

Subject K12 policy bill

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### Overview

This is the kindergarten through 12<sup>th</sup> grade education policy bill. It amends provisions relating to graduation standards, academic standards, American Indian education, student discipline, teacher licensure, charter schools, school meals, and student mental health, among others.

## Summary

### Article 1: General Education

This article amends statutes relating to school calendars and absences related to religious observance, the state count of American Indian students, and makes other technical changes.

Section	Description – Article 1: General Education
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1	<b>Absence from school for religious observance.</b>
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	Requires a school board to notify parents of the district's policy relating to absence from school for religious observance.
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	<b>Effective date:</b> This section is effective for the 2021-2022 school year and later.
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2	<b>School calendar.</b>
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	Allows a school board to consider the community's religious or cultural observances when adopting a school calendar.
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3	<b>Technical assistance. [Community and commissioner participation in American Indian education]</b>
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	Requires the commissioner to provide an annual report of American Indian student data using the state count of American Indian students.
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**Section Description – Article 1: General Education**

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- 4 Procedures. [American Indian education aid]**  
Requires the state count of American Indian students to be used to calculate American Indian education aid.
- 5 Conditions for assignment. [Assignment of income tax refund]**  
Amends reference to process for appeal of denial of certification of a third-party vendor's products and services qualifying for assignment of the student's family's income tax refund.
- 6 Excess increments. [Limitations]**  
Amends timeline for the county auditor's reporting on excess tax increment distributed to a school district for the preceding taxable year.

## **Article 2: Education Excellence**

This article amends statutes governing student discipline, home school requirements, graduation requirements, academic standards, postsecondary enrollment options (PSEO), American Indian education, assessments, and other provisions relating to academic programs.

**Section Description – Article 2: Education Excellence**

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- 1 Private data; when disclosure is permitted. [Educational data]**  
Allows educational data to be disclosed to tribal nations about tribally enrolled or descendant students to the extent necessary for the tribal nation to support the educational attainment of the student.
- 2 Education records. [Compulsory instruction]**  
Requires student records transmitted when a student transfers schools to include pupil withdrawals and services a student needs to prevent inappropriate behavior from recurring.  
  
**Effective date:** This section is effective for the 2021-2022 school year and later.
- 3 Requirements for instructors. [Compulsory instruction]**  
Modifies requirements for home school instructors.
- 4 Reports to superintendent.**  
Requires report on child receiving home school instruction to include proof that the testing plan for the previous year was fulfilled, a copy of the test scores, and other information.

**Section Description – Article 2: Education Excellence**

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**5 Required academic standards.**

Requires school districts to adopt the state arts standards rather than local standards. Adds media arts to list of arts areas that districts must offer and require.

**6 Rulemaking. [Required academic standards]**

Clarifies commissioner’s authority to amend rules on academic standards.

**7 Graduation requirements. [Credits]**

States that algebra I taken in 8<sup>th</sup> grade does not bear high school credit.

Requires a course in government and citizenship in 11<sup>th</sup> or 12<sup>th</sup> grade for students beginning 9<sup>th</sup> grade in the 2022-2023 school year and later or an advanced placement, international baccalaureate, or other rigorous course on government and citizenship; requires a district to begin offering a course for credit in government and citizenship to students in 11<sup>th</sup> and 12<sup>th</sup> grade in the 2022-2023 school year.

Requires arts standards to be state rather than local standards. Requires one credit of physical education. Reduces the number of elective credits from seven to six.

Requires students beginning 9<sup>th</sup> grade in the 2021-2022 school year and later to complete a personal finance course for credit during their senior year of high school.

**8 Definitions. [World’s Best Workforce]**

Defines “ethnic studies curriculum,” “rigorous,” “anti-racist,” “culturally sustaining,” “institutional racism,” and “on track for graduation.”

**9 Performance measures.**

Adds performance measures in a district’s World’s Best Workforce plan to include (1) participation in honors or gifted and talented programming and (2) students on track for graduation. Requires districts, beginning with the 2023-2024 school year, to report on participation and performance on advanced placement, international baccalaureate, and dual enrollment programs. Requires reporting on performance measures for student subgroups.

**10 Adopting plans and budgets. [World’s Best Workforce]**

Requires districts’ World’s Best Workforce plans to include ethnic studies curriculum, and anti-racist and culturally sustaining curriculum; modifies other plan requirements.

**Effective date:** This section is effective for all strategic plans reviewed and updated after enactment.

**Section Description – Article 2: Education Excellence**

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- 11 **District advisory committee. [World’s Best Workforce]**  
Requires district advisory committee to recommend strategies regarding curriculum and learning and work environments.
- 12 **Equitable school enhancement grants.**  
**Subd. 1. Grant program established.** Establishes a grant program to support strategies relating to equity.  
**Subd. 2. Definitions.** Defines terms, including “anti-racist,” “equitable,” “institutional racism,” and “structural.”  
**Subd. 3. Applications and grant awards.** Requires the commissioner of education to determine application procedures and deadlines, select schools to receive grants, and determine award amounts.  
**Subd. 4. Description.** Requires grants to be used to support equitable, anti-racist educational practices.  
**Subd. 5. Report.** Requires grant recipients to report to the commissioner.
- 13 **Gifted and talented students programs and services.**  
Requires “services” in addition to “programs” in the gifted and talented statute. Requires identification assessments and procedures to be sensitive and equitable to underrepresented groups, and to be coordinated for optimal identification of programs and services for underrepresented groups.
- 14 **Statewide local assessments; results. [Statewide testing and reporting system]**  
Eliminates requirement that the Minnesota Comprehensive Assessments (MCAs) include below-grade and above-grade test items, and definitions relating to above-grade and below-grade level test items.
- 15 **Remote testing. [Statewide testing and reporting system]**  
Requires the commissioner to develop and publish security and privacy policies and procedures on remote testing.
- 16 **National and international education comparisons. [Statewide testing and reporting]**  
Requires districts and schools selected to participate in the national assessment of educational progress or similar assessments to do so.

