

1.1 moves to amend H.F. No. 1269 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "ARTICLE 1
1.4 LITERACY AND LEARNING

1.5 Section 1. [120B.116] SCIENCE OF READING.

1.6 Subdivision 1. Policy. It is the intent of the legislature that public schools promote
1.7 foundational literacy and grade-level reading proficiency through the use of curriculum,
1.8 textbooks, instructional materials, instructional practices, interventions, and teacher
1.9 development and training based solely on the science of reading.

1.10 Subd. 2. Science of reading defined. (a) "Science of reading" means explicit, systematic
1.11 evidence-based reading instruction using reliable, trustworthy, and valid evidence consistent
1.12 with science-based reading research. This includes developing foundational reading skills
1.13 relying on phonemic/phonological awareness, phonics and decoding, fluency, vocabulary,
1.14 and comprehension that can be differentiated to meet the needs of individual students.

1.15 (b) The science of reading does not include using visual memory as the primary basis
1.16 for teaching word recognition and does not include the use of the three-cueing system model,
1.17 based on meaning, structure/syntax, and visual, also known as MSV, as a method to teach
1.18 students to read.

1.19 Subd. 3. Other definitions. (a) The terms defined in this section have the meanings
1.20 given them.

1.21 (b) "Comprehension" is the purpose of reading: the ability to understand, remember,
1.22 and make meaning of what has been read.

2.1 (c) "Fluency" is the ability to read text with speed, accuracy, and proper expression,
2.2 either to oneself or aloud.

2.3 (d) "Phonemic/phonological awareness" is the ability of students to hear, identify,
2.4 manipulate, and substitute individual sounds, word parts, and syllables in spoken words.

2.5 (e) "Phonics" is the understanding that there are systematic and predictable relationships
2.6 between phonemes (sounds) and graphemes (the letters that represent those sounds in written
2.7 language) and to apply that knowledge to decode unfamiliar printed words. This process is
2.8 commonly known as sounding out words.

2.9 (f) "Science-based reading research" means research that:

2.10 (1) applies rigorous, systematic, and objective observational or experimental procedures
2.11 to obtain knowledge relevant to reading development, reading instruction, and reading and
2.12 writing difficulties; and

2.13 (2) explains how proficient reading and writing develop, why some children have
2.14 difficulties developing key literacy skills, and how schools can best assess and instruct early
2.15 literacy, including the use of evidence-based literacy instruction practices to promote reading
2.16 and writing achievement.

2.17 (g) "Vocabulary" is the process of acquiring new words that students understand and
2.18 use in their conversation (oral vocabulary) and recognize in print (reading vocabulary)
2.19 through direct and indirect instruction.

2.20 Sec. 2. Minnesota Statutes 2022, section 120B.12, is amended to read:

2.21 **120B.12 READING PROFICIENTLY NO LATER THAN THE END OF GRADE**
2.22 **3.**

2.23 Subdivision 1. **Literacy goal.** The legislature seeks to have every child reading at or
2.24 above grade level no later than the end of grade 3, including English learners, and that
2.25 teachers provide ~~comprehensive, scientifically based~~ reading instruction based on the science
2.26 of reading consistent with section ~~122A.06, subdivision 4~~ 120B.116.

2.27 Subd. 2. **Identification; report.** (a) Each school district must identify before the end of
2.28 kindergarten, grade 1, and grade 2 all students who are not reading at grade level. Students
2.29 identified as not reading at grade level by the end of kindergarten, grade 1, and grade 2 must
2.30 be screened, in a locally determined manner, for characteristics of dyslexia.

3.1 (b) Students in grade 3 or higher who demonstrate a reading difficulty to a classroom
3.2 teacher must be screened, in a locally determined manner, for characteristics of dyslexia,
3.3 unless a different reason for the reading difficulty has been identified.

3.4 (c) Reading assessments in English, and in the predominant languages of district students
3.5 where practicable, must identify and evaluate students' areas of academic need related to
3.6 literacy. The district also must monitor the progress and provide reading instruction
3.7 appropriate to the specific needs of English learners. The district must use a locally adopted,
3.8 developmentally appropriate, and culturally responsive assessment and annually report
3.9 summary assessment results to the commissioner by July 1.

3.10 (d) The district also must annually report to the commissioner by July 1 a summary of
3.11 the district's efforts to screen and identify students who demonstrate characteristics of
3.12 dyslexia using screening tools such as those recommended by the department's dyslexia
3.13 specialist. With respect to students screened or identified under paragraph (a), the report
3.14 must include:

3.15 (1) a summary of the district's efforts to screen for dyslexia;

3.16 (2) the number of students screened for that reporting year; and

3.17 (3) the number of students demonstrating characteristics of dyslexia for that year.

3.18 (e) A student identified under this subdivision must be provided with alternate instruction
3.19 under section 125A.56, subdivision 1.

3.20 Subd. 2a. **Parent notification and involvement.** Schools, at least annually, must give
3.21 clear notice to the parent of each student who is not reading at or above grade level that the
3.22 student is not reading at or above grade level, and provide the parent timely information
3.23 about:

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

3.25 (2) reading-related services currently being provided to the student and the student's
3.26 progress; and

3.27 (3) strategies for parents to use at home in helping their student succeed in becoming
3.28 grade-level proficient in reading in English and in their native language; the strategies must
3.29 align with the interventions identified in the improvement plan under subdivision 3.

3.30 A district may not use this section to deny a student's right to a special education
3.31 evaluation.

4.1 Subd. 3. **Intervention.** (a) For each student identified under subdivision 2, the district
4.2 shall provide reading intervention to accelerate student growth and reach the goal of reading
4.3 at or above grade level by the end of the current grade and school year. If a student does
4.4 not read at or above grade level by the end of grade 3, the district must continue to provide
4.5 reading intervention until the student reads at grade level. District intervention methods
4.6 shall encourage family engagement and, where possible, collaboration with appropriate
4.7 school and community programs. Intervention methods may include, but are not limited to,
4.8 requiring attendance in summer school or a summer reading program or camp, intensified
4.9 reading instruction that may require that the student be removed from the regular classroom
4.10 for part of the school day, extended-day programs, or programs that strengthen students'
4.11 cultural connections.

4.12 (b) A school district or charter school is strongly encouraged to provide a personal
4.13 learning plan for a student who is unable to demonstrate grade-level proficiency, as measured
4.14 by the statewide reading assessment in grade grades 3 and 4. The district or charter school
4.15 must determine the format of the personal learning plan in collaboration with the student's
4.16 educators and other appropriate professionals. The school must develop the learning plan
4.17 in consultation with the student's parent or guardian. The personal learning plan must address
4.18 knowledge gaps and skill deficiencies through strategies such as specific exercises and
4.19 practices during and outside of the regular school day, periodic assessments, and reasonable
4.20 timelines. The personal learning plan may include grade retention, if it is in the student's
4.21 best interest. A school must maintain and regularly update and modify the personal learning
4.22 plan until the student reads at grade level. This paragraph does not apply to a student under
4.23 an individualized education program.

