and extracurricular activities.** In predominantly
47.28 nonverbal subjects, such as art, music, and physical education, American Indian children
47.29 shall participate fully and on an equal basis with their ~~contemporaries~~ peers in school
47.30 classes provided for these subjects. Every school district or participating school shall
47.31 ensure to children enrolled in American Indian education programs an equal and
47.32 meaningful opportunity to participate fully with other children in all extracurricular
47.33 activities. This subdivision shall not be construed to prohibit instruction in nonverbal
47.34 subjects or extracurricular activities which relate to the cultural heritage of the American

48.1 Indian children, or which are otherwise necessary to accomplish the objectives described
48.2 in sections 124D.71 to 124D.82.

48.3 Sec. 19. Minnesota Statutes 2014, section 124D.75, subdivision 1, is amended to read:

48.4 Subdivision 1. **American Indian language and culture education licenses.** The
48.5 Board of Teaching, in consultation with the Tribal Nations Education Committee, must
48.6 grant initial and continuing teaching licenses in American Indian language and culture
48.7 education that bear the same duration as other initial and continuing licenses. The board
48.8 must grant licenses to persons who present satisfactory evidence that they:

48.9 (1) possess competence in an American Indian language or possess unique
48.10 qualifications relative to or knowledge and understanding of American Indian history
48.11 and culture; or

48.12 (2) possess a bachelor's degree or other academic degree approved by the board or
48.13 meet such requirements as to course of study and training as the board may prescribe, or
48.14 possess such relevant experience as the board may prescribe.

48.15 This evidence may be presented by affidavits, tribal resolutions, or by such other
48.16 methods as the board may prescribe. Individuals may present applications for licensure on
48.17 their own behalf or these applications may be submitted by the superintendent or other
48.18 authorized official of a school district, participating school, or an American Indian school.

48.19 Sec. 20. Minnesota Statutes 2014, section 124D.75, subdivision 3, is amended to read:

48.20 Subd. 3. **Resolution or letter.** All persons applying for a license under this section
48.21 must submit to the board a resolution or letter of support signed by an American Indian
48.22 tribal government ~~or its designee~~. All persons holding a license under this section ~~on July~~
48.23 ~~1, 1995~~, must have on file or file with the board a resolution or letter of support signed by
48.24 a tribal government ~~or its designee by January 1, 1996, or the next renewal date of the~~
48.25 ~~license thereafter~~.

48.26 Sec. 21. Minnesota Statutes 2014, section 124D.75, subdivision 9, is amended to read:

48.27 Subd. 9. **Affirmative efforts in hiring.** In hiring for all positions in these programs,
48.28 school districts and participating schools shall give preference to and make affirmative
48.29 efforts to seek, recruit, and employ persons who share the culture of the American Indian
48.30 children who are enrolled in the program. The district or participating school ~~shall~~ must
48.31 provide procedures for the involvement of the parent advisory committees in ~~designing~~
48.32 ~~the procedures for~~ the recruitment, screening and selection of applicants. This subdivision
48.33 shall not be construed to limit the school board's authority to hire and discharge personnel.

49.1 Sec. 22. Minnesota Statutes 2014, section 124D.76, is amended to read:

49.2 **124D.76 TEACHERS-AIDES; COMMUNITY COORDINATORS, INDIAN**
 49.3 **HOME/SCHOOL LIAISONS, PARAPROFESSIONALS.**

49.4 In addition to employing American Indian language and culture education teachers,
 49.5 each district or participating school providing programs pursuant to sections 124D.71 to
 49.6 124D.82 may employ ~~teachers'-aides~~ paraprofessionals. ~~Teachers'-aides~~ Paraprofessionals
 49.7 must not be employed for the purpose of supplanting American Indian language and
 49.8 culture education teachers.

49.9 Any district or participating school which conducts American Indian education
 49.10 programs pursuant to sections 124D.71 to 124D.82 must employ one or more full-time
 49.11 or part-time community coordinators or Indian home/school liaisons if there are 100 or
 49.12 more American Indian students enrolled in the ~~program~~ district. Community coordinators
 49.13 shall promote communication understanding, and cooperation between the schools and the
 49.14 community and shall visit the homes of children who are to be enrolled in an American
 49.15 Indian education program in order to convey information about the program.