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- 17     **State growth target; other state measures. [Student academic achievement and growth]**  
Modifies demographic categories for student data reporting. Requires groups to be determined by a ten-year cycle using the American Community Survey, using five-year datasets.  
**Effective date:** This section is effective the day following final enactment. The next update to data used to determine the most populous groups must be implemented in 2026 using the 2021-2025 dataset.
- 18     **Improving schools. [Student academic achievement and growth]**  
Strikes obsolete references to dates and federal law.
- 19     **American Indian mascots prohibited.**  
    **Subd. 1. Prohibition.** Prohibits a district from adopting a name, symbol, or image of an American Indian tribe, custom, or tradition as a mascot, nickname, logo, letterhead, or team name of the district or school. Allows a district to seek an exemption from the Tribal Nations Education Committee and the Indian Affairs Council.  
    **Subd. 2. Definitions.** Defines terms including “American Indian” and “mascot.”
- 20     **Suspension.**  
Defines “in-school suspension” and “out-of-school suspension.” Requires an out-of-school suspension to include a readmission plan.  
**Effective date:** This section is effective for the 2021-2022 school year and later.
- 21     **Nonexclusionary disciplinary policies and practices; alternatives to pupil removal and dismissal.**  
Defines nonexclusionary disciplinary policies and practices as alternatives to removal or dismissal that require school officials to intervene in, redirect, and support a student’s behavior before removal or dismissal.  
**Effective date:** This section is effective for the 2021-2022 school year and later.
- 22     **Pupil withdrawal agreement.**  
Defines a pupil withdrawal agreement as a verbal or written agreement between a school and a parent to withdraw the student to avoid expulsion or exclusion dismissal proceedings; limits a pupil withdrawal agreement to 12 months.  
**Effective date:** This section is effective for the 2021-2022 school year and later.

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- 23 Full and equitable participation in early learning.**  
Prohibits dismissal of a student in kindergarten through grade three unless nonexclusionary discipline measures have been exhausted and there is an ongoing serious safety threat to the child or others.  
  
“Dismissal” is defined in the Pupil Fair Dismissal Act as the denial of the current educational program to a pupil, including exclusion, expulsion, and suspension. Dismissal does not include removal from class.
- 24 Provision of alternative programs. [Grounds for dismissal]**  
Requires a school to use nonexclusionary disciplinary policies and practices before dismissal proceedings or pupil withdrawal agreements.  
  
**Effective date:** This section is effective for the 2021-2022 school year and later.
- 25 Suspension pending expulsion or exclusion hearing. [Suspension procedures]**  
States that alternative education services are required when a student is suspended more than five consecutive days.  
  
**Effective date:** This section is effective for the 2021-2022 school year and later.
- 26 Student suspensions exceeding five consecutive school days. [Suspension procedures]**  
Requires an administrator to ensure alternative education services are provided when a pupil is suspended for more than five consecutive school days.  
  
**Effective date:** This section is effective for the 2021-2022 school year and later.
- 27 Minimum education services. [Suspension procedures]**  
Requires school officials to give suspended students the opportunity to complete all school work assigned during the suspension and receive full credit for the assignments. Encourages a principal to designate a school employee as a liaison to work with the student’s teachers to allow the student to receive timely course materials and complete assignments and receive feedback.  
  
**Effective date:** This section is effective for the 2021-2022 school year and later.
- 28 Written notice. [Exclusion and expulsion procedures]**  
Requires written notice of intent to impose an expulsion to describe the nonexclusionary disciplinary policies and practices offered the student to avoid the expulsion. Requires a district inform parents that the department’s list of legal resources is posted on the department’s website.

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**Effective date:** This section is effective for the 2021-2022 school year and later.

**29 Admission or readmission plan. [Exclusion and expulsion procedures]**

Requires an admission or readmission plan to include measures to improve the student’s behavior and lists optional elements of the plan. Requires the plan to include parental involvement in the admission or readmission process.

**Effective date:** This section is effective for the 2021-2022 school year and later.

**30 Exclusions and expulsions; student withdrawals; and physical assaults. [Report to the commissioner]**

Requires districts to report on pupil withdrawal agreements and nonexclusionary disciplinary practices to the commissioner.

**Effective date:** This section is effective for the 2021-2022 school year and later.

**31 Policies to be established.**

(a) Requires the commissioner to issue guidance on engaging stakeholders to review and revise discipline policies that are restorative and responsive. Requires policies to include nonexclusionary disciplinary policies and practices, and emphasize providing multi-tiered supports to students.

(b) Requires schools to ensure student is getting alternative educational services. Requires schools to make sure students who have been expelled or excluded, or withdrawn, are on track for readmission with peers, remain eligible for school-based or school-linked mental health services, and have information on accessing mental health services.

**Effective date:** This section is effective for the 2021-2022 school year and later.

**32 Corporal punishment.**

Defines “prone restraint” and prohibits a district employee or agent, including a school resource officer, from using prone restraints to reform or punish unacceptable conduct. Prohibits a district employee or agent, including a school resource officer, from using some physical holdings.

**33 Discipline and removal of students from class.**

**Subd. 1. Required policy.** Requires a school board to annually review and revise the school discipline policy and to include in the policy parameters for when input into discipline decisions is allowed.

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**Subd. 2. Grounds for removal from class.** Eliminates mandatory grounds for removal and requires policy to instead include provisions on addressing willful conduct that endangers other persons or property.

**Subd. 3. Policy components.** Eliminates requirement that policy include minimum consequences for violations of the code of conduct. Requires policy to prohibit use of exclusionary practices to address attendance and truancy issues.