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

4.26 (1) elementary teachers are able to implement ~~comprehensive, scientifically based reading~~
4.27 ~~and oral language instruction in the five reading areas of phonemic awareness, phonics,~~
4.28 ~~fluency, vocabulary, and comprehension as defined in section 122A.06, subdivision 4, and~~
4.29 ~~other literacy-related areas including writing~~ instructional practices consistent with the
4.30 science of reading as defined in section 120B.116 until the student achieves and maintains
4.31 grade-level reading proficiency;

4.32 (2) elementary teachers have sufficient training and professional development to provide
4.33 comprehensive, scientifically based reading and oral language instruction aligned to the
4.34 science of reading as defined in section 120B.116 that meets students' developmental,

5.1 linguistic, and literacy needs using the intervention methods or programs selected by the
5.2 district for the identified students;

5.3 (3) licensed teachers employed by the district have regular opportunities to improve
5.4 reading and writing instruction aligned to the science of reading as defined in section
5.5 120B.116;

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

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

5.13 Subd. 4a. **Local literacy plan.** (a) Consistent with this section, a school district must
5.14 adopt a local literacy plan to have every child reading at or above grade level no later than
5.15 the end of grade 3, including English learners. The plan must be consistent with section
5.16 ~~122A.06, subdivision 4~~ 120B.116, and include the following:

5.17 (1) a process to assess students' level of reading proficiency and data to support the
5.18 effectiveness of an assessment used to screen and identify a student's level of reading
5.19 proficiency;

5.20 (2) a process to notify and involve parents;

5.21 (3) a description of how schools in the district will determine the proper reading
5.22 intervention strategy for a student and the process for intensifying or modifying the reading
5.23 strategy in order to obtain measurable reading progress;

5.24 (4) evidence-based intervention methods aligned to the science of reading as defined in
5.25 section 120B.116 for students who are not reading at or above grade level and progress
5.26 monitoring to provide information on the effectiveness of the intervention; and

5.27 (5) identification of staff development needs, including a program to meet those needs.

5.28 (b) The district must post its literacy plan on the official school district website.

5.29 Subd. 5. **Commissioner.** The commissioner shall recommend to districts multiple
5.30 assessment tools to assist districts and teachers with identifying students under subdivision
5.31 2. The commissioner shall also make available examples of nationally recognized and

6.1 research-based instructional methods or programs to districts to provide comprehensive,
6.2 scientifically based reading instruction and intervention under this section.

6.3 Sec. 3. Minnesota Statutes 2022, section 122A.092, subdivision 5, is amended to read:

6.4 Subd. 5. **Reading strategies.** (a) A teacher preparation provider approved by the
6.5 Professional Educator Licensing and Standards Board to prepare persons for classroom
6.6 teacher licensure must include in its teacher preparation programs research-based best
6.7 practices in reading, consistent with section ~~122A.06, subdivision 4~~ 120B.116, that enable
6.8 the licensure candidate to teach reading in the candidate's content areas. Teacher candidates
6.9 must be instructed in using students' native languages as a resource in creating effective
6.10 differentiated instructional strategies for English learners developing literacy skills. A teacher
6.11 preparation provider also must prepare early childhood and elementary teacher candidates
6.12 for Tier 3 and Tier 4 teaching licenses under sections 122A.183 and 122A.184, respectively,
6.13 for the portion of the examination under section 122A.185, subdivision 1, paragraph (c),
6.14 covering assessment of reading instruction.

6.15 (b) Board-approved teacher preparation programs for teachers of elementary education
6.16 must require instruction in applying comprehensive, scientifically based or evidence-based,
6.17 and structured reading instruction programs that:

6.18 (1) teach students to read using foundational knowledge, practices, and strategies
6.19 consistent with section ~~122A.06, subdivision 4~~ 120B.116, so that all students achieve
6.20 continuous progress in reading; ~~and~~

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

6.23 (3) exclude or prohibit the use of whole language, balanced-literacy, or a three-cueing
6.24 system model based on meaning, structure/syntax, and visual, also known as MSV.

6.25 (c) Board-approved teacher preparation programs for teachers of elementary education,
6.26 early childhood education, special education, and reading intervention must include
6.27 instruction on dyslexia, as defined in section 125A.01, subdivision 2. Teacher preparation
6.28 programs may consult with the Department of Education, including the dyslexia specialist
6.29 under section 120B.122, to develop instruction under this paragraph. Instruction on dyslexia
6.30 must be modeled on practice standards of the International Dyslexia Association, and must
6.31 address:

6.32 (1) the nature and symptoms of dyslexia;

6.33 (2) resources available for students who show characteristics of dyslexia;

7.1 (3) evidence-based instructional strategies for students who show characteristics of
7.2 dyslexia, including the structured literacy approach; and

7.3 (4) outcomes of intervention and lack of intervention for students who show
7.4 characteristics of dyslexia.

7.5 (d) Nothing in this section limits the authority of a school district to select a school's
7.6 reading program or curriculum.

7.7 Sec. 4. Minnesota Statutes 2022, section 122A.185, subdivision 1, is amended to read:

7.8 Subdivision 1. **Tests.** (a) The Professional Educator Licensing and Standards Board
7.9 must adopt rules requiring a candidate to demonstrate a passing score on a board-adopted
7.10 examination of skills in reading, writing, and mathematics before being granted a Tier 4
7.11 teaching license under section 122A.184 to provide direct instruction to pupils in elementary,
7.12 secondary, or special education programs. Candidates may obtain a Tier 1, Tier 2, or Tier
7.13 3 license to provide direct instruction to pupils in elementary, secondary, or special education
7.14 programs if candidates meet the other requirements in section 122A.181, 122A.182, or
7.15 122A.183, respectively.

7.16 (b) The board must adopt rules requiring candidates for Tier 3 and Tier 4 licenses to
7.17 pass an examination of general pedagogical knowledge and examinations of licensure field
7.18 specific content. The content examination requirement does not apply if no relevant content
7.19 exam exists.

7.20 (c) Candidates for initial Tier 3 and Tier 4 licenses to teach elementary students must
7.21 ~~pass test items assessing the candidates' knowledge, skill, and ability in comprehensive,~~
7.22 ~~scientifically based reading instruction under section 122A.06, subdivision 4, knowledge~~
7.23 ~~and understanding of the foundations of reading development, development of reading~~
7.24 ~~comprehension and reading assessment and instruction, and the ability to integrate that~~
7.25 ~~knowledge and understanding into instruction strategies under section 122A.06, subdivision~~
7.26 4 demonstrate their knowledge and understanding of the science of reading as defined in
7.27 section 120B.116, and ability to provide instruction and assess student proficiency in reading,
7.28 on an examination approved or adopted by the board.