49.16 Sec. 23. Minnesota Statutes 2014, section 124D.78, is amended to read:

49.17 **124D.78 PARENT AND COMMUNITY PARTICIPATION.**

49.18 Subdivision 1. **Parent committee.** School boards and American Indian schools
 49.19 must provide for the maximum involvement of parents of children enrolled in education
 49.20 programs, programs for elementary and secondary grades, special education programs,
 49.21 and support services. Accordingly, the board of a school district in which there are ten
 49.22 or more American Indian ~~children~~ students enrolled and each American Indian school
 49.23 must establish a an American Indian education parent advisory committee. If a committee
 49.24 whose membership consists of a majority of parents of American Indian children has been
 49.25 or is established according to federal, tribal, or other state law, that committee may serve
 49.26 as the committee required by this section and is subject to, at least, the requirements of
 49.27 this subdivision and subdivision 2.

49.28 The American Indian education parent advisory committee must develop its
 49.29 recommendations in consultation with the curriculum advisory committee required by
 49.30 section 120B.11, subdivision 3. This committee must afford parents the necessary
 49.31 information and the opportunity effectively to express their views concerning all aspects
 49.32 of American Indian education and the educational needs of the American Indian children
 49.33 enrolled in the school or program. ~~The committee must also address the need for adult~~
 49.34 ~~education programs for American Indian people in the community.~~ The school board or
 49.35 American Indian school must ensure that programs are planned, operated, and evaluated

50.1 with the involvement of and in consultation with parents of ~~children~~ students served by
50.2 the programs.

50.3 Subd. 2. **Resolution of concurrence.** Prior to ~~December~~ March 1, the school
50.4 board or American Indian school must submit to the department a copy of a resolution
50.5 adopted by the American Indian education parent advisory committee. The copy must be
50.6 signed by the chair of the committee and must state whether the committee concurs with
50.7 the educational programs for American Indian ~~children~~ students offered by the school
50.8 board or American Indian school. If the committee does not concur with the educational
50.9 programs, the reasons for nonconcurrence and recommendations shall be submitted with
50.10 the resolution. By resolution, the board must respond in writing within 60 days, in cases
50.11 of nonconcurrence, to each recommendation made by the committee and state its reasons
50.12 for not implementing the recommendations.

50.13 Subd. 3. **Membership.** The American Indian education parent advisory committee
50.14 must be composed of parents of children eligible to be enrolled in American Indian
50.15 education programs; secondary students eligible to be served; American Indian language
50.16 and culture education teachers and ~~aides~~ paraprofessionals; American Indian teachers;
50.17 counselors; adult American Indian people enrolled in educational programs; and
50.18 representatives from community groups. A majority of each committee must be parents
50.19 of children enrolled or eligible to be enrolled in the programs. The number of parents
50.20 of American Indian and non-American Indian children shall reflect approximately the
50.21 proportion of children of those groups enrolled in the programs.

50.22 Subd. 4. **Alternate committee.** If the organizational membership or the board
50.23 of directors of an American Indian school consists of parents of children attending the
50.24 school, that membership or board may serve also as the American Indian education parent
50.25 advisory committee.

50.26 Sec. 24. Minnesota Statutes 2014, section 124D.79, subdivision 1, is amended to read:

50.27 Subdivision 1. **American Indian community involvement.** The commissioner
50.28 must provide for the maximum involvement of the ~~state committees on American Indian~~
50.29 ~~education~~ Tribal Nations Education Committee, parents of American Indian children,
50.30 secondary students eligible to be served, American Indian language and culture education
50.31 teachers, American Indian teachers, ~~teachers'~~ aides paraprofessionals, representatives of
50.32 community groups, and persons knowledgeable in the field of American Indian education,
50.33 in the formulation of policy and procedures relating to the administration of sections
50.34 124D.71 to 124D.82. The commissioner must annually hold a field hearing on Indian
50.35 education to gather input from American Indian educators, parents, and students on the

51.1 state of American Indian education in Minnesota. Results of the hearing must be made
51.2 available to all 11 tribal nations for review and comment.