**Effective date:** This section is effective July 1, 2022.

**34 Definitions. [PSEO Act]**

Prohibits an institution that makes admissions decisions based on a student’s race, color, creed, and certain other grounds from enrolling PSEO students.

**35 Notification of intent to enroll. [PSEO Act]**

Requires a student participating in PSEO to notify district of intent to enroll for fall term by May 30, and for spring term by October 30.

**36 Financial arrangements. [PSEO Act]**

Reduces the withdrawal and absence periods from first 14 to first ten business days of quarter or semester, accelerating the time that the department stops payments to a postsecondary institution when a student withdraws or stops attending a class.

**37 Definitions. [Online learning option]**

Defines “hybrid learning” as using blended learning in a way that combines scheduled in-person instruction and distance learning.

**38 Program established. [Learning year program to provide instruction throughout year]**

Strikes reference to extended school day calendar. Eliminates provision permitting student to participate in program and accelerate attainment of grade level or graduation requirements.

**39 Student planning. [Learning year program to provide instruction throughout year]**

Strikes charter schools from the statute describing student planning for students participating in learning year programs (charter schools are not authorized to operate a learning year program).

**40 Program described. [American Indian education programs]**

Modifies description of instruction in American Indian language, literature, history, and culture by eliminating the word “supplemental.”



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- 41 **Parent committee. [Parent and community participation]**  
Defines American Indian students for purposes of the American Indian Parent Advisory Committee (AIPAC).
- 42 **Membership. [Parent and community participation]**  
Requires majority of an AIPAC committee to be parents of American Indian children.
- 43 **Duties; powers. [Indian Education Director]**  
Clarifies that duties of Director of American Indian Education may be performed by Director’s designee with oversight by Director.
- 44 **Graduation ceremonies; tribal regalia and objects of cultural significance.**  
Requires a district or charter school to allow an American Indian student to wear American Indian regalia, tribal regalia, or objects of cultural significance at graduation ceremonies.  
**Effective date:** This section is effective the day following final enactment.
- 45 **Plan implementation; components. [Achievement and integration for Minnesota]**  
Modifies achievement and integration plan requirements. Requires plans to include strategies to address institutional racism.  
**Effective date:** This section is effective for all plans reviewed and updated after enactment.
- 46 **Restrictive procedures.**  
Broadens application of restrictive procedures statutes from only students with disabilities to all students.
- 47 **Standards for restrictive procedures.**  
Requires an oversight committee to review additional information regarding use of restrictive procedures. Requires reporting on the use of the debriefing process that follows use of a restrictive procedure. Prohibits using a restrictive procedure on a child younger than five.
- 48 **Tobacco products prohibited in public schools.**  
Expands permission to light tobacco as part of a traditional Indian spiritual or cultural ceremony beyond adults. Allows an American Indian person to carry a medicine pouch containing loose tobacco in observance of traditional spiritual or cultural practices. Expands definition of “Indian” for purposes of this section.

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- 49      **Extension for posting student progress and other data.**  
Extends time for commissioner of education to post accountability data for the 2020-2021 school year to October 1, 2021.  
**Effective date:** This section is effective the day following final enactment.
- 50      **Academic standards review and revision suspension.**  
Requires the commissioner to suspend the review and revision of academic standards and benchmarks in math, and implementation of revised physical education and arts standards until June 1, 2022. Allows commissioner to support schools and districts with future implementation, continue current rulemaking activities, and develop future statewide assessments in science and reading. Requires commissioner to implement review and revision of math standards and benchmarks beginning in the 2022-2023 school year.  
**Effective date:** This section is effective the day following final enactment.
- 51      **Revisor instruction.**  
Instructs the Revisor to renumber statutory provisions relating to statewide assessments and reporting requirements.
- 52      **Repealer.**  
Repeals Minnesota Statutes, section 120B.35, subdivision 5, which requires districts to develop strategies to keep students with emotional or behavioral disorders in school and increase their graduation rates.

### **Article 3: Teachers**

This article incorporates provisions from the Increase Teachers of Color Act, amends teacher licensure requirements and tenure provisions, and makes other changes relating to teachers and other educators.

**Section Description – Article 3: Teachers**

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- 1      **Increasing the percentage of teachers of color and American Indian teachers in Minnesota.**  
**Subd. 1. Purpose.** Establishes purpose of statute is to set state goals for increasing the percentage of teachers of color and American Indian teachers, and ensure all students have access to effective and diverse teachers who reflect the diversity of students.

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**Subd. 2. Equitable access to racially and ethnically diverse teachers.** States goal that the percentage of teachers who are of color or American Indian should increase at least two percentage points per year.

**Subd. 3. Rights not created.** States that goal in this section does not exclude other goals or confer a right or create a claim.

**Subd. 4. Reporting.** Requires the Professional Educator Licensing and Standards Board (PELSB) to report on aggregate outcomes of state programs related to the preparation or retention of diverse teachers.

**Effective date:** This section is effective the day following final enactment.

**2 Curriculum policy.**

Requires a school board to adopt a written policy that prohibits discrimination or discipline for a teacher or principal for incorporating into curriculum contributions by persons in a protected class.

**3 License required.**

Requires a teacher to hold a license or permission aligned to the content area and scope of the teacher's assignment to provide instruction in a public school or charter school.

**4 Teacher.**

Amends definition of "teacher" for purposes of teacher licensure statutes.

**5 Field.**

Adds "licensure area" to definition of "field."

**6 Shortage area.**

Amends definition of "shortage area" by referencing the percentage of Indigenous teachers and teachers of color in each economic development region, and the percentage of students in kindergarten through grade 12 who are Indigenous or of color.

**7 Teacher preparation program.**

Amends definition of "teacher preparation program" by striking language on entities that can provide teacher preparation programs.