7.29 (d) The requirement to pass a board-adopted reading, writing, and mathematics skills
7.30 examination does not apply to nonnative English speakers, as verified by qualified Minnesota
7.31 school district personnel or Minnesota higher education faculty, who, after meeting the
7.32 content and pedagogy requirements under this subdivision, apply for a teaching license to

8.1 provide direct instruction in their native language or world language instruction under section
8.2 120B.022, subdivision 1.

8.3 Sec. 5. Minnesota Statutes 2022, section 122A.187, subdivision 5, is amended to read:

8.4 Subd. 5. **Science of reading preparation and professional development.** The
8.5 Professional Educator Licensing and Standards Board must adopt rules that require all
8.6 licensed teachers who are renewing a Tier 3 or Tier 4 teaching license under sections
8.7 122A.183 and 122A.184, respectively, to include in the renewal requirements further reading
8.8 preparation and professional development, consistent with section ~~122A.06, subdivision 4~~
8.9 120B.116. The rules do not take effect until they are approved by law. Teachers who do
8.10 not provide direct instruction including, at least, counselors, school psychologists, school
8.11 nurses, school social workers, audiovisual directors and coordinators, and recreation
8.12 personnel are exempt from this section.

8.13 Sec. 6. Minnesota Statutes 2022, section 124D.98, is amended by adding a subdivision to
8.14 read:

8.15 Subd. 5. **Recommended uses.** (a) A school district or charter school is encouraged to
8.16 use aid received under this section on:

8.17 (1) meeting the requirements and recommendations to achieve grade-level reading
8.18 proficiency under section 120B.12;

8.19 (2) professional development for teachers and education support personnel in the science
8.20 of reading as defined in section 120B.116;

8.21 (3) provide bonuses or stipends to teachers demonstrating success in helping students
8.22 attain grade-level proficiency or exceptional growth toward grade level proficiency;

8.23 (4) provide bonuses or stipends to teachers identified under clause (3), who seek training
8.24 to work as a literacy specialist or mentor; and

8.25 (5) provide bonuses or stipends to teachers and education support personnel using the
8.26 science of reading as defined in section 120B.116 to tutor struggling readers.

8.27 (b) A school board is not required to meet and negotiate with an exclusive representative
8.28 of employees on the uses of aid received under this section, but must confer with the
8.29 exclusive representative of teachers in the district or school on the use of aid under this
8.30 section.

9.1 Sec. 7. **REPEALER.**9.2 Minnesota Statutes 2022, section 122A.06, subdivision 4, is repealed.

9.3

ARTICLE 2

9.4

EDUCATION INNOVATION

9.5 Section 1. Minnesota Statutes 2022, section 124D.085, is amended to read:

9.6 **124D.085 EXPERIENTIAL AND APPLIED LEARNING OPPORTUNITIES FOR**
9.7 **STUDENTS.**9.8 (a) To strengthen the alignment between career and college ready curriculum and state
9.9 and local academic standards and increase students' opportunities for participating in applied
9.10 and experiential learning in a nontraditional setting, school districts are encouraged to
9.11 provide programs such as:9.12 (1) magnet schools;9.13 (2) language immersion programs;9.14 (3) project-based learning;9.15 (4) accelerated learning;9.16 (5) college prep schools;9.17 (6) career and technical education;9.18 (7) Montessori schools;9.19 (8) military schools;9.20 (9) work-based schools; and9.21 (10) place-based learning.9.22 (b) Districts may provide such programs independently or in cooperation with other
9.23 districts, at a school single site, for particular grades, or throughout the district. In addition
9.24 to meeting the other accountability measures under chapter 120B, districts may declare that
9.25 a student meets or exceeds specific academic standards required for graduation under the
9.26 rigorous course of study waiver in section 120B.021, subdivision 1a, where appropriate.9.27 ~~(b)~~ (c) The board of a district that chooses to participate must publicly adopt and review
9.28 a plan for providing a program under this section. The plan must: define the program and
9.29 its structure; describe the enrollment process; identify measures and processes for regularly
9.30 assessing, evaluating, and publicly reporting on program efficacy and use summary data to

10.1 show student progress and outcomes; and establish a data-informed public process for
 10.2 modifying and revising the plan as needed. A district must publish its plan contents and
 10.3 evaluation outcomes on the district website.

10.4 ~~(e)~~ (d) For purposes of further integrating experiential and applied learning into career
 10.5 and college ready curricula, the commissioner may request program information from
 10.6 providing districts under this section, but is not authorized to approve or deny any school
 10.7 board-adopted program provided under this section.

10.8 Sec. 2. Minnesota Statutes 2022, section 124D.093, subdivision 3, is amended to read:

10.9 Subd. 3. **Application Board approval process.** ~~The commissioner must determine the~~
 10.10 ~~form and manner of application for a school to be designated a P-TECH school. The~~
 10.11 ~~application~~ school board plan for adopting a P-TECH program must contain at least the
 10.12 following information:

10.13 (1) the written agreement between a public school, a higher education institution under
 10.14 section 124D.09, subdivision 3, paragraph (a), and a business partner to jointly develop and
 10.15 support a P-TECH school;

10.16 (2) a proposed school design consistent with subdivisions 1 and 2;

10.17 (3) a description of how the P-TECH school supports the needs of the economic
 10.18 development region in which the P-TECH school is to be located;

10.19 (4) a description of the facilities to be used by the P-TECH school;

10.20 (5) a description of proposed budgets, curriculum, transportation plans, and other
 10.21 operating procedures for the P-TECH school;

10.22 (6) the process by which students will be enrolled in the P-TECH school;

10.23 (7) the qualifications required for individuals employed in the P-TECH school; and

10.24 (8) any additional information that the ~~commissioner requires~~ board determines is
 10.25 appropriate.

10.26 Sec. 3. Minnesota Statutes 2022, section 124D.093, subdivision 4, is amended to read:

10.27 Subd. 4. **Grant approval process.** (a) When an appropriation is available, the
 10.28 commissioner of education must appoint an advisory committee to review the applications
 10.29 and to recommend approval for those applications that meet the requirements of this section.
 10.30 The commissioner of education has final authority over application approvals.

11.1 (b) To the extent practicable, the commissioner must ensure an equitable geographic
11.2 distribution of approved P-TECH schools.

11.3 (c) The commissioner must first begin approving applications for a P-TECH school
11.4 enrolling students in the 2020-2021 school year or later.

11.5 (d) Nothing in this subdivision should be construed to give the commissioner the authority
11.6 to approve or deny a locally adopted P-TECH plan.