51.3 Sec. 25. Minnesota Statutes 2014, section 124D.79, subdivision 2, is amended to read:

51.4 Subd. 2. **Technical assistance.** The commissioner shall provide technical assistance
51.5 to districts, schools and postsecondary institutions for preservice and in-service training
51.6 for teachers, American Indian education teachers and teacher's aides, paraprofessionals
51.7 specifically designed to implement culturally responsive teaching methods, culturally
51.8 based curriculum development, testing and testing mechanisms, and the development of
51.9 materials for American Indian education programs.

51.10 Sec. 26. Minnesota Statutes 2014, section 124D.791, subdivision 4, is amended to read:

51.11 Subd. 4. **Duties; powers.** The Indian education director shall:

51.12 (1) serve as the liaison for the department with the Tribal Nations Education
51.13 Committee, the 11 ~~reservations~~ tribal communities in Minnesota, the Minnesota Chippewa
51.14 tribe, and the Minnesota Indian Affairs Council, ~~and the Urban Advisory Council~~;

51.15 (2) evaluate the state of American Indian education in Minnesota;

51.16 (3) engage the tribal bodies, community groups, parents of children eligible to be
51.17 served by American Indian education programs, American Indian administrators and
51.18 teachers, persons experienced in the training of teachers for American Indian education
51.19 programs, the tribally controlled schools, and other persons knowledgeable in the field of
51.20 American Indian education and seek their advice on policies that can improve the quality
51.21 of American Indian education;

51.22 (4) advise the commissioner on American Indian education issues, including:

51.23 (i) issues facing American Indian students;

51.24 (ii) policies for American Indian education;

51.25 (iii) awarding scholarships to eligible American Indian students and in administering
51.26 the commissioner's duties regarding awarding of American Indian ~~postsecondary~~
51.27 preparation education grants to school districts; and

51.28 (iv) administration of the commissioner's duties under sections 124D.71 to 124D.82
51.29 and other programs for the education of American Indian people;

51.30 (5) propose to the commissioner legislative changes that will improve the quality
51.31 of American Indian education;

51.32 (6) develop a strategic plan and a long-term framework for American Indian
51.33 education, in conjunction with the Minnesota Indian Affairs Council, that is updated every
51.34 five years and implemented by the commissioner, with goals to:

52.1 (i) increase American Indian student achievement, including increased levels of
52.2 proficiency and growth on statewide accountability assessments;

52.3 (ii) increase the number of American Indian teachers in public schools;

52.4 (iii) close the achievement gap between American Indian students and their more
52.5 advantaged peers;

52.6 (iv) increase the statewide graduation rate for American Indian students; and

52.7 (v) increase American Indian student placement in postsecondary programs and
52.8 the workforce; and

52.9 (7) keep the American Indian community informed about the work of the department
52.10 by reporting to the Tribal Nations Education Committee at each committee meeting.

52.11 **Sec. 27. REPORT ON ASSESSING STUDENTS' PROFICIENCY IN FOREIGN**
52.12 **LANGUAGES FOR WHICH ACTFL ASSESSMENTS ARE NOT AVAILABLE.**

52.13 By February 1, 2016, the commissioner of education, in consultation with the
52.14 chancellor of the Minnesota State Colleges and Universities, may prepare and submit to
52.15 the K-12 and higher education committees of the legislature a report recommending how
52.16 best to: assess students' foreign language proficiency under Minnesota Statutes, section
52.17 120B.022, subdivisions 1a and 1b, when ACTFL or equivalent valid and reliable language
52.18 proficiency assessments are not available; create guidelines for curriculum, instruction,
52.19 and assessments for foreign languages for which no written forms exist; and, if needed,
52.20 train a corps of individuals qualified to assess students' foreign language proficiency. The
52.21 commissioner, when preparing the report, must also consult with post-secondary world
52.22 languages faculty, teachers of English to speakers of other languages, other experts on
52.23 teaching language and culture and acquiring language, state councils whose constituencies
52.24 include non-native English language speakers, and other stakeholders.

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

52.26 Amend the title accordingly