**8 Teacher preparation program provider.**

States that teacher preparation program providers include postsecondary institutions and alternative teacher preparation program providers.

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**9 District.**

Defines a “district” as a public school district or charter school for purposes of the PELSB’s activities.

**10 Teacher preparation providers.**

**Subd. 1. Purpose.** States that PELSB must approve teacher preparation providers and programs that are a means to acquire a Tier 2 license and prepare for acquiring a Tier 3 license in order to provide alternative pathways toward licensure outside of the traditional means, improve ethnic and cultural diversity in the classroom, and close the achievement gap.

**Subd. 2. Rules.** Requires PELSB to adopt and revise rules to approve teacher preparation programs.

**Subd. 3. Eligibility.** Allows the following organizations to apply to be a teacher preparation provider: Minnesota institutions of higher education, school districts, charter schools, and nonprofit corporations organized under chapter 317A for an education-related purpose.

**Subd. 4. Requirements for provider approval.** Requires an entity to be approved as a provider before being approved to provide programs toward licensure. Lists requirements for provider approval.

**Subd. 5. Program approval.** Requires PELSB to adopt and revise criteria for program approval in rule. Allows PELSB to suspend or revoke approval of provider or program that does not meet requirements in rule.

**Subd. 6. Specialized credentials.** Allows PELSB to adopt and revise rules creating flexible, specialized teaching licenses, credentials, and other endorsement forms.

**Subd. 7. Teacher educators.** Requires PELSB to adopt and revise rules requiring teacher educators to work with teachers in schools to obtain periodic exposure to teaching environments. Requires PELSB to adopt and revise rules for the qualifications of teacher educators, and allows board to use nontraditional criteria to determine qualifications of teacher educators.

**Subd 8. Reading strategies.** Requires teacher preparation program to teach research-based best practices in reading and include instruction on dyslexia.

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**Subd. 9. Technology strategies.** Requires all approved teacher preparation providers to train prospective teachers on technology strategies, including those needed to engage students with technology through digital and blended learning.

**Subd. 10. Reports.** Requires PELSB to report annually to the legislature on the performance of teacher candidates, and to submit a biennial report on alternative teacher preparation providers.

**11 Teachers.**

Makes technical change to definition of teachers, and states that this definition does not apply to sections 122A.05 to 122A.093, which relate to PELSB.

**12 Qualified teacher defined.**

Modifies definition of a “qualified teacher” by allowing a teacher to be qualified by holding either a license or a permission.

**13 License to substitute teach. [Board to issue licenses]**

Requires PELSB to issue licenses to substitute teach to qualifying applicants. Allows PELSB to issue a short-call substitute teaching license to an applicant who is enrolled in and making satisfactory progress in a non-Minnesota teacher program. Replaces reference to continuing education clock hours with renewal requirements.

**14 Background studies. [Board to issue licenses]**

Modifies background studies requirements by requiring PELSB and the Board of School Administration (BOSA) to initiate rather than obtain a background study, changing provision on obtaining background checks through the Department of Human Services (DHS) from requirement to permission, and adding BOSA to DHS provision.

**15 Licensure via portfolio. [Board to issue licenses]**

Limits licensure via portfolio to Tier 3 license or to add a licensure field to a Tier 3 or Tier 4 license. Changes portfolio review timeline.

**16 Application requirements. [Tier 1 license]**

Requires application for Tier 1 license to be submitted jointly by applicant and district, and for application fee to be paid for by the district or applicant.

**17 Professional requirements. [Tier 1 license]**

Modifies exemption from bachelor’s degree requirement for Tier 1 license by replacing reference to career and technical education (CTE) or career pathway course of study to specific exemption under state statute or rule.

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- 18 Exemptions from a bachelor’s degree. [Tier 1 license]**  
Establishes exemptions for bachelor’s degree requirement for Tier 1 license for applicants to teach CTE courses, world languages and culture, and art; and applicants enrolled in a state-approved teacher preparation program classified as a residency model, where the model leads to a bachelor’s degree.  
  
Requires PELSB to adopt and revise rules regarding the qualifications and determinations for applicants exempt from paragraph (a).
- 19 Term of license and renewal. [Tier 1 license]**  
Eliminates provision allowing board to submit written comments to a district or charter school that requested a Tier 1 license renewal. Eliminates requirement that Tier 1 teacher take a content examination to renew license. Requires district to demonstrate professional development opportunities and other supports were provided to a Tier 1 teacher to move to a higher tier. Eliminates unlimited renewals for CTE teachers and teachers that fill shortage areas but retains exception for district or charter school showing good cause for additional renewals.
- 20 Application. [Tier 1 license]**  
Requires PELSB to review applications, and allows PELSB to begin reviewing applications before July 1. Eliminates requirement that PELSB make a decision on application within 30 days.
- 21 Limitations on license. [Tier 1 license]**  
Eliminates exclusion of Tier 1 teachers from definition of “teacher,” allowing Tier 1 teachers to be in the same bargaining unit as other teachers for purposes of collective bargaining.
- 22 Mentorship and evaluation. [Tier 1 license]**  
Replaces requirement that Tier 1 teacher participate in employing district’s mentorship program and professional development with requirement that district provide Tier 1 teacher mentorship aligned to board-adopted criteria and professional development opportunities.
- 23, 24 Requirements; exemptions from a bachelor’s degree. [Tier 2 license]**  
Modifies requirements for a Tier 2 license. Current law requires an applicant to have a bachelor’s degree or to teach CTE, certain experience; and be enrolled in a Minnesota-approved teacher preparation program, have a master’s degree, or meet two of five requirements (advanced coursework, field-specific training, two years of teaching experience, passing scores on pedagogy and content exams, and complete a state-approved teacher preparation program).