11.7 Sec. 4. Laws 2017, First Special Session chapter 5, article 2, section 52, is amended to
11.8 read:

11.9 Sec. 52. EDUCATION INNOVATION RESEARCH ZONES PILOT PROGRAM.

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

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

11.21 (c) An innovation ~~research~~ zone partnership ~~must research and~~ may implement innovative
11.22 education programs and models that ~~are based on proposed hypotheses. An innovation zone~~
11.23 ~~plan may include an emerging practice not yet supported by peer-reviewed research.~~

11.24 ~~Examples of innovation zone research~~ may include, but are not limited to:

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

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

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

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

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

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

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

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

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

12.15 (10) new models of evaluation, assessment, and accountability using multiple indicators,
12.16 including models that demonstrate alternative ways to validate a student's academic
12.17 attainment that have predictive validity to the state tests, and also include other variables
12.18 such as problem solving, creativity, analytical thinking, collaboration, respecting others,
12.19 global understanding, postgraduation student performance, and other information;

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

12.21 (12) granting a high school diploma to a student who meets the graduation requirements
12.22 under section 120B.02, subdivision 2, who demonstrates preparation for postsecondary
12.23 education or a career consistent with the world's best workforce goals under section 120B.11,
12.24 and who completes:

12.25 (i) four years of high school; and

12.26 (ii)(A) at least one year of postsecondary education at a two- or four-year college or
12.27 university through concurrent enrollment, advanced placement, or international baccalaureate
12.28 courses; or

12.29 (B) the requirements for a career certification up to the apprenticeship program level if
12.30 one is required for that certification;

12.31 (13) the use of the provisions in sections 124D.085 governing experiential and applied
12.32 learning opportunities; 124D.52, subdivision 9, governing standard adult high school diploma

13.1 requirements; and 126C.05, subdivision 15, paragraph (b), item (i), governing the use of
 13.2 independent study;

13.3 (14) the use of the provisions of a learning year in section 124D.128 for a student in
 13.4 grade 10, 11, or 12 to participate in career and technical programs after school, on weekends,
 13.5 and during school breaks, including summers, and be included in the general education
 13.6 revenue computation. The classes must generate both high school and postsecondary credit
 13.7 and lead to either a career certification, technical college degree, or an apprenticeship
 13.8 program. A student participating in a learning year may attend school year round, and the
 13.9 student's continual learning plan must provide for the student to meet the high school
 13.10 graduation standards no later than the end of the fall semester of grade 12;

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

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

13.14 (d) An innovation zone plan submitted to the commissioner of education must describe:

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

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

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

13.19 ~~(4)~~ (3) the exemptions from statutes and rules in subdivision 2 that the ~~research~~ innovation
 13.20 zone partnership will use;

13.21 ~~(5)~~ (4) a description of how teachers and other educational staff from the affected school
 13.22 sites will be included in the planning and implementation process;

13.23 ~~(6)~~ (5) a detailed description of expected outcomes and graduation standards;

13.24 ~~(7)~~ (6) a timeline for implementing the plan and assessing the outcomes; and

13.25 ~~(8)~~ (7) how results of the plan will be disseminated.

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

13.27 (e) Upon unanimous approval of the initial innovation zone partners ~~and approval of the~~
 13.28 ~~commissioner of education~~, the innovation zone partnership may extend membership to
 13.29 other partners. A new partner's membership is effective 30 days after the innovation zone
 13.30 partnership notifies the commissioner of the proposed change in membership ~~unless the~~
 13.31 ~~commissioner disapproves the new partner's membership~~ and updates the plan.

14.1 (f) Notwithstanding any other law to the contrary, a school district or charter school
 14.2 participating in an innovation zone partnership under this section continues to receive all
 14.3 revenue and maintains its taxation authority in the same manner as before its participation
 14.4 in the innovation zone partnership. The innovation zone school district and charter school
 14.5 partners remain organized and governed by their respective school boards with general
 14.6 powers under Minnesota Statutes, chapter 123B or 124E, and remain subject to any
 14.7 employment agreements under Minnesota Statutes, chapters 122A and 179A. School district
 14.8 and charter school employees participating in an innovation zone partnership remain
 14.9 employees of their respective school district or charter school.

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

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

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

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

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

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

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

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

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

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

15.10 ~~(b) The panel must be composed of nine members. One member must be appointed by~~
15.11 ~~each of the following organizations: Educators for Excellence, Education Minnesota,~~
15.12 ~~Minnesota Association of Secondary School Principals, Minnesota Elementary School~~
15.13 ~~Principals' Association, Minnesota Association of School Administrators, Minnesota School~~
15.14 ~~Boards Association, Minnesota Association of Charter Schools, and the Office of Higher~~
15.15 ~~Education. The commissioner must appoint one member with expertise in evaluation and~~
15.16 ~~research.~~

15.17 ~~Subd. 4. **Role of the commissioner approval.** (a) Upon recommendation of the~~
15.18 ~~Innovation Research Zone Advisory Panel, the commissioner may approve up to three~~
15.19 ~~innovation zone plans in the seven-county metropolitan area and up to three in greater~~
15.20 ~~Minnesota. If an innovation zone partnership fails to implement its innovation zone plan as~~
15.21 ~~described in its application and according to the stated timeline, upon recommendation of~~
15.22 ~~the Innovation Research Zone Advisory Panel, the commissioner ~~must~~ may alert the~~
15.23 ~~partnership members and provide the opportunity to remediate. If implementation continues~~
15.24 ~~to fail, the commissioner ~~must~~ may suspend or terminate the innovation zone plan.~~

15.25 (b) The commissioner must publish a list of the exemptions the commissioner has granted
15.26 to a district or charter school on the Department of Education's ~~Web site~~ website by July 1,
15.27 2017. The list must be updated annually.

15.28 ~~Subd. 5. **Project evaluation, dissemination, and report to legislature.** Each ~~research~~~~
15.29 ~~innovation zone partnership must submit project data to the commissioner in the form and~~
15.30 ~~manner ~~provided for in the approved application~~ specified by the commissioner. At least~~
15.31 ~~once every two years, the commissioner ~~must~~ may analyze each innovation zone's progress~~
15.32 ~~in realizing the objectives of the innovation zone partnership's plan. To the extent practicable,~~
15.33 ~~and using existing resources, the commissioner ~~must~~ may summarize and categorize~~
15.34 ~~innovation zone plans and submit a report to the legislative committees having jurisdiction~~

16.1 over education by February 1 of each odd-numbered year in accordance with Minnesota
16.2 Statutes, section 3.195.

16.3 **Sec. 5. REVISOR INSTRUCTION.**

16.4 (a) The revisor of statutes shall renumber the provisions of Minnesota Statutes and laws
16.5 listed in column A to the references listed in column B. The revisor shall also make necessary
16.6 cross-reference changes in Minnesota Statutes and Minnesota Rules consistent with the
16.7 renumbering in this instruction.

16.8	<u>Column A</u>	<u>Column B</u>
16.9	<u>Laws 2017, First Special Session chapter 5,</u>	
16.10	<u>article 2, section 52</u>	<u>124F.01</u>
16.11	<u>124D.085</u>	<u>124F.02</u>
16.12	<u>124D.093</u>	<u>124F.03</u>
16.13	<u>124D.4535</u>	<u>124F.04</u>
16.14	<u>124D.46</u>	<u>124F.05</u>
16.15	<u>124D.47</u>	<u>124F.06</u>
16.16	<u>124D.48</u>	<u>124F.07</u>
16.17	<u>124D.49</u>	<u>124F.08</u>
16.18	<u>124D.50</u>	<u>124F.09</u>

16.19 (b) This act is intended to be a reorganization of statutes relating to Education Innovation
16.20 in Minnesota Statutes, chapter 124F. The changes that have been made are not intended to
16.21 change the meaning or prior interpretation of those laws.

16.22 **ARTICLE 3**

16.23 **GENERAL EDUCATION**

16.24 Section 1. Minnesota Statutes 2022, section 120B.024, subdivision 1, is amended to read:

16.25 Subdivision 1. **Graduation requirements.** (a) Students beginning 9th grade in the
16.26 2011-2012 school year and later must successfully complete the following high school level
16.27 credits for graduation:

16.28 (1) four credits of language arts sufficient to satisfy all of the academic standards in
16.29 English language arts;

16.30 (2) three credits of mathematics, including an algebra II credit or its equivalent, sufficient
16.31 to satisfy all of the academic standards in mathematics;

17.1 (3) an algebra I credit by the end of 8th grade sufficient to satisfy all of the 8th grade
17.2 standards in mathematics;

17.3 (4) three credits of science, including at least one credit of biology, one credit of chemistry
17.4 or physics, and one elective credit of science. The combination of credits under this clause
17.5 must be sufficient to satisfy (i) all of the academic standards in either chemistry or physics
17.6 and (ii) all other academic standards in science;

17.7 (5) three and one-half credits of social studies, including credit for a course in government
17.8 and citizenship in either 11th or 12th grade for students beginning 9th grade in the 2024-2025
17.9 school year and later or an advanced placement, international baccalaureate, or other rigorous
17.10 course on government and citizenship under section 120B.021, subdivision 1a, and a
17.11 combination of other credits encompassing at least United States history, geography,
17.12 government and citizenship, world history, and economics sufficient to satisfy all of the
17.13 academic standards in social studies;

17.14 (6) one credit of the arts sufficient to satisfy all of the state or local academic standards
17.15 in the arts; and

17.16 (7) a minimum of seven elective credits.

17.17 (b) A school district is encouraged to offer a course for credit in government and
17.18 citizenship to 11th or 12th grade students who begin 9th grade in the 2020-2021 school year
17.19 and later, that satisfies the government and citizenship requirement in paragraph (a), clause
17.20 (5). A school district must offer the course starting in the 2024-2025 school year.

17.21 **EFFECTIVE DATE.** This section is effective July 1, 2023.

17.22 Sec. 2. Minnesota Statutes 2022, section 121A.031, subdivision 1, is amended to read:

17.23 Subdivision 1. **Student bullying policy; scope and application.** (a) This section applies
17.24 to bullying by a student against another student enrolled in a public school and which occurs:

17.25 (1) on the school premises, at the school functions or activities, or on the school
17.26 transportation;

17.27 (2) by use of electronic technology and communications on the school premises, during
17.28 the school functions or activities, on the school transportation, or on the school computers,
17.29 networks, forums, and mailing lists; or

17.30 (3) by use of electronic technology and communications on a school-issued device, as
17.31 defined in section 13.32, subdivision 1, off the school premises to the extent such use
17.32 substantially and materially disrupts student learning or the school environment.

18.1 (b) A nonpublic school under section 123B.41, subdivision 9, consistent with its school
18.2 accreditation cycle, is encouraged to electronically transmit to the commissioner its
18.3 antibullying policy, if any, and any summary data on its bullying incidents.

18.4 (c) This section does not apply to a home school under sections 120A.22, subdivision
18.5 4, and 120A.24, or a nonpublic school under section 123B.41, subdivision 9.

18.6 (d) A school-aged child who voluntarily participates in a public school activity, such as
18.7 a cocurricular or extracurricular activity, is subject to the same student bullying policy
18.8 provisions applicable to the public school students participating in the activity.

18.9 Sec. 3. Minnesota Statutes 2022, section 122A.18, subdivision 7a, is amended to read:

18.10 Subd. 7a. ~~Permission to Lifetime substitute teach teaching license. (a) The Professional~~
18.11 ~~Educator Licensing and Standards Board may allow a person who otherwise qualifies for~~
18.12 ~~a Tier 1 license in accordance with section 122A.181, subdivision 2, or is enrolled in and~~
18.13 ~~making satisfactory progress in a board-approved teacher program and who has successfully~~
18.14 ~~completed student teaching to be employed as a short-call substitute teacher.~~

18.15 ~~(b)~~ The Professional Educator Licensing and Standards Board may issue a lifetime
18.16 qualified short-call or long-call substitute teaching license to a person who:

18.17 (1) was a qualified teacher under section 122A.16 while holding a Tier 3 or Tier 4
18.18 teaching license issued by the board, under sections 122A.183 and 122A.184, respectively,
18.19 and receives a retirement annuity from the Teachers Retirement Association or the St. Paul
18.20 Teachers Retirement Fund Association;

18.21 (2) holds an out-of-state teaching license and receives a retirement annuity as a result
18.22 of the person's teaching experience; or

18.23 (3) held a Tier 3 or Tier 4 teaching license issued by the board, under sections 122A.183
18.24 and 122A.184, respectively, taught at least three school years in an accredited nonpublic
18.25 school in Minnesota, and receives a retirement annuity as a result of the person's teaching
18.26 experience.

18.27 A person holding a lifetime qualified short-call or long-call substitute teaching license is
18.28 not required to complete continuing education clock hours. A person holding this license
18.29 may reapply to the board for either:

18.30 (i) a Tier 3 or Tier 4 teaching license under sections 122A.183 and 122A.184,
18.31 respectively, and must again complete continuing education clock hours one school year
18.32 after receiving the Tier 3 or Tier 4 teaching license; or

19.1 (ii) a Tier 1 license under section 122A.181, provided that the candidate has a bachelor's
19.2 degree, an associate's degree, or an appropriate professional credential in the content area
19.3 the candidate will teach, in accordance with section 122A.181, subdivision 2.