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These sections allow an applicant who has enrolled in a teacher preparation program approved by Minnesota or any other state to obtain a Tier 2 license without the advanced coursework, field-specific training, teaching experience, or passing scores on pedagogy and content exams.

These sections retain the bachelor's degree exemption for CTE teachers, and expand the exemption for the following teachers: a teacher of world languages and culture who is a native speaker of the language, and an art teacher with five years of relevant work experience.

Requires PELSB to adopt and revise rules regarding the qualifications and determinations for applicants exempt from paragraph (a).

**25 Term of license and renewal. [Tier 2 license]**

Limits renewal of Tier 2 license to two rather than three but allows a license to teach CTE to be renewed unlimited times. Requires PELSB to adopt rules establishing good cause justifications for additional renewals. Requires a district to offer professional development opportunities and other supports to a Tier 2 teacher to have licensed renewed, and requires a Tier 2 teacher to participate in cultural competency training and mental illness training for all renewals.

**26 Application. [Tier 2 license]**

Requires PELSB to review applications, and allows PELSB to begin reviewing applications before July 1. Eliminates requirement that PELSB make a decision on application within 30 days.

**27 Mentorship and evaluation. [Tier 2 license]**

Replaces requirement that Tier 2 teacher participate in employing district's mentorship program and professional development with requirement that district provide Tier 2 teacher mentorship aligned to board-adopted criteria and professional development opportunities.

**28 Requirements. [Tier 3 license]**

Eliminates licensure exams as requirement for Tier 3 license. Broadens exemption from bachelor's degree to include a teacher teaching any course exempt by statute or rule.

Requires PELSB to issue a Tier 3 license to an applicant who completed student teaching comparable to Minnesota requirements, and either (1) completed a teacher preparation program from a culturally specific minority serving institution and is eligible for a teacher license in another state, or (2) completed a university teacher preparation program in another country and has taught at least two years.

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**29 Coursework. [Tier 3 license]**

Eliminates option for applicant to meet coursework requirements with three years of teaching experience under a Tier 2 license and evidence of summative evaluations that did not place the teacher on an improvement process.

**30 Exemptions from a bachelor’s degree. [Tier 3 license]**

Expands exemption from bachelor’s degree for the following teachers: a teacher of world languages and culture who is a native speaker of the language, and an art teacher with five years of relevant work experience.

Requires PELSB to adopt and revise rules regarding the qualifications and determinations for applicants exempt from subdivision 1.

**31 Term of license and renewal. [Tier 3 license]**

Requires a Tier 3 teacher to meet initial teacher renewal requirements to renew license.

**32 Requirements. [Tier 4 license]**

Requires teaching experience to be as teacher of record. Eliminates use of teacher evaluation in licensure process. Requires applicant with Tier 3 license to complete initial teacher renewal requirements.

Requires PELSB to issue a Tier 4 license to a candidate who has teaching experience in another state and achieved tenure or completed three consecutive years of employment for at least 120 days per year with a single employer.

**33 Term of license and renewal. [Tier 4 license]**

Requires Tier 4 teacher to complete continuing teacher renewal requirements to renew license.

**34 Tests. [Teacher licensure assessment]**

Eliminates requirement that Tier 4 teacher pass skills exam, and that Tier 3 teacher pass pedagogy and content exams. Allows Tier 4 applicants to meet pedagogy and content exam requirements with a performance assessment, and to meet content exam requirement with an exam taken in another state. Allows applicants who have completed a teacher preparation program in another state and passed licensure exams in that state to obtain license without passing a similar Minnesota exam. Eliminates requirement that Tier 3 elementary school teachers pass test assessing knowledge, skill, and ability in reading instruction.

Strikes exemption from reading, writing, and math skills for nonnative English speakers applying for a license to teach in native language or world language.



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Requires testing centers to provide monthly opportunities for untimed content and pedagogy exams. Requires a candidate who has not passed a required exam after two attempts to be allowed to retake the exam for free.

**35 Remedial assistance. [Teacher licensure assessment]**

Requires teacher preparation providers to report annually on supports provided to persons enrolled in their programs who do not pass license exams and request remedial assistance. Requires providers to provide remedial assistance on any licensing exam.

**36 Expiration and Renewal.**

**Subd. 1. License form requirements.** Eliminates requirement that Tier 3 and Tier 4 teachers renewing licenses show satisfactory evidence of successful teaching or administrative experience for at least one school year or complete additional preparation.

**Subd. 3. Professional growth.** Removes cultural competence and practice in meeting the needs of English learners from professional growth requirement. Eliminates option for teacher to satisfy professional growth requirement by submitting summative evaluation.

Allows PELSB to adopt and revise rule setting criteria for Tier 3 license renewal requirements that must be completed before a teacher may move to a Tier 4 license.

**Subd. 5. Reading preparation.** Strikes requirement that rules on reading preparation be approved by law to take effect.

**Subd. 7. Cultural competency.** Requires PELSB to adopt and revise rules that require all teachers renewing a Tier 3 or 4 license to have cultural competency training.

**Subd. 8. Meeting needs of multilingual learners.** Requires PELSB to adopt and revise rules that require all teachers renewing a Tier 3 or 4 license to have training on meeting the needs of multilingual learners.

**Subd. 9. Mandatory renewal requirements.** Requires PELSB to adopt and revise rules setting standards for all mandatory renewal requirements. Requires all trainings necessary for renewal to meet board requirements. Requires training provided outside of a district, charter school, cooperative unit, or state agency to be approved by the board.