19.4 **EFFECTIVE DATE.** This section is effective July 1, 2023.

19.5 Sec. 4. Minnesota Statutes 2022, section 122A.18, is amended by adding a subdivision to
19.6 read:

19.7 Subd. 7d. **Short-call substitute teaching license.** (a) Notwithstanding any law to the
19.8 contrary, the Professional Educator Licensing and Standards Board must issue a short-call
19.9 substitute teaching license to an applicant who submits a joint application with a school
19.10 district or charter school affirming that the applicant has the necessary knowledge and skills
19.11 to work as a substitute teacher and:

19.12 (1) holds at least an associate's degree or equivalent;

19.13 (2) is enrolled in a state-approved teacher preparatory program; or

19.14 (3) has been employed as an education support personnel or paraprofessional within the
19.15 school district or charter school for at least one school year.

19.16 (b) A short-call substitute teaching license is valid for at least one school year and
19.17 qualifies the teacher to work as a substitute teacher in any school district or charter school
19.18 in the state, subject to the school district or charter school's terms and conditions of
19.19 employment.

19.20 (c) The board may issue a license pending a background study under section 122A.18,
19.21 subdivision 8, and may immediately suspend or revoke the license based on the results of
19.22 the background study.

19.23 (d) The board may prioritize review of applications for short-call substitute teacher
19.24 licenses over review of other applications. The board must issue an application denial in
19.25 writing and must include a detailed explanation of the reason for the denial. The review and
19.26 appeal provisions of section 122A.188 apply to an application for a license under this
19.27 subdivision.

19.28 **EFFECTIVE DATE.** This section is effective July 1, 2023.

19.29 Sec. 5. Minnesota Statutes 2022, section 123B.86, subdivision 3, is amended to read:

19.30 Subd. 3. **Board control.** (a) When transportation is provided, the scheduling of routes,
19.31 manner and method of transportation, control and discipline of school children and any

20.1 other matter relating thereto shall be within the sole discretion, control and management of
20.2 the board.

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

20.5 (c) A school board that provides pupil transportation through the school's employees
20.6 may transport nonpublic school students according to the plan and retain the nonpublic
20.7 pupil transportation aid attributable to that plan. A nonpublic school may make a payment
20.8 to the school district to cover additional transportation services agreed to in the written plan
20.9 for nonpublic pupil transportation services not required under sections 123B.84 to 123B.87.

20.10 (d) A school board that contracts for pupil transportation services may enter into a
20.11 contractual arrangement with a school bus contractor according to the written plan adopted
20.12 by the school board and the nonpublic school to transport nonpublic school students and
20.13 retain the nonpublic pupil transportation aid attributable to that plan for the purposes of
20.14 paying the school bus contractor. A nonpublic school may make a payment to the school
20.15 district to cover additional transportation services agreed to in the written plan for nonpublic
20.16 pupil transportation services included in the contract that are not required under sections
20.17 123B.84 to 123B.87.

20.18 (e) The school district must report the number of nonpublic school students transported
20.19 and the nonpublic pupil transportation expenditures incurred under paragraph (b) in the
20.20 form and manner specified by the commissioner.

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

20.22 Sec. 6. Minnesota Statutes 2022, section 124D.09, subdivision 5, is amended to read:

20.23 Subd. 5. **Authorization; notification.** Notwithstanding any other law to the contrary,
20.24 an 11th or 12th grade pupil enrolled in a school or an American Indian-controlled tribal
20.25 contract or grant school eligible for aid under section 124D.83, except a foreign exchange
20.26 pupil enrolled in a district under a cultural exchange program, may apply to an eligible
20.27 institution, as defined in subdivision 3, to enroll in nonsectarian courses offered by that
20.28 postsecondary institution. If an institution accepts a secondary pupil for enrollment under
20.29 this section, the institution shall send written notice to the pupil, the pupil's school or school
20.30 district, and the commissioner. The notice must indicate the course and hours of enrollment
20.31 of that pupil. If the pupil enrolls in a course for postsecondary credit, the institution must
20.32 notify:

20.33 (1) the pupil about payment in the customary manner used by the institution-; and

21.1 (2) the pupil's school as soon as practicable if the pupil withdraws from the course or
21.2 stops attending the course.

21.3 **EFFECTIVE DATE.** This section is effective July 1, 2023.

21.4 Sec. 7. Minnesota Statutes 2022, section 124D.09, subdivision 12, is amended to read:

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

21.7 (b) A district ~~shall~~ must grant academic credit to a pupil enrolled in a course for secondary
21.8 credit if the pupil successfully completes the course. Seven quarter or four semester college
21.9 credits equal at least one full year of high school credit. Fewer college credits may be
21.10 prorated. A district must also grant academic credit to a pupil enrolled in a course for
21.11 postsecondary credit if secondary credit is requested by a pupil. If no comparable course is
21.12 offered by the district, the district must, as soon as possible, notify the commissioner, who
21.13 ~~shall~~ must determine the number of credits that ~~shall~~ must be granted to a pupil who
21.14 successfully completes a course. If a comparable course is offered by the district, the school
21.15 board ~~shall~~ must grant a comparable number of credits to the pupil. If there is a dispute
21.16 between the district and the pupil regarding the number of credits granted for a particular
21.17 course, the pupil may appeal the board's decision to the commissioner. The commissioner's
21.18 decision regarding the number of credits ~~shall be~~ is final.

21.19 (c) A school board must adopt a policy regarding weighted grade point averages for any
21.20 high school or dual enrollment course. The policy must state whether the district offers
21.21 weighted grades. A school board must annually publish on its website a list of courses for
21.22 which a student may earn a weighted grade.

21.23 (d) The secondary credits granted to a pupil must be counted toward the graduation
21.24 requirements and subject area requirements of the district. Evidence of successful completion
21.25 of each course and secondary credits granted must be included in the pupil's secondary
21.26 school record. A pupil ~~shall~~ must provide the school with a copy of the pupil's grade grades
21.27 in each course taken for secondary credit under this section, including interim or nonfinal
21.28 grades earned during the academic term. Upon the request of a pupil, the pupil's secondary
21.29 school record must also include evidence of successful completion and credits granted for
21.30 a course taken for postsecondary credit. In either case, the record must indicate that the
21.31 credits were earned at a postsecondary institution.

21.32 (e) If a pupil enrolls in a postsecondary institution after leaving secondary school, the
21.33 postsecondary institution must award postsecondary credit for any course successfully

22.1 completed for secondary credit at that institution. Other postsecondary institutions may
22.2 award, after a pupil leaves secondary school, postsecondary credit for any courses
22.3 successfully completed under this section. An institution may not charge a pupil for the
22.4 award of credit.

22.5 (f) The Board of Trustees of the Minnesota State Colleges and Universities and the
22.6 Board of Regents of the University of Minnesota must, and private nonprofit and proprietary
22.7 postsecondary institutions should, award postsecondary credit for any successfully completed
22.8 courses in a program certified by the National Alliance of Concurrent Enrollment Partnerships
22.9 offered according to an agreement under subdivision 10. Consistent with section 135A.101,
22.10 subdivision 3, all MnSCU institutions must give full credit to a secondary pupil who
22.11 completes for postsecondary credit a postsecondary course or program that is part or all of
22.12 a goal area or a transfer curriculum at a MnSCU institution when the pupil enrolls in a
22.13 MnSCU institution after leaving secondary school. Once one MnSCU institution certifies
22.14 as completed a secondary student's postsecondary course or program that is part or all of a
22.15 goal area or a transfer curriculum, every MnSCU institution must consider the student's
22.16 course or program for that goal area or the transfer curriculum as completed.

22.17 **EFFECTIVE DATE.** This section is effective July 1, 2023.

22.18 Sec. 8. **[124D.792] GRADUATION CEREMONIES; TRIBAL REGALIA AND**
22.19 **OBJECTS OF CULTURAL SIGNIFICANCE.**

22.20 A school district or charter school must not prohibit an American Indian student from
22.21 wearing American Indian regalia, Tribal regalia, or objects of cultural significance at a
22.22 graduation ceremony.

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

22.24 Sec. 9. Minnesota Statutes 2022, section 124E.11, is amended to read:

22.25 **124E.11 ADMISSION REQUIREMENTS AND ENROLLMENT.**

22.26 (a) A charter school, including its preschool or prekindergarten program established
22.27 under section 124E.06, subdivision 3, paragraph (b), may limit admission to:

22.28 (1) pupils within an age group or grade level;

22.29 (2) pupils who are eligible to participate in the graduation incentives program under
22.30 section 124D.68; or

23.1 (3) residents of a specific geographic area in which the school is located when the
23.2 majority of students served by the school are members of underserved populations.

23.3 (b) A charter school, including its preschool or prekindergarten program established
23.4 under section 124E.06, subdivision 3, paragraph (b), shall enroll an eligible pupil who
23.5 submits a timely application, unless the number of applications exceeds the capacity of a
23.6 program, class, grade level, or building. In this case, pupils must be accepted by lot. The
23.7 charter school must develop and publish, including on its website, a lottery policy and
23.8 process that it must use when accepting pupils by lot.

23.9 (c) A charter school shall give enrollment preference to a sibling of an enrolled pupil
23.10 and to a foster child of that pupil's parents and may give preference for enrolling children
23.11 of the school's staff before accepting other pupils by lot. A charter school that is located in
23.12 Duluth township in St. Louis County and admits students in kindergarten through grade 6
23.13 must give enrollment preference to students residing within a five-mile radius of the school
23.14 and to the siblings of enrolled children. A charter school may give enrollment preference
23.15 to children currently enrolled in the school's free preschool or prekindergarten program
23.16 under section 124E.06, subdivision 3, paragraph (b), who are eligible to enroll in kindergarten
23.17 in the next school year.

23.18 (d) A person shall not be admitted to a charter school (1) as a kindergarten pupil, unless
23.19 the pupil is at least five years of age on September 1 of the calendar year in which the school
23.20 year for which the pupil seeks admission commences; or (2) as a first grade student, unless
23.21 the pupil is at least six years of age on September 1 of the calendar year in which the school
23.22 year for which the pupil seeks admission commences or has completed kindergarten; except
23.23 that a charter school may establish and publish on its website a policy for admission of
23.24 selected pupils at an earlier age, consistent with the enrollment process in paragraphs (b)
23.25 and (c).

23.26 (e) Except as permitted in ~~paragraph (d)~~ paragraphs (d) and (i), a charter school, including
23.27 its preschool or prekindergarten program established under section 124E.06, subdivision
23.28 3, paragraph (b), may not limit admission to pupils on the basis of intellectual ability,
23.29 measures of achievement or aptitude, or athletic ability and may not establish any criteria
23.30 or requirements for admission that are inconsistent with this section.

23.31 (f) The charter school shall not distribute any services or goods of value to students,
23.32 parents, or guardians as an inducement, term, or condition of enrolling a student in a charter
23.33 school.

24.1 (g) Once a student is enrolled in the school, the student is considered enrolled in the
24.2 school until the student formally withdraws or is expelled under the Pupil Fair Dismissal
24.3 Act in sections 121A.40 to 121A.56.

24.4 (h) A charter school with at least 90 percent of enrolled students who are eligible for
24.5 special education services and have a primary disability of deaf or hard-of-hearing may
24.6 enroll prekindergarten pupils with a disability under section 126C.05, subdivision 1,
24.7 paragraph (a), and must comply with the federal Individuals with Disabilities Education
24.8 Act under Code of Federal Regulations, title 34, section 300.324, subsection (2), clause
24.9 (iv).

24.10 (i) A charter school serving at least 90 percent of enrolled students who are eligible for
24.11 special education services and have a primary disability of deaf, hard-of-hearing, or deafblind
24.12 may give enrollment preference to students who are eligible for special education services
24.13 and have a primary disability of deaf, hard-of-hearing, or deafblind. The charter school may
24.14 not limit admission based on the student's eligibility for additional special education services.

24.15 Sec. 10. Minnesota Statutes 2022, section 127A.05, is amended by adding a subdivision
24.16 to read:

24.17 Subd. 7. **Staffing review.** The commissioner must conduct an annual review of all
24.18 department positions and report to the legislative committees with jurisdiction over
24.19 kindergarten through grade 12 education whether each position fulfills state or federal
24.20 requirements. The commissioner must not use state funds to pay staffing costs for positions
24.21 required to satisfy federal requirements. The report must be submitted to the legislature by
24.22 January 15 of each year.

24.23 Sec. 11. Minnesota Statutes 2022, section 127A.05, is amended by adding a subdivision
24.24 to read:

24.25 Subd. 8. **Department directives.** The commissioner must require all guidance or
24.26 directives issued to school districts, charter schools, administrators, or teachers to include
24.27 the name and contact information of the department employee responsible for issuing the
24.28 guidance or directive.

24.29 Sec. 12. Minnesota Statutes 2022, section 127A.353, subdivision 2, is amended to read:

24.30 Subd. 2. **Qualifications.** The governor shall select the school trust lands director on the
24.31 basis of outstanding professional qualifications and knowledge of finance, business practices,
24.32 minerals, forest and real estate management, and the fiduciary responsibilities of a trustee

25.1 to the beneficiaries of a trust. The school trust lands director serves in the unclassified service
25.2 for a term of four years. ~~The first term shall end on December 31, 2020.~~ The governor may
25.3 remove the school trust lands director for cause. If a director resigns or is removed for cause,
25.4 the governor shall appoint a director for the remainder of the term.