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- 37 **Teacher preparation programs. [Bilingual and English as a second language teachers licenses]**  
Allows teacher preparation programs for bilingual and English as a second language teachers to be provided outside of colleges or universities.
- 38 **Exceptions. [Community education teachers; licensure requirements]**  
Includes community education teachers in the definition of “teachers” for purposes of tenure or continuing contract, which allows them to become tenured or have continuing contracts.
- 39 **Probationary period. [Continuing contracts (districts in cities outside the first class)]**  
Modifies probationary period for a teacher who has taught for three consecutive years in one state by allowing the teacher to obtain continuing contract status after serving a one-year probationary period in a Minnesota school district instead of three years.  
**Effective date:** This section is effective for collective bargaining agreements effective July 1, 2021 and thereafter
- 40 **Development, evaluation, and peer coaching for continuing contract. [Continuing contracts (districts in cities outside the first class)]**  
Requires districts to adopt a rubric of performance standards for teacher practice, including on culturally responsive methodologies and at least three levels of performance, to determine common descriptions of effectiveness.  
**Effective date:** This section is effective July 1, 2023.
- 41 **Probationary period; discharge or demotion. [Tenure (districts in cities of the first class)]**  
Allows a district to negotiate a contract with a one-year probationary period for a teacher who has obtained tenure or completed three consecutive years of employment for at least 120 days per year with a single employer.  
**Effective date:** This section is effective for collective bargaining agreements effective July 1, 2021, and thereafter.
- 42 **Development, evaluation, and peer coaching for continuing contract. [Tenure (districts in cities of the first class)]**  
Requires districts to adopt a rubric of performance standards for teacher practice, including on culturally responsive methodologies and at least three levels of performance, to determine common descriptions of effectiveness.

**Section Description – Article 3: Teachers**

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**Effective date:** This section is effective July 1, 2023.

**43 Come teach in Minnesota hiring bonuses.**

**Subd. 1. Purpose.** States that purpose of bonus program is to support districts and schools recruiting teachers to meet staffing needs in shortage areas.

**Subd. 2. Eligibility.** Requires a district or school to verify that hiring bonus is given to teacher licensed in another state who qualifies for a Tier 3 or 4 license, has moved to the economic development region where the teacher was hired, and belongs to a racial or ethnic group underrepresented among teachers compared to students in the district.

**Subd. 3. Bonus amount.** Allows a district or school to offer a bonus of \$2,500 to \$5,000 to an eligible teacher, and a bonus of \$4,000 to \$8,000 to an eligible teacher with a license in a shortage area. Requires a teacher to be paid half of the bonus when starting employment, and half after four years of service.

**Subd. 4. Administration.** Requires the commissioner to establish a process for districts or schools to seek reimbursement for hiring bonuses. Allows the department to conduct a pilot program to establish feasibility. Requires the department to report to the legislature on the effectiveness of the program and recommendations for improvement.

**Subd. 5. Account established.** Creates a special revenue fund for hiring bonuses.

**Effective date:** This section applies to teacher contracts entered into on or after July 1, 2021.

**44 Grant program administration and report. [Collaborative urban and greater Minnesota educators of color grant program]**

Requires grants to be awarded for a two-year grant period.

**45 Report. [Collaborative urban and greater Minnesota educators of color grant program]**

Modifies reporting dates.

**46 Grants for grow your own programs.**

**Subd. 1. Establishment.** Establishes grants for three types of Grow Your Own programs to develop teaching workforce that more closely reflects diverse student population and ensure equitable access to effective and diverse teachers.

**Section Description – Article 3: Teachers**

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**Subd. 2. Definitions.** Defines terms, including “eligible district” and “Grow Your Own program.”

**Subd. 3. Grants for residency programs.** Allows eligible districts to apply for grants to develop, maintain, or expand residency programs. Provides requirements and allowable grant uses for programs established by a district and a teacher preparation program provider that uses a cohort model.

**Subd. 4. Grants for programs serving adults.** Allows eligible districts or Head Start programs to apply for grants to support persons of color or American Indian persons to become licensed teachers or preschool teachers. Provides allowable grant uses.

**Subd. 5. Grants for programs serving secondary school students.** Allows school districts and charter schools to apply for grants for dual-credit “Introduction to Teaching” courses and other programs that encourage secondary school students to pursue teaching. Provides allowable grant uses.

**Subd. 6. Grant procedure.** Requires the commissioner to give priority to districts or Head Start programs with the highest number or percentage of students who are of color or American Indian. Establishes grant application and review timelines.

**Subd. 7. Account established.** Establishes a special revenue fund for Grow Your Own programs.

**Subd. 8. Report.** Requires grant recipients to report to the commissioner.

**47 Teacher mentorship and retention of effective teachers.**

Modifies eligibility for mentorship program grants. Requires PELSB to prioritize grants for efforts to induct, mentor, and retain Tier 2 or 3 teachers who are of color or American Indian, and Tier 2 or 3 teachers in licensure shortage areas. Allows grants to be awarded for up to 24 months. Modifies reporting deadline.

**48 Duties, evaluation. [Principals]**

Requires principal evaluations to support and improve principal’s culturally responsive leadership practices.

**Effective date:** This section is effective July 1, 2023.

**Section Description – Article 3: Teachers**

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**49 Individualized education programs.**

Requires a paraprofessional assigned to work alone with a student with a disability to be given paid time or time during the school day to review the student’s individualized education program or be briefed on the student’s specific needs.

Requires a paraprofessional and certain other district staff employed to support students with disabilities to be provided at least 16 hours of paid orientation or professional development annually.

**50 Terms and conditions of employment.**

Adds class sizes, student testing, and student to personnel ratios in Minnesota school districts to the mandatory terms of collective bargaining under Minnesota’s Public Employees Labor Relations Act (PELRA). Requires school districts and union representatives of school district public employees to meet and negotiate over these terms. Also applies to charter school class sizes.