25.5 Sec. 13. Minnesota Statutes 2022, section 127A.353, subdivision 4, is amended to read:

25.6 Subd. 4. **Duties; powers.** (a) The school trust lands director shall:

25.7 (1) ~~take an oath of office before assuming any duties as the director~~ act in a fiduciary
25.8 capacity for trust beneficiaries in accordance with the principles under section 127A.351;

25.9 (2) evaluate the school trust land asset position;

25.10 (3) determine the estimated current and potential market value of school trust lands;

25.11 (4) advise and provide recommendations to the governor, ~~Executive Council,~~
25.12 ~~commissioner of natural resources, and the Legislative Permanent School Fund Commission~~
25.13 ~~on the management of school trust lands, including:~~ on school trust land management policies
25.14 and other policies that may affect the goal of the permanent school fund under section
25.15 127A.31;

25.16 (5) advise and provide recommendations to the Executive Council and Land Exchange
25.17 Board on all matters regarding school trust lands presented to either body;

25.18 (6) advise and provide recommendations to the commissioner of natural resources on
25.19 managing school trust lands, including but not limited to advice and recommendations on:

25.20 (i) Department of Natural Resources school trust land management plans;

25.21 (ii) leases of school trust lands;

25.22 (iii) royalty agreements on school trust lands;

25.23 (iv) land sales and exchanges;

25.24 (v) cost certification; and

25.25 (vi) revenue generating options;

25.26 (7) serve as temporary trustee of school trust lands for school trust lands subject to
25.27 proposed or active eminent domain proceedings;

25.28 (8) serve as temporary trustee of school trust lands pursuant to section 94.342, subdivision
25.29 5;

26.1 ~~(5) propose~~ (9) submit to the Legislative Permanent School Fund Commission for review
 26.2 an annual budget and management plan for the director that includes proposed legislative
 26.3 changes that will improve the asset allocation of the school trust lands;

26.4 ~~(6) (10) develop and implement~~ a ten-year strategic plan and a 25-year framework for
 26.5 management of school trust lands, in conjunction with the commissioner of natural resources,
 26.6 that is updated every five years ~~and implemented by the commissioner~~, with goals to:

26.7 (i) retain core real estate assets;

26.8 (ii) increase the value of the real estate assets and the cash flow from those assets;

26.9 (iii) rebalance the portfolio in assets with high performance potential and the strategic
 26.10 disposal of selected assets;

26.11 (iv) establish priorities for management actions;

26.12 (v) balance revenue enhancement and resource stewardship; and

26.13 (vi) advance strategies on school trust lands to capitalize on ecosystem services markets;

26.14 and

26.15 ~~(7) submit to the Legislative Permanent School Fund Commission for review an annual~~
 26.16 ~~budget and management plan for the director; and~~

26.17 ~~(8) (11) keep~~ the beneficiaries, governor, legislature, and the public informed about the
 26.18 work of the director by reporting to the Legislative Permanent School Fund Commission
 26.19 in a public meeting at least once during each calendar quarter.

26.20 (b) In carrying out the duties under paragraph (a), the school trust lands director ~~shall~~
 26.21 ~~have the authority to~~ may:

26.22 (1) direct and control money appropriated to the director;

26.23 (2) establish job descriptions and employ ~~up to five employees in the unclassified service,~~
 26.24 staff within the limitations of money appropriated to the director;

26.25 (3) enter into interdepartmental agreements with any other state agency;

26.26 (4) enter into joint powers agreements under chapter 471;

26.27 (5) evaluate and initiate real estate development projects on school trust lands in
 26.28 conjunction with the commissioner of natural resources and with the advice of the Legislative
 26.29 Permanent School Fund Commission ~~in order~~ to generate long-term economic return to the
 26.30 permanent school fund; and

27.1 ~~(6) serve as temporary trustee of school trust land for school trust lands subject to~~
 27.2 ~~proposed or active eminent domain proceedings; and~~

27.3 ~~(7)~~ (6) submit recommendations on strategies for school trust land leases, sales, or
 27.4 exchanges to the commissioner of natural resources and the Legislative Permanent School
 27.5 Fund Commission.

27.6 Sec. 14. Minnesota Statutes 2022, section 144.4165, is amended to read:

27.7 **144.4165 TOBACCO PRODUCTS PROHIBITED IN PUBLIC SCHOOLS.**

27.8 (a) No person shall at any time smoke, chew, or otherwise ingest tobacco, or carry or
 27.9 use an activated electronic delivery device as defined in section 609.685, subdivision 1, in
 27.10 a public school, as defined in section 120A.05, subdivisions 9, 11, and 13, or in a charter
 27.11 school governed by chapter 124E. This prohibition extends to all facilities, whether owned,
 27.12 rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or
 27.13 controls.

27.14 (b) Nothing in this section shall prohibit the lighting of tobacco by an adult as a part of
 27.15 a traditional Indian spiritual or cultural ceremony. An American Indian student may carry
 27.16 a medicine pouch containing loose tobacco intended as observance of traditional spiritual
 27.17 or cultural practices. For purposes of this section, an Indian is a person who is a member
 27.18 of an Indian tribe as defined in section 260.755, subdivision 12.

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

27.20 Sec. 15. **SHORT-CALL SUBSTITUTE TEACHER PERMISSION.**

27.21 (a) Notwithstanding any other teacher licensing requirement, a school district or charter
 27.22 school may employ a person as a short-call substitute teacher if the person:

27.23 (1) meets the professional requirements under Minnesota Statutes, section 122A.181,
 27.24 subdivision 2; or

27.25 (2) has been employed as an education support person or paraprofessional with the
 27.26 school district or charter school for at least one school year.

27.27 (b) A school district or charter school employing a substitute teacher under this section
 27.28 must report to the Professional Educator Licensing and Standards Board all persons it
 27.29 employs under this section and, for each person, must affirm that:

27.30 (1) a criminal background study was completed consistent with Minnesota Statutes,
 27.31 section 122A.18, subdivision 8;

- 28.1 (2) the person meets the professional requirements in paragraph (a); and
- 28.2 (3) the person has the knowledge and skills to provide instruction in the content area the
- 28.3 person is teaching.
- 28.4 (c) A school district or charter school must report any complaints against a substitute
- 28.5 teacher hired under this section to the board which may consider the substance of the
- 28.6 complaint when reviewing the person's application for a license under Minnesota Statutes,
- 28.7 chapter 122A.
- 28.8 (d) This section is effective for the 2022-2023, 2023-2024, and 2024-2025 school years
- 28.9 only. This section expires June 30, 2025.
- 28.10 **EFFECTIVE DATE.** This section is effective the day following final enactment."
- 28.11 Amend the title accordingly