**51 Repealer.**

Repeals the following:

- Section 122A.091, subdivisions 3 (requires school districts to report information on probationary teachers and principals) and 6 (requires PELSB to report to legislature by January 1, 2019, on implementation of tiered licensure)
- Section 122A.092 (requires PELSB to adopt rules on teacher preparation programs and establishes requirements for teacher preparation programs; some of these requirements are similar to those in the new section on teacher preparation providers, section 10 above)
- Section 122A.18, subdivision 7c (establishes a temporary military license)
- Section 122A.184, subdivision 3 (requires a Tier 4 teacher to participate in the employing district’s mentorship and evaluation program)
- Section 122A.23, subdivision 3 (teacher licensure agreements with other states)
- Section 122A.2451 (establishes alternative teacher preparation providers and programs)

## **Article 4: Charter Schools**

This article amends the list of requirements charter schools must comply with, establishes definitions of charter management and education management organizations, amends

authorizer requirements, and requires a market demand study for new or expanded charter schools, and modifies other charter school requirements.

**Section Description – Article 4: Charter Schools**

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- 1 Definitions.**  
Defines “charter management organization,” “education management organization,” and “online education service provider.”
- 2 Certain federal, state, and local requirements. [Applicable law]**  
Requires charter schools to comply with statute on alternatives to suspension, and uniform municipal contracting law.
- 3 English learners. [Applicable law]**  
Requires charter schools to comply with the Education for English Learners Act.
- 4 Corporal punishment. [Applicable law]**  
Requires charter schools to comply with corporal punishment statute.
- 5 Application content. [Authorizers]**  
Makes term of a charter school authorizer open-ended instead of being limited to five years.
- 6 Withdrawal. [Authorizers]**  
Amends authorizer withdrawal requirements.
- 7 Individuals eligible to organize. [Forming a school]**  
Requires an application to establish a charter school must include a market need and demand study that quantifies demand for the new school, grade or site expansion, or preschool program, and includes other market need and demand information.
- 8 Authorizer’s affidavit; approval process. [Forming a school]**  
Requires an authorizer’s affidavit to include in its affidavit market research on the need, demand, and potential market for a proposed charter school.
- 9 Adding grades or sites. [Forming a school]**  
Requires an authorizer approving a school’s application to add grades or primary enrollment sites to include a market need and demand study in the supplemental affidavit filed with the commissioner.
- 10 Admission requirements and enrollment.**  
Requires charter school admission to be free to a resident of Minnesota, and gives enrollment preference to Minnesota residents over out-of-state residents.

**Section Description – Article 4: Charter Schools**

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- 11 **Teachers. [Employment]**  
Changes statutory definition of “teacher” referenced in requirement to employ necessary teachers, and allows charter schools to contract with a cooperative to provide necessary teachers.
- 12 **Leased space. [Facilities]**  
Requires a charter school to lease space from the owner of the space instead of subleasing the space.
- 13 **Audit report. [Reports]**  
Requires a charter management organization or educational management organization to submit an audit report to the commissioner annually by December 31.
- 14 **School closures; payments. [Payment of aids to charter schools]**  
Strikes an obsolete reference to chapter on cooperatives.

## **Article 5: Special Education**

This article amends requirements for American Sign Language interpreters, and requirements relating to students with disabilities affected by disruptions to on-site learning due to COVID-19.

**Section Description – Article 5: Special Education**

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- 1 **Requirements for American Sign Language/English interpreters.**  
Adds Certified Deaf Interpreter (CDI) to the allowed types of certifications for American Sign Language/English interpretation or transliteration. CDI certifications are for individuals who are deaf or hard of hearing, have demonstrated understanding of interpreting and the Deaf community and culture, have special training in various communication methods, and are native or near-native fluent in American Sign Language.  
  
Allows employees with the required certifications or credentials for American Sign Language/English interpreters to be classified as “essential personnel” under the section of statute governing special education aid, which has funding implications for school districts employing such interpreters.
- 2 **Students with disabilities.**  
**Subd. 1. On-site instruction.** Requires a school board developing or updating a plan to provide on-site instruction to students to prioritize instruction for a

**Section Description – Article 5: Special Education**

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student with disabilities whose individualized education programs (IEPs) requires instruction in a federal level three or four program or who is not demonstrating progress on the IEP while not receiving on-site instruction, and for a student with disabilities who is also an English learner.

**Subd. 2. Home visits.** Allows a district to provide services required by an IEP to a student at the student’s home, and allows those services to qualify for special education funding. Requires a district providing the home visit services to negotiate the terms and conditions of employment with the union of the staff performing the services in accordance with the Public Employment Labor Relations Act.

**Subd. 3. Truancy.** Requires a school district to consider how a student’s disability may affect the student’s ability to engage in distance instruction when determining whether to refer the student for truancy programs and services or reporting educational neglect. Encourages districts to connect families with county-based services, excluding truancy services, if a student is struggling with attendance.

**Subd. 4. Transition program.** Requires a district to allow a student participating in a special education transitions program for students ages 18 to 21, who was expected to participate in employment or training during the 2020-2021 school year in accordance with the student’s IEP, to participate during the 2021-2022 school year even if the student would otherwise age out, as long as the IEP team finds participation would be appropriate.

**Effective date:** This section is effective immediately following enactment and sunsets at the end of the 2021-2022 school year.

## **Article 6: Health and Safety**

This article requires mental health instruction, social-emotional learning standards, defines multi-tiered system of supports, requires a seizure action plan, and makes other changes relating to student mental health.

**Section Description – Article 6: Health and Safety**

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- 1 Mental health education.**  
Replaces encouragement for districts to provide mental health instruction with requirement.



**Section Description – Article 6: Health and Safety**

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**Effective date:** This section is effective July 1, 2022.

- 2 **Safe and supportive schools programming. [School student bullying policy]**  
Requires districts to provide instruction to help students identify, prevent, and reduce prohibited conduct; and take other action to create a safe and supportive school environment.
- 3 **State model policy. [School student bullying policy]**  
Requires the commissioner to develop and maintain resources to help districts and schools implement strategies for a positive school climate and use social-emotional learning. Requires the commissioner to develop and adopt state-level social-emotional learning standards.
- 4 **School mental health systems.**  
Defines mental health, and describes comprehensive school mental health systems.
- 5 **Multi-tiered system of supports.**  
Defines the Minnesota multi-tiered system of supports as a systemic, continuous improvement framework for ensuring positive social, emotional, behavioral, developmental, and academic outcomes for every student. Lists required components of framework.
- 6 **Seizure action plan.**
  - Subd. 1. Seizure training and action plan.** Requires a school district or charter school where a student with a seizure disorder and prescribed seizure medication is enrolled to have a seizure action plan. The action plan must identify an employee who can administer seizure medication and require training on seizures.
  - Subd. 2. Training requirements.** Requires a school district or charter school to provide all licensed school nurses or other designated individuals, and other staff with self-study materials on seizure disorders.

**Effective date:** This section is effective for the 2022-2023 school year and later.
- 7 **Comprehensive school mental health services lead.**  
Establishes the comprehensive school mental health services lead and duties of the lead at the Minnesota Department of Education.
  - Subd. 1. Lead position established.** Requires the department to employ a school mental health services lead.

**Section Description – Article 6: Health and Safety**

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**Subd. 2. Assistance to districts.** Requires the lead to help schools assess their comprehensive school mental health systems and develop improvement plans to implement evidence-based mental health resources, tools, and practices in school districts. Requires the lead to work with school districts to improve mental health infrastructure, and allows the lead to report to the legislature as necessary.

**Subd. 3. Coordination with other agencies.** Requires the lead to consult with named state agencies or offices, and other federal, state, and local agencies as necessary to identify or develop information, training, and resources to help districts support students' mental health needs.

## **Article 7: Nutrition and Libraries**

This article requires sponsors in the meals program to adopt a school meals policy and provide meals to students in a respectful manner, and amends a library support aid requirement.

**Section Description – Article 7: Nutrition and Libraries**

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**1 School meal policy; lunch aid; food service accounting.**

**Subd. 1. School meal policy.** Requires sponsors in the school lunch or breakfast program to adopt and post a school meal policy. Lists required elements of policy, including a prohibition on withdrawing a meal from a student's tray.

**Subd. 1a. School lunch aid amounts.** Makes technical changes.

**Subd. 2. Application.** Makes a technical change.

**Subd. 4. No fees.** Prohibits a sponsor that receives lunch aid from denying a school lunch or breakfast to a student who qualifies for free or reduced-price meals even if the student has an outstanding balance in a meal account.

**Subd. 5. Respectful treatment.** Requires a sponsor to provide meals to students in a respectful manner, and prohibits a sponsor from imposing certain restrictions or limiting a student's participation in certain activities due to an unpaid student meal debt. Requires the commissioner to send a letter of noncompliance to a sponsor violating respectful treatment requirement; sponsor must respond and remedy the practice.

**Subd. 6. Definition.** Defines "a la carte" and "school meal."

**Effective date:** This section is effective July 1, 2021.

**Section Description – Article 7: Nutrition and Libraries**

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- 2      **Local support levels. [Regional library basic system support aid; requirements]**  
States that library basic system support aid provided to a regional public library system is subject to the reduced maintenance of effort requirements in section 275.761.

## **Article 8: Facilities**

This article requires school staff, students, and parents to be notified of environmental hazards.

**Section Description – Article 8: Facilities**

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- 1      **Notification of environmental hazards.**  
Requires a school district, charter school, or nonpublic school to notify school staff, students, and parents when it receives notice of environmental hazards from the Department of Health or Pollution Control Agency.

## **Article 9: State Agencies**

This article amends statutes governing the membership and duties of PELSB, and eliminates an obsolete reference to the licensing division of the Department of Education.

**Section Description – Article 9: State Agencies**

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- 1      **Appointment of members. [PELSB membership]**  
Increases the number of PELSB members from 11 to 13. Prohibits a member from serving more than two consecutive terms.
- 2      **Eligibility; board composition. [PELSB membership]**  
Increases the number of teachers on the board from six to eight, and modifies the teacher member qualifications. Eliminates board position for a teacher from a teacher preparation program, and adds three teachers in licensure areas that represent current or emerging trends in education and an educator currently teaching in a Minnesota-approved teacher preparation program. Clarifies qualifications for superintendent and principal positions on the board.
- 3      **Administration. [PELSB membership]**  
Eliminates obsolete language relating to PELSB offices.

**Section Description – Article 9: State Agencies**

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- 4      **Licensing. [Duties]**  
Requires PELSB to approve teacher preparation providers seeking to prepare candidates for teacher licensure in Minnesota.
- 5      **Register of persons licensed. [Duties]**  
Amends requirements for register of licensed teachers.
- 6      **PELSB must adopt and revise rules. [Duties]**  
Require PELSB to revise rules, and adds sections that require rulemaking. Strikes requirement that PELSB adopt rules relating to grade levels a licensed teacher may teach.
- 7      **Permissions. [Duties]**  
Eliminates annual review requirement for permission for alternative education program teacher to teach in other content areas.
- 8      **Teacher and administrator preparation and performance data; report.**  
Changes date that PELSB must post report on teacher preparation programs from June to July. Modifies required summary data program providers must include.
- 9      **Teacher preparation program reporting.**  
Clarifies reporting requirement on number of candidates who have not passed a content or pedagogy exam, and modifies requirement to disaggregate data by eligibility for financial aid.
- 10     **Limitations of order effective January 1, 2015, and later. [Petition to expunge criminal records]**  
Strikes obsolete reference to the licensing division of the Department of Education.



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